



Gabriola Island Local Trust Committee

Regular Meeting Agenda

Date: September 5, 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
 - 3.4 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 July 16, 2024 - for adoption 4 - 10
 - 6.2 Local Trust Committee Minutes dated August 8, 2024 – for adoption 11 - 17
 - 6.3 Section 26 Resolutions-Without-Meeting Report - none
 - 6.4 Advisory Planning Commission Minutes - none
7. **BUSINESS ARISING FROM MINUTES** 11:10 AM - 11:25 AM
 - 7.1 Follow-up Action List dated August 27, 2024 18 - 22
8. **APPLICATIONS AND REFERRALS - none**

9.	LOCAL TRUST COMMITTEE PROJECTS	11:25 AM - 12:15 PM	
9.1	Gabriola Official Community Plan and Land Use Bylaw Review Project Phase 3 - Staff Report		23 - 29
9.2	Ecological Protection Zone Project Update - Staff Report		30 - 38
~ BREAK 12:15 PM - 12:45 PM ~			
10.	CORRESPONDENCE	12:25 PM - 12:30 PM	
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>		
10.1	Letter dated July 27, 2024 from Jan Moore regarding Dirksen Road		39 - 43
11.	NEW BUSINESS - none		
12.	STAFF REPORTS	12:30 PM - 1:00 PM	
12.1	Dark Sky Principles Adoption Advocacy - Briefing		44 - 47
12.2	Trust Conservancy Report - none		
12.3	Trust Conservancy The Heron - Summer Edition		48 - 51
12.4	Applications Report - none		
12.5	Trustee and Local Expense Report dated June, 2024		52 - 52
12.6	Adopted Policies and Standing Resolutions		53 - 56
12.7	First Nations Relationship Building Update		
12.8	Climate Change Action Update		
12.9	Local Trust Committee Webpage		
13.	WORK PROGRAM	1:00 PM - 1:15 PM	
13.1	Active Projects Report dated August 27, 2024		57 - 59
13.2	Future Projects Report dated August 27, 2024		60 - 60
14.	UPCOMING MEETINGS		
14.1	Next Regular Meeting Scheduled for Thursday, November 7, 2024 at 10:30 am at the Gabriola Arts and Heritage Centre		
15.	CLOSED MEETING	1:20 PM - 1:40 PM	

15.1 Motion to Close the Meeting

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

- *(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

1:40 PM - 1:40 PM



Gabriola Island Local Trust Committee

Minutes of Special Meeting

Date: July 16, 2024
Location: Mudge Island Citizen's Society Hall

Members Present: Tobi Elliott, Trustee
Susan Yates, Trustee

Members Regrets: Peter Luckham, Chair

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

Others Present: There were approximately 72 members of the public in attendance.

1. CALL TO ORDER

Trustee Elliott called the meeting to order at 1:03 p.m. She acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

Trustee Yates nominated Trustee Elliott to chair the meeting, Trustee Elliott accepted.

By general consent, Trustee Elliott will be Acting Chair of the July 16, 2024 meeting.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. PUBLIC COMMENTS

3.1 Bylaw Enforcement

Acting Chair Elliott stated that the meeting is a forum to engage the members of the Mudge Island community in discussion about issues of community concern.

Members of the public asked questions and made the following comments:

- President of the Mudge Island Community Association spoke to the efforts of the association to inform the community about the role of the Local Trust Committee and how bylaw policies work and to encourage residents to attend the meeting and ask questions to better inform a bylaw enforcement policy review.

- Speaker asked if the Local Trust Committee (LTC) will be changing the bylaws.
 - Trustees replied they have prioritized a targeted Mudge Island bylaw review and are in the process of reviewing bylaw enforcement policies.
- Speaker asked if the LTC had reviewed the bylaw policy amendments that the Mudge Island Community Association submitted to staff and another speaker stated that they had hoped to discuss the amendments during the meeting.
 - Trustees confirmed receipt of the amendments and Bylaw Compliance and Enforcement Manager Dingman noted they will be reviewed, incorporated into a staff report, and available for consideration by the LTC in the fall.
- Speaker stated that, years ago, Trustees were under pressure from Gabriola residents and gave Mudge less in order to give Gabriola more.
 - Trustees will ask staff to locate the Mudge Island Land Use Bylaw Public Hearing documents for their review.
- Numerous members of the public spoke to bylaw compliance investigations and asked that any existing complaints that do not satisfy the proposed criteria for investigation be deferred until amendments to the policy have been made.
 - Bylaw Compliance and Enforcement Manager Dingman provided the following information:
 - Proposed policy changes relate to enforcement not investigations;
 - Investigations are regulated by Trust Council policy;
 - Bylaw Officers will begin investigations at the end of July; and
 - Enforcement action will not be taken until decisions from the LTC are made about enforcement policies.
- Several members of the public spoke to the assertion made by Bylaw Officers that Trust Council policy states bylaw complaints must be investigated; however, the wording used in said policy indicates bylaw complaints may be investigated which points to discretionary leeway. Debate ensued about the term ‘must’ versus ‘may.’
 - Bylaw Compliance and Enforcement Manager Dingman made the following comments:
 - An Ombudsperson review of Islands Trust bylaw enforcement policies recommended that Bylaw Officers be given discretion on whether to investigate a file or not;
 - Current policy does not provide this discretion;
 - The interpretation of the policy is that complaints must be investigated with reporting provided to Trust Council and the LTC;
 - Investigations take place to determine if there is a contravention;
 - If there is no contravention, the file is closed. If there is a contravention, Bylaw Officers will look to the LTC to determine if enforcement will take place;
 - LTC cannot determine if an investigation should proceed; and
 - Bylaw staff will be contacting property owners who are not concerned about Officers visiting the property for complaint

investigation and will be working through those files first and then move to the files in which property owners have concerns about visits.

- Several speakers inquired about repercussions for individuals making false or frivolous complaints.
 - Bylaw Compliance and Enforcement Manager Dingman replied as follows:
 - There are no consequences for those making false complaints;
 - If an investigation shows the complaint is false, the result is the closure of the file; and
 - Approximately 1% of the files he has investigated stem from vexatious complaints.
- A speaker spoke to the recent volume of bylaw complaints noting they have caused stress and anxiety for community members, the community feels investigation is the first step toward enforcement, and the investigation process will inflame the situation.
 - The Acting Chair indicated that she will be seeking clarification on Policy 5.1 section 3.1 to determine if investigations must be undertaken.
- A speaker stated that the community could choose to allow the investigations take place in order to show they are not doing anything wrong and quickly eliminate false complaints, which would provide bylaw staff the ability to focus on serious complaints related to toxins and waste.
 - Trustees stated there is a significant difference between an investigation and enforcement and there is value to investigations as they inform decision-making on land use bylaw changes.
- A member of the public spoke to the option of getting a variance.
 - The Planner clarified that a variance cannot vary density or use, but could be appropriate for some other contraventions such as setbacks.
- A speaker inquired about the list of complaint priorities outlined in the existing bylaw and if Bylaw Officers would be following the order of priorities.
 - Bylaw Compliance and Enforcement Manager Dingman affirmed investigations typically follow the order of priorities and the Mudge Island investigations will first focus on those property owners that do not have concerns about an investigation taking place.
- Several members of the public spoke to the suspicion that one or two individuals are walking or driving up and down streets looking for potential bylaw infractions and making multiple complaints as indicated by freedom of information request results that show complaints being sent in batches on the same day and with the same signature block. The community considers this action to be harassment and the complaints vexatious.
 - Bylaw Compliance and Enforcement Manager Dingman noted that he has reviewed the recent complaints, there is not evidence of improper or

vexatious complaints nor abuse of the process, and investigations are required to determine if they are inaccurate or vexatious.

- A speaker noted that they have nine complaints against them and reiterated the need to conserve staff resources and have investigations deferred until the bylaw changes have been completed.
 - Bylaw Compliance and Enforcement Manager Dingman noted the following:
 - Many of the complaints are not within Islands Trust’s jurisdiction to investigate;
 - One complaint might include a land use issue as well as noise and animal control complaints; however, they only look at possible contraventions of the Land Use Bylaw;
 - If a property owner tells bylaw staff they do not want them to access their property, he will consider a compromise and defer that particular investigation until after the policy amendments are adopted in the fall; and
 - A property owner can provide evidence that disproves a possible contravention by submitting photographs when appropriate.
- A speaker spoke to the number of false complaints that Bylaw Officers will be investigating first and noted this might result in a delay in the Officers getting to serious complaints related to human or hazardous waste.
 - Acting Chair Elliott referenced the summary received by the Mudge Island Community Association listing bylaw complaint categories, which showed 35 of 65 complaints, were setback contraventions. She noted that the LTC gave direction to defer enforcement on complaints unless there is a health or safety issue.
 - Bylaw Compliance and Enforcement Manager Dingman indicated that complaints about toxins and waste had been received and preliminary discussions with the complainant and others, along with evidence provided, did not show anything that must be investigated immediately.
- Several members of the public commented on the use of the term ‘vexatious’ versus ‘false’ and that action is required to stop individuals from making these types of complaints.
 - Bylaw Compliance and Enforcement Manager Dingman replied as follows:
 - Islands Trust does not have policies regarding frivolous, repeat, or vexatious complaints;
 - Trust Council would need to adopt a policy directing staff not to investigate complaints believed to be vexatious and these policies would have to be adopted by elected officials; and
 - If he believes a complaint is vexatious or retaliatory he does not prioritize it for investigation.

- A member of the public spoke to concerns about Bylaw Officers attending private property to conduct an investigation on a specific issue and then looking around for other contraventions.
 - Bylaw Compliance and Enforcement Manager Dingman indicated that the intention is to go to the property to directly address the complaint that was submitted.
- A speaker spoke to the current system in which a respondent is guilty until proven innocent based on a complaint without evidence provided with the onus being on the respondent to prove the complaint is false versus the complainant required to show evidence to prove their complaint.
- A speaker stated they had a second building on their property and were told by the Bylaw Manager the building would need to be decommissioned.
 - Bylaw Compliance and Enforcement Manager Dingman clarified decommission does not mean tear down a building, but typically means to stop the unlawful use. If a lot has two dwellings and is only permitted one, then, one of the dwellings needs to be decommissioned which is typically done by removing the kitchen.
- A member of the public asked what happens if a property owner does not live on the island and it was clarified that bylaw staff work with the owner to set an inspection date that allows the owner to attend.
- A speaker asked if Bylaws Officers only address the issue that is outlined in the initial letter received from the bylaw office even if several issues are listed within the complaint.
 - Bylaw Compliance and Enforcement Officer Dingman made the following comments:
 - Some of the complaints received are outside of Islands Trust jurisdiction;
 - Many of the recent complaints reference a lack of building permits and this is outside of Islands Trust's jurisdiction to investigate;
 - Occasionally, one item on a list of complaints gets missed in the initial letter to the property owner due to administrative error; and
 - If a complaint is about a setback, the Bylaw Officer might look at all of the setbacks on the property, but cannot look at issues unrelated to the complaint such as use.
- A speaker spoke to the bylaws relating to the Official Community Plan and noted that the Official Community Plan needs to change so that the bylaws will not impact the community through enforcement on issues that are not important to them.
- A speaker spoke to the history of having minimal interaction with Islands Trust, a lack of understanding of the Land Use Bylaws, and the Regional District of Nanaimo's refusal to issue building permits and perform building inspections resulting in non-conforming structures being inadvertently built. There has been

limited oversight and bylaw enforcement has suddenly stepped in resulting in community members being scared and frustrated. They asked that Trustees establish a date in which structures built prior to that date would be deemed legal non-conforming.

- A member of the public spoke to concerns about personal information contained in the freedom of information request documents including names, phone numbers, and emails. Another member of the public noted that the information he requested about his own property contained his personal information but others receiving information about his property had that information redacted.
- A member of the public stated that it should be mandatory for complainants to be present during an investigation and, if they do not show up, the investigation should not go forward.
- A speaker spoke to the community's history of looking after themselves and self-regulating in the absence of Islands Trust involvement and the preference for this practice to continue.
- A speaker reiterated the community's fear about consequences of bylaw enforcement, stated it is a traumatic experience to receive a letter of non-compliance pending investigation, and that something needs to be done to alleviate the community's collective anxiety and stress.
- A speaker expressed concern about Trustees saying they have come to the island to hear community concerns and then making rules behind closed doors.
 - Trustees noted that the community had provided them with a list of bylaw amendments they are seeking and planning and bylaw staff need to look at the proposed amendments and make recommendations to Trustees on how to implement them within the allowances of the Islands Trust Act.
- A member of the public spoke to a land use bylaw change on Gabriola in which small acre lots were changed to small rural residential lots with 20% lot coverage allowance and the lot designation on Mudge Island changed at the same time, but lot coverage allowance remained at 10%. They felt the community was not heard when they requested lot coverage allowance be increased to match the allowance provided on Gabriola.
- A speaker asked if all complaint files in which the complainant was the same would be closed if Bylaw Officers found that initial investigations prove the complaints to be false. They asked how many files need to be investigated before Bylaw Officers would consider closing them.
 - Bylaw Compliance and Enforcement Manager Dingman stated that half of the files would need to be investigated before staff would have sufficient data to make a determination and they need to complete the work in order to close the files.

3.2 Public Water Access to Mudge Island

- A member of the public stated that they have had an application for a mooring into the Province for three years and the application went to referrals; however, they have been told First Nations have not heard anything about it and they wondered if Islands Trust is causing the delay.
 - Trustees clarified that this issue is under provincial jurisdiction, which presently has a moratorium on issuing mooring permits.
- A member of the public spoke to the need for water access.
 - Trustees indicated that, if potential locations are identified, they could work on land use zoning changes to accommodate access and advocate to the Province and the Ministry of Transportation and Infrastructure.
- A member of the public noted they do not require a public dock, but need assistance in being allowed to create a natural boat ramp, which would require smoothing out rock surfaces and adding a retaining structure to prevent further shoreline erosion.

4. ADJOURNMENT

By general consent the meeting was adjourned at 4:35p.m.

Tobi Elliott, Acting Chair

Certified Correct:

Lisa Millard, Recorder



Gabriola Island Local Trust Committee

Minutes of Regular Meeting

Date: August 8, 2024
Location: Electronic Meeting

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

Staff Present: Sonia Zupanec, Island Planner
Warren Dingman, Bylaw Compliance and Enforcement Manager
Lisa Millard, Recorder

Others Present: There were approximately 12 members of the public in attendance.

1. CALL TO ORDER

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.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Elliott reported the following:

- Success of Munu Canoe fundraiser held at Xwcumi:lucun (Gabriola Sands);
- Attended July 1 Canada Day event at Gabriola Museum;
- Attended Culturally Committed discussion about cultural importance of First Nations place names;
- Recognized launch of Snuneymuxw First Nation Gallery at the Gabriola Museum;
- Attended Naut'sa mawt Oceanside Wellness Network discussion on emergency preparedness related to climate events;
- Attended Cultivate Festival;
- Posted Official Community Plan Review engagement process update on Trustees Corner on Islands Trust website;
- Attended Snuneymuxw Days;
- Working with trustee sub-group focussed on creating options for tiny homes;

- Attending upcoming Union of BC Municipalities Convention during which Islands Trust will be requesting the Ministry of Health update the Manual of Composting Toilets and Greywater Practice; and
- Applied to attend Conexts Climate Preparedness Hub.

Trustee Yates reported the following:

- Attended meeting on Mudge Island to discuss bylaw enforcement policy; and
- Gabriola Ferry Advisory Committee sent questions to BC Ferries Community Relations Manager regarding the planned 2026 ferry terminal upgrades and received the following information:
 - Nanaimo Harbour terminal berth will be realigned, a lay berth built, and charging stations to potentially be installed;
 - Gabriola terminal upgrades to extend lifespan of marine infrastructure, upgrade berth to meet flood design levels, and charging stations to potentially be installed;
 - Estimated shutdown of terminals will be 6 to 8 weeks in spring 2026 and alternative service plan will be developed with community consultation beginning in the fall;
 - Tug and barge service for vehicles will be provided during berth closure and alternative means of transit for passengers is under discussion; and
 - The emergency wharf should not be impacted.

3.2 Chair's Report

Chair Luckham reported the following:

- Attended community meetings in Gambier Local Trust Area including a public hearing;
- Continued CAO Hiring Committee work;
- Preparing for Trust Council being held in Nanaimo in September; and
- Attending upcoming Union of BC Municipalities Convention.

3.3 Electoral Area Director's Report

Electoral Area Director Craig reported the following:

- New waste regulations for multi-family residential, business, institutional, and industrial properties and waste hauler licensing to be in effect January 2025;
- Request for Statement of Qualifications for an organization to hold a contract to manage the Health and Well Being Coordinator position has closed and staff are in process of negotiating contract with the selected group; and
- Regional District of Nanaimo has worked with the Province to supply water to Gabriola Community Bus and a cooling centre during upcoming heat warning event.

3.4 First Nations Reports - none

4. PUBLIC COMMENTS

- Member of the public referred to the July 16, 2024 Local Trust Committee meeting on Mudge Island during which a member of the community spoke to a Local Trust Committee motion that was passed in April regarding putting a hold on investigations until the bylaw

policy was reviewed and had requested it be included in the bylaws, the Planner read the motion referred to and confirmed it only stated the policies and Trustee Elliott said she would bring it forward to add a new motion to support that the bylaws be included, and this discussion had not been included in the July 16 meeting minutes. They also asked the takeaways that Trustee Elliott listed at the end of the meeting be included in the minutes and requested confirmation that Trustee Elliott will advance the revised motion.

- Trustee Elliott replied that she would need to review the meeting recording to determine specifically what was said and suggested approval of the July 16, 2024 meeting minutes be deferred.
- Member of public stated the Mudge Island Community Association has not heard anything in response to their letter of July 7 regarding bylaw enforcement policies and asked if Trustees have met or conferred with staff to discuss the letter.
 - Chair noted that all Local Trust Committee discussions are required to be held in open public meetings and Trustees cannot meet independently to discuss business.
- Member of the Public noted at the July 16 meeting Trustee Elliott said she was going to look into the question as to whether or not an investigation is mandatory when a bylaw complaint is received.
 - Trustee Elliott replied she had emailed Director Cermak and Interim CAO Julia Mobbs with several details from said meeting and is awaiting response and she has asked that the files from the 2019 public hearing be made available so she can review the public comments as per the Mudge Island Community Association’s request.

5. DELEGATIONS - none

6. MINUTES

6.1 Local Trust Committee Minutes dated June 27, 2024 – for adoption

By general consent, the Local Trust Committee meeting minutes of June 27, 2024 were adopted.

6.2 Local Trust Committee Special Meeting Minutes dated July 4, 2024 – for adoption

By general consent, the Local Trust Committee meeting minutes of July 4, 2024 were adopted.

6.3 Local Trust Committee Special Meeting Minutes dated July 16, 2024 – for adoption

By general consent, adoption of the Local Trust Committee special meeting minutes will be deferred to the September 5, 2024 meeting.

6.4 Section 26 Resolutions-Without-Meeting Report - none

6.5 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated August 1, 2024

Planner and Trustees provided the following updates and comments:

- Legal review of the draft covenant for Gabriola Commons was completed in June, 2024 and follow up information from staff to Local Trust Committee is pending;
- Screening date for Dust n’ Bones movie is being worked on, approved funding has expired and another funding request will need to be made;
- Letter from Local Trust Committee to Provincial and Federal governments requesting support in protecting cultural heritage sites has been raised at Executive Committee for consideration as a broader advocacy issue;
- Request to add all correspondence regarding the Official Community Plan Review Project to the website and specifically letters received from J and C Johnston, Emily Carrington, and correspondence about dark skies; and
- Request to discuss GB-DVP-2023.3 (Miller) at the next meeting.

8. APPLICATIONS AND REFERRALS - none

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Major Project: Gabriola Island Comprehensive Official Community Plan and Land Use Bylaw: Fall Engagement Options - Staff Report

The Planner summarized the Staff Report and asked Trustees for feedback on focus group invitees, timelines, and discussion topics presented in the report.

Discussion ensued and the following comments were noted:

- Limit focus group to 10 participants;
- Engage under-represented groups;
- Consider breaking down larger topics into smaller categories to focus discussions;
- Add Gabriola Housing Society to list of potential participants; and
- Separate marine and foreshore protection into a specific topic.

GB-2024-063

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee endorse the Gabriola Official Community Plan/Land Use Bylaw Review 2024 Fall engagement process and draft schedule with recommended amendments for the planner to consider as discussed.

CARRIED

10. CORRESPONDENCE

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

10.1 Letter dated July 9, 2024 from Mudge Island Community Association regarding Proposed Gabriola Island Local Trust Committee Bylaw Compliance & Enforcement Policy Revisions

Bylaw Compliance and Enforcement Manager noted the following:

- Received and reviewed the policy amendments the Mudge Island Community Association would like to see incorporated into the bylaw enforcement polices for Mudge Island;
- Draft document of Local Trust Committee Enforcement Policy Bylaw has been prepared for Regional Planning Committee consideration and will go to Trust Council for input in September;
- Another webinar will be required for input from Gabriola Island residents to hear their comments on compliance and enforcement policies and procedures;
- Some of the Mudge Island Community Association’s recommendations do not comply with Trust Council policy and discussions on those would need to occur at Trust Council level;
- Local Trust Committee policies will be considered once input is received from Trust Council on draft policy and procedures and any changes to Trust Council policies;
- Trust Council policy currently states that Local Trust Committees not be involved in investigations; and
- Ombudsperson recommends elected officials, councils, or committees make policies, but not be involved in day-to-day operations of bylaw compliance.

Discussion ensued and Trustees made the following comments:

- Would like a meeting scheduled for Bylaw Compliance and Enforcement Manager Dingman to answer questions from Trustees and discuss Mudge Island Community Association’s recommendations;
- Letter from Mudge Island Community Association indicates community support for continued investigation and enforcement of derelict buildings, trailers and vehicles and for reasons related to health, safety, environmental damage and interference with cultural heritage sites;
- Files are being investigated and closed;
- Some of the work is specific to Trust Council policy; and
- Desire to work through the recommendations from Mudge Island Community Association to better understand rationale and merits of each proposed change.

GB-2024-064

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to schedule a special meeting to discuss prosed bylaw and compliance enforcement policy as soon as possible and invite members of the Mudge Island Community Association.

CARRIED

GB-2024-065

It was MOVED and SECONDED

that the Chair of the Gabriola Island Local Trust Committee work with staff to respond to letter from Mudge Island Community Association dated July 9, 2024.

CARRIED

GB-2024-066

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee replace standing resolution GB-2024-023 with the following: defer enforcement of the Mudge Island Land Use Bylaw No. 228 until a full review of policies and procedures for compliance and enforcement is complete and adopted, and a targeted review of Land Use Bylaw No. 228 is undertaken by the Gabriola Local Trust Committee; with the exception of enforcement of derelict trailers and vehicles, health and safety concerns, interference with archeological heritage sites, or possible environmental damage that are a significant concern, and these would be brought to the Local Trust Committee for review.

CARRIED

11. NEW BUSINESS - none

12. STAFF REPORTS

12.1 Trust Conservancy Report - none

12.2 Islands Trust Council Highlights - March 12-14, 2024

Received for information.

12.3 Applications Report - none

12.4 Trustee and Local Expense Report - none

12.5 Adopted Policies and Standing Resolutions

Received for information.

12.6 First Nations Relationship Building Update - none

12.7 Climate Change Action Update - none

12.8 Local Trust Committee Webpage

Add all correspondence regarding the Official Community Plan Review Project to the website and specifically letters received from J and C Johnston, Emily Carrington, and correspondence about dark skies.

13. WORK PROGRAM

13.1 Active Projects Report dated August 1, 2024

Trustees requested that the list be cleaned up and summarized.

13.2 Future Projects Report dated August 1, 2024

Received for information.

14. UPCOMING MEETINGS

Trustees discussed inviting a Snuneymuxw Elder to open a fall meeting and providing an update to Snuneymuxw First Nation on the Local Trust Committee’s current and future projects.

The meeting recessed for a break at 12:34 p.m. and reconvened at 12:40 p.m.

GB-2024-067

It was MOVED and SECONDED

that staff work with Trustee Elliott to invite a Snuneymuxw Elder to open a regular business meeting of the Local Trust Committee in the fall, and provide appropriate remuneration for their attendance.

CARRIED

GB-2024-068

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff write a letter to First Nations in whose territories the Gabriola Local Trust Committee works, (re)introducing Trustees and Staff, and provide a schedule of known Local Trust Committee meetings for the upcoming year, and provide an update of current projects and advocacy activities, and indicate our desire to work with First Nation governments on the Gabriola Official Community plan, and policies on land use, heritage protection, marine and foreshore, and other policies they wish to provide input on.

CARRIED

14.1 Next Regular Meeting Scheduled for Thursday, September 5, 2024 at 10:30 am at the Gabriola Arts and Heritage Centre

15. ADJOURNMENT

By general consent, the meeting was adjourned at 12:52 p.m.

Peter Luckham, Chair

Certified Correct:

Lisa Millard, Recorder

Follow Up Action Report

Gabriola Island

20-Jul-2023

Progress	Activity	Responsibility	Dates	Status
100%	<p>1 Regarding LTC Consideration of becoming Covenant Holder, Gabriola Commons - 675 North Road, Gabriola Island:</p> <p>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)].</p> <p><i>Update August 8, 2024: LTC advised that legal review has been completed and update to LTC is pending in the fall.</i></p>	Stephen Baugh	Target: 26-Oct-2023	Completed

Follow Up Action Report

Gabriola Island

26-Oct-2023

Progress	Activity	Responsibility	Dates	Status
52%	<p>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. - <i>March 8: Dir. TAS has noted the request for EC and confirmed funds for screening. August 22: TAS staff are working with Trustee Elliott to arrange a screening in Fall 2024</i></p>	<p>Joe Elliott Lori Foster Morgana van Niekerk</p>		In Progress
100%	<p>2 Letter from LTC: #1 of 2: 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. <i>*March 5, 2024: LTC to confirm if this action is still desired, or mark as complete.</i> <i>*August 26, 2024: Staff intends this letter to be addressed through the EC FUAL item dated July 24, 2024. No further staff action with input from TAS.</i></p>	Renee Jamurat	Target: 30-May-2024	Completed

Follow Up Action Report

Gabriola Island

23-May-2024

Progress	Activity	Responsibility	Dates	Status
25%	<p>1 Draft advocacy letter to the Lieutenant-Governor-in-Council to state the GB LTC considers the deposit of Subdivision plan of MOTI File 202-02789/02214 as being against the public interest and report back to GB LTC on correct IT process for sending advocacy letter.</p> <p><i>May 31: Staff note that the appropriate person is not the Lieutenant-Governor, but instead Minister(s) the LTC wishes to send a letter to. Staff will suggest ministries for review by LTC.</i></p>	<p>Clare Frater Renee Jamurat Sonja Zupanec</p>		In Progress
50%	<p>2 GB-DP-2021.1 (Centre Stage) deferred until a response is received from the PAO regarding the subdivision referral. Include deferral motion in subdivision referral response. <i>*June 19 note: motion included in subdivision referral response sent out June 17, 2024.</i></p>	<p>Renee Jamurat Sonja Zupanec</p>		In Progress

27-Jun-2024

Progress	Activity	Responsibility	Dates	Status
100%	<p>1 Add "Trust Council Highlights" to future agenda packages following a Trust Council Meeting.</p>	<p>Nadine Mourao</p>		Completed

Follow Up Action Report

Gabriola Island

08-Aug-2024

Progress	Activity	Responsibility	Dates	Status
0%	<p>1 Actions for the Major Project - OCP Review:</p> <ul style="list-style-type: none"> - 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. - Add the letter from Drs. J & C Johnstone and the Foreshore Structures Report from Warren and letter regarding Dark skies (John Hall, Item 101. On GB Nov 30 2023 agenda) and letter from E. Carrington June 27 meeting, Item 4 on the FUAL from that meeting to the OCP review project file and post to the project website. -update the project list with a succinct and clear description of the project. -LTC endorsed the OCP/LUB engagement process with minor amendments and comments (see minutes of August 8, 2024 meeting). 	Narissa Chadwick		In Progress
75%	<p>2 -Staff requested to schedule a special meeting of the LTC as soon as possible to discuss the proposed bylaw enforcement and compliance policy and suggested revisions from the Mudge Island Community Association (MICA). <i>In person meeting scheduled September 12, 2024 10:30am</i></p> <ul style="list-style-type: none"> -Update standing resolution 2024-023 with new wording as per minutes of August 8, 2024 meeting. - <i>updated</i> - Chair of LTC will draft a response to the MICA letter dated July 9, 2024. 	<p>Chloe Straw</p> <p>Nadine Mourao</p> <p>Warren Dingman</p>		In Progress
25%	<p>3 Add GB-DVP-2023.3 (Miller) to the September 5, 2024 agenda for discussion by the LTC regarding process.</p> <p><i>*August 26: More information is needed from LTC to provide staff direction on process for discussion.</i></p>	<p>Margot Thomaidis</p> <p>Renee Jamurat</p>		In Progress

Follow Up Action Report

Gabriola Island

08-Aug-2024

Progress	Activity	Responsibility	Dates	Status
25%	4 LTC request staff to coordinate the invitation and remuneration of a Snuneymuxw elder to open an LTC regular business meeting in the Fall.	Renee Jamurat Stephen Baugh		In Progress
0%	5 LTC request staff to write a letter to First Nations within the LTA to indicate desire to work with them on current LTC projects and advocacy activities and provide schedule of upcoming LTC meeting dates (see minutes of Aug 8 meeting).	Clare Frater Renee Jamurat Stephen Baugh		In Progress



DATE OF MEETING: September 5, 2024

TO: Gabriola Island Local Trust Committee

FROM: Narissa Chadwick, Island Planner
Local Planning Services

COPY: Renee Jamurat, Regional Planning Manager

SUBJECT: Gabriola OCP and LUB Review Project Phase 3 – Business Case

RECOMMENDATION

- 1. That the Gabriola Island Local Trust Committee approve the attached Major Project business case for the Gabriola Island Official Community Plan (OCP) and Land Use Bylaw (LUB) Review Phase 3, for submission to the Regional Planning Committee and Financial Planning Committee for the fiscal 2025-2026 year budget.**

REPORT SUMMARY

This report attaches a draft business case for the allocation of funding and staff resources for the next phase the Gabriola LTC’s major project, Phase 3 of the Gabriola Island Official Community Plan (OCP) and Land Use Bylaw (LUB) Review.

BACKGROUND

The LTC initiated the Gabriola OCP and LUB Review Project in 2023. The LTC is currently in Phase 2. This business case supports Phase 3 of this work.

Phase 1 of the Gabriola Island Official Community Plan (OCP) and Land Use Bylaw (LUB) Review Project, launched in 2023, focused on the identification of community values, vision and related principles through the Gabriola Visioning 2050 Process.

Phase 2 was launched in July 2024 and involves two engagement phases: introducing and reviewing the key principles emerging from the Gabriola Visioning 2050 engagement and engaging the community in topic-focussed discussion. This phase also involves collecting data and providing analysis on water balance.

Phase 3 will support the completion of the OCP review and the initiation of the LUB review. It will involve deeper First Nations engagement and focus on the revision of Development Permit Areas (DPAs).

As the project work is not scheduled to be completed within the existing fiscal year (FY2025), a business case for the next fiscal (FY2026) will need to be approved by Trust Council. LTCs are advised to endorse business cases by September in order to have them reviewed by the Regional Planning Committee in their October and November meetings. The Financial Planning Committee’s recommendations on business cases will be considered at the December Trust Council for inclusion in the budget for the following fiscal year.

ANALYSIS

The first phase of Gabriola’s OCP and LUB Review resulted in the identification of draft principles and goals to inform the development of the OCP. The engagement in the current phase will result in clear direction for the drafting of OCP policy. The development of an OCP implementation plan, identifying the necessary LUB amendments will be part of the current phase as well as Phase 3.

Staff are proposing a budget for fiscal year 2026 of \$30,000 to facilitate the completion of OCP amendments and the initiation of LUB amendments. This will cover costs related to First Nations engagement, ongoing engagement and communications with the community, DPA mapping and legal review.

Rationale for Recommendation

The project as outlined in the business case is feasible to be completed, subject to the availability of planning staff, funding from Trust Council, and within the scope of work.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. Staff advise that deferring endorsement of the business case may result in committee deadlines being missed for funding requests.

2. Revise the business case

If the LTC wishes to revise some aspects of the business case, staff recommend that direction be given to make changes and to forward to the relevant committees with the revisions.

3. Not Proceed with the Project

The LTC may choose to not proceed with the project. If the LTC chooses this option, then any future major project would need direction to prepare and initiate for the following fiscal year and budget approval.

NEXT STEPS

If the business case is endorsed, staff will forward it to the Regional Planning Committee and Financial Planning Committee for consideration.

Submitted By:	Narissa Chadwick RPP, Island Planner	August 26, 2024
Concurrence:	Renee Jamurat, Regional Planning Manager	August 26, 2024

ATTACHMENTS

1. Business Case



Completion of this form initiates a request to the management team, FPC, and ultimately Trust Council for allocation funding in the next fiscal year budget. The form is to be completed and submitted at the start of the decision making process. The business case forms part of the Annual Budget Process (refer to Islands Trust Council Budget Process Policy 6.3.i).

TO BE COMPLETED BY INITIATOR

Requested by (*Committee or Operational Unit*):
GABRIOLA LTC

Department:
LPS-Planning Services

Name of Request:

Phase 3 - Gabriola OCP and LUB Review - Major Project
(Year 3 of project)

\$ Value of Request (*indicate by fiscal year and total if project is multi-year*):

2025-2026 - \$30,000

Total to-date: \$95,000
2023-24 -/2024 \$18,000
2024-25-/2025 \$77,000

Budget Source (select all that apply):

- Specific Project Funding** (select all that apply)
 - Third Party Contractors
 - Staff Travel Expense
 - Staff Overtime Expense
 - New Staff Member – Temporary for project
 - Computer Hardware/Software

Furniture & Equipment

Computer Hardware/Software/Supplies

New Staff Resources (see Staff Costing Tool)

Permanent

Temporary

Temp Duration: _____

Other – please describe: Consultants, Honoraria for First Nations for on-going meetings and participation, technology, mapping, facility rental, engagement meetings and materials, printing, posting and distribution of communication materials.

Date of Submission to Finance: September 2024

Funding Required for (date range):

April 1, 2025-March 31, 2026

TIE TO ISLANDS TRUST GUIDING DOCUMENTS

Trust Council [Strategic Plan 2018-2022](#) contains objectives to:

- Preserve, protect and advocate for forest and terrestrial ecosystems
- To preserve and protect marine ecosystems
- Mitigate and adapt to climate change impacts
- Strengthen Housing Affordability Throughout the Islands Trust Area

ISSUE/OPPORTUNITY:

The Gabriola Island OCP and LUB has not been substantially updated since 1997 and 1999 respectively. The review will substantially update the bylaws addressing a number of Islands Trust Strategic objectives and emerging issues. As the first substantial OCP/LUB review undertaken by the regional planning team the project and resulting bylaw amendments will serve as a model for other LTC OCP/LUB reviews.

The OCP and LUB review (Phase 3) will provide the opportunity to advance Islands Trust Strategic Interests related to:

- First Nations Reconciliation - The project will involve developing a process to engage First Nations at the front end of the project to identify how they would like to be involved and then integrating Nations perspectives as appropriate. This may involve hiring a First Nations engagement specialist.
- Addressing affordable and attainable housing- the project prioritizes housing.
- Preservation of ecosystems both terrestrial and marine – the project will involve reviewing DPAs. The work will begin with reviewing the suitable land analysis that is currently being developed. It will involve review and potential updates to DPAs and updated mapping based on existing data.
- Advancing objectives of the Freshwater Sustainability Strategy related to freshwater sustainability and the health of the watershed- the project will consider work that has been done for Galiano and North Pender to create an aquifer protection DPA and update proof of water regulations.
- Development of a process (including public engagement) and bylaws that could serve as a model for other LTC OCP/LUB reviews.

By the end of Phase 3 it is anticipated that a first draft of the revised OCP will be complete. This will include new mapping and guideline development for new DPAs. Phase 3 will also involve amending the LUB to ensure consistency with the revised OCP. The anticipated cost of Phase 3 is \$30,000 to support First Nations engagement, legal review, public engagement, communications and mapping DPAs.

The OCP and LUB review process will be informed by the OCP and LUB Review Phases 1 and 2. These phases of the project involved:

- Early First Nations engagement
- A community engagement process contributing development of draft Gabriola Vision 2050
- Suitable Land Analysis and Build Out Analysis
- Community engagement on key topics
- DPA review
- Initiation of bylaw drafting

With this business case the LTC is seeking the funds to support Phase 3.

PROJECTED RESULTS/DELIVERABLES:**Phase 3 Fiscal 2025/26 \$30,000 – DPA Development, OCP completion and Initiation of LUB review:**

- Continuing First Nations engagement
- Revision of DPAs to include new mapping
- Communications and Engagement
- Drafting OCP Bylaw and Legal Review
- Legislative Process: OCP bylaw readings, CIMs and Public Hearing, Ministerial Approval, Adoption
- LUB amendment drafting

The Gabriola OCP will provide model policies for other LTCs and a model process to demonstrate the successive process of updating the LUB to ensure OCP consistency.

Previous Phases:

Phase 2 Fiscal 2024/2025 \$77,000 - Data Collection and Discussion

- First Nations consultation
- Compiling baseline/technical information
- Suitable Land Analysis
- Water Balance Assessment
- Engagement on key topics
- Initiation of bylaw drafting

Phase 1 Fiscal 2023/2024 \$18,000 – Gabriola Visioning 2050

- Initial FN consultation
- APC/HAPC/Community Engagement
- Public Education

RISK ASSESSMENT:

Factors potentially affecting the timing of project deliverables:

- Regional Planning Team (RPT) capacity to manage the project in 2025/2026;
- Capacity and available expertise to support mapping and data needs within the budget;
- Available capacity from supporting staff;
- First Nation capacity and interest to engage may not align with project timelines;
- Ability to retain an Indigenous consultant to assist with FN engagement.

Financial implications:

- Cost may exceed the budget due to additional consultation needs or other factors.

Resource requirements:

- RPT has allocated time to the continuation of this project in anticipation of budget approval.
- Overall staff resourcing from the RPT to complete all major projects is limited and may not be able to accommodate any extensions to project timeline and work scope.
- Overtime hours have not been estimated at this time, however it is reasonable to expect based on a project of this kind.

ALTERNATIVES CONSIDERED:

Option 1: Proceed no further. Staff time and funding are not allocated to the project. Under this alternative the project does not complete bylaw drafting, does not proceed to bylaw readings.

Option 2: Proceed as a Minor Project. Should funding not be provided, the LTC may consider completing the work as a sequence of 'minor projects' with reduced scope, budget and deliverables. This would limit the planned engagement and DPA work.

Option 3: Reduced funding. This will limit the project scope of work and deliverables such as DPA work, engagement and communications.

CRITICAL SUCCESS FACTORS:

- Allocation of planning services staff time (Regional Planning Team and staff support)
- First Nations engagement
- Islands Trust staff resources used for DPA mapping work
- The project would be considered successfully completed if the amendments to the OCP and LUB are adopted. Success could be measured over the longer term through measurables such as improved relations with First Nations and updated policy and regulatory bylaws to address their interests and

concerns. Success can also be measured by evaluating how many LTCs are able to use the model policies and model process of updating their LUBs for OCP consistency.

RECOMMENDED OPTION:

The present funding request is for \$30,000 for fiscal 2025/26 to allow the Gabriola Island OCP-LUB project to progress through Phase 3.

COST/BENEFIT ANALYSIS:

Quantitative Analysis:

\$30,000 for fiscal 2025/26 for Phase 3

- \$10,000 - First Nations Consultation
- \$10,000 – DPA mapping
- \$6,000 – Communications and Engagement
- \$4,000 – Legal Review

Qualitative Analysis:

- If no action is taken, Gabriola Island forests, shorelines and indigenous heritage may be at risk of continued.
- Degradation from future rural development, and housing affordability will continue to be an issue.
- Undertaking the project may include benefits such as improved First Nations relations and implementation of actions towards effective reconciliation, enhanced protection of marine, forest and terrestrial ecosystems.

PURCHASING PROCEDURE:

Not applicable if the work is done in-house by staff. However there will be other financial services required such as legal review, capacity work agreements, and hiring consultants were necessary as identified through a work program.

PROPOSED IMPLEMENTATION STRATEGY:

Deliverable/Milestone	Date
Phase 2C – Options Requiring More Detailed Analysis and Engagement	
First Nations Engagement	April 2025 – March 2026
DPA Mapping	April 2025 – November 2025
Public Engagement	April 2025 – March 2026
OCP Bylaw Drafting	March 2025 –Sept 2026
Legal Review	March 2025 –Nov. 2025
Bylaw readings/ CIM	Jan 2026 – March 2026
OCP Provincial Referrals	January 2026 - TBD
LUB Drafting	January 2026 – June 2026

STAFF RESOURCING:

- 450 hours (0.25 FTE) Regional Planning Team Project Manager
- Up to 100 hours LTC Planner Support
- 180 hours (0.10 FTE) GIS - Mapping
- Up to 90 hours Administrative Support *subject to other approved major projects
- 180 hours (0.10 FTE) Communications Specialist
- Up to 20 hours Regional Planning Manager
- Overtime is expected for Planner and Administration staff hours.

- Overall staff resourcing from the RPT to complete all major projects is limited and may not be able to accommodate any extensions to project timeline and work scope.
- It is anticipated that staff resources to support RPT projects from the existing staff allocation is feasible, however in a limited capacity.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

- Significant engagement with the Snuneymuxw First Nation will strengthen this project. To date their interests have not been clearly identified.

Requested by: Gabriola Island Local Trust Committee

Prepared by : Narissa Chadwick, Island Planner / August 21, 2024

Reviewed by: Renée Jamurat, Regional Planning Manager / August 26, 2024



File No.: 6400 (Gabriola Ecological Protection Zone Project)

DATE OF MEETING: September 5, 2024

TO: Gabriola Island Local Trust Committee

FROM: Stephen Baugh, Island Planner
Northern Team

SUBJECT: Gabriola Ecological Protection Zone Project Update

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee incorporate the First Nations engagement for the Ecological Protection Zone project with the Gabriola Island Official Community Plan and Land Use Bylaw project.

REPORT SUMMARY

This report is to provide an update on the Gabriola Local Trust Committee’s (LTC) current minor project to develop an Ecological Protection Zone and to obtain LTC direction for the next steps on this project. Staff recommend the LTC direct staff to incorporate the First Nations engagement for the Ecological Protection Zone project with the Gabriola Official Community Plan and Land Use Bylaw project (major project).

BACKGROUND

In March of 2023, the LTC gave first reading to Bylaw No. 313 to develop a new Ecological Protection Zone that would apply to Elder Cedar (S’ul-hween X’pey) Nature Reserve. The proposed bylaw was referred to Snuneymuxw First Nation (SFN), Regional District of Nanaimo, and Islands Trust Conservancy Board.

Previously, the LTC directed staff to prepare a capacity agreement to support SFN’s ability to review the proposed bylaw, however, SFN indicated they were not interested in a capacity agreement at the time and that a response would be provided. Most recently, the LTC was advised by staff that a response from Snuneymuxw First Nation was expected by the end of June. However, to date staff have not received a response and it is unclear when the LTC may receive a referral response from SFN for this bylaw amendment.

ANALYSIS

Referral Responses:

The referral responses are summarized in the table below and the full responses are Attachments 1 and 2:

Referral Agency	Response Summary
Islands Trust Conservancy	Approval recommended. Supportive of EP zone, and recommend a review of the definition of “passive recreation”.

Regional District of Nanaimo	No impact of the new EP zone on RDN parks. Recommended to review definition of “passive recreation”.
Snuneymuxw First Nation	No response received at this time.

Definition of Passive Recreation:

Both of the referral responses received do not indicate any concerns with the proposed Ecological Protection zone, and recommend changes to the proposed definition of “passive recreation.” Staff recommend that this definition be revised to address these comments prior to giving the bylaw Second Reading and scheduling a Public Hearing.

First Nations Perspectives:

Staff from Snuneymuxw First Nation have indicated that they will provide a response, however, it is uncertain when this will be received. Given the time that has already elapsed since the referral was first sent in April 2023, and the current uncertainty, staff are recommending that the Snuneymuxw First Nation engagement aspects of this project be incorporated into the existing Gabriola OCP and LUB major project.

The major project has dedicated resources for First Nations engagement and combining the engagement for these projects would reduce the number of separate referrals that require a response from Snuneymuxw. This approach would still allow for the Ecological Protection Zone to be adopted prior to the OCP project being completed, but it provides the benefit of unifying the Snuneymuxw engagement aspects of the two LTC projects. Staff have already sent a referral to Snuneymuxw for Proposed Bylaw No. 313, however, it is uncertain when a response will be received. By combining the First Nations engagement portion of the Ecological Protection Zone project with the major project, it will enable a more fulsome engagement for this project without requiring additional funding. It is also hoped that combining these engagements would result in efficiency benefits for Snuneymuxw’s participation.

Although it could be possible for the LTC to proceed with this bylaw amendment project without receiving a response from Snuneymuxw, this is not recommended and would not establish opportunities to incorporate First Nations perspectives on shared conservation interests, or allow for inter-governmental collaboration with First Nations which are project objectives.

Rationale for Recommendation

Staff are recommending the First Nation engagement aspects of the Ecological Protection Zone project be incorporated into the major OCP and LUB project for the following reasons:

- It is uncertain when a response will be received from Snuneymuxw for the proposed bylaw associated with this project;
- The major project has more resources to engage with First Nations which is an objective of the Ecological Protection Zone project; and
- The number of different referrals from the LTC to Snuneymuxw would be reduced.

ALTERNATIVES

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

- 1. Receive this report for information:**

The LTC may receive the report for information. If this option is selected staff will continue to communicate with Snuneymuxw staff and will bring a report to the LTC when a response has been received.

2. Continue with next steps in the project without receiving a response from Snuneymuxw:

If this option is selected staff will present the bylaw to the LTC for Second Reading with minor amendments based on the referral responses received. Staff advise that the implications of this alternative are that the project will not incorporate First Nations perspectives on shared conservation interests, or support inter-governmental collaboration with First Nations which are project objectives. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request staff to present Proposed Bylaw No. 313 for Second Reading.

3. Proceed no further with this project:

If this option is selected, the Ecological Protection Zone project will be concluded and the LTC could initiate a different minor project.

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

NEXT STEPS:

If the recommendation is carried, then staff will bring an updated project charter to a future LTC meeting that includes a work plan incorporating the planned engagement activities and anticipated dates for the following steps for endorsement by the LTC.

Submitted By:	Stephen Baugh, Island Planner	August 20, 2024
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	August 26, 2024

ATTACHMENTS

1. Islands Trust Conservancy Board Referral Response
2. Regional District of Nanaimo Referral Response
3. Project Charter



Islands Trust

BYLAW REFERRAL FORM

700 North Road
Gabriola Island BC V0R 1X3
Ph: (250) 247-2063
Fax: (250) 247-7514
northinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Gabriola Island Local Trust Area – **Bylaw No.:** 313 **Date:** April 6, 2023
Gabriola Island

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response no later than **Tuesday, June 6, 2023**. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Gabriola Island Local Trust Committee

PURPOSE OF BYLAWS:

Proposed Bylaw No. 313 will, if adopted, amend the current Gabriola Island Land Use Bylaw No. 166, 1999 to introduce a new "Ecological Protection Zone" and rezone the Elder Cedar Nature Reserve to the conservation/protection type zone.

GENERAL LOCATION:

Gabriola Island

OTHER INFORMATION:

The Gabriola Island Local Trust Committee gave First Reading to proposed Bylaw No. 313 on March 30, 2023. A copy of the staff report and the proposed bylaw is included in this referral for background information. All relevant background information, including staff reports and public correspondence received is posted to the Gabriola Projects webpage: <https://islandstrust.bc.ca/island-planning/gabriola/projects/>

Please direct any communications regarding this referral to Stephen Baugh, Planner 2, at 250-247-2201, or by email to sbaugh@islandstrust.bc.ca.

Please fill out the Response Summary on the back of this form for the bylaw. If your nation's/agency's/organization's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Stephen Baugh

Stephen Baugh

Name: _____

Planner 2

Title: _____

This referral has been sent to the following for comment:

Regional Agencies

Regional District of Nanaimo's Parks and Open Space
Advisory Commission Islands Trust Conservancy

First Nations

Snuneymuxw First Nation

BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

At its May 30, 2023 meeting the Islands Trust Conservancy (ITC) Board passed the following resolution:

ITC-2023-021

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board direct staff to indicate to the Gabriola Island Local Trust Committee that the approval of Bylaw 313 is recommended for the following reasons:

Gabriola Island Local Trust Area

Bylaw No: 313 (LUB)

- 1) **Gabriola Island** the new "Ecological Protection Zone" will work well for the current use of S'ul-hween X'pey (Island) Nature Reserve; and, (Bylaw Number)
- 2) the new zoning better represents the intended use of the land than the current 'Park 2' (Passive Recreation Community Park-P2) zone; and

that the ITC Board recommends a review of the definition of passive recreation. _____
(Signature) Manager (Title)

June 27, 2023
(Date)

Islands Trust Conservancy
(Agency)

From: Elaine McCulloch
Sent: Thursday, June 15, 2023 12:54 PM
To: Stephen Baugh
Cc: Amy Gore; Rick Daykin
Subject: RDN Referral Response - minor proposed changes to Gabriola Land Use Bylaw No. 313

Hi Stephen,

Thank you for referring the proposed changes to Gabriola Land Use Bylaw No. 313 to RDN Parks. Please note that due to staff capacity, this referral was not included in the May 15, 2023 Parks and Open Space Advisory Committee meeting agenda. Please provide notice by September 11 if you would like the referral to be included on the next POSAC meeting, scheduled for October 16, 2023.

Both Parks Staff and the RDN Electoral Area Director have reviewed the proposed Bylaw and have the following comments:

While the proposed new “Ecological Protection Zone” does not impact any existing RDN owned/managed parks, the newly added definition of “passive recreation”, may have some problematic impact on the use and management of “Passive Recreation Community Park (P2) – zoned properties on Gabriola Island.

<i>Passive Recreation</i>	<p>Passive Recreation is non-motorized outdoor recreation that creates the opportunity to have a high degree of interaction with the natural environment and has minimal impact on land, water, or other resources. Passive recreation requires no installation of equipment or facilities, except for trails and associated improvements.</p> <p><i>As per proposed Bylaw No. 313</i></p>
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As per proposed Bylaw No. 313

- Accessibility – The wording of “non-motorized outdoor recreation” may limit the opportunity to provide accessible trails and trail crossings within Passive Recreation-zoned Community Parks (i.e. medical scooters).
- Multi-use Trails - The wording “*non-motorized outdoor recreation*” will also limit the use of e-bikes on trails and conflicts with the permitted uses as defined in the [RDN Parks Use Regulations Bylaw 1801](#). Note that Section 13 of Bylaw 1801 explicitly permits the use of E-bikes and defines them as a “cycle with an electric motor...”
- Park Infrastructure – The wording “*No installation of equipment or facilities, except for trails and associated improvements*” and “*minimal impact*” may limit the opportunity to provide necessary infrastructure to support trail use. As the Island’s population grows and the use of parks and trails continue to increase, there is a greater need for infrastructure to support that demand. This will include the construction of parking lots, service roads, stairs, bridges, boardwalks and other amenities such as toilets and drinking water and associated infrastructure such as septic fields, wells and waterlines. These works may require modification of the trails and their surroundings to facilitate that use. It is requested that these types of structures and infrastructure continue to be a permitted use within the P-2 zone.

- Utility Infrastructure - Some RDN Community Parks accommodate utility lines such as hydro, sewer, and water as determined through the subdivision process. Does this definition exclude these uses?

Thank you for the opportunity to provide comment.

Sincerely,

Elaine McCulloch

Senior Parks Planner, Recreation and Parks, Parks Services

Regional District of Nanaimo

1490 Springhill Road, Parksville, BC V9P 2T2

T: 250-248-4744 | C: 250-927-0387 | Email: emcculloch@rdn.bc.ca

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We acknowledge that for thousands of years the Coast Salish First Nations have been deeply connected to the territories where we now work.

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Ecological Protection Zone - Charter v 5.0

Gabriola Island Local Trust Committee

Date: **Amended** August 30, 2022

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

Background This project is the result of the Gabriola Island LTC resolution dated July 13, 2017 to amend its Top Priorities List to include the development of a new ecological protection zone for the Land Use Bylaw, including the rezoning of Coats Marsh Regional Park and Burren's Acres Nature Reserve. The Charter was amended twice, with a third on November 28, 2019 to include Elder Cedar Nature Reserve in the project scope.

<p>Objectives</p> <ul style="list-style-type: none"> Develop an ecological protection or similar park or conservation type zone for the Gabriola Island Land Use Bylaw to be used in the rezoning of Elder Cedar nature Reserve Strengthen relations with Snuneymuxw and other local First Nations with asserted interest on Gabriola Island. Incorporate First Nation perspectives into policy/regulatory options. Ensure proposed policy/regulatory changes are consistent with the Object of the Islands Trust and Islands Trust Policy Statement, the protection of the Coastal Douglas-fir and Associated Ecosystems Toolkit and with focus on ecological protection, conservation, and enhancement. 	<p>In Scope</p> <p>First Nations Relations and Perspectives</p> <ul style="list-style-type: none"> Establish opportunities to incorporate First Nations perspectives on shared conservation interests in land-use and inter-governmental collaboration for effective regulatory decision making. <p>Regional Conservation Plan (RCP)</p> <ul style="list-style-type: none"> Further the Goals and Objectives of the protection and enhancement of biodiversity and opportunities for conservation in the Islands Trust Area. <p>Rezone Elder Cedar Nature Reserve</p> <ul style="list-style-type: none"> Develop a regulatory scheme for permitted/prohibited uses and structures, minimum and minimum average lot sizes for subdivision, etc., commensurate with the Goals and Objectives of the RCP and of the intent of the Environment Canada Ecological Gifts Program. 	<p>Out of Scope</p> <ul style="list-style-type: none"> OCP review and amendments Review of OCP Parks land use designation. The rezoning of other parcels save Elder Cedar Nature Reserve. Review of LUB definitions Review of Development Permit Areas. Development of restrictive covenants or similar tools for the protection of the subject properties in alternate capacity.
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Workplan Overview

Deliverable/Milestone	Date
LTC endorses/approves project charter and directs staff to develop a work plan based on the In Scope objectives of this charter.	Summer 2022 (September)
Draft bylaw(s) presented to LTC for review.	Summer 2022 (September)
Early referral of draft bylaws to First Nations.	Summer 2022 (September)
Further consultation and referral of draft bylaw(s) to other agencies.	Summer/Fall 2022
Legal review of draft bylaws.	?
Legislative process for draft bylaw(s).	?
Adoption of draft bylaw(s) and communications materials.	?

Project Team		Budget		
Island Planner	Project Manager/Planner	Budget Source: Gabriola LTC Ecological Protection Zone Project		
Regional Planning Manager	Project Sponsor	Fiscal	Item	Cost
Legislative Clerk	Legislative Process/Bylaw Review	2022		
Planner 1	Communications / Planning Support			
RPM Approval: Date:		LTC Endorsement: Resolution #		
				Total

Jan Moore,

Gabriola, BC

Att.: Tobie Elliott

July 27, 2024

Dear Community Leaders,

I know you don't know what the residents of Dirksen Road experience daily. It's something folks who drive past us in 20 seconds don't understand.

We live in the most heavily populated part of Gabriola. Dirksen Road has recently turned into a freeway that is highly travelled all day and evening. We have folks who speed race this route daily. Most residents and non-residents choose this road over Easthom. We know this because we recognize the cars of folks who live on Easthom.

We estimate that return trips every day on this route are close to 1,000 vehicles. Since the pandemic, there has been an explosion of one-ton trucks on this route. Some of this is likely due to all the new builds in the area. A lot of it is industrial traffic.

Our Residential neighbourhood has become an Industrial Zone. There is a parade of trucks every day. Bring the kids over to the Dirksen/Stephens corner so they can count the Gravel Trucks, Logging Trucks, Graders, Backhoes, Big Rock Trucks, Stump Dump Trucks, Cranes, Hydro Trucks, Excavators, Septic Trucks, Bulldozers, Forklifts, Tow Trucks, Cement Mixers, Water Tankers, Box Trucks, Panel Trucks, Flatbed Trucks and multiple RVs, along with the usual race car drivers. We have Emergency Service vehicles as well, but we know they're needed.

Judging by the flow of traffic, we're convinced there is a Stump Dump, a Sawmill, and an RV Park at the end of this route. We all know there's a Gravel Pit. We hope you will check to see if these are legal in this area.

There are plenty of times when an impatient driver will pass a car on the blind curve. I'm surprised there are not more reported accidents. I guess we've been lucky so far – although I have witnessed seven cars go into the ditch while we've lived here.

There is a truck driver who races up and down Dirksen Road every day. Whenever he passes in front of my neighbours' driveway – he guns his engine and swears at him – because he had the nerve to tell him to slow down because kids were on the road. He has done the same to me. As I walked out of my driveway I have been greeted by a speeding truck and a "Fuck You" screamed out his window.

There are a lot more children who walk or cycle to school or Huxley Park along Dirksen now. We need to address that blind curve before a child gets hit.

RECEIVED

AUG 07 2024

ISLAND TRUST
NORTHERN OFFICE 39

There needs to be a Truck Zone off South Road (the address of the Gravel Pit) that joins up with Dempsey Road. We are surprised that wasn't a mandatory requirement for the business permit. In case of emergency – we will need another exit route as folks aren't comfortable driving the rock fall area known as Easthom Road.

We wonder what would happen during an Island-wide emergency evacuation. We can only imagine the traffic gridlock as visitors and residents discover the only vehicles allowed on the Ferry will be Emergency vehicles. Best to practice our active transportation modes ahead of time.

However, there is no bike path or sidewalk here. Pedestrians and cyclists grip the edge of the road and look for the safest escape route to jump into when speeders in opposite directions pass both us and each other.

If we lived at the end of a quiet road with a peaceful view, we might not be bothered about other Islanders dealing with fast-paced industrial and commuter traffic or their exhaust fumes. If we could see the water from our deck, we too might be focused on the destination and how to get there as fast as possible so we could slam our car doors and just relax. While others get to breathe in the cool, salt air - we get to choke on dust and exhaust fumes. We'd like us all to consider others and to slow down so everyone can enjoy the journey as well as the destination.

This community has already killed one of our volunteer fire fighters and permanently injured an RCMP officer – but still we race. We would like you to work together to slow traffic down. Now that you know, what we know, we would like your help to make our roads safer for all of us.

Thank-you for working on our behalf. We appreciate you,



Jan Moore (*on behalf of residents of the Dirksen/Stephens neighbourhood*)

- cc. Corporal Jordan Mullen, RCMP
- Tobi Elliott, Trustee - Islands Trust
- Susan Yates, Trustee - Islands Trust
- Will Sprogis, Gabriola Fire Chief & Jamie Ovens, Deputy Fire Chief
- Vanessa Craig, RDN Director
- Sheila Malcolmson, MLA (Please share with MOTI.)
- Derek Kilbourn, Editor - Gabriola Sounder

Speed Reduction Petition for Dirksen and Stephens roads on Gabriola


July 2024


We, residents of Dirksen and Stephens roads on Gabriola Island need to see a dramatic reduction in the speed of vehicles that travel this route – in particular the blind curve at the transition from Stephens to Dirksen that has a dip in the road just the other side of the Mailboxes. We cannot see around the blind curve when walking up Dirksen towards Stephens nor see a vehicle in the dip when waiting to turn left onto the other side of Dirksen.

In the past few years, there has been an increase in the number of children, seniors and other pedestrians as well as cyclists on this route. At the same time, there has been a dramatic increase in industrial traffic. This is putting our lives at risk. We need this addressed asap as there is no sidewalk or bike path for us to safely journey on – just a lot of speeding vehicles that don't give us enough room to pass safely. This is also an active wildlife corridor.

Possible solutions: Speed Bumps, Stop Sign and Max. 30 km speed.

Designated Truck Route from Gavel Pit at 795 South Rd. to Dempsey Rd. which can also be used as an emergency escape route.

Organized and submitted by: Jan Moore 

Name	Address	Signature
JAN MOORE		
Tony BRIDGE		
MONICA LOEW		
Marty McBride		
MARIA & FRANCO SC		
Susan Yeend		

Roger Christie

R Kelly

Donna

Kirsten Halkett

JAMES GAUTHIER

NOORUDDIN KHORASI

SONAL KHORASI

Alex Vumda.

Carmen Isfeld

Chris DONALDSON

COMMENTS: I would like to know why the South Rd entrance where approval was given is not used to access the gravel pit.

I am worried about the residential road that has bends, hills a camber that vehicles have previously gone into the ditch in front of my house.

My granddaughter and I have had to try and cover our face from the toxic dust that has come off the gravel truck as they have a cover on that is at least 6" above the truck box & gets out a cloud of dust even at low speed.

I also find the noise disturbing. S.m.j. I would like a response please, thank you!

This once quiet, high-density neighbourhood has turned into a high-speed, high traffic industrial zone - with only one route in and out. Jm.

Road conditions: Pot holes have escalated
and roads fallen from trucks on Roadway -
Would like trucks to alternate routes along
Pat Burns or South Rd. JMM



BRIEFING

To: All Local Trust Committees
Bowen Island Municipality

For the Meeting of: Next Available Meeting

From: Trust Area Services

Date Prepared: August 19, 2024

SUBJECT: Dark Sky Principles Adoption Advocacy

PURPOSE: To provide all local trust committees and Bowen Island Municipality with an RFD prepared by North Pender Trustee Morrison regarding Dark Sky Principles, and inviting LTCs and BIM to notify Trustee Morrison of interest in initiating conversations with relevant regional districts about adopting Dark Sky Principles.

BACKGROUND: At its June 2024 regular meeting, Trust Council received a request for decision from Trustee Morrison of North Pender Island regarding Dark Sky Principles. Trust Council passed the following resolution:

TC-2024-062

That Trust Council communicate to all Local Trust Committees to notify Trustee Morrison of interest to collectively engage in conversations around Dark Sky Principles Adoption with relevant Regional Districts.

ATTACHMENT(S):

- 1) Request for Decision: Dark Sky Principles Advocacy (June 18, 2024)

FOLLOW-UP: If LTCs or Bowen Island Municipality wish Islands Trust Council to pursue further discussion about Dark Sky Principles they should pass a resolution notifying Trust Morrison of their interest. An example resolution is as follows:

That [Island Name] Local Trust Committee/Bowen Island Municipality direct staff to notify Trustee Morrison of [Island Name] Local Trust Committee's/Bowen Island Municipality's interest in pursuing further exploration of policy and advocacy options relating to Dark Sky Principles.

Prepared By: Senior Policy Advisor, August 20, 2024

Reviewed By/Date: Director, Trust Area Services, August 21, 2024



REQUEST FOR DECISION

To: Trust Council

For the Meeting of: June 18, 2024

From: Trustee Morrison

Date Prepared: May 24, 2024

SUBJECT: Dark Sky Principles Adoption Advocacy

RECOMMENDATION FOR IMMEDIATE ACTION:

1. That Trust Council communicate to all Local Trust Committees to notify Trustee Morrison of interest to collectively engage in conversations around Dark Sky Principles Adoption with relevant Regional Districts.
2. That Trust Council encourages Trustees to work with their communities to develop and build awareness of the principles of Dark Sky International and encourage voluntary adoption of the principles of Dark Sky International.

RECOMMENDATIONS FOR FUTURE CONSIDERATION:

3. The Trust Council clarify its jurisdiction to control nighttime illumination in all contexts within the Trust Area for Official Community Plan and Bylaw adoption and enforcement across the Trust Area.
4. The Trust Council adopt and promote the principles of Dark Sky International.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

PURPOSE:

To protect and promote public and ecological health, safety, and welfare, quality of life, and the ability to view the night sky.

BACKGROUND:

“Over lighting” from dusk on into the darkness is a growing problem as it interferes with/pollutes the night sky, poses an annoying and invasive nuisance to neighbours, is harmful to wildlife who depend on darkness, and is a waste of electricity. May come from freighters in the region or from residential, industrial, or other land use related lighting not directed at ground or properly shielded.

Critical considerations with resources:

- Night skies are an important natural resource requiring protection. Action is being taken across a variety of contexts and scales globally, many of which are simple to enact.
 - [Dark Sky International Principles](#)
 - [How can you help preserve the night sky?](#)
 - [Model Lighting Ordinance](#)
 - [Vancouver Bylaw 10.2.2.10 Lighting in Residential Buildings](#)
- Night skies promote healthy humans and wildlife.
 - [Let's Talk Science – Light Pollution](#)
- Within the Trust Area, action has also been taken.
 - Example of regulation: [Bowen Island Municipality Bylaw No. 272, 2010 re protection of night sky](#)

The outstanding question is: How can non-municipal jurisdictions of the Trust Area provide protection for Night Skies?

Some regulation may be considered around:

- External lighting of buildings, gardens and driveways that is left on all night.
- External lighting of any building or grounds when it is not downward cast.
- Indoor lighting in accessory buildings not shaded that is left on during some or all of night.
- Indoor lighting of residences facing neighbouring residences that is not shaded.

Such regulation might involve regulation on:

- the type of lighting that is appropriate (e.g. energy efficient),
- the strength of light (low lighting versus high wattage lighting)
- the direction of lighting so as not to throw light off to neighbours or animals (e.g. downward cast)
- the length of time for certain types of lighting to be used (to depend on purpose with a view to limiting unnecessary or excessive accessory uses in particular), and
- means of enforcement of any regulations

In our role as a coordinator of jurisdictional overlapping authorities within the Trust Area, we need to get into conversation with multiple levels of government on this issue to provide clarity and enforcement on this issue as desired within communities and to support the mandate of preserving and protecting the unique amenities and environment of the Trust Area.

IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL:

FINANCIAL:

POLICY:

IMPLEMENTATION/COMMUNICATIONS:

FIRST NATIONS:

OTHER:

Circulated to MLA Adam Olsen and MP Elizabeth May.

RELEVANT POLICY(S):

ATTACHMENT(S):

RESPONSE OPTIONS

Recommendation:

Alternative:

Prepared By: Trustee Morrison in consultation with and at the request of community members.


Reviewed By/Date:



the Heron



A newsletter from the Islands Trust Conservancy, protecting islands in the Salish Sea | islandstrust.bc.ca/conservancy SUMMER 2024

Take me home! 
This newsletter is provided FREE by ITC



Hope for a Critical Species at Risk *p. 2*

Coastal Western Screech-Owl. PHOTO: REN FERGUSON



For links and additional media, visit the Heron Newsletter online.
www.islandstrust.bc.ca/conservancy/heron-newsletter/



ALSO IN THIS ISSUE

SPOTTED CORALROOT
PHOTO: ISLANDS TRUST CONSERVANCY



Quiz
Inside *p. 2*

CAROLYN STEWART



Meet our New
ITC Manager ⁴⁸ *p. 3*

Hope for the Coastal Western Screech-Owl

What are some words that come to mind when you think of the coastal Western Screech-Owl? With its big bright-yellow eyes, small body, and camouflage feathers, this bird is certainly both intriguing and mysterious.

The coastal subspecies of Western Screech-Owl (*Megascops kennicotti kennicotti*; WESOke) is a species at risk listed as *Threatened* under the Canadian Species at Risk Act, and as a *Species of Special Concern* on the provincial Blue list. Conservancy staff work with biologists and volunteers in Islands Trust Conservancy (ITC) protected areas to support the recovery of this special species. Coastal Western Screech-Owls don't migrate and instead hold their territories throughout the year.

Recently, biologists observed that two pairs have established territories on an ITC Nature Reserve and both have reared owlets! This is exciting news and indicates that our conservation efforts in protecting and enhancing coastal Western Screech-Owl habitat are paying off!

Fun Facts: The coastal Western Screech-Owl is a nocturnal bird that has a large range of prey – from insects, to small birds, and even fishing for food in tide pools!



COASTAL WESTERN SCREECH-OWL OWLET IN AN ITC NATURE RESERVE. PHOTO: REN FERGUSON

The ITC Species at Risk Program is funded by the Priority Places for Species at Risk Program, through Environment and Climate Change Canada.

Test Your Knowledge on ITC Nature Reserves



1. What is an ITC Nature Reserve?
 - A. An area used primarily for recreation and enjoyment by the public.
 - B. A protected area conserved primarily for its ecological value and biodiversity preservation.
 - C. A piece of land left in its natural state in a city or town.
2. How many Nature Reserves does ITC own?
 - A. 21
 - B. 42
 - C. 34
3. ITC Nature Reserves do not provide public infrastructure such as accessible walking paths, playgrounds, or washrooms.
 - A. True.
 - B. False.

The answer key can be found on the back cover of this newsletter.



PHOTO: LISA WILCOX

Islands Trust and Islands Trust Conservancy respectfully acknowledge that the lands and waters that encompass the Islands Trust Area have been home to Indigenous peoples since time immemorial and that their deep connection to the islands continues to this day. We are committed to reconciliation, to upholding the rights of Indigenous peoples, and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea. The Islands Trust Area is located in the treaty and territorial lands and waters of the BOKÉCEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwáθən, səlilw'ətəl, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', STÁUTW, Stz'uminus, la?əmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W JOLELP, WSIKEM, Xeláltxw, Xwémalhkwa, Xwsepsum, and x^wməθk^wəy.

Welcome to Carolyn Stewart



CAROLYN WITH HER HUSBAND WHILE TRAVELLING.


“I love the fact that [the Conservancy] is protecting land. That we’re out there trying to make the world a better place in accomplishing the object of Islands Trust.”

Carolyn Stewart, ITC Manager

Organized, outdoor-loving, and compassionate are three words that perfectly describe Carolyn Stewart. After 20 years with Parks Canada and Regional Parks, Carolyn Stewart has returned to Islands Trust Conservancy in her role as Manager. Carolyn was the second manager of ITC, known at the time as Islands Trust Fund, from 1996 to 2003.

With an undergraduate and masters degree in Planning and Environmental fields, and a passion for parks and protected areas planning, she spent those initial seven years working to expand ITC’s conservation covenants, an exciting new tool for conservation at the time. Looking ahead, Carolyn is excited to support staff in increasing the efficiency of ITC’s work and effectiveness in the management of our protected areas.

In her spare time, you can find Carolyn out enjoying the islands while walking or hiking. Connect with Carolyn at:

 250-405-5186

 itcmail@islandstrust.bc.ca

Reflections from the Field



Habitat Acquisition Trust Crew invasive species removal on Salt Spring Island.

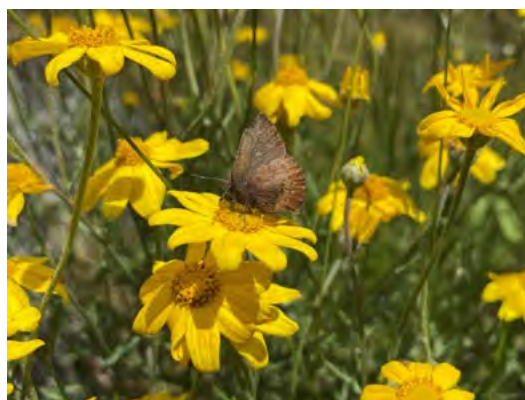
Summer 2024 field season photos captured during monitoring of our protected areas in the Islands Trust Area.



Fungi on rotting log.



Summer co-op Field Tech, Emily.



Butterfly on Common Woolly Sunflower.



Ozette Coralroot. 3





Check Your Answers



We designed this quiz to help educate subscribers on ITC Nature Reserves. We hope that you learned something new about our protected areas. To learn more about our Nature Reserves, head to <https://islandstrust.bc.ca/conservancy/protected-places/>.

How did you do?

1. B: An ITC Nature Reserve is a protected area conserved primarily for its ecological value and biodiversity preservation.
2. C: ITC protects 34 Nature Reserves.
3. A: True. ITC Nature Reserves do not provide public infrastructure such as accessible walking paths, playgrounds or washrooms.

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YES! I want to preserve and protect the islands!

100% of your donation goes directly to protecting the islands you love.

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Questions? Contact us!

☎ 250-405-5186 ✉ itcmail@islandstrust.bc.ca

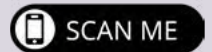
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Share your vision with future generations — please consider remembering Islands Trust Conservancy in your Will.

To donate online visit:

islandstrust.bc.ca/donate-to-conservancy



Yes, I am okay with public recognition of my donation.

My donation amount: \$50 \$100 \$200 \$_____

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*Islands Trust Conservancy is a qualified donee as a Crown agent under B.C.'s *Islands Trust Act*. Islands Trust business # 122013576 RT0001

Islands Trust

LTC EXP SUMMARY REPORT F2025
Invoices posted to Month ending June 2024

620 Gabriola	Invoices posted to Month ending June 2024	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	680.00	0.00	680.00
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	2,300.00	761.40	1,538.60
65210-620	LTC - Local Exp - APC Meeting Expenses	2,000.00	0.00	2,000.00
65220-620	LTC - Local Exp - Communications	200.00	0.00	200.00
TOTAL LTC Local Expense		<u>4,500.00</u>	<u>761.40</u>	<u>3,738.60</u>
Projects				
73001-620-2001	Gabriola OCP/LUB	77,000.00	78.00	76,922.00
73001-620-4105	Gabriola Ecological Protection Zone	2,000.00	0.00	2,000.00
TOTAL Project Expenses		<u>79,000.00</u>	<u>78.00</u>	<u>78,922.00</u>

Gabriola Island Local Trust Committee Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	June 14, 2018	GB-2018-040	Processing non-medical cannabis retail license applications	<p>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:</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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	<p>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.</p>
3.	February 28, 2019	GB-2019-031	First Nations - Community Reconciliation	<p>It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution:</p> <p>Whereas the Local Trust Committee seeks to engage in Reconciliation with local</p>

				<p>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:</p> <ul style="list-style-type: none"> 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	<p>It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to limited public markets:</p> <ul style="list-style-type: none"> 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	<p>that the Gabriola Island Local Trust Committee adopt the following standing resolution:</p> <p>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.</p>
6.	January 23, 2020	GB-2020-002	Consultation for Communication Towers	<p>It was MOVED and SECONDED</p> <p>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.</p>
7.	July 30, 2020	GB-2020-053	Proactive unlawful STVR enforcement	<p>It was MOVED and SECONDED</p> <p>that the Gabriola Island Local Trust Committee adopt as a standing resolution to authorize proactive enforcement of unlawful Short Term Vacation Rentals.</p>
8.	October 27, 2022	GB-2022-089	Defer enforcement on all existing non-compliant dwellings being used for residential purposes except.....	<p>It was MOVED and SECONDED</p> <p>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:</p> <ul style="list-style-type: none"> 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. <p>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.</p>

				<p>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.</p> <p>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.</p>
9.	August 8, 2024	GB-2024-066	Defer enforcement of Mudge Island Land Use Bylaw No. 228 except...	<p>It was MOVED and SECONDED that the Gabriola Island Local Trust Committee replace standing resolution GB-2024-023 with the following: defer enforcement of the Mudge Island Land Use Bylaw No. 228 until a full review of policies and procedures for compliance and enforcement is complete and adopted, and a targeted review of Land Use Bylaw No. 228 is undertaken by the Gabriola Local Trust Committee; with the exception of enforcement of derelict trailers and vehicles, health and safety concerns, interference with archeological heritage sites, or possible environmental damage that are a significant concern, and these would be brought to the Local Trust Committee for review.</p>

Active Projects Report

Gabriola Island

1. Minor Project - Develop Ecological Protection Zone

Responsible

Dates

Activity:

Stephen Baugh

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.

2. Major Project - Gabriola Island Comprehensive OCP and LUB

Responsible

Dates

Activity:

Narissa Chadwick

- 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 2hectares.

Gabriola Island

- Consider OCP designations, density provisions, LUB regulations, and Development Permit guidelines for multi-dwelling housing and mixed use buildings.
- Review OCP and LUB to improve protection of coastal areas; development of a comprehensive DPA for shorelines in the Gabriola Island Local Trust Area
- Hazardous areas/Steep Slopes DPA: Consider hazardous areas and steep slopes development permit area designation; consider how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain
- Consider implementing Eelgrass protection regulations
- Gabriola Village Plan: Undertake a comprehensive review of policies and regulations with respect to the Gabriola Village Core
- Green Energy: Consider policy and regulatory mechanisms to encourage green and renewable energy
- Review bylaws with respect to temporary use permits for commercial vacation rentals
- Review of temporary sawmill regulations
- Definition of personal use of animals for SRR zoned lots
- Review of how cisterns, solar panels and parking are regulated as structures subject to lot coverage calculations
- Review of section B.2.1.1 for variances within DP3
- Review minimum average parcel size calculations in LUB and OCP to ensure consistent

Gabriola Island

and supportive of more than 5% dedication of parkland

- Review definition and regulations for limited public market, and INI zone uses pertaining to market sales
 - correction to WC3 mapped location to coincide with Green Wharf
 - Water Resource Planning: Review of water requirements at the time of subdivision
 - Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018): Implementation of the report recommendations into OCP policy and LUB regulations.
 - Accessory Buildings: Review of regulations pertaining to the order of construction of accessory buildings on lots.
 - Review options to allow cannabis production in zones other than 'agriculture' and possible ways to regulate odour, noise, water use and light pollution related to agricultural activities when permitted in a zone.
 - Recognize areas of cultural significance - consider designation of a Heritage Conservation Areas or adopt Heritage Bylaws to protect heritage cultural resources similar the projects completed on South Pender and Saturnina.
 - Review regulations to ensure flexibility for housing options in ALR are consistent with recent ALC changes.
 - Consider establishment of a 'Community Service' land use designation in the OCP.
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Future Projects Report

Gabriola Island

1. <i>1. LTC Initiated Rezoning of Property with PID: 003-134-806</i>	Responsible	Date Received
<p>Bylaw amendments to rezone property with PID: 003-134-806. Legal Description: NORTH EAST 1/4 OF SECTION 3 GABRIOLA ISLAND NANAIMO DISTRICT EXCEPT PARCEL A (DD 77326I) AND EXCEPT PLANS EPP19453 AND EPP66666</p>		

2. <i>2. Advisory Planning Commission bylaw</i>	Responsible	Date Received
<p>Amendments to Bylaw No. 296 to require that APCs set a regular monthly meeting date and time.</p>		

3. <i>3. Mudge Island Official Community Plan and Land Use Bylaw Review</i>	Responsible	Date Received
<p>Comprehensive review or targeted amendments to Mudge Island OCP and LUB.</p>		