



Gabriola Island Local Trust Committee

Regular Meeting Agenda

Date: February 22, 2024
Time: 10:30 am
Location: Gabriola Arts & Heritage Centre
476 South Road, Gabriola Island, BC

	Pages
1. CALL TO ORDER 10:30 AM - 10:35 AM	
“Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.”	
2. APPROVAL OF AGENDA	
3. REPORTS 10:35 AM - 10:50 AM	
3.1 Trustee Reports	
3.2 Chair's Report	
3.3 Electoral Area Director's Report	
3.3.1 Electoral Area Directors Report dated January 18, 2024	4 - 6
3.4 First Nations Reports	
4. PUBLIC COMMENTS 10:50 AM - 11:05 AM	
5. DELEGATIONS - none	
6. MINUTES 11:05 AM - 11:10 AM	
6.1 Local Trust Committee Special Meeting Minutes dated November 28, 2023 - for adoption	7 - 9
6.2 Local Trust Committee Minutes dated January 18, 2024 – for adoption	10 - 17
6.3 Section 26 Resolutions-Without-Meeting Report - none	
6.4 Advisory Planning Commission Minutes dated February 7, 2024 - for receipt	18 - 21
6.5 Housing Advisory Planning Commission Minutes dated January 11, 2024 - for receipt	22 - 25
6.6 Housing Advisory Planning Commission Minutes dated January 25, 2024 - for receipt	26 - 29

6.7	Housing Advisory Planning Commission Minutes dated February 8, 2024 - for receipt	30 - 31
7.	BUSINESS ARISING FROM MINUTES	11:10 AM - 11:25 AM
7.1	Follow-up Action List dated February 15, 2024	32 - 37
8.	APPLICATIONS AND REFERRALS - none	
9.	LOCAL TRUST COMMITTEE PROJECTS	11:25 AM - 12:10 PM
9.1	Major Project: Gabriola Island Comprehensive Official Community Plan and Land Use Bylaw Review: Endorsement and Authorization for Capacity Work Agreement with Snuneymuxw First Nation- Staff Report	38 - 39
9.2	Major Project: Gabriola Island Comprehensive Official Community Plan and Land Use Bylaw Review: Engagement Update, Revised Engagement Strategy	40 - 52
9.3	Major Project: Gabriola Island Comprehensive Official Community Plan and Land Use Bylaw Review: Schedule Special Meeting for Engagement Feedback Report <i>"that the Gabriola Island Local Trust Committee request Staff schedule a Special Meeting (date), (time), and (location)."</i>	
~ BREAK 12:10PM - 12:40PM ~		
10.	CORRESPONDENCE	12:40 PM - 12:45 PM
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	
10.1	Email dated January 15, 2024 from N. Huot regarding Road Allowance Pruning	53 - 53
10.2	Email dated February 4, 2024 from EJ Hurst regarding Destruction of Plants While Clearing Road Verges	54 - 58
10.3	Email dated February 5, 2024 from K. Gurr regarding Mainroad Mid-Island Contracting Advance Notice of Road Verge Mowing	59 - 60
10.4	Email dated February 6, 2024 from B. Bossin regarding Verges	61 - 69
11.	NEW BUSINESS	12:45 PM - 1:30 PM
11.1	Review of the New Provincial Short Term Rental Accommodation Act for the Gabriola Island Local Trust Area - Memorandum	70 - 74
11.1.1	Housing Statute Changes to British Columbia Legislation - Memorandum	75 - 89
11.2	Engagement with Mudge Island Residents - verbal discussion - Trustee Elliott	
11.3	Destination BC Letter of Support - verbal discussion - Trustee Elliott	90 - 90

12.	REPORTS	1:30 PM - 1:40 PM
12.1	Trust Conservancy Report - none	
12.2	Applications Report dated February 14, 2024	91 - 96
12.3	Trustee and Local Expense Report dated December, 2023	97 - 97
12.4	Adopted Policies and Standing Resolutions	98 - 101
12.5	Local Trust Committee Webpage	
12.6	Climate Change Action Update	
12.7	First Nations Relationship Building Update	
13.	WORK PROGRAM	1:40 PM - 1:55 PM
13.1	Active Projects Report dated February 14, 2024	102 - 104
13.2	Future Projects Report dated February 14, 2024	105 - 106
14.	UPCOMING MEETINGS	
14.1	Next Regular Meeting Scheduled for Thursday, March 21, 2024 at 10:30 am at the Gabriola Arts and Heritage Centre	
15.	CLOSED MEETING	1:55 PM - 2:55 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)(f)&(i) for the purpose of considering:	
	• (f) 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 • (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.	
	and that the Recorder and Staff attend the meeting.	
15.2	Recall to Order	
16.	ADJOURNMENT	2:55 PM - 3:00 PM

Date: January 18, 2024

To: Gabriola Island Local Trust Committee

From: Vanessa Craig, RDN Director Area B

Subject: Electoral Area Director's Report

Dear Chair Luckham and Trustees Elliott and Yates,

Alternative Approval Process (AAP) for a new Health and Wellbeing service under way!

As of tomorrow, January 19th, the AAP designed to gauge support for the creation of a new Health and Wellbeing Service, to hire a Health and Wellbeing Coordinator for Gabriola will be under way. In an AAP, individuals who are in favour of the new service don't need to take any action. Those who are opposed to the new service need to let the RDN know by filling out an elector response form with an original signature and sending it to the RDN, who must receive it before 4 pm on Tuesday Feb 20 2024. Forms can be dropped off in person, emailed, or mailed. The form, a definition of who is eligible to vote, and supporting information including FAQs is already available on the Get Involved website for the project at <https://www.getinvolved.rdn.ca/gabriola-island-health-and-wellbeing-service-aap>. If less than 10% of the eligible electors indicate they are opposed to the creation of the service, the service can proceed.

What is the proposed position?

The Gabriola Health and Wellbeing Collaborative is a group comprised of representatives from over 50 organizations working to support the health and wellbeing of our communities. From emergency responders and health providers to recreation, arts, business, and environmental sustainability groups these groups meet monthly to inform and coordinate activities. The coordination of the services for Gabriolans done through the Collaborative are done on a voluntary basis and most of the collaborative is composed of volunteer Boards. What I've heard clearly over the last two years is that these groups feel they need support to avoid volunteer burnout, to facilitate collaboration, and to support their continued service to the community.

The Community Health and Wellbeing Service Coordinator would be responsible for coordinating organizations and networks involved with health and wellness service delivery. The role will include developing and implementing strategic planning which identifies key priorities, goals, objectives and will support monitoring and evaluation. This would also include a gap analysis of services and/or collaboration between on-island groups. A key element of this role would be to provide an administrative and communications function to facilitate collaboration between committees, organizations and service providers in the area. The Community Health and Wellbeing Service Coordinator would also support funding applications to support health and wellbeing services delivery.

How much will it cost?: The position is proposed to start initially as a part-time position (pilot project) with the potential to eventually become a full-time position. The AAP is asking support for the full-time position to allow the position the flexibility to evolve over time. A part-time position is proposed to cost \$50,592 including an operating budget and a small administration fee by the RDN, and a full-time position would be \$102,612. Based on 2024 assessments, the cost per \$1,000 of property assessment is \$0.0203 for the part-time position (which is what would be the cost in 2024) and \$0.0413 for the full-time position. What this translates to is that a property assessed at \$500,000 for 2024, for example, would pay a total of \$10.15 in 2024 for the part-time position for the pilot project. At 2024 assessment levels the full-time position would be \$20.65 for a property assessed at \$500,000.

Coats Marsh Regional Park weir project – public engagement has begun including open house January 20 2024

As I've reported earlier, the current concrete weir at Coats Marsh is showing its age and was at risk if the large amount of water stored behind the beaver dam was suddenly released. Over the last few years RDN staff have been lowering the water behind the beaver dam with the goal of making it a similar height to the weir. When considering long-term solutions, an engineering report suggested repairing the weir and removing the beaver dam; however, in conversations with The Nature Trust (who are co-owners of the park), RDN staff, and others, the idea of returning the marsh to a more natural state by removing the concrete weir and retaining the beaver dam was suggested and evaluated. The Board subsequently endorsed this project, which is scheduled to occur in 2024.

To share information about the project, a Get Involved website (www.getinvolved.rdn.ca/coats-marsh-weir) has been created which includes background information, the preliminary design documents for the weir removal, and allows people to submit comments or questions.

In addition, a **public information session will be held on Saturday, January 20, 2024** from 11am – 3pm at the Gabriola Arts and Heritage Centre, 476 South Rd. It will be a drop-in event with no scheduled presentation.

Rollo Park fields closure

Both fields at Rollo McClay are closed to all users to prevent damage to the fields. The closure will be evaluated in mid-March to determine whether use can resume. For the benefit of all who use the field in spring through fall, please respect the closure so that the fields remain in useable condition. A field improvement project is scheduled for 2024 with approximately \$278,000 budgeted from Growing Communities Funds (provincial funds that were allocated to local government for capital projects).

I included the following in my last Sounder update but I've included it here in case it's of interest to you and to provide you with clickable links

Water stewardship

At the last Board meeting of the year on December 12th, the Board agenda had several water-related reports that are very interesting. They include: 1. A year-end review of the work done through the RDN's Drinking Water and Watershed Protection (DWWP) program. The DWWP program is a regional program that's funded through a parcel tax of \$16 per parcel. The DWWP program includes several science-based stewardship programs such as water quantity and quality measurements across the RDN; groundwater monitoring and trend analysis; supports development planning with best practices and data; and has a significant role in convening and participating on tables to share information and promote collaboration amongst local government (including the Islands Trust), private land users, and provincial and federal ministry representatives. The DWWP program is considered an excellent model by other local governments 2. Reports on climate-informed water supply planning – while it is focused on water service providers which doesn't include Area B, it provides a very useful overview of water provision in most of the RDN and the challenges posed by climate change in water allocation; 3. Finally, the agenda included a water budget report for the French Creek area of the RDN – the Board chose to defer consideration of this report until the end of February. Again, although this report doesn't pertain to Area B, it provides a very thorough and interesting look at the challenges facing our region in the face of climate change. The French Creek area is highly developed and includes parts of Electoral Areas F and G, as well as Parksville and Qualicum Beach. The area relies largely on a few aquifers for drinking water, although some surface water is also used. In addition to local governments (Area F, G, Parksville, Qualicum Beach) there are also private purveyors in the area also accessing the groundwater resource. These reports were agenda items 10.6, 10.7, and 10.8 on the Dec 12th agenda, which can be read by going to <https://www.rdn.bc.ca/agendas-minutes-videos> and clicking on the Board agenda for Dec 12th.

Climate adaptation

The Board also received two reports focused on addressing impacts due to climate change. The first (agenda item 10.11) provides an overview of the work done to date through the RDN's Sea Level Rise and Climate Adaptation Program. Staff requested the Board endorse staff applying for a grant to the Climate-resilient Coastal Communities program to address next steps in developing coordinated regional solutions to address climate change risks. The second (10.12) was a new coastal flood hazard development permit area (DPA) proposed for Electoral Areas A, E, G, and H which will now enter a community engagement phase. If implemented, a DPA will require that development within coastal floodplains identified through recent mapping/modelling by the RDN would require a development permit process. While not applicable to Area B I found the report very interesting. As you know, the floodplain mapping was completed for Area B and is available on the RDN website - it shows that some areas will be affected by sea level rise <https://www.rdn.bc.ca/flood-management-program> and https://www.rdn.bc.ca/sites/default/files/2020-06/RDN_CoastalFloodHazardMapAtlas_PhaseII_Series1_FCLRegulatory_0.5mRSLR_compressed.pdf

Upcoming:

- All meetings continue to be held in hybrid fashion and are live streamed. Videos and agendas of the meetings are available on the RDN calendar webpage <https://www.rdn.bc.ca/agendas-minutes-videos>
- Drop-in open house for the Coats Marsh weir project will be held at the GAC Hall on Jan 20th, 11-3
- The next RDN Board meetings are Jan 23rd and Feb 13th (1 pm start)
- A Committee of the Whole is scheduled for Jan 30th (9:30 am start)
- The next Regional Parks and Trails Select Committee is scheduled for Feb 6th (10 am start)
- The next Electoral Area Services Committee meeting is on Feb 8th (1 pm start)
- The next Area B Parks and Open Spaces Advisory Committee meeting is on Feb 12th (5 pm start) at the Gabriola Agricultural Hall

Respectfully submitted,

Vanessa Craig



Gabriola Island Local Trust Committee

Minutes of Special Meeting

Date: November 28, 2023

Location: Electronic Meeting

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

Staff Present: Narissa Chadwick, Island Planner
Stephen Baugh, Island Planner
William Shulba, Freshwater Specialist
Lisa Millard, Recorder

Others Present: There were 0 members of the public and 0 members of the media in attendance.

1. CALL TO ORDER

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

Chair Luckham called the meeting to order at 2:35 pm. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. BUSINESS ITEMS

Planner Chadwick provided a brief update on the engagement phase of the Gabriola Island Local Trust Committee (LTC) Official Community Plan (OCP) and Land Use Bylaw (LUB) Review Project and noted the following:

- Fifteen groups have been allocated funding to host discussion about the visioning process and staff will facilitate meetings with some groups that are underrepresented;
- There will be a series of videos released which will focus on specific topics of interest to the community such as identifying what a community vision is, what an OCP is, and what an LUB is; and
- Postcards with QR codes directing people to the project website, as well as a survey, will be sent out.

3.1 Major Project: Gabriola Visioning Engagement Process and Water Balance Assessments

Freshwater Specialist William Shulba summarized a briefing and highlighted the following:

- A water balance assessment is a holistic view of the amount of water that is available in a particular area and includes many facets of water productivity and water use;
- The Southern Gulf Islands undertook groundwater availability assessments in 2021 and these assessments form part of a water balance;
- A water budget can provide an analysis of present-day water availability while a water balance speaks to sustainability and future use allocations;
- The water balance is an accounting of how much water comes into the island from precipitation, and how much water is used;
- Water use includes human and ecosystem use as well as how much the ocean receives;
- On Gabriola Island most of the water is provided by winter precipitation which is then stored and used primarily in the summer months when minimal precipitation is coming in;
- The primary storage containers on Gabriola are the island itself by means of subterranean storage within aquifers;
- It will be important to look at the data that comes from the water accounting and apply this information to water authorizations and future use;
- Consideration of the impacts of climate change will be critical as will the involvement of First Nations Bands and Councils and their traditional knowledge;
- The holistic water approach would require significant coordination with First Nations and climate change professionals;
- Ultimately, if the current case is not sustainable in relation to the current climate trends, then we need to understand this and implement mitigation measures to avoid future issues.

Discussion ensued and the following points were made:

- The budget ask of Trust Council will be \$50,000 and a funding application will also be made through the Complete Communities grant;
- The existing suitable land analysis can be used as a template for grounding the available information and the water balance will be a critical piece to balance density needs, water preservation, and environmental protection considerations;
- The Regional District of Nanaimo (RDN) has been collecting information on water use for over ten years including water use assessments, surveys, and ground water monitoring on Gabriola and there is opportunity for the RDN to be an external partner on the project;
- While the project will focus on Gabriola and Denman islands, the methodology will be useful across the Trust Area;

- The project will focus on domestic use versus commercial, agricultural, and industrial uses which require water licenses;
- There is ability to engage the community in the project through community information meetings or surveys;
- Communication about water balancing can also become part of the aspects of the OCP review project related to water usage;
- While some might consider it the RDN's responsibility to undertake a water balancing project it becomes the Islands Trust responsibility, within its mandate to preserve and protect, to act when other parties do not; and
- Gathering this data is a good opportunity to have conversation with First Nations because we will be able to demonstrate that we want to do evidence-based decision-making, and will have the data needed to have conversations about water allocation.

GB-2023-081

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct staff to provide a memo outlining the rationale behind funding support from Trust Council for water balance assessments and why Gabriola and Denman are chosen as the ideal candidates for methodology development.

CARRIED

4. ADJOURNMENT

By general consent the meeting was adjourned at 4:02 pm.

Peter Luckham, Chair

Certified Correct:

Lisa Millard, Recorder



Gabriola Island Local Trust Committee

Minutes of Regular Meeting

Date: January 18, 2024
Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

Members Present: Peter Luckham, Chair (via electronic meeting)
 Tobi Elliott, Trustee
 Susan Yates, Trustee

Staff Present: Stephen Baugh, Island Planner
 Narissa Chadwick, Island Planner (via electronic meeting)
 Warren Dingman, Bylaw Compliance & Enforcement Manager (via electronic meeting)
 Lisa Millard, Recorder

Others Present: Vanessa Craig, Electoral Area Director
 There were approximately six (6) 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 10:30 am. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations. Trustees Yates and Elliott introduced themselves and acknowledged the First Nations territories in which they live and work.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Item 9.1 Official Community Plan and First Nations Engagement
- Item 9.2 Community Engagement
- Item 12.8.1 Seasonal Gifts
- Item 15 will be changed to Closed Meeting
- Item 15.1 Motion to Close the Meeting
- Item 15.2 Recall to Order
- Item 16 will be Adjournment

By general consent the agenda was approved as amended.

3. REPORTS

3.1 Trustee Reports

Trustee Elliott reported the following:

- On December 20, 2023 the Islands Trust received a letter from the Deputy Minister of Housing confirming receipt of \$127, 336 in funding to support updates to Housing Needs Reports;
- She attended the recent Executive Committee Meeting during which the Policy Amendment Project and engagement approaches were discussed. It was noted that a draft version has been sent to First Nations who have indicated interest in participating;
- She noted that the Executive Committee approved advancing a resolution for submission to the Union of BC Municipalities and the Association of Vancouver Island and Coastal Communities requesting that the Province review the “Manual of Composting Toilets and Greywater Practice” and provide funding for demonstration projects and professional development for practitioners;
- The Culturally Committed organization has been contracted to facilitate a Reconciliation Learning Circle for Trustees and staff; and
- She delivered a gift of locally grown squashes and donations of handmade crafts and gifts from community members to Snuneymuxw First Nation Chief Wyse, Council Members, and staff on behalf of the of the Local Trust Committee and community in congratulations of completion of their term in office.

Trustee Yates reported the following:

- She acknowledged the upcoming retirement of Islands Trust Chief Administrative Officer Russ Hotsenpiller and thanked him for his contributions and guidance;
- She attended Member of Parliament (MP) Lisa Marie Barron’s discussion about private members motion M-86 Citizens’ Assembly on Electoral Reform during which MP Barron provided a concise presentation on the benefits of electoral reform; and
- She attended a talk at the Salt Spring Forum presented by Dr. Alison Smith who is an expert on homelessness and will be writing a summary about the session and forwarding it to various housing groups for their information.

3.2 Chair's Report

Chair Luckham noted that:

- The Islands Trust Governance Committee and Financial Planning Committee are actively preparing for the upcoming 2024/2025 budget meetings; and
- He will be attending Transport Canada’s upcoming Salish Sea Strategy Symposium, which is being held to raise awareness and discuss issues related to protecting the coastline of BC.

3.3 Electoral Area Director's Report

Electoral Area Director Vanessa Craig attended the meeting electronically and submitted a written report from which she highlighted the following:

- The alternative approval process for hiring a new Health and Wellbeing Co-ordinator is underway. This new position will provide administrative support for work being done by many different groups within the Health and Wellness Collaborative. There is a form available on the Regional District of Nanaimo's (RDN) website that can be submitted by community members that are opposed to the creation of the new position; and
- The concrete weir in Coats March has deteriorated and will be removed in the fall when water levels are low and when the amphibian breeding period has ended. There will be a public consultation session on January 20, 2024 and RDN parks and recreation staff will be present to answer questions and provide information.

3.4 First Nations Reports - none

4. PUBLIC COMMENTS - none

5. DELEGATIONS - none

6. MINUTES

6.1 Local Trust Committee Minutes dated November 30, 2023 – for adoption

By general consent the Local Trust Committee meeting minutes of November 30, 2023 were adopted.

It was noted that a member of the public, Steve Earle, is part of an ad hoc transportation group on Gabriola. He had intended to attend the November 30, 2023 meeting as a delegation; however, his comments were received during the public comments section of the meeting. A Trustee will request that he submit his comments as correspondence.

6.2 Section 26 Resolutions-Without-Meeting Report - none

6.3 Draft Advisory Planning Commission Minutes dated December 6, 2023 - for receipt

Received for information.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated January 10, 2024=

The following comments were noted:

- Completed items on the list will continue to have an in-progress status for at least one regular local trust committee meeting before they are shown as being completed; and

- A capacity agreement through staff-to-staff discussions with First Nations is no longer being pursued as First Nations staff have indicated that a formal capacity agreement is not required to facilitate response.

8. APPLICATIONS AND REFERRALS - none

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Official Community Plan and First Nations Engagement

A Trustee indicated that there had been previous discussion regarding the potential to hire a First Nations co-ordinator to support engagement with First Nations that may have a potential interest in the Official Community Plan review. Discussion ensued.

GB-2024-001

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff set up a meeting, as soon as feasible, between Snuneymuxw First Nation staff and leadership, and Gabriola Local Trust Committee and Islands Trust staff, to discuss Snuneymuxw land use interests related to Gabriola and interests in engagement with the Official Community Plan review process.

CARRIED

9.2 Community Engagement

Discussion ensued regarding the Official Community Plan review community engagement events and how Trustees would receive feedback on the events.

GB-2024-002

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to communicate the feedback related to the Official Community Plan engagement received from community engagement groups to the Local Trust Committee in writing.

CARRIED

10. CORRESPONDENCE

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

10.1 Letter dated November 21, 2023 from Drs. J. & C. Johnstone regarding extensive tree removal on Gabriola Legends Development

Discussion ensued and the following observations were made:

- The conservation agreement that was signed between BC, Ottawa, and First Nations that is mentioned in the letter, and that provides funding to protect and restore land, species, and biodiversity, is not likely available to Islands Trust or the Islands Trust Conservancy; and

- Additional protections in the form of Development Permit Applications (DPAs) are going to be considered in the Official Community Plan review and the letter writer's comments might be considered during this consideration.

GB-2024-003

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to add the letter from Doctors Don and Carol Johnstone to the Official Community Plan Review Project file.

CARRIED

10.2 Letter dated January 4, 2024 from F. Weller, S. Earle, D. Ferens & G. Blee regarding Sue Big Oil Initiative

Discussion ensued.

GB-2024-004

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request correspondence dated January 4, 2024 from Fay Weller, Steven Earle, Deb Ferens, and Greg Blee be forwarded to the Executive Committee to be added to material that Trust Council will be considering regarding the Sue Big Oil initiative.

CARRIED

10.3 Email dated January 10, 2024 from T. Martin regarding Agricultural Co-op Rezoning

Received for information.

11. NEW BUSINESS

11.1 Thetis Island Local Trust Area Bylaw Referral Form - Bylaw Nos. 113 and 114

GB-2024-005

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee respond to the Thetis Island Local Trust Committee regarding bylaw referral for Bylaws No. 113 and 114 that their interests are unaffected.

CARRIED

11.2 Complaint - Gabriola Local Trust Committee by Centre Stage Holdings

Chair Luckham stated that the complaint letter had been received, that an in-camera meeting will be conducted to discuss a response and legal opinion, and that said response to the letter writers will be made public at the time it is made.

The meeting was recessed for a break at 11:55 am, and reconvened at 12:30 pm.

12. REPORTS

12.1 Foreshore Structures - Staff Report

Bylaw Enforcement and Compliance Manager Warren Dingman summarized the staff report and highlighted the following:

- There are currently seven shoreline bylaw contraventions on Gabriola and seven on Mudge Island;
- Mudge Island has a larger shoreline setback requirement than Gabriola; and
- Bylaw notices on the contraventions have been issued.

Discussion ensued and it was noted that the summary report allows the Local Trust Committee an opportunity to educate the public about the importance of foreshore setback, and that any change in setback allowances would only affect new development.

GB-2023-006

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct staff to include the foreshore structures report in the Official Community Plan Review / Update materials so that we do not lose focus on the importance of shoreline setback.

CARRIED

12.2 Trust Conservancy Report – none

12.3 Applications Report dated January 10, 2024

The following updates were provided:

- The Planner working on Development Permit Variance (DVP) applications GB-DVP-2022.3 and GB-DVP-2022.4 has received an environmental assessment and is waiting for a referral to be sent to, and a response from, Snuneymuxw First Nation; and
- Correspondence has been received from Snuneymuxw First Nation indicating an interest in reviewing Temporary Use Permit (TUP) application GB-TUP-2023.4 requesting that the applicant send a referral to them.

12.4 Trustee and Local Expense Report dated November, 2023

Received for information.

12.5 Adopted Policies and Standing Resolutions

Received for information.

12.6 Local Trust Committee Webpage – no updates

12.7 Climate Change Action Update - none

12.8 First Nations Relationship-Building Update

12.8.1 Seasonal Gifts

Trustee Elliott stated that at the November 30, 2023 Local Trust Committee (LTC) Meeting she requested, and received, endorsement from the LTC to offer a gift to Snuneymuxw Council and Staff. While most of the contents of the gifts were donated, an additional expense was incurred when she purchased a locally made basket as part of the gift. Discussion ensued.

GB-2024-007

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct \$150.00 to be repaid to Trustee Elliott for seasonal gift baskets delivered to Snuneymuxw Administrative offices on December 23, 2023, for Chief Wyse, Council members and administrative staff, on behalf of the Gabriola Local Trust Committee and Gabriola community.

CARRIED

13. WORK PROGRAM

13.1 Active Projects Report dated January 10, 2024

Received for information.

13.2 Future Projects Report dated January 10, 2024

Received for information.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Thursday, February 22, 2024 at 10:30 am at the Gabriola Arts and Heritage Centre.

15. CLOSED MEETING

15.1 CLOSED MEETING

GB-2024-008

It was MOVED and SECONDED

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(g) for the purpose of considering:

- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

and that the Recorder and Staff attend the meeting.

CARRIED

The meeting was closed to the public to go to an in-camera meeting at 1:15 pm.
The regular meeting was recalled to order at 1:48 pm.

15.2 Recall to Order

Chair Luckham noted that there was nothing to rise and report.

16. ADJOURNMENT

By general consent the meeting was adjourned at 1:49 pm.

Peter Luckham, Chair

Certified Correct:

Lisa Millard, Recorder



Minutes of the Gabriola Island Advisory Planning Commission

Date of Meeting: Wednesday, February 7, 2024

Location: Islands Trust Office
700 North Road, Gabriola, BC

APC Members Present: Howard Bashaw
Burt Fidler
Carly McMahon
Rick Mitchell
David Reid
Jeff Malmgren (by electronic meeting)
Jennefer Laidley (by electronic meeting)
Lisa Webster (by electronic meeting)

Staff Present: Stephen Baugh, Island Planner
Lisa Millard, Recorder (by electronic meeting)

Others Present: Raveen King, BC Ferries (by electronic meeting)
John Steil, BC Ferries (by electronic meeting)
Jeff (no last name), BC Ferries (by electronic meeting)

1. CALL TO ORDER AND WELCOME

Planner Baugh called the meeting to order at 3:05 pm.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Item 5 Adoption of the August 14, 2023 Advisory Planning Commission Meeting Minutes;
- Item 6 Next Meeting Date and Time; and
- Change Item 5 Adjournment to Item 7

By general consent, the agenda was approved as amended.

3. ELECTION OF CHAIR, DEPUTY CHAIR AND SECRETARY

Rick Mitchell was appointed as Secretary, David Reid was appointed as Deputy Chair, and Jeff Malmgren was appointed as Chair.

Jeff Malmgren accepted the appointment on the condition that the meetings be held either in person or online and stated he will not chair hybrid meetings.

David Reid will chair this meeting.

4. REFERRAL FROM GABRIOLA ISLAND LOCAL TRUST COMMITTEE

4.1 Referral of BC Ferries Application for Descanso Bay Terminal

Planner Baugh summarized the referral as follows:

- The bylaw amendment has been referred to the Advisory Planning Commission by the Gabriola Island Local Trust Committee;
- The amendment relates to the BC Ferries terminal lot development project and includes a rezoning proposal;
- The proposal includes an expansion into the marine area with a new crown lease, a new terminal building, and a new vehicle approach; and
- The land area used for the terminal and parking lot will remain the same size.

The following procedural points were discussed and clarified:

- The Advisory Planning Commission is not a decision-making body, and its role is to contemplate the referral and provide feedback to the Local Trust Committee;
- The Advisory Planning Commission does not give direction to the proponent but can ask questions to clarify information; and
- The Advisory Planning Commission is not approving, denying, or making changes to the bylaw, but has been asked to provide comments and recommendations.

Discussion ensued and three primary areas of concerns were identified, and the following points and clarifications were made:

Parking

- The bylaw proposes a minimum of seven (7) parking spaces for public use, six (6) spaces for motorcycle or scooter use, and two (2) spaces designated for people with disabilities;
- The number of proposed spaces is a substantial decrease over the number of existing spaces, and this is a significant concern;
- BC Ferries indicated that this is a constrained site, that improvements are being made for school bus and community bus parking, and that the collective agreement for ferry employees requires a total of fourteen (14) parking spaces due to shift change allowances;
- BC Ferries will not be acquiring additional land for parking as they determined they would only do so if a berth realignment was required; and
- BC Ferries should be required to provide security and monitoring of the parking lot during, and after, construction.

Water

- The current water source for terminal use comes from a private water well system located on a residential acreage located some distance up the hill from the terminal;
- The water provider, Fiddlehead Springs, has a permit authorizing them to provide water to BC Ferries;

- There is concern that the new vehicle approach to the terminal will create a larger number of people using the terminal facility and water demand estimations appear low;
- BC Ferries indicated they have looked at alternative water sources and that water can come from the existing system, get trucked to the site, or a well can be drilled; and
- Fiddlehead Springs is required to file annual reports and submit drought mitigation plans to Island Health.

Terminal Retail

- BC Ferries would approve retail space lease agreements at the terminal;
- The retailers, if any, should be locally based;
- It is unsure that the community wants retail at the terminal, and
- BC Ferries should be required to apply for retail zoning.

GB-APC-2024-001

It was MOVED and SECONDED

that the Gabriola Advisory Planning Commission give approval of the Bylaw referral subject to the conditions outlined below:

1. Water System
2. Lack of Parking
3. Whether or not retail is needed as a secondary use.

CARRIED

4. MINUTES

4.1 Gabriola Island Advisory Planning Commission Draft Minutes dated August 14, 2023 - for adoption

The following amendments to the minutes were presented for consideration:

- Lisa Webster attended by electronic meeting

By general consent, the minutes were adopted as amended.

6. NEXT MEETING

The members requested that staff conduct a poll to determine the next meeting date and time.

7. ADJOURNMENT

By general consent, the meeting was adjourned at 4:48 pm.

David Reid, Deputy Chair

Certified Correct:

Lisa Millard, Recorder

DRAFT



Minutes of the Gabriola Island Housing Advisory Planning Commission

Date of Meeting: Thursday January 11, 2024

Location: Islands Trust Northern Office
700 North Road
Gabriola, BC

HAPC Members Present: Steven Earle
Felix Addison (via Zoom)
Emily Carson-Apstein
Ardyth Cooper
Jenni Gehlbach
Angela Pounds
John Woods
Dylan Wallinger (via Zoom)

Staff Present: Chloe Straw, Planning Team Assistant
Lisa Millard, Recorder

Others Present: There was one (1) member of the public present

1. CALL TO ORDER AND WELCOME

Steve Earle called the meeting to order at 3:31 pm. He acknowledged the meeting was taking place on the unceded territory of the Snuneymuxw First Nation.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. APPROVAL OF MINUTES

3.1 Gabriola Island Housing Advisory Planning Commission Minutes dated October 17, 2023 – for adoption

By general consent, the Gabriola Island Housing Advisory Planning Commission meeting minutes of October 17, 2023 were adopted.

3.2 Gabriola Island Housing Advisory Planning Commission Minutes dated November 15, 2023 – for adoption

By general consent, the Gabriola Island Housing Advisory Planning Commission meeting minutes of November 15, 2023 were adopted.

3.3 Gabriola Island Housing Advisory Planning Commission Minutes dated December 6, 2023 – for adoption

By general consent, the Gabriola Island Housing Advisory Planning Commission meeting minutes of December 6, 2023 were adopted.

4. EVALUATING OPTIONS IN THE HOUSING OPTIONS TOOLKIT

The Local Trust Committee (LTC) has requested feedback from the Housing Advisory Planning Commission (HAPC) to determine what regulatory changes might be considered during the Official Community Plan (OCP) and Land Use Bylaw (LUB) review project regarding housing. A summary table of zoning and policy options, taken from the Housing Options Tool Kit, was provided to the Housing Advisory Planning Commission for consideration. Options #1 to #21 were evaluated for consideration. The HAPC members' consensus for each of the options discussed was noted as follows:

1. Review and amend existing land zoned for affordable and/or multi-family development.
There are only three such existing zones on the island (e.g., Paisley Place).
Suggest making it easier to add more properties to that zone provided the word 'affordable' is included.
2. Review existing undeveloped or under-developed land zoned commercial/industrial.
Need to allow more than one dwelling on a commercial property.
3. Review existing definitions to remove "un-variable" restrictions.
No comments.
4. Permit secondary suites in some, or all, residential zones or areas of the island.
Expand the types of property where secondary suites are possible.
5. Permit secondary accessory dwelling units in some, or all residential zones or areas of the island.
Expand the types of property where accessory dwelling units are possible.
6. Permit alternative dwelling units that do not presently comply with BC Building Code, such as tiny homes on wheels.
Suggest that all are possible provided they meet water and septic requirements.
7. Permit duplexes, rooming houses, boarding houses, and flex housing.
Remove the restriction on number of people provided they meet water and septic requirements.
8. Zone suitable land for a serviced manufactured home, tiny home, or residential RV park.
Investigate the possibility if they meet water and septic requirements and include affordability requirements.

9. Permit the construction of multiple dwelling units on a single lot (market).
The term “multiple dwelling units” is too vague.
10. Permit the construction of multiple dwelling units on a single lot (affordable).
The term “multiple dwelling units” is too vague.
11. Permit under-used or unviable commercial or other-zoned properties to be used as principal residential.
Not applicable to Gabriola.
12. Consider rezoning existing built commercial accommodation units for residential use in coordination with regulating short-term vacation rentals. Temporary Use Permitsⁱ could also be used in some situations.
Not applicable to Gabriola.
13. Introduce density bonus regulations that establish a base permitted density, as well as a provision for additional density in exchange for creation of affordable housing.
No.
14. Introduce density bonus regulations that establish a base permitted lot density, as well as a provision for additional density in exchange for the creation of affordable housing.
No.
15. Establish zoning that permits additional dwellings on a lot within a maximum total combined floor area for all dwellings.
No.
16. Increase the number of permitted residential units that can be built in certain areas.
Yes, in the Village area, with the limitations being water and septic and need to promote mixed-income developments.
17. Allow for flexibility of number of dwellings and/or dwelling type in exchange for conservation covenant.
Yes, but need further details.
18. Allow existing subdividable properties to be developed according to conservation design principles as a strata development while placing large portions of property in a conservation covenant.
Bare-land strata can be done here.
19. Encourage ecological and energy and water-efficient homes by allowing an additional dwelling unit if the owner builds to a higher ecological standard.
No comment.
20. Permit residential use above ground-floor commercial uses. Height limits could be raised to permit two storeys of residential above ground-floor commercial/industrial in specific locations.

Yes encourage it.

21. Limit the size of permitted dwellings in order to discourage undesirable forms of residential development and commercial accommodation uses in residential zones.
Yes to a community conversation about dwelling size limits.

Other comments included:

- The onus of building secondary suites should not go to new builders. Regulations should facilitate greater use of existing under-utilized residences and ease creation of secondary suites for those who wish to do so.
- The concept of single-family home is a very recent norm. It is greatly responsible for the unsustainable status quo we find ourselves in –other types of residences/styles of habitation need to be encouraged/facilitated to create a future different from the path we are on.
- Explore options that don't require subdivision like co-ownership agreements, stratification, etc. (these aren't within the jurisdiction of the Islands Trust, but they are little known). John Woods and Madeline Ani recently gave a seminar on co-ownership.
- Agree that it seems more important for sustainability considerations for there to be incentives/restrictions for preservation of trees and existing ecology on private lots rather than focusing on restricting size of accessory dwellings when there is no restriction on primary home size.
- Allowing small commercial retail within neighbourhoods (i.e. small general store type retail within neighbourhoods) in addition to farm stands/artist studios would create more walkable access to resources. Centralization of shopping resources means increased car use. Having neighbourhood-based retailers could encourage more sustainable and socially integrated community.

5. NEXT MEETING

The next meeting is scheduled for Thursday January 25, 2024 at 3:30pm.

6. ADJOURNMENT

By general consent, the meeting was adjourned at 5:00 pm

Steven Earle, Chair

Certified Correct:

Lisa Millard, Recorder



Minutes of the Gabriola Island Housing Advisory Planning Commission

Date of Meeting: Thursday January 25, 2024

Location: Islands Trust Northern Office
700 North Road
Gabriola, BC

HAPC Members Present: Steven Earle
Felix Addison
Emily Carson-Apstein
Jenni Gehlbach
Angela Pounds
Dylan Wallinger (by electronic meeting)

Staff Present: Stephen Baugh, Island Planner
Lisa Millard, Recorder (by electronic meeting)

Others Present: There was 1 member of the public present

1. CALL TO ORDER AND WELCOME

Chair Earle called the meeting to order at 3:36 pm.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. APPROVAL OF MINUTES

3.1 Gabriola Island Housing Advisory Planning Commission Minutes dated January 11, 2024 – for adoption

The following amendments to the minutes were presented for consideration:

- The date the meeting was held was January 11, 2024
- The correct spelling of Mr. Earle's first name is Steven
- The correct date of the adopted minutes was October 17, 2023

By general consent, the Gabriola Island Housing Advisory Planning Commission meeting minutes of January 11, 2024 were adopted (as amended)

4. EVALUATING OPTIONS IN THE HOUSING OPTIONS TOOLKIT

The Local Trust Committee (LTC) has requested feedback from the Housing Advisory Planning Commission (HAPC) to determine what regulatory changes might be

considered during the Official Community Plan (OCP) and Land Use Bylaw (LUB) review project regarding housing. A summary table of zoning and policy options, taken from the Housing Options Tool Kit, was provided to the Housing Advisory Planning Commission for consideration. At the January 11, 2024 HAPC meeting Options #1 to #21 were evaluated for consideration as potential recommendations. Discussion ensued regarding the Options #22 to #47 and the following comments from the HAPC were noted:

22. Introduce zoning that requires all or some portion of multi-family housing in a zone to be occupied only under residential rental tenure.
Yes provided this does not allow short term vacation rentals (STVRs).
23. Review and reconsider regulations that restrict secondary suites/ accessory dwelling units (ADUs) from becoming separate real estate entities through building strata subdivision.
No
24. Require provision of a certain number of workforce housing units as a condition of new development.
Need to change density rules on commercial zones and make the number of units proportional to the size of the development. The housing units should not necessarily be tied to employment. Workforce housing should not be dormitory units or substandard.
25. Ensure all commercial zones permit on-site workforce housing.
Same replay as #24
26. Identify and zone locations for off-site workforce housing.
Same reply as #24
27. Permit larger developments exclusively for elderly people, provided such is a defined use in the land use bylaw.
No
28. Introduce sufficiently flexible residential zoning provisions so that elderly people can stay on their properties longer.
No
29. Ensure that land in the Agricultural Land Reserve (ALR) is zoned to permit residential use in a manner consistent with current Agricultural Land Commission (ALC) regulations.
Investigate making Gabriola consistent with ALC. (Here it is restricted to a manufactured home and farmworkers only.)
30. Grant additional dwelling units for farmworker use or allowing additional dwelling units for such occupancy in return for restrictions on future subdivision potential.
No

31. Include statements and map designations respecting the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least five years.
This is a factual statement.
32. OCP must include housing policies respecting affordable housing, rental housing and special needs housing. An LTC must consider the most recent housing needs report when developing or amending an OCP.
This is a factual statement.
33. LTCs seeking to expand available housing options should be mindful of population/growth limits.
Not enough information about population/growth limits to comment.
34. OCPs and LUBs across the Trust Area should contain a consistent definition of affordable housing.
Yes
35. Permit secondary suites in residential zones.
Yes
36. Permit ADUs in specific land-use designations.
Opinion that this already exists.
37. Permit ADUs in specific areas (e.g., Village area)
Opinion that this already exists.
38. Permit manufactured homes, recreational vehicles (RVs), and tiny homes.
Not enough information.
39. Proactively zone land for market-rate multi-family development
No
40. Proactively zone land for affordable multi-family development
Yes proactively create a zoning model.
41. Permit commercial zoned lots to be used for principal residential
No
42. Permit ADUs, Alternative Dwelling Units (AltDUs), secondary suites in non-residential zones as accessory to non-residential uses.
See No. 5
43. Allow multi-family zoning with a provision for additional unit density contingent on a specified provision of affordable housing.
Yes if designated affordable.

44. Allow increased lot density with a provision for additional lot density contingent on a specified provision of lots for affordable housing.
Yes if designated affordable.
45. Entertain rezoning applications for multi-family development contingent on the provision of affordable housing.
Yes if designated affordable.
46. Introduce flexible housing zones.
Not enough information.
47. Allow increased lot density (but ensure that those areas are in an OCP land use designation with the appropriate maximum lot density)
Possibly in Village area.

The Chair asked if any of the HAPC members had any other ideas to put forth for further discussion and the following points were made:

- Felix Addison stated she would like a stewardship education agreement for people that want to purchase land on the island. This concept could be available as an online course or an information kit and would facilitate an understanding of the values and aims of the OCP and land stewardship. Discussion ensued and Felix will forward her idea to the HAPC members for their information.
- It is important that the Local Trust Committee lobby for Gabriola to be included in the empty homes tax regulations, with revenue designated to affordable housing on Gabriola.

5. NEXT MEETING

The next meeting is scheduled for Thursday February 8, 2024 at 3:30pm.

6. ADJOURNMENT

By general consent, the meeting was adjourned at 5:00 pm

Steven Earle, Chair

Certified Correct:

Lisa Millard, Recorder



Minutes of the Gabriola Island Housing Advisory Planning Commission

Date of Meeting: Thursday February 8, 2024

Location: Islands Trust Northern Office
700 North Road
Gabriola, BC

HAPC Members Present: Steven Earle, Chair
Emily Carson-Apstein
John Woods
Felix Addison (by electronic meeting)
Jenni Gehlbach, Secretary (by electronic meeting)

Staff Present: Narissa Chadwick, Island Planner (by electronic meeting)
Lisa Millard, Recorder (by electronic meeting)

Others Present: There were no members of the public present

1. CALL TO ORDER AND WELCOME

Chair Earle called the meeting to order at 3:35 pm.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. GABRIOLA HOUSING POLICY REVIEW PROJECT

The Local Trust Committee has requested feedback from the Housing Advisory Planning Commission to determine what regulatory changes might be considered during the Official Community Plan and Land Use Bylaw review project related to housing.

Chair Earle circulated a list of zoning and policy options taken from the Housing Options Took Kit that had previously been identified by the Housing Advisory Planning Commission as potential recommendations, and he suggested prioritizing and categorizing these items.

Planner Chadwick indicated that suggestions for categories that might be suitable could be found in the Denman Island Housing Advisory Planning Commission report including the following:

- Increased opportunities for primary dwellings, secondary suites, and accessory dwelling units;
- Increased opportunities for multi-tenant and multi-land ownership affordable housing projects;

- Minimizing environmental impact on land;
- Implementing affordability measures; and
- Items for advocacy.

Discussion ensued and the following items were categorized as priorities:

- Increase density in the village area by increasing the number of permitted residential units that can be built, and by making it easier to add land zoned for affordable and/or multi-family development;
- Increase the number of residential units allowed in conjunction with commercial zones;
- Increase options for secondary suites by expanding the types of properties that permit secondary suites and accessory dwelling units;
- Advocate for Gabriola to be included in the empty homes tax area with revenue going to local affordable housing;
- Zone suitable land for a serviced manufactured home, tiny home, or residential RV park; and
- Allow existing subdividable properties to be developed in ways that will increase ownership options such as strata developments, bare land strata, and co-ownership.

It was further noted that all recommendations should be framed with the consideration of land impacts and suitable land analysis when making zoning decisions including, but not limited to, water availability and septic capacity.

Planner Chadwick asked for, and received, permission to share the Housing Advisory Planning Commission's comments with those involved in the community based public meetings being held to discuss the Official Community Plan and Land Use Bylaw Review Project.

5. NEXT MEETING

The next meeting is scheduled for Thursday February 22, 2024 at 3:30 pm.

6. ADJOURNMENT

By general consent, the meeting was adjourned at 5:00 pm

Steven Earle, Chair

Certified Correct:

Lisa Millard, Recorder

Follow Up Action Report

Gabriola Island

29-Sep-2022

Activity	Responsibility	Dates	Status
1 GB-RZ-2022.1 (Alley Enterprises) - 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. <i>Staff report uploaded to website.</i>	Stephen Baugh		In Progress

20-Jul-2023

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Gabriola Island

20-Jul-2023

Activity	Responsibility	Dates	Status
1 Actions for the Major Project - OCP Review - Major Project Business Case and Project Charter: 1. Staff to post Project Charter to project website, re: Official Community Plan and Land Use Bylaw Review Project (Phase 1) - <i>complete</i> 2. Staff note business case endorsed for the OCP and LUB Review Project (Phase 2). - <i>complete</i> 3. Staff to prepare actions for Engagement Option 2. 4. Staff to prepare options for First Nations engagement Phases 1 & 2. 5. Staff to refer July 20th staff report to the APC for feedback due by September 1, 2023, on: - <i>complete</i> - the engagement options. - identification of groups and the broader community, including under represented members. - Feedback on engagement and communications (Phase 1). 6. Staff to refer materials related to the Housing Options and Impact Review Process to the HAPC for review and feedback by January 2024. - <i>complete</i> 7. Post materials for the Official Community Plan and Land Use Bylaw Review Project to the project website. <i>complete</i> 8. Staff to schedule an orientation meeting for the APC to review the terms of reference for their participation in the OCP and LUB review project, and collect feedback on the Phase 1 engagement strategy and	Chloe Straw Narissa Chadwick Wil Cottingham		In Progress

Follow Up Action Report

Gabriola Island

20-Jul-2023

Activity	Responsibility	Dates	Status
communications.			
9. Staff to schedule an orientation meeting for the HAPC to review the terms of reference for their participation in the OCP and LUB review project (Phase 1). - <i>complete</i>			
10. Staff to develop messaging and communications materials for the September 2023 soft launch of the in the OCP and LUB review project. - <i>complete</i>			
2 Regarding LTC Consideration of becoming Covenant Holder, Gabriola Commons - 675 North Road, Gabriola Island: Staff to seek a legal review of draft covenant prepared by the registered owners of the Gabriola Commons - 675 North Road, Gabriola Island [Lot 1, Plan VIP27281, Section 19, Land District 32, Gabriola Island (PID 002-600-992)].	Stephen Baugh	Target: 26-Oct-2023	In Progress

14-Sep-2023

Activity	Responsibility	Dates	Status
1 Staff to prepare a communications plan with respect to the Official Community Plan Land Use Review Project.	Narissa Chadwick	Target: 16-Oct-2023	In Progress

26-Oct-2023

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Gabriola Island

26-Oct-2023

Activity	Responsibility	Dates	Status
1 Staff to prepare a request to EC on behalf of LTC to approve funds for screening Dust and Bones movie and public discussion on Gabriola in 2023/2024. - Nov.22: Dir.TAS will note the request for EC and confirm funds for screening.	Clare Frater		In Progress
2 Two Letters from LTC: 1. Gabriola Local Trust Committee draft a letter to formally request the Provincial and Federal governments' support and direction to aid the Gabriola Local Trust Committee in preserving and protecting Indigenous cultural heritage sites that may be at risk due to impacts of development. In the absence of clear legislation and guidelines to support local governments' obligations to international, national and provincial frameworks, interim guidance and direction from the Province would be welcome, to ensure the Islands Trust can fulfill its obligations and duties to the preservation and protection of sacred cultural heritage sites. 2. That the Chair of the Gabriola Island Local Trust Committee work with staff write to seek support from Snuneymuxw First Nation and to understand if there would be interest in working on a joint call to the Provincial and Federal government to request support and direction to aid the Gabriola Local Trust Committee in preserving and protecting Indigenous cultural heritage sites that may be at risk due to impacts of development.	Renee Jamurat		In Progress



Follow Up Action Report

Gabriola Island

30-Nov-2023

Activity	Responsibility	Dates	Status
1 Extension granted for GB-RZ-2022.1, staff to continue processing application and bring back report to LTC.	Stephen Baugh		In Progress
2 Staff to include the following in APC orientation for Gabriola: request from the LTC that the APC schedule regular monthly meeting dates and times for the duration of their term.	Chloe Straw Renee Jamurat		Completed

18-Jan-2024

Activity	Responsibility	Dates	Status
1 Actions for the Major Project - OCP Review: - Set up meeting between SFN Staff and leadership, and GB LTC and IT Staff to discuss SFN interests related to Gabriola and interest in engagement with the FB OCP review process. - Communicate the feedback related to the Official Community Plan engagement received from community engagement groups to the Local Trust Committee in writing. - Add the letter from Drs. J & C Johnstone and the Foreshore Structures Report from Warren to the OCP review project file.	Narissa Chadwick		In Progress
2 Forward letter dated January 4, 2024 from F. Weller, S. Earle, D. Ferens & G. Blee regarding the Sue Big Oil Initiative to Executive Committee. <i>Update:</i> Executive Coordinator indicates it will be on EC agenda for their Feb 28 meeting.	Stephen Baugh		Completed



Follow Up Action Report

DATE OF MEETING: February 22, 2024

TO: Gabriola Island Local Trust Committee

FROM: Narissa Chadwick, Island Planner (Regional Planning Team)

COPY: Renée Jamurat, Regional Planning Manager – Northern Team

SUBJECT: Gabriola OCP Review Major Project – Endorsement and Authorization of project budget for Capacity Work Agreement with Snuneymuxw First Nation

RECOMMENDATION

1. “That the Gabriola Island Local Trust Committee request staff to prepare a capacity work agreement between the LTC and Snuneymuxw First Nation, for the purpose of engagement with the Nation on the Gabriola Island Official Community Plan (OCP) Review Project.”
2. “That the Gabriola Island Local Trust Committee authorize the release of up to \$5,000 from the Official Community Plan Review Project 2023/2024 fiscal project budget for the purposes of entering into a capacity work agreement with Snuneymuxw First Nation on the Gabriola Island Official Community Plan Review (OCP) Project.”

REPORT SUMMARY

This report provides the Gabriola Local Trust Committee (LTC) with background on the process that has been initiated with Snuneymuxw First Nation (Snuneymuxw) with respect to engaging with Trust Council, and Gabriola projects in order to encourage the release of up to \$5,000 through a capacity work agreement to Snuneymuxw from the Gabriola Housing Review Project budget.

BACKGROUND

The Gabriola Housing Review Project Charter identifies that First Nations consultation will take place July-Dec. 2023. A total of \$4,000 has been allocated to First Nations engagement. During the fall/winter of 2023 Islands Trust staff began engaging in conversation with Snuneymuxw staff to identify options for a fulsome discussion with the Nations on matters of interest to them. At their January LTC meeting the Gabriola Island LTC passed the following resolution:

GB-2024-001

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

that the Gabriola Island Local Trust Committee request staff set up a meeting, as soon as feasible, between Snuneymuxw First Nation staff and leadership, and Gabriola Local Trust Committee and Islands Trust staff, to discuss Snuneymuxw land use interests related to Gabriola and interests in engagement with the Official Community Plan review process.

Following the January LTC meeting Islands Trust staff and Snuneymuxw staff initiated discussion with Snuneymuxw staff to identify a date for a meeting to discuss Snuneymuxw interests.

Recognizing Snuneymuxw Nation’s staff capacity challenges, Islands Trust staff are interested in working on developing a capacity work agreement with Snuneymuxw related to the Gabriola OCP review process. Recent work with Squamish Nation regarding Gambier Island’s OCP process has demonstrated that the provision of capacity funds and support has enabled the Nation to carve out the time needed to provide input to the process. A similar process is being recommended by staff for the K’omoks with respect to projects on Denman and Hornby Islands.

ANALYSIS

Rationale for Recommendation

The total budget for this phase of the project is \$18,000, and \$4,000 has been allocated toward First Nations engagement. None of this has been used. An additional \$14,000 has been allocated toward Public Engagement and Communications. Recent budget calculations indicate that approximately \$1,000 from the allocated budget for engagement may be available after all costs have been accounted for. This could be directed toward First Nations engagement. If the money is not spent by March 31st it will be placed into Islands Trust general reserve fund and the Gabriola LTC will no longer have direct access to it. By providing capacity funds related to the Housing Review Process, the LTC can help facilitate deeper engagement with the Nation.

Staff note that if Trust Council supports the Gabriola Islands LTC’s business case for the 2024/25 continuation of this project additional funding will be available for First Nation engagement.

ALTERNATIVES

1. Request further information

The LTC could choose to request more information. Staff caution that if this is the direction chosen it may not provide enough time for staff to work with Snuneymuxw on a capacity work agreement within this fiscal year. This would lead to the loss of the 2023/24 funding. A total of \$6,000 has been requested for the 2024/25 fiscal year to support First Nations engagement.

2. Do not provide capacity support to Snuneymuxw First Nation

If the LTC decides not to authorize capacity funds to support participation by Snuneymuxw First Nation, it may be more challenging for them to engage with the project.

NEXT STEPS

If the recommendation is supported:

- Staff will draft a capacity work agreement to be reviewed by Snuneymuxw First Nation;
- Capacity agreement will be signed by the Gabriola Island LTC and Snuneymuxw First Nation;
- Capacity amount will be completed before the end of the 2023/24 fiscal year; and
- Staff will initiate engagement on the OCP review project as appropriate.

Submitted By:	Narissa Chadwick, RPP MCIP, Island Planner	February 9, 2024
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	February 9, 2024



DATE OF MEETING: February 22, 2024

TO: Gabriola Island Local Trust Committee

FROM: Narissa Chadwick, Island Planner (Regional Planning Team)

COPY: Renée Jamurat, Regional Planning Manager – Northern Team

SUBJECT: Gabriola OCP Review – Engagement Update, Revised Engagement Strategy

RECOMMENDATION

1. That the Gabriola Local Trust Committee endorse the revised Gabriola Island Official Community Plan (OCP) and Land Use Bylaw (LUB) Review Project Community Engagement Strategy.

REPORT SUMMARY

This report provides an update on the Gabriola Vision 2025 engagement process to-date and presents a small update to the timing of the first Community Meeting.

BACKGROUND

At their October 2023 regular meeting the LTC endorsed the Community Engagement Strategy for the OCP and LUB review. As indicated in the updated Community Engagement Strategy (Attachment 1), the project is on track. Highlights are identified below.

First Nations Engagement

- Staff have followed up with Snuneymuxw First Nation staff. Meeting scheduling, capacity agreement and funding are being contemplated.

HAPC Engagement

- HAPC has narrowed down a list of recommendations to present to the LTC.

APC Engagement

- APC contributed to the design of the community led engagement process.

Community Engagement

- 405 response have been received through the survey process
- 14 groups received funding from community led engagement
- 2 groups have submitted their feedback forms (see Attachment 2)
- Chloe Straw will be facilitating targeted feedback with underrepresented groups
- All input will be analysis and a summary will be available by the end of March for the community meeting

Staff recommend that the Community Engagement Plan remain the same as the original with a small change in the timing of Community Meeting #1 from April 2024 to March 2024 (identified in red on updated Strategy).

RATIONALE FOR RECOMMENDATION

There is 2023/24 budget remaining to support Community Meeting #1. Holding the meeting at the end of March will support the momentum of the project. Staff resources are available to do a preliminary analysis and high level report out on community input provided through the survey and the community led engagement process.

ALTERNATIVES

1. Do not endorse the revised Community Engagement Strategy

Staff caution that if this is the direction chosen existing funds currently available to support Community Meeting #1 in the 2023/24 budget will no longer be accessible. The LTC will need to rely on limited funds allocated toward communications and engagement in the 2024/25 budget. In addition, the project will be delayed slightly.

NEXT STEPS

If the staff recommendation is supported staff will:

- Schedule Community Meeting #1 for the end of March;
- Compile the information received through the survey and community-led engagement process and provide a high level over view for the Community Meeting #1;
- Hire a graphic illustrator to illustrate priorities emerging from community feedback discussed at Community Meeting #1; and
- Continue communications and engagement work as outlined in the Community Engagement Strategy. This will involve producing a Gabriola Vision 2050 document.

Submitted By:	Narissa Chadwick, RPP MCIP, Island Planner	February 9, 2024
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	February 9, 2024

ATTACHMENTS

1. Updated Community Engagement Strategy
2. Community Led Engagement Feedback

Gabriola Island Official Community Plan (OCP) and Land Use Bylaw (LUB) Review Project – Community Engagement Plan 2023-2024 (February 2024 Update)

Background:

The Gabriola OCP and LUB Review Project is proposed to address three overarching goals:

1. Strengthen relations with First Nations;
2. Update the OCP and LUB ; and,
3. Align with advances to the Islands Trust Strategic Plan Objective “to preserve and protect marine ecosystems” and “preserve, protect and advocate for forest and terrestrial ecosystems”.

The project is divided into two community engagement phases. Phase One focusses on prioritizing the community values and vision that will inform amendments to Gabriola Island’s OCP through engaging First Nations, the Gabriola community, community organizations and other relevant group. Phase Two will focus on the drafting and review of OCP amendments. While there will be a third phase, this phase is more about communications than engagement. It will focus on communicating the results of Phase Two and educating the community about the relationship of the revised OCP with the LUB amendment work.

Community Engagement Process:

This document focusses on community engagement. The first two phases of community engagement are identified below.

Phase 1

Phase 2



Project Engagement Timeline (Phase 1 and 2 Estimation):

Action	Fall 2023	Winter 23/24	Spring 24/25	Summer 24/25	Fall 24/25	Winter 24/25
FN Engagement						
Initial letter	letter sent, staff to follow up					
Initial engagement		Capacity agreement and funding				
Continued engagement				Additional capacity funding provided		
HAPC Engagement						
Phase 1	Review of previous work and provide recommendations					
Phase 2			Options identification and bylaw amendment review			
APC Engagement						
Phase 1	Initial Engagement					
Phase 2			Engagement as determined			
Community Engagement						
Launch						
Visions and Values Discussions		In small groups and through open houses				
Survey Process						
CIMs				Community Information meetings as needed		

Phase 1 – Gabriola Visioning

This phase of the project is comprised of 3 parts:

- Public Engagement - Gabriola Visioning
- First Nations Engagement
- Technical Review of OCP

The table below focusses on the public engagement aspects of Phase 1.

Note that a separate engagement plan is being developed for First Nations engagement. This is a process that will involve staff to staff and LTC to Chief and Council engagement. Staff will be responsible for the initial technical review.

Method	Details	Timing	Status
Information Sharing	• Launch project webpage	September 2023	complete
	• Soft Launch at Fall Fair	September 2023	complete
	• Biweekly videos on updates	October 2023 – February 2024	Bi-weekly meetings w/coms team scheduled
	• Biweekly social media posts connected to updates	October 2023 – February 2024 Themes: What is a community vision? What is Land-Use? What is an OCP? What is a LUB? Other?	Posts focused on encouraging engagement
Community Lead Engagement	• Application Process Launched	September 2023	complete
	• Letters to organizations re: engagement (to include sample questions)	September 2023	complete
	• Feedback Template Designed and Posted	September 2023	complete
	• Applicant Zoom meeting	October 24 th 2023	complete
	• Application Deadline	November 10 th 2023	complete
	• Decision on Applications	Announced November LTC meeting	complete
	• Group engagement information zoom meeting	Early November 2023	complete...meeting was held in person
	• Deadline for feedback	February 2023	March 1 st deadline. Feedback received is in Attachment 2.
Online Survey	• Online Survey Designed	October 2023	complete
	• Online Survey Launched	October 2023	complete
	• Online Survey	October 2023 – February 2024	Complete 405 responses
	• Synthesis of Online Survey	February	In process
Community Review of Key Priorities	• Staff to synthesize input and provide draft list of priorities • APC to review list of priorities	February 2024 – March 2024	In process
Community Meeting #1	• Identify key priorities • Graphic illustration of priorities	March 2024	To be held at the end of March
Visioning Document	• Staff to produce visioning document	May – June 2024	To do

Phase 2 – Identifying Priorities; Bylaw Drafting, Review and Approval

This phase of the project is comprised of 3 parts:

- Community Engagement - OCP Process
- First Nation Government Engagement
- Bylaw Priorities/ Drafting/Review and Approvals

The table below focuses on the community engagement aspects of the project for Phase 2.

Note that a separate engagement plan is being developed for First Nations engagement. This is a process that will involve staff to staff and LTC to Chief and Council engagement.

Method	Details	Timing
Information sharing	• Gabriola vision/OCP process display at Gabriola IT office • Continuation of biweekly posts focussed on OCP priority areas	May 2024 onward
Community meeting #2	• Presentation of vision/priorities • Presentation of process • Presentation of suitable land analysis • World Café on priority areas	June 2024
Online Consultation	• Depending on community interest in online consultation	June – October 2024
Early Referrals	• Early referrals to agencies	June – October 2024
Fall Fair Engagement	• Seek input on vision/priorities	September 2024
Working Group Meetings	• As required beyond APC/HAPC engagement • Related to review of draft bylaws	November 2024 – April 2025
Community Meeting #3	• Introduction of draft bylaws	May 2025
Community Meeting #4	• Review and Discussion of draft bylaws	Summer 2025
Public Hearing	• Final opportunity for community input	Fall 2025

Phase 3 – Outreach and Communication Re: OCP Changes and Process for LUB Amendments

There is a third and important phase to this project. This involves: 1. Communicating changes made in the OCP and 2. Identifying how OCP amendments will influence LUB amendments. A detailed communications plan, building on some of the work previously done for this project (e.g. online information sharing) will be designed at the appropriate time. Staff will encourage the LTC to submit a 2025/26 budget request for communications and LUB review.

Budget

The budget amounts for each phase are as follows:

Phase 1 (allocated) - \$18,000

Phase 2 (TBD) - \$27,000 (without water balance), \$77,000 (with water balance)

Phase 3 - TBD

Attachment 2: Community Led Engagement Feedback

Gabriola Visioning 2050 Group Feedback – December 16, 2023

8 participants including note taker 6:30pm – 9:00pm

Held at: 1285 Seawind Drive, Gabriola

Theme: Agriculture, Food Security, Housing, ALC consistency

VISION for 2050:

- include explicit recognition in the OCP agriculture section or overarching OCP objectives that this island and surrounding marine areas were critical foodlands for First Nations peoples since time immemorial;
- can we include statement that settlers have been and currently are establishing a diverse array of food, flowers and horticultural products from the land to support the residents and visitors year round;
- include statement that impacts of settlement patterns on the land must be addressed through solutions such as ecological enhancement, regenerative agricultural practices and adaptation to a changing climate.

What can the LTC do:

1. Amend the OCP with new policy language to:

- a. Support secondary suites on any sized parcel in the ALR in the principle residence as per the ALC Act and ALR Regs. Consider expanding this to residential zones on any size lot – include with maximum footprint restrictions for overall dwelling. This will address the rental tenure problem as new construction is considered, designing a suite may be most cost effective time to rough it in.
- b. Support a secondary residence on parcels in the ALR as per the ALC Act and ALR Regs.
- c. Support the elimination of subdivision potential for all remaining parcels in the ALR to maintain remaining parcel size diversity.
- d. Support diverse tenure opportunities for parcels in the ALR (co-operative housing or other?)
- e. Support inclusion of land in the ALR that is currently in agricultural production but in residential or resource zoning/designation.
- f. Support recognition of indigenous foodlands in the OCP, being within and outside of ALR land as well as marine areas. Explore with Snuneymuxw whether a culturally sensitive area designation that can be applied to those identified lands.
- g. Limit the number of short term vacation rentals that can be approved by TUP on parcels in the ALR to a very small number in any given 3yr term (4?).
- h. Consider establishing a Development Permit Area (DPA) area buffering 100m to the ALR boundary anywhere on the island to ensure new development does not have adverse impacts on food production and ALR activities (new subdivisions, roads, services, density etc).
- i. Support enhanced biodiversity of native plants in all new development approvals to increase indigenous foodlands potential across all landscapes, not just small pockets of protected areas.

- j. Advocate for all community groups, residents, LTC to work together to sponsor annual tours of foodlands with FN members interested in returning to foodland landscapes to assess condition, work with their guardian program? Support annual monitoring or data collection? Determine their priorities and develop advocacy policies so we don't lose momentum to ensure action.

2. Amend the LUB with new regulations to:

- a. Update the 'Agriculture' Zone for all parcels in the ALR:
 - i. Be permitted a secondary suite within or attached to principle residence as per the ALC Act and ALR Regs.
 - ii. Be permitted a secondary dwelling detached from principle residence on ALR parcels as per ALC regs.
 - iii. Restrict principle residence size to LESS than the 500m2 the ALC currently has! This is too large and further consultation with the community should local support for smaller footprint.
 - iv. Maintain ability for up to four unserviced campsites for agritourism accommodation for those parcels that qualify (farm status, agritourism).
 - v. Include the Ravenskill Orchard parcel in the A zone even though currently not in the ALR. Redesignate in the OCP too.
 - vi. Include any other small farms in the A zone through consultation with owners even though not currently in ALR.
 - vii. Remove all outdated references residence for a relative; farmworker housing etc.
 - viii. Ensure regs permit gathering for events in the ALR (10 times per year) and consistent with ALC policy on special events.
 - ix. Eliminate subdivision potential for all parcels in the ALR to ensure that a diversity of remaining lot sizes is maintained and last remaining large lots are not lost.
 - x. Possibly create zone as holding zone for indigenous foodlands if consultation with First Nations identifies this as a priority.
 - xi. Maintain existing farmstand regulations and setbacks/height regulations for buildings and structures.
 - xii. Establish new DPA guidelines for buffer within 100m of ALR boundary anywhere on Gabriola Island. Triggered by subdivision, land alterations. Develop series of reasonable exemptions for small footprint construction or renovations being exempt from requiring a DPA.

GLSKA Meeting for
Gabriola Visioning 2050.

Held at GAC hall - 10-2pm
Jan. 14th 2024.

This event was attended
by 16 shorekeepers' members.
There was a great deal of
enthusiasm and many
suggestions addressing
our organization's vision
for the future.

Talyn Martin did an
excellent job of facilitating
the process and used a
flip chart to consolidate
ideas and responses.

The time allocated was
ideal and we managed
a 45 min break for lunch.
This break proved invaluable
for relationship building and
exchange of ideas.

Submitted by Joanna Macken
(GLSKA member)

Flip chart content: GISKA event Jan. 14th 2024
Written up by facilitator, Talyn Martin
Gabriola Visioning 2050

Vision for 2050: ECOLOGY – protection of and health benefits of healthy systems; EDUCATION – mentorship and newcomers to this unique system; SFN relationship building – shared stewardship; DIVERSITY –; BALANCE – with the increasing pressures of population growth; plastic-free; boats and shoreline regulations; boat ramps; framework of legal jurisdiction; impacts on our environment

STRENGTHS:

What is being done well: knowledge/good science; sounder articles; community networking; partnerships (GALTT and streamkeepers etc.); people show up – action! Chamber initiatives: admin, facilities)

Maximize strengths: inclusivity/respect; capacity building/support; youth engagement; share resources! collaboration/sharing (eg. storage, assets etc); appreciation; FOCUS; increase membership

What can GISKA do: citizen science project; beach cleaning; action-based outreach; charitable status?; education – shoreline institute?

LTC do: increased law enforcement of bylaws etc; increased incentives to property owners; monitoring; increased education; add or increase bylaws to protect shorelines

Land use Changes: access to boats and water – public ramps etc.; nuisance bylaws (eg. freighter noise and lights); identify areas that should be protected; include sea floor in jurisdiction (it's currently provincial); mooring buoy legislation; creosote and Styrofoam removal

WEAKNESSES:

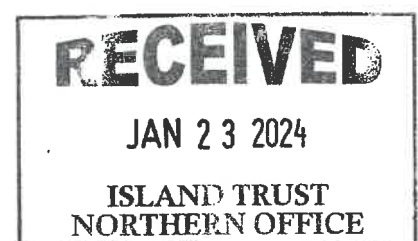
What could be improved: education – value of ecosystem health; Education – k-12 as week as community/public and tourists; pump-out service for boats; language (re: **land vs. water**) islands trust take control (eg. MOTI, building codes etc.); SFN engagement; data monitoring

What can help overcome: funding, capacity, strategic plan, money

What can GISKA do?: tours of soft shorelines, eel grass buoys, continue SFN dialogue re: beach protection etc. and education; ocean day, speaker series for adults

LTC do: build umbrella for eg citizen science > data; site management guidelines – best practices; incentives; tours (positive land management examples; healthy ecosystems); brochures on values and resilience

Optional: change language to reflect the values of the coast and ocean



OCP VISION

Likes: positivity; walking/cycling; harmony

Changes: include climate change, biodiversity, change 'rural community' to read 'island community' – add balance, reconciliation, add habitat, do not say bountiful, reciprocal, stewardship, humans as part of nature, value of social and physical connection, ecological protection, watershed management

GISKA resources: data to back claims, see web-site giska.ca; citizen science VIU; connections to other organizations; members include: biologists and scientists

Focus group: topic: shoreline and marine health and management: Isabel, Gavin, Nancy, Joanna, and LJ

Gabriola Island Official Community Plan (OCP) and Land Use Bylaw (LUB) Review Project – Community Engagement Plan 2023-2024 (February 2024 Update)

Background:

The Gabriola OCP and LUB Review Project is proposed to address three overarching goals:

1. Strengthen relations with First Nations;
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Phase 2 – Identifying Priorities; Bylaw Drafting, Review and Approval

This phase of the project is comprised of 3 parts:

- Community Engagement - OCP Process
- First Nation Government Engagement
- Bylaw Priorities/ Drafting/Review and Approvals

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Phase 3 - TBD

From: Nancy Huot <[REDACTED]>
Subject: Road allowance pruning
Date: January 15, 2024 at 12:46:11 PM PST
To: <syates@islandstrust.bc.ca>

Hello, I understand I can add my name and comments to a list of islanders horrified by the tree allowance pruning. I live on the corner of Mander and Stalker. I take pride in my garden. As you must know, the dust during warm months is unbelievable. Instead of complaining I decided to grow a hedge exactly like my friend on South Road a little down from the Community Hall. I planted 8 x 6 inch cedars. I planned to prune them to tight hedge shape once they were established. It is not to be. They grow about 18 inches. Let me say this is 6 feet from the edge of my road. Mainroad gleefully turns the machine off the road swinging the execution lever and rips at the cedars. Last year I had had enough and phoned Morgan who was nice enough to chat to me. I truly thought I could grow the dust hedge to fruition. This year even as I stood there, the machine ripped the hedge apart again. In tears I called the Vancouver office. I was promised a visit by an employee to discuss the issue. No visit or phone call.

I do my very best to look after the little boulevard in front of my house. I mow, wash the street sign, pick up debris and even fill in potholes. I can't tell you how much I hate Mainroads attitude to my neighbourhood. The dust remediation fluid was sprayed once and long after the worst of it blew into my yard. I cannot sit on my deck without a film of dust covering me, my drink or my book. The hedge would be such a blessing.

Trees on North Road in the tunnel leave less room for a car to move over than my little hedge. I am fed up. I am adding my name to complaints for an upcoming meeting as was suggested by Bob Bossin.

Thank you
Nancy Huot

From: Wil Cottingham on behalf of northinfo
Sent: Monday, February 5, 2024 10:49 AM
To: Gabriola Island Local Trust Committee
Cc: Vanessa Craig; Nadine Mourao
Subject: FW: Destruction of plants while clearing road verges
Attachments: 20231206_095147.jpg; 20231206_095217.jpg;
P_20230622_164135_vHDR_Auto.jpg

FYI.

Wil Cottingham

Office Administrative Assistant
Islands Trust | T 250-247-2203

From: Epic V <[REDACTED]>
Sent: Sunday, February 4, 2024 8:13 PM
To: northinfo <northinfo@islandstrust.bc.ca>
Subject: Destruction of plants while clearing road verges

Dear Island Trustees and RDN Director Vanessa Craig,

I would like to attend the February 22 Gabriola Local Trust Meeting to speak to the destructive clearing of verges by MoT's contractor in December.

Issue/Problem

The current mower destroys the plants. Stems and small trunks are shredded and split badly, sometimes right to the ground and below it. This opens the plants up to infection and rot. A better alternative for clearing the roadsides is needed.

Ironically, the current mower does not cut broom well. So it opens up the roadsides to light, damaging the native bushes and leaving the broom to thrive.

I spent 6 hours doing remedial pruning on the plants in our neighbourhood because I found the sight of the shredded plants too disturbing to look at continually. It was my hope that by making clean cuts on the branches and stems, the plants might be able to heal themselves.

Two ocean spray bushes at the end of our driveway were destroyed. And yet, as you will see in the attached photo, there are tree branches nearly touching the road that were left. The mower driver had to lift his mower over our "We are conserving native habitat" sign in order to destroy the ocean spray bushes. Also attached is a photo of the bush in bloom. I took this photo to send to my son so he could see what the blossoms would look like for his wedding reception at our house this coming June. Now we have bare stumps instead to welcome the guests to our home.

Suggested Solutions

The mower operator should be educated on: native versus invasive plants; the conserving wildlife signs and what they mean; have a policy to trim conservatively on any property displaying the signs

Property owners should have prior notice of trimming dates so they can protect important plants

Dimensions of how roadside bushes need to be trimmed should be publicized so property owners can trim their own plants carefully
Spend the money used to contract the mower on a smaller team that can trim selectively and carefully

Request for Action

The roadsides are our shared commons. We should have a say in how they are managed.
Have the mower driver meet with GALTT and Conserving Nature group so they understand the aims.
Have the mower driver undertake some basic conservation and ecology training.
Publish mowing dates in the paper and on-line.

Thank you.
EJ Hurst







From: Ken Gurr <[REDACTED]>
Sent: Monday, February 5, 2024 2:12 PM
To: northinfo <northinfo@islandstrust.bc.ca>
Subject: Submission for Next Gabriola LTC Meeting

REQUEST FOR ACTION -- February 5, 2024
That Islands Trust-Gabriola LTC Instruct Gabriola MOTI Contractor, "Mainroad Mid-island Contracting" to Publish Advance Public Notice and Improve Care and Practice of Road Allowance Brush Mowing Operations

Gabriola ratepayers have expressed dismay and concern for the methods and lack of advance public notice when road allowance brush cutting occurred in the late-fall of 2023. As the Nature Stewards program coordinator for the Gabriola Land & Trails Trust (GaLTT), I have heard directly from several local residents about this issue. I understand a few of those persons are making submissions to the LTC.

I would like to add the following for consideration:

Recommendations for Action

- 1) That the LTC instruct MOTI-Gabriola Contractor to exercise a greater level of conservation awareness and judgement re: what are actual impediments to roadside drainages and driver visibility vs. a cut-all scorched earth policy.
- 2) That the LTC instruct MOTI-Gabriola Contractor to give adequate advance notice posted publicly (e.g. Gabriola Sounder), of when and where RoW road allowance brush cutting is happening, so as:
 - a) Landowners with concerns re: plantings or native plant material in the grey area between property boundary and RoW allowance can take steps to flag for NOT cutting or remove the material.
 - b) GaLTT volunteers that work to recover native plants for habitat restoration projects elsewhere on Gabriola have time and opportunity to go along some of these road allowances and dig up native plant material.

Final Comments/Observations

- The current mower destroys the plants. A better alternative for clearing the roadsides is needed
- Ironically, the current mower does not effectively cut the invasive plant -- Scotch broom. The net effect is the cutter opens up the roadsides to light, damaging the native bushes and leaving the broom to thrive.

- The mower operator should be educated on: native versus invasive plants, the conserving wildlife signs and what they mean, have a policy to trim conservatively on any property displaying the signs.
- Dimensions and requirements of setback and how MOTI specifies roadside bushes need to be trimmed should be publicized so property owners may take steps to trim their own plants carefully.
- Spend the same budget amount to contract the mower on a smaller team that can trim selectively and carefully.
- The roadsides are our shared commons. We should have a say in how they are managed.

Sincerely, Ken P. Gurr

[REDACTED]

Gabriola, BC, [REDACTED]

[REDACTED]

From: Wil Cottingham on behalf of northinfo
Sent: Tuesday, February 6, 2024 4:24 PM
To: Gabriola Island Local Trust Committee
Cc: Nadine Mourao
Subject: FW: verges
Attachments: 1 South Rd. at Cooper.jpg; 2 Spring Beach Rd..jpg; 3 Islandsview Dr.jpg;
4 Price Rd. at Blueback.jpg; verges bb thread.docx

[More comments for the next Gabriola LTC meeting.](#)

Wil Cottingham

Office Administrative Assistant
Islands Trust | T 250-247-2203

From: Bob Bossin <[REDACTED]>
Sent: Tuesday, February 6, 2024 3:57 PM
To: northinfo <northinfo@islandstrust.bc.ca>; Craig, Vanessa <vanessa.craig@rdn.bc.ca>
Subject: verges

Dear Island Trustees, and Ms. Craig,

I would like to attend the February 22 Gabriola Local Trust Meeting to, well, complain about the clearing of verges in December.

My hope is that you will contact the appropriate authorities and that, thereby, we can prevent the same damage from recurring next time.

I know others are writing you, so I will keep my comments short and personal.

I have lived on Gabriola for over 30 years. I have seen the verges trimmed annually and have never had a complaint about it. ***There has never been a problem:*** the blackberries have not overgrown the roads; visibility has been fine; no hydro wires have been dragged down by vegetation. So why the sudden, heavy-handed approach this year? It “weren't broke!”

Speaking personally, the only loss from our own road-front verge is a thicket of thimbleberry bushes. But it was hacked down for no good reason.

The contractor seemed to have a particular animus against blackberries, cutting down patches that have been a feature of our neighbourhood flora for all my years on the island. Neighbours and visitors have picked the berries year after year, making good use of a free source of delicious, healthy, native food. I don't doubt that, over a season or two, the blackberries will grow back; I don't know about the thimbleberries. ***But***

none of the native species will return if the MoT continues to attack the roadside vegetation the way it did this year.

Therefor I urge the Trust to raise islanders' concern with the appropriate officials, as per the Trust's mandate to preserve and protect the islands' "environment and unique amenities."

I have attached several photos and a selection of comments from the Gabriola Community Bulletin Board at the time of the verge clearing. (The full thread can be found by searching "Verges" on the GCBB.)

Thank you.

Bob Bossin
Old folksinger



"Hope isn't this delicate thing. Hope has dirt on her face, blood on her knuckles,
the grit of cobblestones in her hair, and just spat out a tooth
as she rises for another go." - Matthew









Some comments from December 18, 2023 “Verges” thread on Community Bulletin Board

Jacqui Parker-Snedker

· December 18, 2023

Would have been nice to have a heads up before heavy machinery was brought in to clear the verges. I might have been able to dig up the small tree and The very old pampas grass they levelled.

Hel Ryder

Are they STILL doing this? After all the complaints and upset and mess it has generated? 🙄

Jacqui Parker-Snedker

Yes, a backhoe just ripped its way down Garland, pulled out 2 large pampas grasses on the far side of a ditch- and left there.

Hel Ryder

Jacqui Parker-Snedker, I heard other folks are calling Mainroad to complain.

Tyler Gray

Hel Ryder, it's the highways land and they can do with as they please.

Hel Ryder

Tyler Gray, that may be true, but it isn't necessary to upset people on purpose. 😊
Consideration and letting people know what is happening and why can save a lot of aggravation and upset

Tyler Gray

Hel Ryder, also there have been people talking about this subject for weeks now. Kinda surprised people aren't aware yet.

Hel Ryder

Tyler Gray, These brush cutters are indiscriminate and have ripped branches from trees on peoples' property, and have left an unsightly and in some cases *dangerous* mess of sharp branches and debris on the road...

Glenys Stuart

Tyler Gray Nothing wrong with saying "NO". It affects all life.

Jacqui Parker-Snedker

Tyler Gray, just a day or two so I can dig up what needs to be moved. I get that maintenance needs to be done but we haven't had any work done here in at least five years, so didn't move any thing. The other part of my problem with this process is that whatever was dug up by the backhoe was left in ditches- which will cause flooding.

Susan Rudrum

Jacqui Parker-Snedker, ... The drainage ditches all along the road to Sandwell park are full of debris!

Bob Meyer

They tore up a 4 foot wide, 30 foot length of lawn I'd planted along the road on Decourcy Dr. 30 plus years ago. Said it was a "drainage issue", when there was no issue. Then left identical patches in place within blocks of me. My neighbor Linda and I tended it every year, and she was really pissed! Now, it's just a mess.....but, hey.

SJ Debenedetto

Fraser Gabbott, yes and now we have an abundant supply of spears lining the roads

Clint McCartney



Clint McCartney

I guess from here on out mine the ditches everywhere for seedlings and grasses.

Clint McCartney

Rick Mayes, it's fine. Just saying mine the trees or grasses you like before the local boys arrive. I know them too. I was also a truck driver for years. What else is the

solve? Loud machinery well.... That's just development. We are becoming west van. Quickly.

Scarlet Nicolson

Reached up my driveway last year and ground a 5 year old Leyland Cypress with wire around it, ground it Down to 6 inches

Endla Anderson

I guess the people of our community have to take this issue into our own hands to stop this butchery. This is not professional and is obviously done by unskilled untrained people,

Gai Campbell

O stood at my window infuriated, sad, and with tears in my eyes.

Susan Yeend

I lost an Alder hedge on Dirkson a long time ago.
Now 2 oaks & several firs.

Jeff Warr

If you hear them coming, then do what I did, and stand out front of your house and tell them to not cut in front of your house, and they won't. Otherwise, at this time of year, if you're concerned, then just park your car in front of your house on the road, and create an obstruction

Shae Perkins

I remember when I was little we had a red huckleberry bush at the edge of the driveway and one of my favourite things ever was making huckleberry pancakes with my dad. I was devastated when they cut it down. Not to mention all the salmon berries and thimble berries along the ditch - the blackberries grow back so much faster than they do....



DATE OF MEETING: February 22, 2024

TO: Gabriola Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner
Northern Office

SUBJECT: Review of the new provincial *Short Term Rental Accommodation Act* for the Gabriola Island Local Trust Area

SUMMARY

The purpose of this memo is to present the Gabriola Island Local Trust Committee (LTC) with an overview of the possible implications of the new provincial [Short-Term Rental Accommodation Act](#), and identify preliminary opportunities and challenges in considering its implementation in the Gabriola Island Local Trust Area (LTA). All LTCs are being asked to consider whether they wish to opt-in to the new principal residence requirement by the first annual deadline of March 31 as per S.15 of the *Act*. Staff suggest that at this time, the LTC consider the four options outlined in this memo and direct staff accordingly.

BACKGROUND

The Provincial Government has advised local governments in BC to **not** grant zoning (or other permission) to short-term rental hosts, where inconsistent with (or more permissive than) the new provincial *Short-Term Rental Accommodations Act*. Local governments are being asked to review their bylaws and consider whether any updates may be warranted in light of the new provincial rules. What follows is a brief staff review of the Gabriola LTA bylaws to highlight any intersection with the new provincial legislation that the LTC may wish to consider.

CONSISTENCY WITH NEW PROVINCIAL LEGISLATION

The province has released a comprehensive overview of the [provincial policy guidance](#) for local governments for the *Short-Term Rental Accommodations Act*. The following Table 1 illustrates the five key elements of the provincial legislation and the possible implications for the Gabriola LTA.

Table 1. Opportunities and Implications of Provincial Legislation

New Provincial Legislation Overview	Potential Opportunities	Gabriola Local Trust Area Implications
Regional District Business Licensing for short term accommodation rentals	Work in cooperation with Nanaimo Regional District (RDN) to determine capacity and interest to pursue licensing for any	- Islands Trust does not currently have authority to issue business licenses. - RDN would need to prioritize this action and administer for Gabriola.

New Provincial Legislation Overview	Potential Opportunities	Gabriola Local Trust Area Implications
	commercial rentals in the Electoral Area.	Significant financial resources are anticipated. No direction yet to pursue this approach.
Increased Fines for non-compliant vacation rentals	Increase fines up to \$3,000 / day	- Does not currently apply to Mudge or DeCourcy Island Enforcement Notification (BEN) Bylaws. - Gabriola does have a 'Municipal Ticket Information' Bylaw so an increase of fines to match the provincial cap up to \$3,000/day/infracton is feasible. Would require LTC resolution to prepare an amendment to the administrative MIT bylaw.
Principal residence requirement (vacation rental can only be in host's principal residence or secondary suite/secondary dwelling unit on the same property)	- LTCs may opt in by March 31st each year to take effect by November 1st of the same year. - Province would enforce principle residence requirement and registry requirement. - Supersedes local government zoning and temporary use permit regulations.	- Still unclear whether host must be on site while the vacation rental use is in place. - Gabriola bed and breakfast regulations unaffected. - Gabriola Temporary Use Permit regulations currently do not require the principal residence requirement. - When considering whether to request to opt-in of the principal residence requirement, LTC should consider their Housing Needs Report, the number of short-term rental listings, and the rental vacancy rate for their community as well as other factors. - DeCourcy Island zoning bylaw permits "guest cottages" on most parcels but does not define clearly whether they can be used commercially. May need clarity to avoid challenges with monitoring compliance (see Table 2). - Mudge Island zoning bylaw permits a bed and breakfast as a home occupation and must be operated by a permanent resident on the premises (see Table 2).
End of legal non-conforming status for	Need to educate public and enforce after May 31, 2024.	Current # of non-conforming short term rentals in LTA is unknown. These

New Provincial Legislation Overview	Potential Opportunities	Gabriola Local Trust Area Implications
all existing vacation rentals		properties will need to comply with both local and provincial regulations, including the provincial principal residence requirement, if the LTC opts in at a future date.
Provincial Registry	- Province will share data when system is created. - Accessible central database. Provincial enforcement against website hosts.	- Will apply to ANY short term accommodation host on Gabriola Island regardless of whether the local government has opted in or not. - Timing of enacting the registry system is currently unknown but anticipated in 2024.
Provincial Enforcement	Province only enforcing its legislation – not local bylaws. Does not apply to use of RVs, tents or other types of shelters being used for short term vacation rentals.	- No provincial enforcement of the principal residence requirement unless LTC opts in. - Province will enforce registry requirement regardless of opt-in.

Table 2. outlines the relevant sections of the Gabriola LTA Land Use Bylaw (LUB) regulations related to the Act and potential considerations and implications.

Table 2. Opportunities and Implications of Existing Gabriola LTA Regulations

Policy/Regulation Section	Existing Gabriola, Mudge and DeCourcy Island Regulations	Staff Comments on how this aligns with Provincial legislation
Gabriola OCP 3.8 Temporary Use Permits	3.8 Temporary Use Permits can be issued for <i>vii. commercial vacation rentals within areas designated on Schedule B as 'Small Rural Residential', 'Large Rural Residential', 'Forestry', 'Agriculture' or 'Resource'.</i>	Appears that there is NO requirement for principal residence requirement. Temporary Use Permit is issued to OWNER of the lot (which could have a principal residence elsewhere, not on the same parcel). If the LTC opts-in by March 31 st , any non-compliant TUPs would need to cease operation by November 1, 2024 and would be enforceable by the Province.
Gabriola LUB B.6.3 Commercial Vacation Rentals	B.6.3.1 <i>All dwelling units, including secondary suites, are for residential use and any use for overnight accommodation on less than a monthly basis for monetary gain is prohibited except where a temporary use permit has been issued by the Local Trust Committee.</i>	Vacation rental use not permitted unless by an approved TUP. No requirement for principal residence in the LUB.

Policy/Regulation Section	Existing Gabriola, Mudge and Decourcy Island Regulations	Staff Comments on how this aligns with Provincial legislation
		It appears that some existing TUPs (and possibly 2 currently in stream) would <u>not</u> be permitted to operate after November 1, 2024 if the LTC opts-in by March 31, 2024 as the accommodation is not the principal residence of the host.
Gabriola LUB Part G Definitions	G.1 <i>residence 1. the occupancy or use of a dwelling unit for the permanent domicile or home life of a person or persons; or 2. the occasional or seasonal occupancy of a dwelling unit as a dwelling by an owner who has a permanent domicile elsewhere or by non-paying guests of such an owner, and for these purposes, owner includes a tenant under a residential tenancy agreement, <u>and for certainty, residence does not include tourist accommodation use, commercial vacation rental</u> or any occupancy of a dwelling unit by persons entitled to such occupancy under a time share plan as defined in the Real Estate Act or successor legislation;</i>	Whole home vacation rental is not permitted. Appears to be consistent with new provincial legislation.
Gabriola LUB B.3 HOME OCCUPATIONS	B.3.1 Home Occupations B.3.1.1 Home occupation uses must be carried out by at least one permanent resident of the premises in which the home occupation is located; B.3.1.2 A permanent resident of the premises where the home occupation is located must be the principal worker and operator of the home occupation.	Bed and breakfast regulations require “permanent resident of the premises” to be the operator.
Decourcy Island LUB Part 2 General Regulations	2.6 Guest Cottages (a) On parcels in excess of 2 ha (4.94 acres) in size in the Settlement Residential and Rural zones, a guest cottage is permitted provided that: (i) The guest cottage has a gross floor area not greater than sixty-five (65) square metres (699.65 ft ²).	Guest cottages are permitted in several zones on Decourcy Island but it is currently not a defined use. Further clarity may be required.
Mudge Island LUB Part 3 General Regulations	3.6. Home Occupation Regulations (1) In zones where home occupations are a permitted use, the following uses and no others are permitted as home occupations: (m) bed and breakfasts, where all meals may be served to paying guests.	Whole home vacation rental is not permitted. Bed and breakfast regulations require “permanent resident of the premises” to be the operator.

Policy/Regulation Section	Existing Gabriola, Mudge and DeCourcy Island Regulations	Staff Comments on how this aligns with Provincial legislation
	(2) Despite the uses permitted in 3.6.(1), or any other provision in this Bylaw, in order for a home occupation to be permitted it must: (a) be accessory to an existing residential use on the property; (b) be carried out by a minimum of one permanent resident on the premises in which the home occupation is carried out; the permanent resident must be the sole or principal worker and operator of the home occupation;	

OPTIONS

The preliminary staff review of the new legislation, policy guidance and Gabriola LTA regulations concludes that there are potential changes the LTC may wish to consider to strengthen local regulations to be more aligned with provincial mandate to return short term rental units to the long term housing market. As of January 4, 2024 the Islands Trust Bylaw Enforcement team is investigating 13 files in the LTA related to unauthorized short term vacation rental uses of residential property.

The LTC can consider the following options:

1. Receive this memo for information at this time.
2. Request staff to prepare a draft amendment to the Municipal Ticket Information (MTI) Bylaw for Gabriola Island for the LTC to consider increasing the penalty for non-compliant vacation rentals up to \$3,000/day/infracton.
3. Request staff to add a new project description to the "Project List" to include a review and update of short term vacation regulations on Gabriola Island and/or Decourcy Island.
4. Opt-in to the provincial principal residence requirement by March 31, 2024. If this option is selected the LTC resolution wording would be as follows:

That the Gabriola Island Local Trust Committee request that the Minister of Housing, on behalf of the Lieutenant Governor in Council, apply the principal residence requirement to the Gabriola Island Local Trust Area and that the Gabriola Island Local Trust Area be removed from the exempt land as per S. 15 of the Short-Term Rental Accommodation Act.

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner	February 7, 2024
Concurred By:	Renée Jamurat, RPP, MCIP, Regional Planning Manager	February 8, 2024



File No.: 400-30
12-RPT-HSNG

DATE OF MEETING: January or February 2024
TO: All Local Trust Committees
FROM: Stefan Cermak, Director
Planning Service
SUBJECT: **Housing Statute Changes to British Columbia Legislation**

PURPOSE

The purpose of this memorandum is for Local Trust Committee's to receive a copy of the Housing Statutes and Regulation Changes to BC Legislation briefings received at Trust Council December 7, 2023 and subsequently updated at Executive Committee December 20, 2023. The Executive Committee recommends that Local Trust Committees consider requesting to opt-in to the provincial's principal residence requirement for short term rental accommodations.

BACKGROUND

On December 7, 2023, Trust Council received a briefing: Housing Statute Changes to British Columbia (Attachment 1). The briefing provided an update and speaking notes on:

- The Short Term Rental Accommodation Act (Bill 35)
- The Housing Statutes (Residential Development) Amendment Act (Bill 44)
- Housing Statutes (Development Financing) Amendment Act (Bill 46)
- Housing Statutes (Transit Oriented Areas) Amendment Act (Bill 47)
- Speculation and Vacancy Tax Act

On December 20, 2023, the Executive Committee received an update (Attachment 2) to the above briefing as provincial regulations were adopted the same day Trust Council considered the original briefing. After consideration, the Executive Committee carried the following resolution:

"That Executive Committee request staff to forward the housing statutes and regulation changes of BC legislation to local trust committees with a recommended consideration of request for opting in to the short term accommodation regulation for the 2025 intake."
CARRIED

As per the attached briefing:

A sample Local Trust Committee resolution to opt-in to the provincial principle residence requirement may read:

That the [] Local Trust Committee request that the Minister of Housing, on behalf of the Lieutenant Governor in Council, apply the principal residence requirement to the [] Local Trust Area and that the [] Local Trust Area be removed from the exempt land as per S. 15 of the *Short-Term Rental Accommodation Act*.

Requests should include appropriate background information that describes the area and jurisdiction. The request must be submitted to the Minister of Housing by March 31, 2024, and the prescribed period of time starts on November 1, 2024. If the Province grants a change to exempt land status, that change remains in effect indefinitely unless a subsequent request to reverse the exemption is made by March 31 of a future year.

NEXT STEPS

All Local Trust Committees, to the exception of Ballenas-Winchelsea, meet before the 2024 March Trust Council meeting. Staff will respond to the ministry in one letter that contains all opt-in resolutions immediately following Trust Council in March 2024. Staff will provide the appropriate background information that describes the area and jurisdiction.

Submitted By:	Stefan Cermak Director, Planning Services	January 18, 2024
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ATTACHMENTS

1. Attachment 1 - Trust Council Housing Statue Changes to British Columbia Briefing for the meeting December 7, 2023
2. Attachment 2 – Executive Committee Housing Statue Changes to British Columbia Briefing Update for the meeting December 20, 2023

To: Trust Council **For the Meeting of:** December 5, 2023

From: Stefan Cermak, Director,
Planning Services **Date Prepared:** November 15, 2023

SUBJECT: Housing Statute Changes to British Columbia Legislation

PURPOSE: To provide Trust Council with an update on recent and upcoming legislative changes regarding provision of housing in British Columbia, and how the legislation may affect the Islands Trust Area and local trust committees.

BACKGROUND:

The British Columbia Government has so far enacted, or is in the process of enacting, five pieces of legislation to increase housing supply throughout BC. They are:

1. ***Speculation and Vacancy Tax Act*** – came into force in on November 27, 2018. The Speculation and Vacancy Tax Regulation was last amended April 3, 2023.
2. ***The Short Term Rental Accommodation Act (Bill 35)*** – received Royal Assent on October 26, 2023 and will be brought into force by Ministerial regulations expected in December 2023.
3. ***The Housing Statutes (Residential Development) Amendment Act (Bill 44)*** - received First Reading on November 6, 2023, and is expected to receive Royal Assent before the end of 2023. This Act will also be brought into force by Ministerial regulations, which are expected in early 2024.
4. ***Housing Statutes (Development Financing) Amendment Act (Bill 46)*** – received First Reading on November 7, 2023, and is expected to receive Royal Assent before the end of 2023.
5. ***Housing Statutes (Transit Oriented Areas) Amendment Act (Bill 47)*** received First reading on November 8, 2023 and is expected to receive Royal Assent before the end of 2023.

Speculation and Vacancy Tax Act

The *Speculation and Vacancy Tax Act* requires owners in prescribed areas to declare their primary home, and with certain exceptions, would be taxed on homes that they do not occupy as a primary residence. The Act applies to areas specified in the Act (municipalities in the Capital Regional District and Metro Vancouver, as well as seven other municipalities (Abbotsford, Chilliwack, Kelowna, Nanaimo, West Kelowna, Lantzville and Mission)). The Act also includes one unincorporated area, the University Endowment Lands. In April 2023, the list was expanded by Ministerial regulation to include six more municipalities (Duncan, North Cowichan, Squamish, Ladysmith, Lake Cowichan and Lions Bay).

Islands Trust Area and the rest of the Province is excluded from the *Speculation and Vacancy Tax Act* requirements. The Act allows the Minister, by regulation, to add areas to the list of areas to which the *Speculation and Vacancy Tax Act* applies.

The Short-Term Rental Accommodation Act.

The attached Speaking Notes” provides an overview of the Act and how it applies in the Islands Trust Area. Staff understands that the regulations that bring the Act into force will include the ability for any municipality, regional district electoral area or local trust committee area, that are currently not included in the principal residence requirement for a short-term vacation rental, to opt-in. The regulation should address whether opting-out (once in) is something that could be considered, and if so, what the mechanism would be. Staff will know more about this once the regulations are released in December 2023.

The Act requires that platforms that advertise short-term rental accommodations to be registered with the Province. This may help with bylaw enforcement if the Province shares that information with local governments (the Act authorizes disclosure of personal information collected by the province under the authority of the legislation to be disclosed to local governments to support bylaw enforcement).

The Act also allows regional districts to issue business licenses for short-term rental accommodations, and where a business license scheme is in place, that a business license be required for advertising on platforms. The option for business licenses is not open to local trust committees, only regional districts.

The Act also removes legal non-conforming protection for short-term rental accommodation uses.

Action for the Islands Trust is for each local trust committee to consider whether or not it wants to opt-in. Opting-in would mean the Provincial restriction on short-term rental accommodations will over-ride any schemes that the local trust committee has enacted (where there is a collision between them).

The Housing Statutes (Residential Development) Amendment Act

The attached Speaking Notes” provides an overview of the Act and how it applies in the Islands Trust Area.

Residential Density Requirements

The Islands Trust Area is excluded by an amendment to the *Islands Trust Act* from the provincially mandated minimum density requirements. Ministerial regulation will establish to which municipalities the minimum density requirements will apply (staff understands that this will be all municipalities over 5,000 population).

The Act also allows the Minister by regulation to add an electoral area to the list on request of a regional district board. It is important to note that local trust committee areas could never be included in the density requirement without an amendment to the *Islands Trust Act*. However, Bowen Island Municipality could be included by Ministerial regulation either by virtue of its population (if the population goes over 5,000 Bowen may be automatically included), or on request of Bowen Island Municipal Council. The Act excludes land that is not on a municipal water or sewer system, is protected or are lots over a certain size.

There is no action required on this for local trust committees.

Housing Needs Reports Amendments

Housing Needs Reports now must include housing needs for 20 years (previously it was 5 years), and the first report is due by December 2028. Transitional provisions in the Act require that an interim report be received before a date to be prescribed by Ministerial regulation, or existing reports be updated by the

prescribed date to reflect the new 20 year horizon and a few other changes to housing needs content requirements.

These reports must then be published as soon as possible to the Islands Trust website, and the requirement to consider them in official community plans is continued. It appears that the mandatory requirement to adopt an official community plan and land use bylaw to reflect the housing needs report does not apply to local trust committees (this appears to apply only to municipal councils). This is a point that needs clarification with Ministry staff.

Action for Islands Trust is to ensure resources and funding is in place to update existing housing needs reports to meet the new requirements so they qualify as transitional, and then plan budget and resources to commission updates to the housing needs reports starting in 2028 and then every five years after that. While it is not mandatory for local trust committees, there should also be a program to ensure that all 20 official community plans are kept up to date reflecting the housing needs reports findings.

Public Hearing Changes

The Act now prohibits public hearings being held for land use bylaw amendments that are consistent with the official community plan and exclusively, or at least 50 per cent, residential. The intent is to allow public comment at the policy level (amendments to official community plans still require public hearings) and to streamline the approval process. There is nothing in the legislation that would prohibit less formal discussions between the local trust committees and Bowen Municipal Council and the community, such as open houses, surveys and community information meetings.

Action for Islands Trust is a change in process for local trust committees when considering land use bylaw amendments that are consistent with the Official Community Plan for residential rezonings, or land use bylaw amendments that contains at least a 50 per cent component of residential. Note that if there is a Official Community Plan amendment as part of the land use bylaw amendment, then a public hearing is required for the amendment to the Official Community Plan.

Housing Statutes (Development Financing) Amendment Act

Amenity Cost Charges

The Act adds a new section to the *Local Government Act* regulating how local governments develop and levy amenity cost charges (ACC), and makes changes to development cost charges and development cost levies (in the Vancouver Charter). The new system provides a framework and regulation on what may be considered as an amenity, who may be required to pay them and who may be exempted, the process to develop an amenity cost charges bylaw, and a reporting requirement. Amenity cost charges are charged at time of subdivision or issuance of a building permit.

Local trust committees are excluded by an amendment to the *Islands Trust Act* from the new ability of local government to levy amenity cost charges. Local trust committees are already exempt from the ability to levy development cost charges. The reason for the exemption is that both of these tools are intended to fund infrastructure improvements related to development, and local trust committee are not responsible for infrastructure.

The new legislation appears to apply to regional districts, and regional districts could, by bylaw, determine to collect amenity cost charges for new construction in the Islands Trust Area.

Housing Statutes (Transit Oriented Areas) Amendment Act

The Act adds a new section to the *Local Government Act* establishing minimum density and height requirements around prescribed transit stations and major bus stops. Regulations will establish which transit stops are included (likely in larger cities) and establish the distance around the stop and the minimum height requirements.

While local trust committees are excluded by an amendment to the *Islands Trust Act*, this is included here to complete the currently known legislative updates to the local government planning legislation.

ATTACHMENT(S):

Speaking Notes – Bill 35 (Short-term Vacation Accommodation) and Bill 44 (Housing Statutes).

FOLLOW-UP:

As requested by the Regional Planning Committee.

As this is new information, staff will update as more information on regulations becomes available. This should be forwarded to Trust Council and all trustees for information and to assist with answering public questions.

Prepared By: David Marlor, Director, Legislative Services

Reviewed By/Date: Robert Kojima, Regional Planning Manager
Stefan Cermak, Director, Planning Services/ November 8, 2023

Backgrounder/Speaking Notes

Bill 44 - Housing Statutes (Residential Development) Amendment Act, 2023 (First Reading version)

Bill 35 - 2023 Short-Term Rental Accommodations Act (Royal Assent)

November 9, 2023

[Bill 44 Housing Statutes \(Residential Development\) Amendment Act, 2023](#)

- The first reading of Bill 44 – 2023 Housing Statutes (Residential Development) Amendment Act, 2023 was on November 1.
- In this Act, "housing unit" means a self-contained dwelling unit
- "local government" includes a local trust committee as defined in section 1 of the *Islands Trust Act*

Minimum Density Requirements

The new provincially mandated minimum residential density requirements added to the planning section (Part 14) of the Local Government Act do not apply to local trust committees by a consequential amendment to the Islands Trust Act. Staff understanding is that this section will also not apply to municipalities under a certain population. The BC Government news release suggests most municipalities with a population under 5,000 people will be exempt; however this will be implemented by regulation. Likely this section will not apply to Bowen Island Municipality based on population. And if it does, would only apply where lots are connected to municipal water and sewage and the legislation excludes specified protected lots or large lots. Staff will need to wait for the regulation to know for sure.

Housing Needs Reports

Changes to the Housing Needs Reports requirements apply to local trust committees and Bowen Island Municipality as follows:

- Housing needs report must be received by December 31, 2028, and then by December 31st every five years after that. A transitional provision in the legislation requires that existing housing needs reports are updated to reflect the new requirements by a prescribed date – that date will be in the forthcoming regulations and will likely be by the end of 2024 or early 2025.
- Housing needs reports must consider five-year and 20-year timelines for expected housing requirements (previously only five years required).
- When developing or amending an Official Community Plan (OCP), the governing body must consider the most recent housing needs report and the OCP must include statements and map designations. The housing needs report should include approximate location, amount, type, and density of residential development that is required to meet anticipated housing needs over a period of 20 years.
- An OCP must now include provisions for 20 years of housing as determined in the housing needs report
- OCPs must be updated within a time period to be prescribed by regulation following receipt of an updated housing report (which will be required once every five years).
- The minimum requirements for housing must be permitted outright in the OCP, not conditional (i.e. cannot require conditions (such as provision of amenities) for the housing to be provided).

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

Bowen, Denman, Gabriola, Galiano, Gambier, Hornby, Lasqueti, Mayne, N. Pender, Salt Spring, Saturna, S. Pender, Thetis

Public Hearing for Housing Rezoning

The following changes to the public hearing requirements for housing rezoning apply to local trust committees and Bowen Island Municipality:

- Public hearings on proposed zoning bylaws must **not** be held if:
 - an official community plan is in place for that area
 - the bylaw is consistent with the official community plan
 - the purpose of the bylaw is to permit a residential development
 - the residential component of the development accounts for at least half of the floor area of all proposed structures in the development
- Note that notice must be given if a public hearing is not held.

Official Community Plan Adoption

Previously, the decision to adopt an official community plan was discretionary. **Now it is mandatory.** This appears to not apply to the Islands Trust as it states municipal council and a prescribed class of regional districts. This needs to be clarified with Ministry staff but will be obvious once the regulation has been released.

- All municipal councils, board of a regional district, or a board in a prescribed class of regional districts must adopt one or more OCPs.

Bill 35: 2023 Short-Term Rental Accommodations Act

- **Royal Ascent October 26, 2023**– will be brought into force by regulation, which is expected in December 2023.

Registration of Short Term Rental Platforms

- Requires that all platforms advertising short-term rentals must be registered with the Province

Restrictions on Homes that can be used for Short Term Rentals

- For those lands not exempted, legislation requires that the short term rental occurs in the host's residence, or in not more than one accessory dwelling unit.
- Local trust committees are exempted; municipalities under a certain size will be exempted, unless adjacent to a major municipality that is not exempted. Staff not sure if Bowen Municipality will be included or exempted given its proximity to Metro Vancouver.
- Provincial staff have advised that local trust committees will be able to opt-in so that the residence restriction applies. How this happens will be determined by regulation; however, it is likely a resolution of the local trust committee requesting to be removed from the exempted list. The regulation will also indicate how a local trust committees that chooses to opt-in can opt-out in the future.

No Legal Non-Conforming Status

- The legislation removes legal non-conforming status for short-term rentals. This means that if there are any short-term rentals operating and the bylaws change to prohibit them, those short-term rentals cannot continue to operate. Non-conforming use protection will continue to exist for other land uses.

Business Licenses

- The legislation now allows regional districts to require business licenses for short term rentals. This option is not available to local trust committees.

Focus of the Legislation

- The legislation focuses on three key areas:
 - Increasing fines for Municipal Ticket Information (MTI), and strengthening tools for local governments. This is not applicable in all local trust areas, since only three LTCs have MTI bylaws (though those that don't can adopt an MTI bylaw). Bylaw Enforcement Notification ticketing can continue to be used to enforce.
 - Returning more short-term rentals to long-term homes
 - Establishing provincial rules and enforcement
- This proposed legislation will not apply to:
 - Hotels and motels
 - Additional types of properties, for example, timeshares and fishing lodges
 - Communities on First Nations reserve land
 - Modern Treaty Nations will also be exempt but will be able to opt into the legislation, if desired
 - Resort municipalities and mountain resort areas
 - Regional district electoral areas
 - Municipalities of less than 10,000 population, unless adjacent to a larger municipality that is under the regulation (but not an electoral area close to one)

Islands Trust Background:

- Islands Trust is a special-purpose government mandated to preserve and protect over 450 Islands and surrounding waters in the Salish Sea in cooperation with other levels of government
 - Poorly managed growth could threaten the preservation and protection of the Trust Area
- The Islands Trust Council has declared that a housing equity and workforce shortage crisis exists on many of the islands within the Islands Trust Area
 - Strengthening housing affordability is an Islands Trust Council priority
 - Lack of available workforce housing impacts the viability of island businesses, the ability to deliver services, and other aspects of community life such as volunteerism
- Short Term Vacation Rentals (STVR) have been a long standing concern for Islands Trust
 - In 2012, the Salt Spring Island Local Trust Committee was unsuccessful at seeking an injunction via the Supreme Court of British Columbia to restrain a company from using or offering residentially-zoned properties for commercial guest accommodation rather than on individual property owners
- It is recognized that STVRs likely have a positive economic impact on the islands
- While some STVRs are operated legally and responsibly, many are completely unlawful

- The funds generated through the rental of STVRs are also, in many cases, vital to the financial well-being and solvency of the property owner
- Primary concerns with STVRs are around impacts on availability of long-term rental housing, as well as the effect on limited groundwater resources
- Other negative impacts which are frequently mentioned are:
 - Increased noise, traffic and parking concerns
 - Increased fire risk
 - Increased consumption of disposable goods, production of solid waste, and sewage
 - Impacts to community character and cohesiveness
 - Lack of a fair playing field between legal and non-legal STVR operators, as well as regular commercial accommodation such as hotels and motels

Existing Islands Trust Regulations

- Local trust committees have taken a variety of approaches consistent with its each island's individual culture, history, and intensity of tourist use
- The main tools available to LTAs under the *Islands Trust Act* are modifications to the official community plans (OCP) and associated land use bylaws (LUB) to include STVR-specific provisions
 - Within the LUBs, this generally takes the form of home occupation regulations or zoning that specifically permits STVR use, and places limits upon their operations.
- The OCP allows Temporary Use Permits to be issued for limited periods of time, and several islands have created specific guidelines
 - Bowen Island Municipality issues business licenses to operate a Residential Guest Accommodation, as it is incorporated as an island municipality and has more powers than local trust areas
 - There is interest from some islands in advocating to regional districts to institute business licenses for STVRs

Current Islands Trust Enforcement

- Since the 2012 Islands Trust loss in the Supreme Court of BC of a case that would have restrained a rental agent from using or facilitating the use of residential homes for STVRs on Salt Spring Island, Islands Trust has continuously found that accommodation platforms are not cooperative or assistive to bylaw enforcement efforts. In the 2012 case the judge found that the activities of the rental agent did not, on their own, constitute a breach of the land use bylaw.
- Currently, 204 open bylaw enforcement files, with the majority on Salt Spring Island
- There may be 500+ advertisements at any given time for all local trust areas, which must be continually vetted to ensure compliance
- Bylaw staff regularly review and update a database for the known operators
 - Co-op planning students have, at times, reviewed the listings
 - Since 2005, 532 STVR enforcement files have been closed

- During the peak summer season, the majority of bylaw staff resources are for STVRs
- Seven local trust areas have directed proactive bylaw enforcement on STVRs because of concerns about diminishing housing supply
- Bylaw notices (tickets) are issued when contraventions are confirmed. There is a mixed response to ticketing:
 - Some are disputed and there is a good response to negotiating compliance agreements to ensure a cease of unlawful operations
 - For those that have proceeded to adjudication, 90 percent of the tickets are upheld by an adjudicator
 - However, with a \$500.00 limit on bylaw notices penalties, the upscale operations charging \$500-700 per night can treat the penalties as the cost of doing business and makes court action, the next step in enforcement, an expensive choice.
- Enforcement staff note that the clear bylaw language in the Gabriola Island Land Use Bylaw has resulted in less complications and conflicts than have occurred in other local trust areas.
 - The Gabriola Island Land Use Bylaw also explicitly states that you cannot operate without that permit:
 - *B.6.3 Commercial Vacation Rentals*
 - B.6.3.1 All dwelling units, including secondary suites, are for residential use and any use for overnight accommodation on less than a monthly basis for monetary gain is prohibited except where a temporary use permit has been issued by the Local Trust Committee*
- There is currently a trend towards “glamping” operations on larger lots in an effort to maximize the number of rentals:
 - These operations are considered non-permitted campgrounds and it appears to be the next trend for STVRs, as it offers a lower cost for guests
 - These non-permitted campgrounds create a unique challenge because of the risks of improper sewage disposal for a large number of customers, and the threat to neighboring wells

Provincial Statistics

- In British Columbia in June 2023, there was an average of 28,510 short-term rental listings active each day (a year-over-year increase of 17.8%)*
- While the province’s STVR market is dominated by commercial operators*, this may not be the case for the Islands Trust Area
- The top 10% of hosts earned 48.8% of revenue*
- Listings operated by hosts with multiple listings were 48.4% of active listings and 51.7% of total host revenue in June 2023*
- In June 2023, 16,810 housing units were taken off BC’s long-term and shifting to the STVR market*

**Data from The Housing Impacts of Short-Terms Rentals in British Columbia’s Regions. A report prepared by researchers from the Urban Politics and Governance research group, School of Urban Planning, McGill University*

BRIEFING

To:	Executive Committee	For the Meeting of:	December 20, 2023
From:	Stefan Cermak, Director, Planning Services	Date Prepared:	December 14, 2023
SUBJECT:	Housing Statute and Regulation Changes to British Columbia Legislation		

PURPOSE:

To provide the Executive Committee with an update on recent and upcoming legislative and regulatory changes regarding provision of housing in British Columbia, and how the changes may affect the Islands Trust area and local trust committees.

Key Takeaways:

- A draft resolution is provided for local trust committees to opt-in to the principal residence requirement for Short Term Rental. Such a resolution needs to be made by March 31, 2024 to take effect by November 1, 2024.
- Local Trust Committees with MTI Bylaws (Gabriola, North Pender, Salt Spring, and Thetis) may amend the penalty fees to \$3,000 per infraction per day. Other LTCs would require MTI bylaws if seeking the extra short term rental disincentive.
- Housing Need Reports Regulations have not been adopted at time of drafting this briefing.

BACKGROUND:

On December 7, 2023, the Islands Trust Council was briefed on five recent and upcoming provincial legislative changes designed to increase housing supply throughout BC. On the same day, the province adopted Orders-In-Council (Regulations) for Bills 35 and 44 (Short Term Rental Accommodation and Housing Statutes (Residential Development) respectively) and released policy documents to assist local governments implement the changes.

1. **The Short Term Rental Accommodation Act (Bill 35)**
 - Received Royal Assent on October 26, 2023
 - NEW regulations (Order in Council) adopted December 7, 2023
2. **The Housing Statutes (Residential Development) Amendment Act (Bill 44)**
 - Received Royal Assent on November 30, 2023
 - NEW regulations (Order in Council) adopted December 7, 2023
3. **Housing Statutes (Development Financing) Amendment Act (Bill 46)**
 - Received Royal Assent on November 30, 2023
 - Does not apply to Local Trust Committees; applies to Bowen Island Municipality
4. **Housing Statutes (Transit Oriented Areas) Amendment Act (Bill 47)**
 - Received Royal Assent on November 30, 2023

- Does not apply to Local Trust Committees; applies to Bowen Island Municipality
5. **Speculation and Vacancy Tax Act**
- Came into force in on November 27, 2018
 - The *Speculation and Vacancy Tax Regulation* was last amended November 16, 2023
 - Does not apply to properties in the Islands Trust area

The Short-Term Rental Accommodation Act and Regulations.

Materials pertaining to [Bill 35](#) - *Short-Term Rental Accommodation Act* include:

- Order in Council [679](#) – bringing into force specific provisions of the *Short-Term Rental Accommodation Act*, and making a regulation that addresses various details including interpretation, changes to exempt land, and general and specific exemptions.
- A policy guidance [document](#) for local governments detailing the new short-term rental framework including key considerations relating to principal residence requirements, time period regulations, legal non-conforming use, business licensing updates and enforcement responsibilities.
- Properties in the Islands Trust Area are exempt from the principal residence requirement. A local trust committee or Bowen Island Municipality needs a resolution requesting to be removed from the list of exempt land in order to “opt-into” the principal residence requirement. Opting-in would mean the provincial restriction on short-term rental accommodations will over-ride any schemes that the local trust committee has enacted (where there is a collision between them).
- A sample LTC resolution to opt-in may read:
 - That the [XX Local Trust Committee] request that the Minister of Housing, on behalf of the Lieutenant Governor in Council, apply the principal residence requirement to the [XX Local Trust Area] and that the [XX Local Trust Area] be removed from the exempt land as per S. 15 of the *Short-Term Rental Accommodation Act*.
 - Requests should include appropriate background information that describes the area and jurisdiction. The request must be submitted to the Minister of Housing by March 31, 2024, and the prescribed period of time starts on November 1, 2024.
 - If the Province grants a change to exempt land status, that change remains in effect indefinitely unless a subsequent request to reverse the exemption is made by March 31 of a future year.
- Order in Council [680](#) - increases possible maximum bylaw ticketing fine from \$1,000 to \$3,000 (amends BC Reg 425/2003).
 - The maximum fine that a local trust committee may set for a bylaw ticket has been increased to \$3,000 per infraction per day in accordance with the Community Charter Bylaw Enforcement Ticket Regulation. Note that this has been implemented via “Municipal Ticket Information System Bylaws” (MTI Bylaw) within the Islands Trust Area. The following local trust committees have MTI Bylaws: Gabriola, North Pender, Salt Spring, and Thetis (Table 1).
 - MTI Bylaws have been generally replaced in favour of Bylaw Enforcement Notification (BEN) Bylaws. The maximum Local Trust Committee bylaw notices penalty of \$500 under the Local Government Bylaw Notice Enforcement Act (Bylaw Enforcement Notification (BEN) Bylaws) is overseen by the Ministry of Attorney General and remains unchanged (Table 1).

Table 1 LTCs Enforcement Bylaws and Associated Maximum Permitted Penalty

Local Trust Committee	MTI Bylaw (max: \$3,000 penalty)	BEN Bylaw (max: \$500 penalty)
Ballenas-Winchelsea	N/A	✓
Denman	N/A	✓
Gabriola	✓	✓
Galiano	N/A	✓
Gambier	N/A	✓
Hornby	N/A	✓
Lasqueti	N/A	N/A
Mayne	N/A	✓
North Pender	✓	✓
Salt Spring	✓	✓
Saturna	N/A	N/A
South Pender	N/A	✓
Thetis	✓	✓

- Effective May 1, 2024, the *Short-Term Rental Accommodation Act* removes legal non-conforming protection for short-term rental accommodation uses.

Bill 35, Order in Council 679, and the policy guidance document for local governments will be forwarded to the Regional Planning Committee as per the December 7, 2023 [draft] Islands Trust Council resolution:

“THAT Trust Council request the Regional Planning Committee to evaluate the Short Term Rental Accommodation Act to identify opportunities and challenges for implementation of the act on the management of short term rentals in the Trust Area.”

The Housing Statutes (Residential Development) Amendment Act

Materials pertaining to [Bill 44](#) – *Housing Statutes (Residential Development) Amendment Act* include:

- A Policy [Manual](#) & Site Standards document to guide updates to zoning bylaws, other regulatory bylaws, and policies undertaken to comply with Small Scale Multi-Unit Housing (SSMUH) legislation. In preparing, amending, or adopting a zoning bylaw to permit the use and density required by the SSMUH legislation, a local government must consider any applicable guidelines for SSMUH, including this Policy Manual.
- Order in Council [673](#) – bringing into force specific provisions of the *Housing Statutes (Residential Development) Amendment Act* and making a Local Government Zoning Bylaw Regulation that among other things, prescribes: minimum densities, distances and parcel sizes. The regulation also provides additional details on what constitutes a bus stop, and details exemptions from small-scale multi-family housing requirements. Does not apply to local trust committees.

ATTACHMENT(S):

- Hyperlinks provided to Orders In Council and Policy Manuals

FOLLOW-UP:

Staff will update as more information on regulations becomes available (ex: Housing Needs Reports). Staff may forward to Local Trust Committees for consideration of opting to the principal residence regulations.

Prepared By: Stefan Cermak, Director, Planning Services

Reviewed By/Date:



January 31, 2024

Erin Udal
Executive Director
Gabriola Island Chamber of Commerce
ed@gabriolachamber.ca

Dear Erin, Gabriola Chamber of Commerce (GICC)

This letter indicates our hearty support for GICC's endeavour to request funds from Destination BC in order to promote the natural, cultural, and historical aspects of Gabriola Island.

As the two Local Trustees for the Gabriola Island Local Trust Area, we are especially pleased to see Indigenous culture and Coast Salish history included - an essential part of Gabriola's story - and accessibility factors highlighted with the proposed resources.

Funding for a project coordinator is essential, and we look forward to seeing the brochure/online resources for visitors – they will certainly benefit residents, too!

With kind regards and encouragement for this project,

Tobi Elliott and Susan Yates

Local Trustees, Gabriola Island Local Trust Area
telliott@islandstrust.bc.ca, syates@islandstrust.bc.ca

Islands Trust
700 North Road | Gabriola BC V0R 1X3
T 250-247-2203 | www.islandstrust.bc.ca

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

We respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKEĆEN, Cowichan Tribes, Kó'moks, Lyackson, MÁLEXEŁ, Qualicum, scəwəθən, səliwətał, SEMYOME, shishálh, Skw'xwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune luxutth, STÁUTW, Stz uminus, ɬaʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W JOŁEŁP, W SIKEM, Xeláltxw, Xwémalhkwu, Xwsepsum, and xʷməθkʷəyəm 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.



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: 08-Dec-2023

Permit approved at November 30, 2023 LTC mtg. Staff issued permit and closed file.

Status Date: 11-Oct-2023

Application being considered at November 30, 2023 LTC Regular Business meeting.

Status Date: 01-Jun-2023

Planner preparing staff report.

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: 10-Jan-2024

SFN Referral initiated.

Status Date: 23-Nov-2023

Environmental Impact Assessment Report provided by applicants (D.R. Clough Consulting).

Status Date: 17-Oct-2023

Applicants for 1160 and 1170 preparing a QEP report to assess shoreline habitat impacts.



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: 10-Jan-2024

SFN referral initiated.

Status Date: 23-Nov-2023

Environmental Impact Assessment Report provided by applicants (D.R. Clough Consulting).

Status Date: 15-May-2023

Coastal Geotechnical Report received. Planner reviewing.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2023.3	Miller, Sandra	23-Jun-2023	PID: 002-347-733 request for DVP for woodshed built too close to property line in 1991 at 880 Horseshoe Rd on Gabriola Island.

Planner: Margot Thomaidis

Planning Status

Status Date: 10-Jan-2024

Applicant requested to complete Snuneymuxw First Nation referral application.

Status Date: 30-Nov-2023

Survey requirement waived by LTC decision.

Status Date: 11-Oct-2023

Request for exemption from survey to go to November 30, 2023 LTC Regular Business Meeting.



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2023.5	Shaw, Douglas	14-Nov-2023	PID: 006-981-615 variance for lot coverage at 733 Berry Point Rd. on Gabriola Island.

Planner: Stephen Baugh

Planning Status

Status Date: 06-Feb-2024

Applicant has sent a referral form to SFN.

Status Date: 07-Dec-2023

Staff waiting for additional information from applicant.

Rezoning

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2022.1	Wild Rose Garden Centre	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: Stephen Baugh

Planning Status

Status Date: 03-Jan-2024

Application re-assigned to different planner.

Status Date: 11-May-2023

application extended to November 30, 2023 to allow time for applicant to provide reports.

Status Date: 08-Jul-2022

File opening procedure finished and file given to planner.



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2023.1	on behalf of BC Ferry Services Inc.	13-Jun-2023	PID: 025-798-090 and 025-798-103 renovation and expansion of ferry terminal at Descanso Bay Ferry Terminal on Gabriola Island.

Planner: Stephen Baugh

Planning Status

Status Date: 22-Sep-2023

Referrals sent to agencies, organizations and first nations.

Status Date: 14-Sep-2023

First reading.

Status Date: 13-Sep-2023

Bylaws drafted and application to be presented to LTC at September 14 LTC mtg.

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2024.1	Gabriola Agricultural Co-op Association	10-Jan-2024	PID: 004-633-989 seeking a rezoning from industrial to commercial in order to build a year-round community food hub at 465 South Rd. on Gabriola.

Planner: Stephen Baugh

Planning Status

Status Date:



Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
GB-TUP-2023.4	Plotnikoff & Penner, Nadine & Siegfried Planner: Stephen Baugh Planning Status	16-Oct-2023	PID: 004-801-270 to offer short-term rentals on the property when the owners are not there at 376 Tinson Rd on Gabriola Island.
Status Date: 19-Jan-2024 Applicant has submitted a referral form to SFN.			
Status Date: 20-Dec-2023 Applicant informed SFN has requested a referral.			
File Number	Applicant Name	Date Received	Purpose
GB-TUP-2023.5	Georgiev & Godfrey, Geneen & Alex Planner: Stephen Baugh Planning Status	16-Oct-2023	PID: 006-985-742 temporary use permit for short-term rental at 868 Chichester Rd W on Gabriola Island.
Status Date: 05-Feb-2024 Applicant has submitted a referral form to SFN.			
Status Date: 20-Dec-2023 Applicant informed SFN has requested a referral.			
Status Date: 06-Dec-2023 Staff requested additional information from applicant.			
File Number	Applicant Name	Date Received	Purpose
GB-TUP-2024.1	Furlong, Allan Planner: Ian Cox Planning Status	04-Jan-2024	PID: 002-071-096 seeking Temporary Use Permit for short-term rental at 1760 Seymour Rd on Gabriola.
Status Date:			

Applications

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
GB-TUP-2024.2	Dewarle, Aaron & Jessica	30-Jan-2024	PID: 018-331-840 short-term vacation rental at 565 South Rd on Gabriola Island.
Planner: Margot Thomaidis			
Planning Status			
<u>Status Date:</u>			

Islands Trust
LTC EXP SUMMARY REPORT F2024
Invoices posted to Month ending December 2023

620 Gabriola	Invoices posted to Month ending December 2023	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	681.00	87.31	593.69
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	1,488.00	3,602.10	-2,114.10
65210-620	LTC - Local Exp - APC Meeting Expenses	399.00	1,137.45	-738.45
65220-620	LTC - Local Exp - Communications	1,000.00	449.00	551.00
65230-620	LTC - Local Exp - Special Projects	612.00	0.00	612.00
TOTAL LTC Local Expense		<u>3,499.00</u>	<u>5,188.55</u>	<u>-1,689.55</u>
Projects				
73001-620-2001	Gabriola OCP/LUB	18,000.00	3,867.69	14,132.31
73001-620-4105	Gabriola Ecological Protection Zone	2,000.00	0.00	2,000.00
TOTAL Project Expenses		<u>20,000.00</u>	<u>3,867.69</u>	<u>16,132.31</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. Minor Project - Develop Ecological Protection Zone

Responsible

Dates

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

Stephen Baugh

2. Major Project - Gabriola Island Comprehensive OCP and LUB

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.

Narissa Chadwick

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.
-

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. *Development Permit Area Review Topics*

Responsible

Date Received

GB-2023-O576

20-Jul-2023

It was MOVED and SECONDED that the Gabriola Island Local Trust Committee request staff to add "Review and Update of Development Permit Area 6 - Steep Slopes" to the future project list.

4. *Minor - Review and update Development Approval Information (DAI) bylaw*

Responsible

Date Received

*Nov. 30, 2023: As a bylaw re-write, to be initiated after OCP, LUB reviews. Update Gabriola Island Bylaw No. 150, DAI Bylaw.

30-Nov-2023

LTC resolution passed June 16, 2022 - Trustee Langereis noted that DAI bylaw not up to date with current DPAs, particularly after adoption of DPA 8 - Mutli-Dewlling Affordable Housing and DPA 9- Light Industrial Use.

Future Projects Report

Gabriola Island

5. *Advisory Planning Commission bylaw*

Responsible

Date Received

Amendments to Bylaw No. 296 to require that APCs set a regular monthly meeting date and time.

30-Nov-2023

6. *Heritage Register*

Responsible

Date Received

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 from December 1, 2022 for further details on this discussion.