



Gabriola Island Local Trust Committee

Regular Meeting Agenda

Date: November 20, 2025
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. **TERRITORIAL ACKNOWLEDGEMENT**
3. **APPROVAL OF AGENDA**
4. **PUBLIC HEARING - PROPOSED BYLAW NOS. 318 AND 319 - GB-RZ-2022.1 MOEN** 10:35 AM - 11:35 AM
 - 4.1 Recess for Public Hearing
 - 4.2 Recall to Order
5. **COMMUNITY INFORMATION MEETING - POLICY STATEMENT BYLAW 183** 11:35 AM - 12:05 PM
 - 5.1 Planner Presentation
 - 5.2 Question & Answer Period
 - 5.3 Public Comments
6. **REPORTS** 12:05 PM - 12:20 PM
 - 6.1 Trustee Reports
 - 6.2 Chair's Report
 - 6.3 Electoral Area Director's Report
 - 6.4 First Nations Reports

7.	PUBLIC COMMENTS	12:20 PM - 12:35 PM	
~ BREAK 12:35 PM - 1:05 PM ~			
8.	MINUTES	1:05 PM - 1:10 PM	
8.1	Local Trust Committee Minutes dated October 9, 2025 – for adoption		4 - 14
8.2	Section 26 Resolutions-Without-Meeting Report - none		
8.3	Advisory Planning Commission Minutes - none		
9.	BUSINESS ARISING FROM MINUTES	1:10 PM - 1:25 PM	
9.1	Follow-up Action List dated November 13, 2025		15 - 19
10.	DELEGATIONS	1:25 PM - 1:30 PM	
10.1	Regional District of Nanaimo regarding Solid Waste and Recycling Development Cost Charge Bylaw		20 - 21
11.	APPLICATIONS AND REFERRALS	1:30 PM - 2:30 PM	
11.1	PL-DP-2025-0308 (Falcone) - Staff Report		22 - 92
11.2	PL-TUP-2025-0167 (Kohli) - 2372 Windecker Drive - Staff Report		93 - 118
11.3	GB-RZ-2022.1 (Moen) - Staff Report		119 - 130
12.	LOCAL TRUST COMMITTEE PROJECTS	2:30 PM - 2:50 PM	
12.1	Major Project: Gabriola Island Comprehensive Official Community Plan and Land Use Bylaw Review Update - Staff Report		131 - 138
13.	CORRESPONDENCE - none		
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>		
14.	NEW BUSINESS - none		
15.	STAFF REPORTS	2:50 PM - 3:20 PM	
15.1	Public Notification Bylaw - Request for Decision		139 - 143
15.2	Draft 2026/27 Gabriola Island Local Trust Committee Annual Meeting Schedule - Request for Decision		144 - 149
15.3	Trust Conservancy Report - none		

15.4	Applications Report dated November 13, 2025	150 - 155
15.5	Trustee and Local Expense Report dated September, 2025	156 - 156
15.6	Adopted Policies and Standing Resolutions	157 - 165
15.7	First Nations Relationship Building Update	
15.8	Climate Change Action Update	
15.9	Local Trust Committee Webpage	
16.	WORK PROGRAM	3:20 PM - 3:35 PM
16.1	Active Projects Report dated November 13, 2025	166 - 166
16.2	Future Projects Report dated November 13, 2025	167 - 167
17.	UPCOMING MEETINGS	
17.1	Next Regular Meeting Scheduled for Thursday, January 22, 2026 at 10:30 am at the Gabriola Arts and Heritage Centre	
18.	CLOSED MEETING	3:35 PM - 4:05 PM
18.1	Motion to Close the Meeting	
	that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a), (i), (j) for the purpose of considering:	
	• (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; • (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; • (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the <u>Freedom of Information and Protection of Privacy Act</u>;	
	AND that the recorder and staff attend the meeting.	
18.2	Recall to Order	
18.3	Rise and Report	
19.	ADJOURNMENT	4:05 PM - 4:05 PM



Gabriola Island Local Trust Committee

Minutes of Regular Meeting

Date: October 9, 2025
Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

Members Present: David Maude, Acting Chair
 Tobi Elliott, Trustee
 Susan Yates, Trustee

Staff Present: Renée Jamurat, Regional Planning Manager, acting Recorder
 Alexandra Trifonidis, acting Meeting Administrator

Others Present: Vanessa Craig, Electoral Area Director, RDN
 There were approximately 80 members of the public in attendance.

1. CALL TO ORDER

Chair Maude called the meeting to order at 10.32 am.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Maude acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

The following changes and additions to the agenda were presented for consideration:

- Defer agenda item 4 – Community Information Meeting on Policy Statement Bylaw 183.
- Trustee Yates added report to agenda section 14.3 Trust Conservancy.
- Moved Delegations to after Public Comments, by consensus.

By general consent, the agenda was approved as amended.

Regional Planning Manager Jamurat shared that due to strike action, the Regional Planning Manager would be taking minutes, presenting agenda items, recording resolutions, and going slower through the agenda.

5. REPORTS

5.1 Trustee Reports

Trustee Elliott reported the following:

- Shared update from Regional Planning Committee meeting.
- Attended Policy Statement town hall sessions hosted by Local Trust Committees across the Trust Area for public feedback on the draft Islands Trust Policy Statement and the deadline for all Local Trust Committees to give

feedback is February 6, 2026; November will be next town hall session for this on Gabriola.

- Attended Gabriola Official Community Plan focussed engagement called Reimagining Growth workshop and shared highlights heard from workshop.
- Attended Trust Council and heard special address by Doug White, Special Counsel to the Premier, on reconciliation.

At 10:45 a.m. a member of public interrupted trustee update to ask if the Local Trust Committee is deferring the Community Information Meeting for Policy Statement and the Chair confirmed it had been deferred. The Regional Planning Manager shared that the Local Trust Committee and staff will look to rescheduling the Community Information Meeting in November and the public will be able to comment until January 2026 with the Community Information Meeting information session to be shared on the Islands Trust website and advertised. Two people subsequently left meeting.

- Trustee Elliott continued. Attended Union of BC Municipalities conference and shared highlights of sessions she attended, explained the Local Trust Committee and Islands Trust's role for those meetings, and shared an update on session presented at the conference on tiny homes in conjunction with the Regional District of Nanaimo.
- Attended two-day workshop on clam gardens with Cowichan Tribe on Russell Island in Cowichan territory.

Trustee Yates reported the following:

- Attended September 10 Trust Council Policy Statement Town Hall session.
- Attended Trust Council on Gabriola Island held at Haven in September, shared highlights of the meeting including the trustees' field trip to GIRO and updates on bylaw compliance policy work.
- Shared updates from attendance at the Union of BC Municipalities conference and BC Ferries meetings.
- Attended September 30 Day of Truth and Reconciliation event on Gabriola Island.

5.2 Chair's Report

Acting Chair Maude reported the following:

- Attended Trust Council on Gabriola Island.
- Shared updates on the Union of BC Municipalities conference he attended.

5.3 Electoral Area Director's Report

Director Craig reported the following:

- Trustee Elliott shared the director's report received by email before the meeting, and the report was received by the Regional Planning Manager for the record.
- Thanked Trustee Elliott and the Islands Trust for leading the ongoing discussions and working with the Regional District of Nanaimo for the work to-date on tiny homes.
- During the recent Regional District of Nanaimo meeting held last week heard presentation on modular homes.

- The Regional District is working on variety of matters and a report will be going on Regional District of Nanaimo board agenda next week.
- Shared update on discussions with community groups, community parks, with information on the 'Get Involved' webpage on the Regional District of Nanaimo website.
- Shared highlights of other Regional District work including development cost charges to fund new park infrastructure in Electoral Area B and reductions to reduce costs for non-profit rental housing, looking at purchasing Hamilton Marsh and surrounding area with donations received.

5.4 First Nations Reports - none

6. PUBLIC COMMENTS

- A member of the public spoke to tiny homes building requirements can cost over \$200K which is an affordability concern for people
- Questions and comments regarding the Official Community Plan proposed revision of charter included:
 - Suggest the background section list budget for 2025/26.
 - Under deliverables: is the land buildout analysis map available to public? A Trustee noted it will be available at the November meeting.
 - What will the legal review noted in the workplan overview consist of.
 - Public review/bylaw draft referrals – clarify if it's 2 things happening during that step.
 - Phase 3: what do the acronyms DAI and AOA refer to?
 - Milestone 2nd 3rd reading – when will public hearing happen? Would like to see it listed for clarity.
- The proponent for a current development application noted concerns with the Official Community Plan process and the town hall format, asked if a legal opinion will be made public, expressed concerns about their application, commented on the 200m buffer map they saw in the local newspaper, and expressed their concerns about expropriation and their property.
- A member of the Mudge Island Community Association asked questions about derelict vehicle enforcement and would like to have this topic included in Land Use Bylaw review, spoke to the Advisory Planning Commission call for expressions of interest and indicated there might have been a mis-communication and they requested time with the Local Trust Committee in-camera to talk about items of concern, and expressed appreciation for receiving a call from the Planner inquiring about receiving more information.
- A member of the public commented about a local newspaper article regarding the shoreline buffer zone and indicated that, as a property owner, there are concerns with property lines, loss of property, and no buy back option.
- A member of the public asked for clarification regarding enforcement on tiny homes, and if they are now allowed and Trustee Elliott replied.
- A speaker noted challenges with attending meetings during business hours instead of after business hours and both Trustees replied.

The Town Hall session was paused at 11:58 a.m., the agenda was re-ordered by general consent with item 9 being heard next. Town Hall resumed at 12:19 p.m.

Several members of the public spoke to their personal housing security experiences and to housing concerns in general. There was significant concern expressed by many community members regarding the potential action being taken by the Regional District of Nanaimo against property owners who have been providing non-conforming housing options, and they spoke of their fear of being evicted, homelessness, and need for help with the situation to protect their, and their families, housing.

Chair Maude concluded Public Comments at 12:48 p.m.

Discussion ensued and the following comments were noted by the trustees:

- The Local Trust Committee could write a letter to the Regional District of Nanaimo.
- Temporary Use Permits might be used for specific types of dwellings and accessory buildings to allow for existing structures.
- Request for grace period and extension to Development Permit Area plan to village core and cluster housing.
- Trustees clarified deferral of enforcement and stand behind the moratorium, they clarified that evictions don't occur until transitional paths are developed.
- There is desire to have a discussion between the Local Trust Committee and the Regional District of Nanaimo on enforcement to bring forward impacts and incredible challenges.
- The Local Trust Committee may have more power because of wider mandate regarding unique amenities.
- The Regional Planning Manager advised that for people wanting to find out more about land use for specific properties they can contact the Islands Trust office on Gabriola Island.
- Trustee Yates then responded to 4 requests.

The meeting was recessed for a break at 12:59 p.m. and reconvened at 1:30 p.m.

GB-2025-090

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request the Chair to write to the Regional Director Craig and planning staff at the Regional District of Nanaimo to respectfully request a deferment of current Regional District of Nanaimo bylaw enforcement on 750 South Road, 1400 South Road, and 1965 Stalker Road, in order to grant time to the property owners who intend to rezone their lots to a site-specific eco-village designation through the Gabriola Island Official Community Plan Review.

CARRIED

GB-2025-091

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to invite Regional District of Nanaimo staff to engage in discussion to develop policy options and approach specific to Gabriola Island to meet the unique

housing needs of the community and values for island-appropriate housing solutions.

CARRIED

That the Gabriola Island Local Trust Committee request staff to report back on options for current non-conforming dwellings that meet density and siting criteria including cob, natural build, and non-manufactured tiny homes, and that would assure health, safety, and environmental considerations are met, until a new Gabriola Island Land Use Bylaw is adopted.

Discussion ensued. Trustee Elliot clarified intent of motion and motion did not proceed. A new motion was moved.

GB-2025-092

It was MOVED and SECONDED

That the Gabriola Island Local Trust Committee request staff to explore options for non-conforming dwellings including Temporary Use Permits, cob, natural build, and non-manufactured tiny homes, which would ensure health, safety, and environmental considerations are met, to support the development of the new Gabriola Island Land Use Bylaw and Official Community Plan.

CARRIED

Trustee Elliott recused her vote

Chair Maude made a statement about the original wording in the mandate of the Islands Trust and paused the meeting to allow people to leave at 2:05 p.m.

7. MINUTES

7.1 Local Trust Committee Minutes dated September 4, 2025 – for adoption

Trustee Yates asked a question on page 6 of agenda and page 3 of draft minutes, regarding drafting a letter. Discussion ensued with RPM and Trustee Elliott to clarify that it will not be included in the FUAL list and Trustee Yates will draft the letter which can be reviewed by Trust Area Services.

By general consent, the Local Trust Committee meeting minutes of September 4, 2025 were adopted.

7.2 Section 26 Resolutions-Without-Meeting Report - none

7.3 Advisory Planning Commission Minutes – none

8. BUSINESS ARISING FROM MINUTES

8.1 Follow-up Action List dated October 1, 2025

The Regional Planning Manager clarified an item on the follow up action list. Trustee Elliott introduced a Motion based on previous business on the follow up action list. Discussion ensued and the following comments were noted:

- Thirty-five of forty-nine potential densities have already been realized on the properties;

- It's been twenty years since density transfer (2005);
- Active Official Community Plan review is underway in which community does not support additional subdivision, particularly where water is scarce and over areas of significant cultural heritage;
- Continuing non-consent expressed by Snuneymuxw First Nation since 2001 when discussion of subdivision began;
- Failure to uphold Sarluquun treaty 1854 that required crown to protect village site;
- Entailed obligations on the Crown to protect some of the village sites;
- Subdivision is located over significant burial grounds and connected to large village of tle:s'un;
- 2019 subdivision application request did not move forward;
- Local Trust Committee stated in about 2021 non-support for application request and reiterated in 2024 application referral from Ministry of Transportation and Transit;
- Refused to issue permit for Development Permit Steep Slopes 6;
- What consideration or compensation for the landowners might the Local Trust Committee need to consider;
- The covenant on title for conservation that may bump up against the subdivision request;
- Questions for consideration: Through the rezoning, can the Local Trust Committee extinguish the remaining 14 densities, if it's in the best interest of the community or transfer them elsewhere? Does the Local Trust Committee have authority to rezone density away from a lot and related risks to consider for a zoning amendment? What are the legal obligations to understand before trying to move ahead with the decision and do our due diligence?

GB-2025-093

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct staff to seek legal advice on legal risks and factors the Local Trust Committee should consider in order to rezone lands for which a community amenity contribution was donated, and which is subject to active application for subdivision, and during a current Official Community Plan review.

CARRIED

Agenda item 9.0 Delegation, by consensus was moved to occur after the pause of Public Comment at 11:58am.

The agenda was reordered and item 10 was heard following agenda item 8.1.

9. DELEGATIONS

9.1 Kelsey Rush & Thalia c/o Carl Boehm regarding Housing Concerns on Gabriola Island

The request for this delegation was made by Carl Boehm (owner) who was not in attendance and instead was provided by Kelsey Rush & Thalia. The delegate spoke to the following:

- Regional District of Nanaimo's building code enforcement on Gabriola;

- Island's Trust standing resolution to not enforce on non-permitted housing and the need for meaningful protection against displacement;
- How their property was highlighted as a site for potential cluster housing and how residents are already living that vision;
- Affordability and ecological benefits of cob and earth homes;
- The importance of protecting long-standing, below-market housing for residents;
- Suggested solutions.
- Concerns about enforcement actions being asked of them and challenge with code requirements, process that are barriers to having their homes, tiny homes, affordable housing, are causing stress amongst people living here.
- Housing rights and homes are under threat and this is important because the owners are providing safe, affordable homes for families and people living as part of community.
- Gabriola is place where people gather, raise children, live in multi-generational housing, keeping housing vibrant in community.
- The delegation requested the Local Trust Committee write a letter to the Regional District of Nanaimo seeking a halt on enforcement, a Temporary Use Permit at 750 South Road that recognizes the buildings as permitted dwellings, a grace period for new Official Community Plan to come into effect, that the Local Trust Committee stand behind their moratorium on evictions, and asked that Trustees attend the property to see what the housing looks like.

10. APPLICATIONS AND REFERRALS - none

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Major Project: Gabriola Island Comprehensive Official Community Plan and Land Use Bylaw Review: Engagement Feedback and Direction to Draft Bylaw - Staff Report

The Regional Planning Manager summarized the staff report and highlighted the following:

- Results were received with over 500 responses for all of the engagement in this major second engagement phase. This level of engagement is outstanding and will inform the Official Community Plan policies.
- The success and learning from this engagement can also be used as an approach for engagement for projects across the Trust Area.
- This work reflects the second phase of major engagement prior to drafting the Official Community Plan policies. This includes the special meetings with focused groups to discuss topics and the focussed survey that closed on October 3.
- The staff report shares highlights and key summary of this community engagement, with a final summary included for the Local Trust Committee's review.
- The Official Community Plan Table of Contents and revised project charter was presented for endorsement by the Local Trust Committee.

- The Table of Contents includes an ‘implementation or advocacy’ section that suggests plans like a ‘Gabriola Vision 2022 implementation plan’, and will also capture other advocacy actions that fall outside Islands Trust’s jurisdiction. The idea is that this Official Community Plan section will provide a list of items, plans, ideas that the Local Trust Committee might explore in the future as minor projects or initiatives as part of the work program.
- The Project Charter has been revised to reflect updated timelines, which is also reflected in the next fiscal’s business case later in the agenda for Local Trust Committee approval.

Discussion ensued and the following comments were noted:

- Water balance project is being undertaken.
- Clarity regarding community profile questions about housing is needed.

GB-2025-094

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct staff to draft Official Community Plan policies in accordance with the draft table of contents presented at the October 9, 2025 Local Trust Committee Meeting.

CARRIED

GB-2025-095

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee approve the revised project charter as amended, presented at the October 9, 2025 Local Trust Committee meeting.

CARRIED

- Discussion ensued and Trustees noted concerns heard from community about the 200m shoreline buffer discussed during the September 14 engagement meeting and clarified the 200m buffer draft map is for conversation and will not take away existing development rights to property owners.

12. CORRESPONDENCE

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

12.1 Letter dated October 2, 2025 from Mudge Island Community Association regarding Proposed Advisory Planning Commission

Received for information.

The Regional Planning Manager shared information on the Advisory Planning Commission process, noted the deadline for expressions of interest is October 30 which the Local Trust Committee can extend through a Resolution Without Meeting.

13. NEW BUSINESS

13.1 Engaging Snuneymuxw First Nation to develop a cooperative land management framework pilot - Discussion

Trustee Elliott introduced the discussion and the following points were noted:

- Trustee Elliott introduced her motion and posed the following questions: how might a local government want to contemplate what planning and cooperation principle in the Islands Trust mandate? How does Local Trust Committee want to contemplate how a collaborative land use management framework might be established?
- Would require conversations with Snuneymuxw.
- Would need capacity funding and staff time.
- Difference between discussions for island and specific land use tools, and there may be focussed areas of interest.
- Could be similar to discussions happening with WSÁNEĆ Nations about traditional food sources, eel grass protection. More research may be needed to explore ways to work together.

Trustee Yates asked how the item aligns with the work already being done and with the protocol agreement. She expressed that she would like to go through established channels, such as the Memorandum of Understanding protocol agreement, Official Community Plan review, and regularly scheduled meeting with Snuneymuxw First Nation.

14. STAFF REPORTS

14.1 Business Case for 2026-27 Fiscal Year Project: Gabriola Island Comprehensive Official Community Plan and Land Use Bylaw Review - Staff Report

The Regional Planning Manager summarized the staff report, noted that the total budget for the project is \$35,000, and highlighted the work planned for the 2026-2027 fiscal year.

Discussion ensued and the following comments and clarifications were recorded:

- The purpose of the legal review provides feedback on aspects like drafted policies that are within jurisdiction of the Local Trust Committee,
- The Development Permit Area prioritization is about analysis and discussion and will occur in phase 3 of the project.
- The anticipated timing of bylaw readings and public hearing will occur in phase 3 milestone as stated in the business case.
- Clarified that the revised project charter for current fiscal year in the previous staff report will have corrected dates to state 2026 not 2025 as noted by trustees and staff, and staff confirmed that it will match the timelines in this business case.

GB-2025-096

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee approve the attached 2026 – 2027 Business Case and that staff forward the business case to the relevant committees and to Trust Council.

CARRIED

14.2 Bylaw Enforcement Notification Bylaw No. 320 Final Adoption - Staff Report

The Local Trust Committee had no comments or questions.

GB-2025-097

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee adopt Bylaw No. 320 the “Gabriola Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 263, 2011, Amendment No. 1, 2024”.

CARRIED

14.3 Trust Conservancy Report

- Trustee Yates shared a report and gave an update. Welcomed new staff, commended conservancy work with W̱SÁNEĆ Land Trust community of practice for the Nation’s restorative program.
- Trustee Elliott discussed different approach, more budget to support the ecosystem management protection process to review covenants and talk with landowners, noted the program has grown over time and may be thus leaving out some other key work.

14.4 Applications Report dated October 1, 2025

Received for information. Some questions were clarified by staff and the Regional Planning Manager noted items in report to update and correct.

14.5 Trustee and Local Expense Report dated July, 2025

Received for information.

14.6 Adopted Policies and Standing Resolutions

Received for information.

14.7 First Nations Relationship Building Update - none

14.8 Climate Change Action Update - none

14.9 Local Trust Committee Webpage - none

15. WORK PROGRAM

15.1 Active Projects Report dated October 1, 2025

Received for information.

15.2 Future Projects Report dated October 1, 2025

Received for information.

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for Thursday, November 20, 2025 at 10:30 am at the Gabriola Arts and Heritage Centre.

17. ADJOURNMENT

By general consent, the meeting was adjourned at 3:49 p.m.

David Maude, Chair

Certified Correct:

Renée Jamurat, acting Recorder

Follow Up Action Report

Gabriola Island

22-May-2025

Progress	Activity	Responsibility	Dates	Status
0%	1 OCP Review Project - Provide an assessment of possible Development Permit Areas to update or draft as part of the OCP review.	Narissa Chadwick		In Progress

26-Jun-2025

Progress	Activity	Responsibility	Dates	Status
0%	1 Regarding GB-DP-2021-1: Staff to engage with Snuneymuxw Rights and Title Department on whether there is interest to explore Heritage Revitalization Agreement tool for use in the Gabriola Island Local Trust Area. And report back to the LTC for consideration of DP decision.	Sonja Zupanec		In Progress
50%	2 Staff to provide options and potential consequences to the removal of subdivision potential, to support the Gabriola Official Community Plan project discussion on growth management. see minutes from June 26, 2025 LTC meeting for context. <i>This discussion is planned for September 14.</i>	Narissa Chadwick		In Progress
90%	3 Regarding Gabriola Island LTC Bylaw Enforcement Notification Bylaw No. 320, cited as 'Gabriola Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 263, 2011, Amendment No. 1, 2024': Forward to the Secretary of the Islands Trust for approval by the Executive Committee. <i>On the August 6, 2025 Executive Committee agenda for their consideration.</i>	Nadine Mourao Warren Dingman		In Progress

Follow Up Action Report

Gabriola Island

31-Jul-2025

Progress	Activity	Responsibility	Dates	Status
0%	1 Meeting Procedures Bylaw - LTC gave First, Second, and Third Reading to Repeal bylaw No. 323, and forwarded the bylaw to Executive Committee for approval. <i>Scheduled to forward to Executive Committee meeting on October 29, 2025.</i>	Nadine Mourao		In Progress
75%	2 Information Request - Report back and seek legal advice on whether terms of Covenant EX113595 have been met. See resolution for details.	Stephen Baugh		In Progress
50%	3 Information Request - Seek info from DFO about Brickyard Beach shellfish survey results and reach out to Snuneymuxw Marine Division regarding their interest in management of the Brickyard Beach area.	Stephen Baugh		In Progress

Follow Up Action Report

Gabriola Island

04-Sep-2025

Progress	Activity	Responsibility	Dates	Status
25%	1 GB-RZ-20222.1 (Moen) - Bylaw 318 (OCP) and 319 (LUB) amended and read a 1st and 2nd time. Schedule stand-alone Community Information Meeting (electronic) and Public Hearing on November 20, 2025.	Nadine Mourao Stephen Baugh		In Progress
100%	2 OCP Review Project - Include question in the OCP survey regarding subdivision potential on heritage areas.	Narissa Chadwick		Completed
50%	3 Minor Project - Project Charter Endorsed for project to start in April 2026. Send project charter to Snuneymuxw First Nation.	Nadine Mourao Stephen Baugh		In Progress
0%	4 Policy Statement - Add referral to agenda for LTC Regular Meeting scheduled on November 20, 2025.	Clare Frater Nadine Mourao		In Progress
0%	5 Legal Advice - Advise on content for a request for legal advice on downzoning PID: 003-134-806. (combined with oct 9 item)	Renee Jamurat	Target: 09-Oct-2025	Completed

Follow Up Action Report

Gabriola Island

09-Oct-2025

Progress	Activity	Responsibility	Dates	Status
0%	1 Staff to support discussions: Chair to write to the Regional Director Craig and planning staff at the Regional District of Nanaimo to respectfully request a deferment of current Regional District of Nanaimo bylaw enforcement on 750 South Road, 1400 South Road, and 1965 Stalker Road, in order to grant time to the property owners who intend to rezone their lots to a site-specific eco-village designation through the Gabriola Island Official Community Plan Review.	Renee Jamurat Warren Dingman		In Progress
0%	2 Following letter from Chair to RDN Regional Director, Staff to invite Regional District of Nanaimo staff to engage in discussion to develop policy options and approach specific to Gabriola Island to meet the unique housing needs of the community and values for island-appropriate housing solutions.	Renee Jamurat Stephen Baugh Warren Dingman		In Progress
0%	3 Staff to explore for development into the OCP and Land Use Bylaw: options for non-conforming dwellings including Temporary Use Permits, cob, natural build, and non-manufactured tiny homes, which would ensure health, safety, and environmental considerations are met.	Narissa Chadwick Renee Jamurat		In Progress
0%	4 Staff to update OCP project webpage with all approved/endorsed documents from October 9 LTC business meeting and Phase 2 engagement, including 'What we Heard' document.	Narissa Chadwick Shalini Nakai		In Progress

Follow Up Action Report

Gabriola Island

09-Oct-2025

Progress	Activity	Responsibility	Dates	Status
0%	5 Staff to seek legal advice on legal risks and factors the Local Trust Committee should consider in order to rezone lands for which a community amenity contribution was donated, and which is subject to active application for subdivision, and during a current OCP review. Sept 9 item: Legal Advice - Advise on content for a request for legal advice on downzoning PID: 003-134-806.	Stephen Baugh		In Progress
0%	6 Staff to proceed with drafting Official Community Plan policies in accordance with the approved draft table of contents presented at the October 9, 2025 Local Trust Committee Meeting.	Narissa Chadwick		In Progress
0%	7 Staff to revise project charter as amended, presented at the October 9, 2025 Local Trust Committee meeting. <i>(note dates in key milestones to correct)</i>	Narissa Chadwick		In Progress
100%	8 Staff to forward approved 2026 - 2027 Business Case for the OCP/LUB Project Review (major project) to the relevant committees and to Trust Council.	Narissa Chadwick Renee Jamurat	Target: 13-Oct-2025	Completed
0%	9 Staff to complete final steps: LTC adopted Bylaw No. 320 the "Gabriola Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 263, 2011, Amendment No. 1, 2024".	Nadine Mourao Warren Dingman		In Progress

November 3, 2025

Gabriola Local Trust Committee

Islands Trust

By Email: information@islandstrust.bc.ca

Re: Solid Waste and Recycling Development Cost Charge Bylaw

Dear Chair and Trustees:

The Regional District of Nanaimo (RDN) is considering the implementation of region-wide Solid Waste and Recycling Development Cost Charges (DCCs) and would like your feedback. Input received will be considered in guiding any changes to the proposed DCCs, including deciding how the cost of solid waste infrastructure should be distributed between existing and new development, and assessing whether the implementation of DCCs might deter development or the construction of affordable housing. Should the Islands Trust wish, the RDN would welcome the opportunity to present on the proposed DCC program for solid waste and recycling at an upcoming Committee Meeting.

DCCs are fees that a local government collects from land developers to help pay the costs of eligible capital infrastructure projects required to service population growth. Recent amendments to the *Local Government Act* added new categories that are eligible for DCCs, including solid waste management and recycling facilities. DCC rates are set to help make sure that new development in the region pays their fair share of the costs required for solid waste and recycling facilities necessary to address growth. Without a DCC program, projects required to build out the landfill and upgrade infrastructure as the region grows will be paid for by increased property taxation. Many local governments in BC have established DCC Programs including the City of Nanaimo, the City of Parksville, the District of Lantzville, and the Town of Qualicum Beach. An estimated 39% of waste comes from the residential sector, including single family and multi-family dwellings, and 61% from industrial, commercial, and institutional (ICI); ICI includes construction and demolition waste. The program time frame for the Solid Waste DCC is projected to extend until 2050, coinciding with the estimated remaining lifespan of the current Regional Landfill. The RDN has identified DCC-eligible solid waste and recycling projects that need to be constructed between now and 2050 to manage the solid waste generated by new development in the residential, multi-family, industrial, commercial and institutional sectors.

The RDN currently has area-specific DCC bylaws for water, sewer, and parks. The proposed DCC for Solid Waste and Recycling would be applicable to the entire region, including the municipalities and electoral areas, the residents of which benefit from Solid Waste Services. If adopted, the RDN and each municipality will collect solid waste and recycling DCCs, and the municipalities will remit the funds they collect to the regional district.

Please visit the Solid Waste and Recycling DCC project page at [Solid Waste Development Cost Charges | Get Involved RDN](#) to learn more, ask questions and, in the future, provide input. Interested or affected parties are encouraged to subscribe to the Get Involved RDN project page to receive e-newsletter updates as the project moves forward. There is also a survey on the Get Involved page to gather input on the proposed DCC rates and virtual public information meetings planned for November 3 and 5, 2025. Any input that you or your residents provide will be considered when making a decision on the DCCs in January 2026.

Should a development cost charge bylaw be adopted, in-stream applications for subdivision and building permits (those that have already been submitted up to twelve months prior and are 'in progress' as defined by legislation at the time of bylaw adoption) will not be affected by the bylaw.

If you have any questions, you are welcome to contact Ben Routledge, Manager of Solid Waste Services, at broutledge@rdn.bc.ca or 250-390-6539. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Vanessa Craig". The signature is fluid and cursive, with the first name "Vanessa" and the last name "Craig" clearly distinguishable.

Vanessa Craig, Chair
Regional District of Nanaimo
T: 250-741-4589 | Email: vanessa.craig@rdn.bc.ca

cc: R. Bronee, Chief Administrative Officer, Islands Trust

File No.: PLDP20250308 Falcone
(Sear Island)

DATE OF MEETING: November 20, 2025

TO: Gabriola Island Local Trust Committee

FROM: Ian Cox, Planner 2
Northern Team

COPY: Renée Jamurat, RPM

SUBJECT: Development Permit for Sear Island, Flat Top Islands DPA
Applicant: Burgers Architecture (Nada Awadi, Agent)
Location: LOT 2, DISTRICT LOT 13, FLAT TOP ISLANDS, NANAIMO DISTRICT, PLAN 8109

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee approve PLDP20250308 with the conditions as included in the draft permit.

REPORT SUMMARY

This report presents development permit application PLDP20250308 for consideration by the Gabriola Local Trust Committee (LTC) pertaining to demolition and new construction activities on Sear Island within the Flat Top Islands Development Permit Area (DPA 4). The marine area abutting the foreshore on the east/southeast side of the island is also within DPA 5 – Gabriola Pass Area, which is delineated seaward from the present natural boundary. No development is proposed within this area.

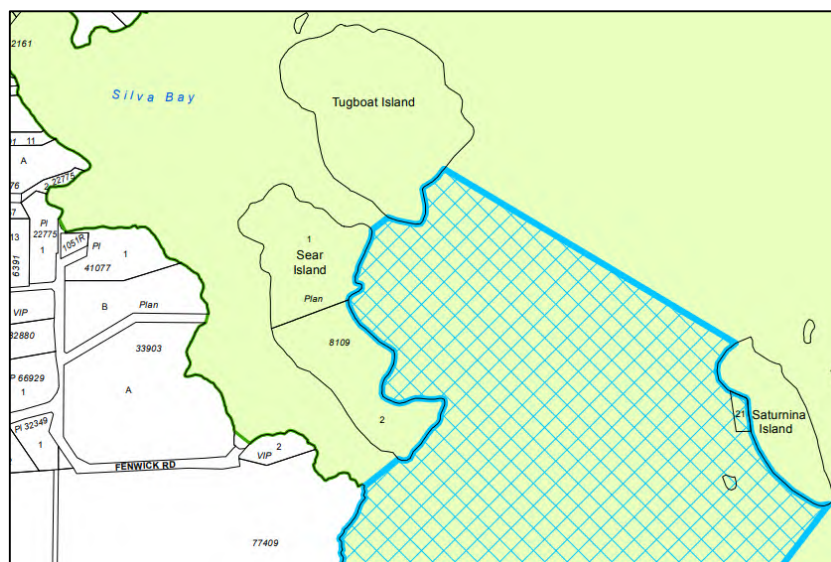


Figure 1 - DPA 4, Flat Top Islands Area (light green) and DPA 5, Gabriola Pass Area (blue hatch)

The Island is under single ownership but comprises two separate legal lots (see **Figure 2** below). The development permit (DP) application concerns the demolition and reconstruction of the principal residence on Lot 2 (PID 000-433-250). Staff recommends issuance of the permit as presented in **Attachment 1**, with the rationale that the applicant has provided information which demonstrates that the proposed development activities meet the DPA 4 Guidelines, ensured through impact and mitigation measures recommended in the professional biologist, arborist, and geotechnical reports, which form part of the draft permit. These measures, including additional requirements for monitoring during development, are drawn from the reports and included as formal conditions of the DP.

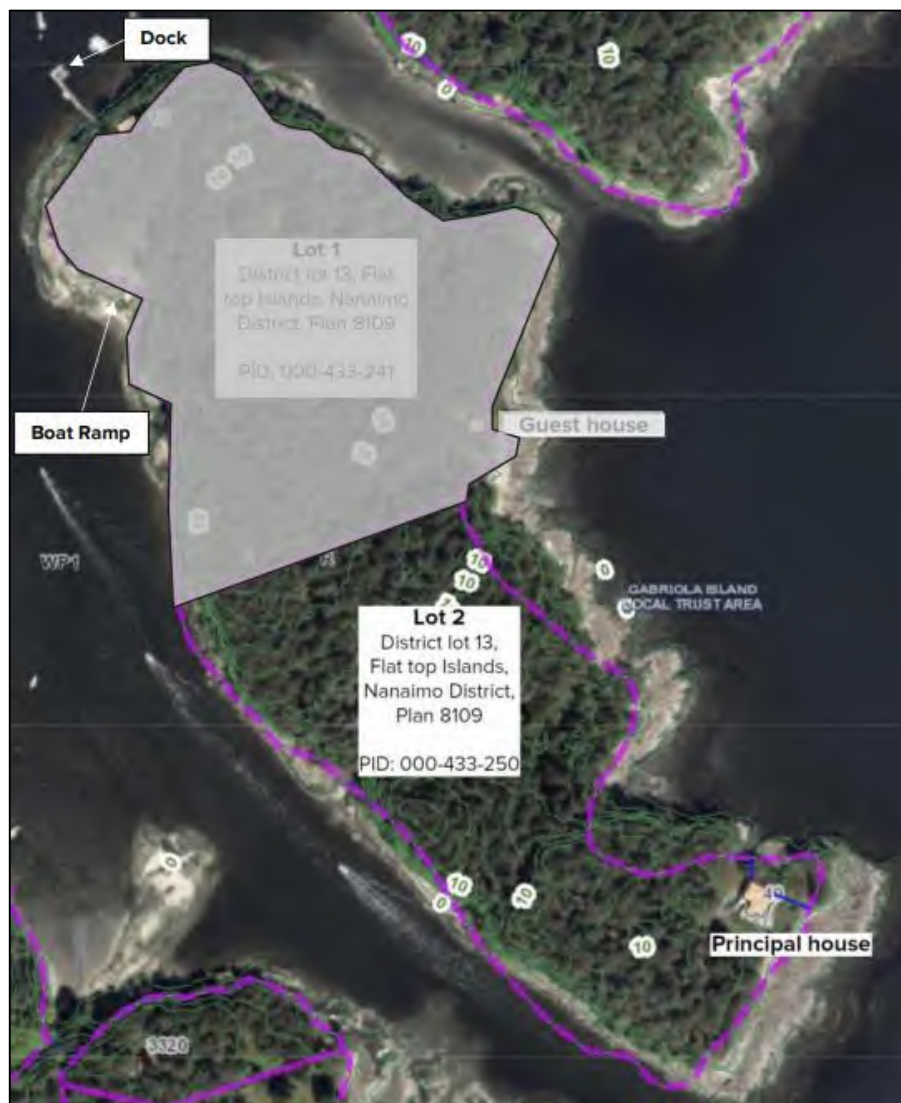


Figure 2 – Sear Island/Subject Property showing existing dwelling location

BACKGROUND

The owners wish to demolish the existing single-family dwelling on the property and build a new residence in the same cleared and previously disturbed location (“Principal House” location as shown below). No development activity has taken place to-date; this is a new DP application. The design and floor plan of the new residence will be different from the existing configuration, but the overall footprint on the land will ultimately decrease as shown on the site and building plans attached as Schedule A and Schedule B to the proposed DP (**Attachment 1**).

Planned development involves the following as described in the Environmental Report by ROE Environmental Consulting Inc. dated July 22, 2025 (ROE Report):

- mobilization of machinery, equipment, labour, and construction materials using an existing access ramp, dock, and trail network (minor tree pruning and trail upgrades may be required);
- demolition of the existing building;
- construction of a new residential building, including an above ground patio;
- restoration of temporary disturbance areas as required.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

The proposal is not contrary to or at variance with the ITPS provided that the works are carried out according to the conditions of the DP, provincial and federal Acts and Regulations, and the ROE Environmental report and Arborist Report that form part of the permit.

Islands Trust Conservancy:

The subject property and area of application is not on or adjacent to any current ITC Nature Reserve or covenant areas. Potential issues arising from the proposal regarding environmental impacts to sensitive ecosystems, Species at Risk, eelgrass, etc., are addressed through the mitigation measures include as conditions of the draft DP.

Official Community Plan:

The subject foreshore is currently designated as Marine (M) in the Gabriola Island Official Community Plan No. 166, 1997 (OCP) and is located within DPA 4 - Flat Top Islands Area.

Justification for DP-4 is as follows:

The Flat Top Islands and Breakwater Island have been identified as having high marine, vegetation and wildlife natural areas value. The designation of this area as a development permit area for the purposes of protecting the natural environment, its ecosystems and biological diversity will help ensure that the environmental values of this area are protected from the potential impacts of land development.

The following excerpts from the OCP are also relevant to the application and highlight the need for consideration of the marine environment:

Section 6 - Environmental, Marine and Heritage Resources

Background ...As the degree of human activity intensifies so does the threat to permanently alter or destroy valuable environmental features and resource areas. In accommodating future development on Gabriola, care must be taken so as not to irreversibly alter the island's healthy, liveable and aesthetically pleasing upland and marine-based natural areas.

Equally important is the need to identify and preserve those precious features which recall the past. As a result, heritage sites which provide a valuable record of past human activity and settlement significant to the preservation of the area's local history need to be protected.

These policies are addressed through conditions of the draft DP that were developed from recommendations provided in the professional reports, and include mitigation measures for habitat impacts, restoration, monitoring, and reporting.

Land Use Bylaw:

Attachment 2 is a comprehensive Site Context analysis; the following point list is a summary. For a complete assessment of how the application meets the DPA 4 Guidelines contained in the LUB section F.4, refer to **Attachment 3**.

- The subject property is designated as Resource (R) under the Official Community Plan (OCP) and zoned Resource (R) under the Land Use Bylaw (LUB) which lists *single family* residential as a principal permitted use.
- The property is within Development Permit Area 4 (DPA 4) – Flat Top Islands Area. No DPs have been issued for previous/existing development that has occurred according to Islands Trust records.
- Building Permits are required for Sear Island and the onus lies with the property owner to complete any permit application process with the Regional District of Nanaimo (RDN).
- A Statutory Right of Way dating to 1966 in favour of BC Hydro comprises the interests on the property title; no covenants or other charges are listed.
- Given the archaeological potential of the building site and the entire island, the applicant has been made aware in the file opening communication materials of their obligations under the BC Heritage Conservation Act (HCA). Further discussion on cultural heritage can be found in the First Nations section of this report.

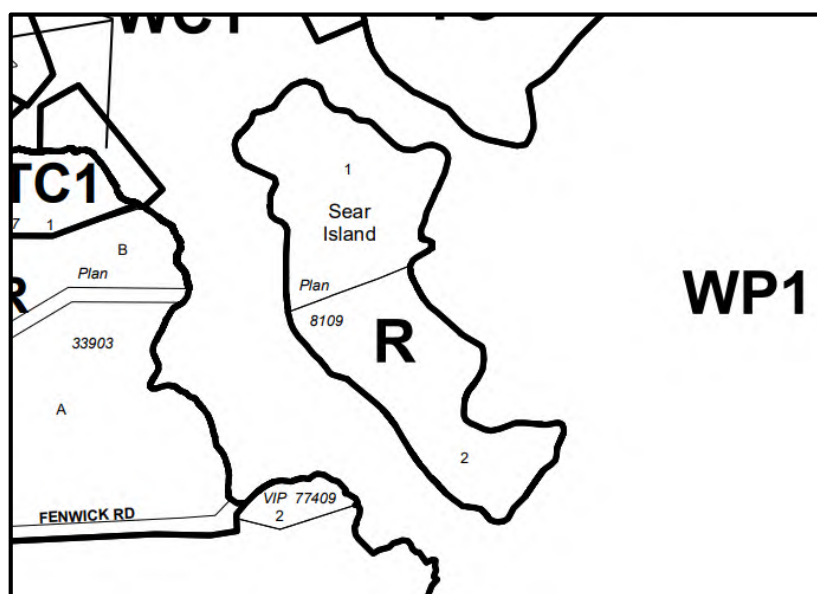


Figure 1 - Subject Property, Resource (R) zoning designation

Consultation

No statutory public consultation or notice is required for Development Permits.

First Nations

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation and with Trust Council's Protocol Agreement with Snuneymuxw First Nation in its current form (2008). In this case, the application meets the DPA 4 – Flat Top Islands Area Guidelines and a recommendation to issue the permit has been provided. If the LTC finds that the application does not meet the DPA Guidelines, it may choose one of the alternatives as provided in the last section of this report.

At the time of file opening for all permits, staff provide all applicants with the Islands Trust Chance Find Protocol and the *Heritage Conservation Act* guidelines to ensure awareness of procedures during discovery of potentially unknown materials during construction and to highlight the importance of responsible development in culturally significant and sensitive areas generally.

Rationale for Recommendation

As stated in the summary on page 1, staff recommend approval since the applicant has provided information that adequately addresses impacts to the land and environment from the proposed development activities and therefore meets the Guidelines for DPA 4. Conditions for project monitoring, scheduling, tree retention, and multi-stage reporting have been included in the draft DP which will ensure compliance with the professional recommendations of the Registered Professional Biologist and Arborist as detailed in the respective reports forming part of the draft DP.

ALTERNATIVES

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

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request that the applicant submit to the Islands Trust [insert report, professional, etc.] that identifies the potential impacts of the proposed development on [insert area/detail concern, etc.].

2. Deny the application

The LTC may deny the application and must state the specific reasons for denial; i.e., how it finds that the application does not meet the DP Guidelines. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee deny application PLDP20250308 for the following reasons [insert reasons, e.g. that the proposed development is contrary to Official Community Plan marine foreshore protection objectives and/or DPA 4 Guidelines in the following way, etc.]

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending submission of additional information in the form of a study, report, etc.

NEXT STEPS

If the LTC concurs with the staff recommendation, the permit will be issued and registered to the property title. Condition compliance monitoring will be conducted during and following completion of the development per the DP conditions.

Submitted By:	Ian Cox, Planner 2	November 10, 2025
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	November 10, 2025

ATTACHMENTS

1. Draft Development Permit PLDP20250308
2. Site Context
3. DPA 4 Guidelines

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT 2, DISTRICT LOT 13, FLAT TOP ISLANDS, NANAIMO DISTRICT, PLAN 8109
PID	000-433-250
Civic Address	Sear Island (Lot 2)

LAND USE

Current Land Use	Single family residential (principal use)
Surrounding Land Use	Residential/Resource (other islands in the Flat Tops and adjacent Gabriola properties)

HISTORICAL ACTIVITY

File No.	Purpose
GB-BE-2020.40	STVR (under previous property ownership) - closed

POLICY/REGULATORY

Gabriola Island Official Community Plan No. 166, 1997	Land Use Designation: R – Resource Development Permit Area – DPA 4 – Flat Top Islands Area
Gabriola Island Land Use Bylaw No. 177, 1999	R – Resource zone (upland) WP1 – Water Protection 1 zone (surrounding waters) B.1.1.2 Buildings and Structures b. The following buildings and structures are permitted in any zone in Part D of this Bylaw, except in Section D.5 WATER ZONES: ...iii retaining walls, subject to Subsection B.2.6; B.2.1.1 Setbacks and Elevations from Watercourses and the Sea a. Despite all other siting references in this Bylaw excepting B.2.1.4c, third party signs, fences, pump/utility houses, retaining walls, ground level decks, structures and buildings, excepting boathouses, must be sited a minimum of 7.5 metres (24.6 feet) from and 1.5 metres (4.9 feet) above the natural boundary of the sea and a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the natural boundary of any lake, stream, or wetland. Where the frontage on the sea is not adequately protected from erosion by natural bedrock or works as certified by a professional engineer, buildings and structures must be sited a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the natural boundary of the sea. D.2.4.2 Buildings and Structures The buildings and structures permitted in Article B.1.1.2, plus the following buildings and structures and no others are permitted in the Resource (R) zone: a. Permitted Buildings and Structures i Maximum of:

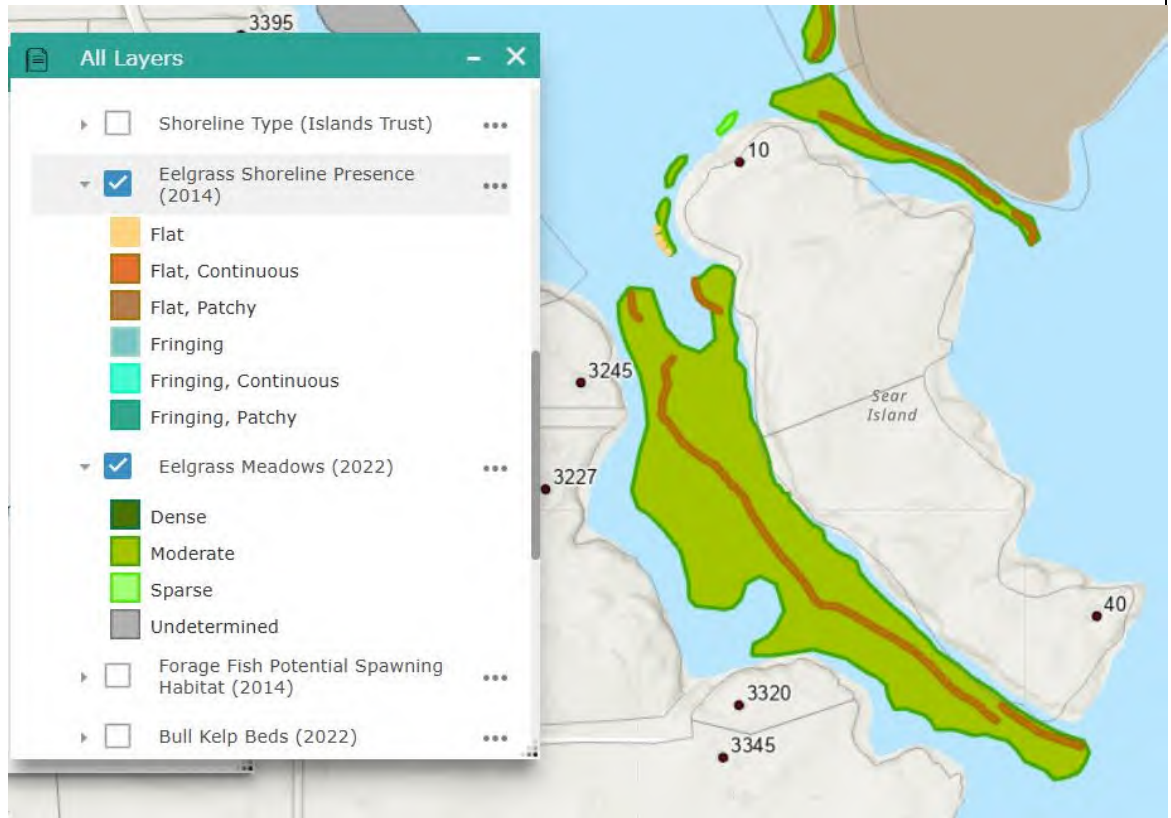
	• one single family dwelling per lot; • one accessory cottage dwelling per lot, not exceeding 65.0 square metres (699.7 square feet) on lots 2.0 hectares (4.94 acres) or larger; • three buildings per lot that exclude a cottage, pump/utility house and woodshed, and that are accessory to all dwellings; B.2.6 Retaining Walls B.2.6.1 Within setback areas: a. the maximum height on the outer face of a retaining wall at any given point is 3.0 metres (9.8 feet).
Other Regulations	
Covenants	None

SITE INFLUENCES

Islands Trust Conservancy	This proposal does not directly affect an Islands Trust Conservancy (ITC) owned property or conservation covenant, nor directly affects a property adjacent to an ITC owned property or conservation covenant. It also does not pertain to Crown Land. Therefore, referral to ITC for comment is not recommended.
Regional Conservation Strategy	Map 8 of the Regional Conservation Plan estimated importance of habitat composition as HIGH for this property.
Species at Risk	None mapped for terrestrial areas.
Sensitive Ecosystems	IT mapped: Woodland, Herbaceous, Rural (disturbed existing built areas). A biological (ecosystem, vegetation, wildlife) inventory has been provided by the applicant in the ROE Environmental Consulting Assessment and Impact Report as included in Attachment 1, Draft DP.
Hazard Areas	None mapped.
Archaeological Sites	According to Archaeological Data (RAAD) information, there are 2 recorded archaeological sites on Sear Island, with potential mapping along most of the foreshore areas. The proposed building site is within approximately 100 metres of one of the registered sites. Change Find Procedures and related BC provincial educational materials detailing property owner responsibilities under the <i>Heritage Conservation Act</i> were provided to the applicant at the time the DP file was opened. DPs are not statutorily discretionary for the LTC as other permit decisions are. Staff has been directed not to refer DPs to First Nations as a matter of course, distinct from other types of permits (DVPs, TUPs, rezoning applications, etc.).
Climate Change Adaptation/Mitigation	Undetermined. GHG/CO2 emissions expected commensurate with rural single family dwelling settlement patterns.
Shoreline Classification	Rock Shoreline - Low Rock/Boulder

Shoreline
Data in TAPIS

Large areas of Eel Grass meadows mapped off the north/west/northwest of Sear Island.
Proposed development is landward on southeast portion of property.



ATTACHMENT 3 – DEVELOPMENT PERMIT AREA GUIDELINES

DPA 4 – FLAT TOP ISLANDS AREA

F.4.2 Guidelines

Prior to undertaking any applicable development activities within DP-4, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

Guideline #	Guideline	Included as Condition # _ of Development Permit	Complies
F.4.2.1	There shall be no disturbance of the vegetation or use of chemicals within 30 metres of the natural boundary of the sea except in accordance with any conditions specified in the permit.	All construction activities will occur within existing areas of disturbance. No removal of native trees will be required for the Proposed Development except ornamental/fruit-bearing trees observed to be in poor health. The only vegetation to be disturbed are patches of Invasive Scotch broom partially within area of proposed development or removed and native vegetation replanted. 31 % reduction of permanent structure footprint within 30 metres from the natural Boundary of the sea compared with existing conditions.	yes
F.4.2.2	Garry oak meadows and similar indigenous species shall be identified and their habitats protected from disturbance.	No Garry oaks meadows identified during ROE field investigations in the immediate vicinity of the area of existing disturbance. Native Douglas fir and arbutus trees present in the adjacent forested area and along the shoreline will be protected during construction to avoid undue disturbance. A tree retention program is included in the DP conditions.	yes
F.4.2.3	There shall be no alteration or disturbance which would cause a negative impact to the foreshore habitat.	Closest extent of development (northern roof line) proposed to be 7.5 m away from the natural boundary. Foreshore habitat is excluded from access during construction to prevent undue encroachment via permit conditions.	yes
F.4.2.4	Buildings shall be integrated with the surrounding landscape and sited to minimize removal of	Footprint of new residence optimized to reduce the footprint within 30 metre N.B setback and	yes

	vegetation.	avoid disturbance of native vegetation as required by DP conditions.	
F.4.2.5	Other than within existing marine lease areas, applicant shall provide an assessment of environmental impacts and mitigation measures, prepared by a qualified professional, prior to any expansions or new developments.	ROE report summarizes existing environmental values, environmental impacts associated with proposed development and recommended mitigation measures included as DP conditions for flagging, monitoring, replanting, etc.	yes
F.4.2.6	Existing trees and vegetation shall be retained along the upland area and adjacent to the foreshore in order to maintain the habitat and prevent erosion.	No native trees or vegetation will be removed within 7.5 metres of N.B. A geotechnical report prepared by Phillips and Associates Engineering Consultants (Appendix C to ROE Report) concluded that "[n]o soils susceptible to erosion were observed along the shoreline. The shoreline along the development area is considered to be adequately protected from erosion by natural bedrock." Included in DP conditions.	yes
F.4.2.7	Septic systems shall not be constructed within 30 metres of the natural boundary of any watercourse (including a body of water or the sea).	Existing septic system to be upgraded and maintained greater than 30 metres from N.B. Included as DP condition.	yes
F.4.2.8	Areas subject to flooding shall be subject to a 15 metre setback unless waived by the Ministry of Environment.	Area not subject to flooding, but sea level rise is concern for all small islands. Proposed new residence located approximately 6 metres above sea level according to the site survey, exceeding 5.1 metre flood construction level recommended in Regional District of Nanaimo (RDN) Coastal Flood Hazard Map Atlas (Ebbwater Consulting & Cascadia Coast Research Ltd., 2019). RDN building inspector to ensure geotech requirements are followed during excavation and construction of footings.	n/a
F.4.2.9	Where this area includes trees that bear the nests of eagles or other species of birds, a buffer area around each nest tree should be left undisturbed. The size of the buffer should be determined prior	No bald eagle nests were identified during ROE Environmental field reconnaissance and report. Future presence cannot be known and - require further	yes

	to development by a qualified professional, with advice from the Ministry of Environment or the Canadian Wildlife Service.	assessment prior to construction (included as DP condition). Species of passerine birds observed with breeding evidence on existing house and adjacent vegetation. If vegetation disturbance (i.e., Scotch broom removal) is required to be conducted during the migratory bird nesting window of March 1 – August 31, precautionary bird nest searches should be conducted by a QEP a minimum three days prior to construction activities to identify potential nests and establish appropriate buffers. This requirement is included as a condition of the DP.	
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PROPOSED

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT
PLDP20250308**

To: Anna and Benjamin Falcone

1. This Development Permit (the “Permit”) applies to the land described below:

LOT2, DISTRICT LOT 13, FLAT TOP ISLANDS, NANAIMO DISTRICT, PLAN 8109
(PID: 000-433-250)

2. Whereas the subject property as described above lies within “Development Permit Area No. 4 – Flat Top Islands Area” designated under Gabriola Island Official Community Plan Bylaw No. 166, this Development Permit is issued under the Gabriola Island Land Use Bylaw No. 177, that authorizes:

- the demolition of the existing dwelling on Lot 2; and
- the construction and siting of a new single-family dwelling.

consistent and in accordance with the following Schedules:

- Schedule “A” ROE Environmental Consulting Report dated July 22, 2025;
- Schedule “B” Burley Boys Arborist Report dated May 13, 2025;
- Schedule “C” – Site and Building Plans

all attached to and forming part of this permit.

3. This Permit is subject to the following conditions:

Habitat Impact Mitigation and On-Site Monitoring

3.1 A Qualified environmental Professional (QEP) with knowledge of terrestrial habitat and native vegetation shall be retained prior to all site preparation, demolition, and construction activities and for the duration of the project to ensure that the mitigation measures as outlined in section 7 of the ROE Environmental Report in Schedule “A” are carried out in accordance with the professional’s opinion, prescription, and frequency and duration of scheduled site monitoring. The QEP will provide information as requested by Islands Trust on the status of the development activities regarding any impacts observed and recommendations for mitigation.

3.2 All construction activities shall be undertaken in such a manner and under the supervision of a QEP as to avoid and minimize potential surface erosion and off-site sediment transport into the sea. At a minimum, the measures as outlined in the ROE Environmental Report should be carried out to minimize soil erosion and control sediment runoff from active work areas for the duration of the development activities.

Tree Retention and Invasive Species Control

3.3 Invasive species such as Scotch broom shall be removed prior to construction of the new residence to avoid spreading, carried out under the method and to the satisfaction of a QEP.



- 3.4 All land clearing, site preparation, and development activity on the subject property shall be in accordance with the tree retention program contained in the Arborist Report by Burley Boys Tree Service in Schedule "B";
- 3.5 A QEP shall oversee the installation of tree protection zones prior to development activities per the recommendations in the Arborist Report to prevent undue damage to critical root systems. If any encroachment within the critical root zones is required, a Certified Arborist shall be consulted.
- 3.6 No native trees shall be removed within 30 m of the natural boundary of the sea. Limbing or trimming shall be permitted in order to ensure safe working conditions.

Replanting and Post-Development Reporting

- 3.7 A QEP shall develop and oversee a native vegetation replanting plan as necessary according to their professional opinion and per the ROE Environmental Report in Schedule "A", and shall provide a post-development report to Islands Trust 6 months from the conclusion of construction activities addressing the efficacy and health of the replanted vegetation. The QEP may specify additional replanting measures at this time.
3. Any further development within the designated DPA 4 will require a new Development Permit, or a Development Permit Amendment.
4. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
5. This permit does not relieve the applicant from complying with the provisions of the Gabriola Island Land Use Bylaw unless varied by this Permit.

This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of Gabriola Island Land Use Bylaw No. 177, 1999 and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE THIS 20th DAY OF NOVEMBER, 2025.

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE 20th DAY OF NOVEMBER, 2026, THIS PERMIT AUTOMATICALLY LAPSES.



Islands Trust

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
PLDP20250308

SCHEDULE "A" – ROE Environmental Report (July 22, 2025)"

BEGINS ON NEXT PAGE

DRAFT

DP-4 DEVELOPMENT PERMIT APPLICATION

Proposed Development on Sear Island (Lot 2)



DATE: JULY 22, 2025

VERSION: FINAL

Prepared for:

c/o Burgers Architecture

2488 Haywood Avenue

West Vancouver, BC

V7V 1Y2

Prepared by:

Roe Environmental Inc.

106 – 185 Forester Street

North Vancouver, BC

V7H 0A6

(604) 987-5588

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1 INTRODUCTION

Roe Environmental Inc (Roe) has been retained by the owner of Sear Island (the “Subject Property” and the “Island”), as a Qualified Environmental Professional (QEP) to prepare a Development Permit application for the demolition of an existing dwelling and construction of a new house on the Island (the “Proposed Development”; see **Appendix A**).

Sear Island (see Figure 1) is under the jurisdiction of the Islands Trust and is included in the Gabriola Island Local Trust Area. According to the Gabriola Island Official Community Plan¹, the Proposed Development is located within Gabriola Island’s Flat Tops Development Permit Area (DP-4), whereby “any construction of, addition to or alteration of a building or other structure” requires a Development Permit (i.e., the present report).

The present report has been prepared in keeping with the DP-4 guidelines as described in Section F.4.2 of the Gabriola Island Land use Bylaw No. 177 – Schedule A². The following sections summarize:

- Location and description of the Proposed Development;
- Identification of the natural boundary of the Salish Sea and associated 30 m no disturbance buffer;
- A summary of existing environmental values potentially present within and adjacent to the Proposed Development footprint, including access trail and boat ramp, based on a reconnaissance-level site assessment, supplemented with desktop research of available information;
- An evaluation of the potential impacts from the Proposed development on identified environmental values;
- Relevant mitigation measures to be implemented during and following construction, as required.

2 LOCATION AND PROPOSED DEVELOPMENT DESCRIPTION

Sear Island is located off the eastern tip of Gabriola Island and is part of the Flat Tops Islands Group (see Figure 1 below). The Island is approximately 11 ha (28 acres), mainly forested, with a maximum elevation of approximately 15 m above sea level. It is accessible through a deep-water dock on the north side of the Island, along with a boat ramp within the northwestern extent (see Figure 2).

Although the Island is under single ownership, it comprises two separate legal lots (see Figure 2). The present DP application is for the demolition and reconstruction of the “Principal House” on **Lot 2** (PID 000-433-250).

The Proposed Development involves the following:

- mobilization of machinery, equipment, labour, and construction materials using an existing access ramp, dock, and trail network (minor tree pruning and trail upgrades may be required);
- demolition of the existing building;
- construction of a new residential building, including an above ground patio (see **Appendix A**);
- restoration of temporary disturbance areas, as required.

¹ <https://islandstrust.bc.ca/wp-content/uploads/2020/05/gbb166-ocp-consolidated-sept-16-2019.pdf>

² <https://islandstrust.bc.ca/document/gabriola-island-land-use-bylaw-no-2023/>





Figure 1: Map showing the location of Sear Island (Map modified from iMap BC; accessed June 2025).



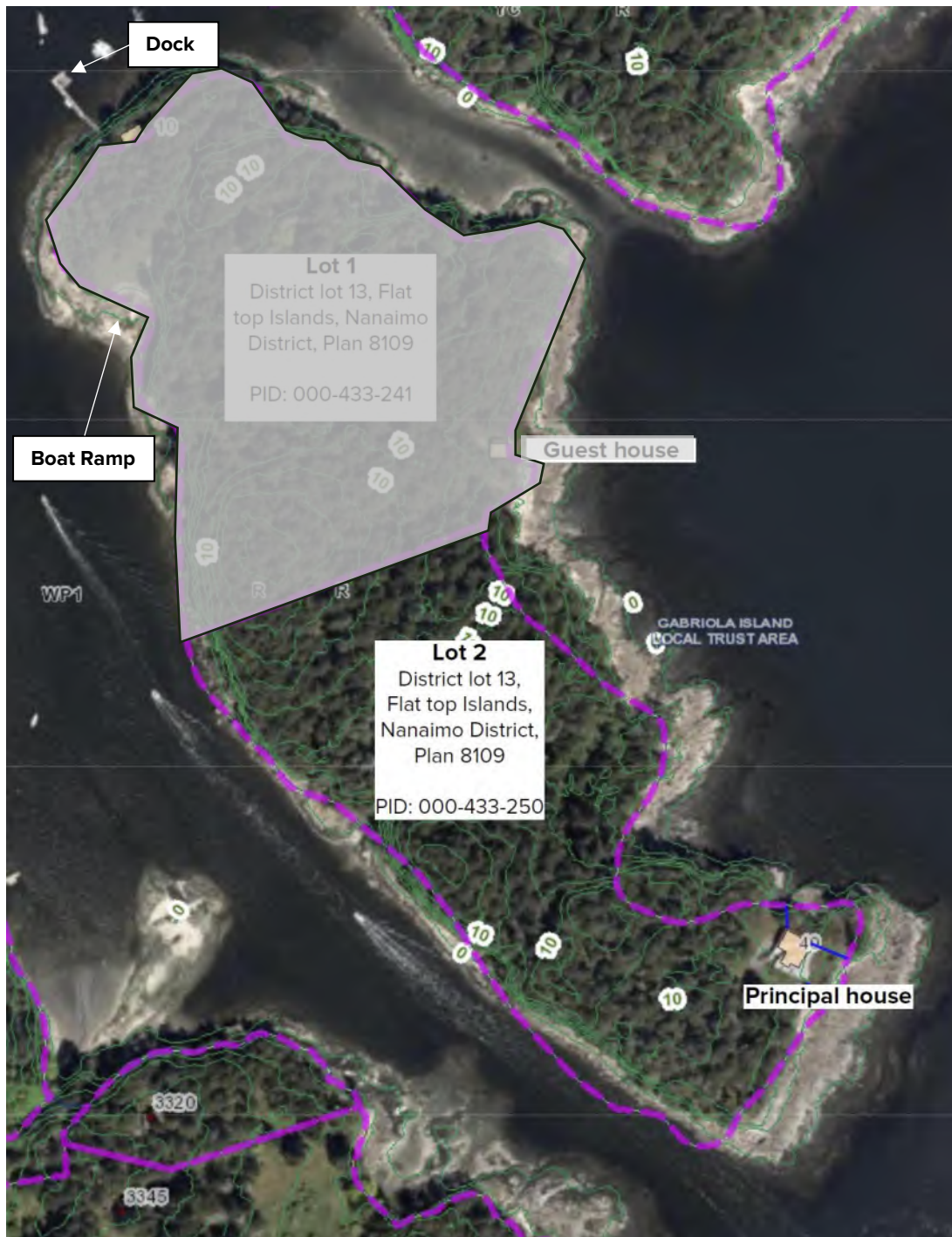


Figure 2: Map showing the location of Lot 2 and Principal House to be demolished and rebuilt, existing dock, and existing boat ramp (adapted from available Islands Trust mapping; accessed June 2025).



3 ASSESSMENT METHODOLOGY

The environmental overview assessment section of this report is based on a desktop review of available information supplemented with a one-day reconnaissance-level field assessment conducted by two Roe Biologists on May 27, 2025.

3.1 Desktop Review

Roe conducted a desktop review of available databases and information resources on species and ecosystems of management concern that have the potential to be overlapped by the Proposed Development, including:

- Topographic survey of the areas adjacent to both buildings conducted by Bennet Land Surveying and dated November 6, 2024 (see **Appendix B**);
- Gabriola Island Sensitive Ecosystem Mapping (Island Trust, 2001)³;
- Province of BC's Conservation Data Centre (BCCDC) Species and Ecosystems Explorer⁴ (SEE), and iMap⁵ GIS tool;
- Province of BC Habitat Wizard⁶ for watercourse information;
- E-Flora BC⁷ and E-Fauna BC⁸ for occurrence maps and ecological information;
- Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP; 2024)⁹;
- The Provincial Agricultural Land Commission¹⁰;
- iNaturalist¹¹ and eBird¹² databases; and,
- Google Earth.

For the purpose of this assessment, species of management concern are those listed as Endangered (E), Threatened (T), and Special Concern (SC) under Schedule 1 of the Canada *Species at Risk Act* (SARA), and red-listed (endangered or threatened) and blue-listed (special concern) species under the BC *Wildlife Act*. Under SARA, all aquatic species and bird species at risk are protected wherever they are found while all other wildlife and vegetation species are protected on federal lands only. Under the BC *Wildlife Act*, all native listed wildlife species (including species not considered to be at risk, or yellow-listed) are protected. Provincially listed plants and ecological communities¹³ not included under SARA are not protected, however, wetland and riparian habitats where hydrophytic plant communities develop may be protected under the *BC Water Sustainability Act* or the Riparian Area Protection Regulation if they are fish-bearing

³ <https://islandtrust.bc.ca/document/hornby-island-sensitive-ecosystem-mapping-2023/>

⁴ <https://a100.gov.bc.ca/pub/eswp/>

⁵ <https://maps.gov.bc.ca/ess/hm/imap4m/>

⁶ <https://maps.gov.bc.ca/ess/hm/habwiz/>

⁷ <https://linnet.geog.ubc.ca/biodiversity/eflora/index.html>

⁸ <https://linnet.geog.ubc.ca/biodiversity/efauna/index.html>

⁹ <https://www.cdfcp.ca/reports-and-articles/>

¹⁰ <https://governmentofbc.maps.arcgis.com/apps/webappviewer/index.html?id=87dee902dc5e443fbff8ca7b4311b407>

¹¹ <https://www.inaturalist.org/>

¹² <https://ebird.org/home>

¹³ Ecological communities can be defined as a natural plant assemblage and its associated environmental site characteristics including soil, landform, nutrient, and moisture regimes representative of the biogeoclimatic subzone where they are found.



or connected to fish habitat.

3.2 Field Reconnaissance

The desktop review was supplemented with a reconnaissance-level field assessment (the “Field Assessment”) on May 27, 2025, through purposeful meander of the areas adjacent to the two existing buildings including the foreshore, forested areas, access trail and boat launch. Weather during the assessment was sunny and clear. The purpose of these investigations was not to provide an exhaustive list of all the plant and wildlife species present within the Proposed Development footprint and its immediate vicinity. Rather, Roe’s focus was to understand habitat conditions and to assess the likelihood of species of management concern potentially present within the footprint of the Proposed Development, including temporary disturbance areas.

Vegetation present within the Subject Property was identified through direct observation of plant features. Pictures of specimens requiring further identification were also taken, as necessary. Dominant tree, shrub, and flowering plant species were recorded along with the stage of ecological succession, disturbance level, and potential presence of invasive and noxious weeds. The presence of potential nesting cavities, bat roosting areas, and mammal dens in living or dead trees was also assessed. Bird species were identified through direct visual (i.e., with binoculars) and auditory surveys. The presence of old nests, tree cavities, or other potential nesting sites (e.g., cliffs), were recorded as evidence of bird use of the area. Presence of wildlife such as mammals and amphibians was assessed through visual observation of adult or juvenile specimens, identification of animal tracks, grazing evidence, scat, or old egg masses.

4 DESKTOP ASSESSMENT OF ENVIRONMENTAL VALUES

4.1 Biogeoclimatic Ecosystem Classification

According to the provincial biogeoclimatic ecosystem classification (BEC), Sear Island lies within the moist maritime Coastal Douglas Fir BEC subzone (CDFmm). This subzone is restricted to low elevation areas (<150m) along southeast Vancouver Island, the Gulf Islands south of Cortes Island, a narrow strip along the Sunshine Coast near Halfmoon Bay, and part of the Fraser River delta south to Boundary Bay and the US border (Green and Klinka, 1994¹⁴). The CDFmm represents the mildest climate in Canada and lies in the rain shadow of the Vancouver Island and Olympic mountains resulting in warm, dry summers and mild, wet winters. Growing seasons are very long and feature pronounced water deficits on zonal and drier sites. Forests are typically dominated by Douglas-fir (*Pseudotsuga menziesii*), as well as grand fir (*Abies grandis*) and western redcedar (*Thuja plicata*). The understorey is dominated by salal (*Gaultheria shallon*), dull Oregon-grape (*Mahonia nervosa*), ocean-spray (*Holodiscus discolor*), and Oregon beaked moss (*Kindbergia oregana*). Less prominent species include baldhip rose (*Rosa gymnocarpa*), snowberry (*Symphoricarpos albus*), western trumpet (*Lonicera ciliosa*), vanilla-leaf (*Achlys triphylla*), and electrified cat’s tail moss (*Rhytidiadelphus triquetrus*). Drier sites are characterized by the presence of Garry oak (*Quercus Garryanna*) and arbutus (*Arbutus menziesii*) as well as numerous members of the lily family.

¹⁴ Klinka, K., and Green, R.N. 1994. A field guide to site identification and interpretation for the Vancouver Forest Region. Province of British Columbia. Research Branch Ministry of Forests 31 Bastion Square Victoria, B.C., 293 pp.



4.2 Sensitive Ecosystem Mapping

A review of the Islands Trust Sensitive Ecosystem Mapping (SEM) for Gabriola Island and Sear Island indicated that a substantial portion of the Island was classified as “non-sensitive”, with the presence of (secondary) sensitive herbaceous and (tertiary) sensitive woodland ecosystems. The dominant habitat type on the Island is composed of a young Douglas fir forest (40 – 80 years old) with an understory of salal. Dry Douglas fir, arbutus (*Arbutus menziesii*), and shorepine (*Pinus contorta*) woodlands (10 - 30 % tree cover) are also present. Existing disturbance areas surrounding the two existing dwellings, the boat ramp and ancillary buildings are mainly comprised of herbaceous vegetation and shrubs.

4.3 Species and Ecological Communities at Risk

4.3.1 Gazetted Occurrences

A query of the BC CDC *iMap* Conservation Data Center database (Species and Ecosystems at Risk - Publicly Available Occurrence layers) for known occurrences of fish, wildlife, and plant species at risk, or their Critical Habitats indicated the presence of a masked secure polygon overlapping with the Proposed Development. The details of the masked occurrence were requested from the BC CDC¹⁵, and no specific mitigation measures or further consideration were deemed required. Note that masked secure polygons are intentionally not centered on the actual occurrence to prevent potential disturbance to sensitive species, ecosystems, or their critical habitats. Furthermore, the boundaries of these polygons are deliberately altered every time the BC CDC iMap online tool is accessed to enhance protection. As a result, the boundaries shown in Figure 2 may differ from those seen during later access to iMap.

¹⁵ Note that Masked Secured occurrences are not publicly available and the undersigned signed a non-disclosure agreement with the province prior to obtaining the associated information.



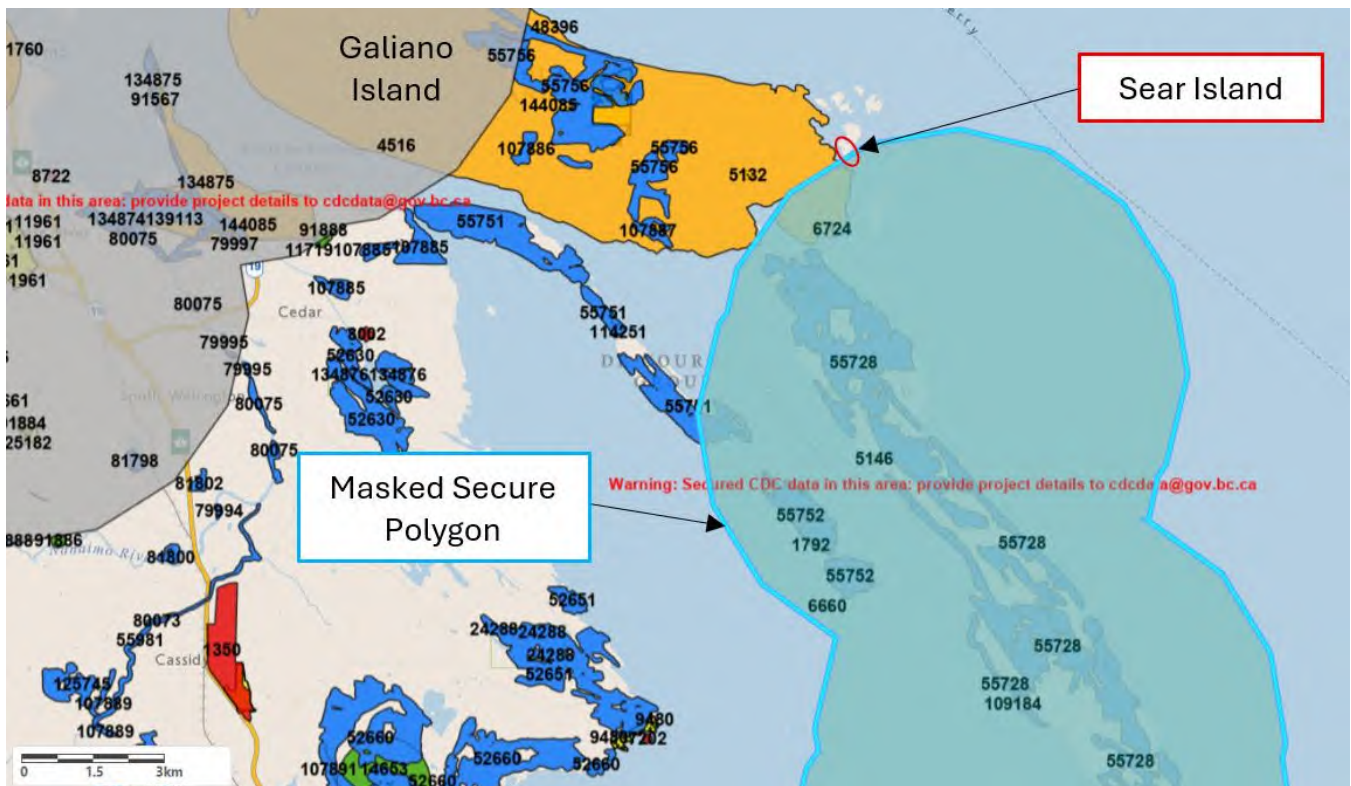


Figure 2: View of BC CDC iMap search results near the Study Area (Map source: Google Maps, January 2025. Not to standard scale).

4.3.2 Potential Presence Ratings

Table 1 below summarizes rare or locally-significant wildlife and plant species, as well as ecological communities potentially present within or in the vicinity of the Study Area based on a BCSEE area-based search, available literature, and endorsing Professional Biologist's opinion. It is noted that there is no publicly available data on the Island due to its small size and private nature, but information from nearby Gabriola Island was used to inform Table 1 below.

A "**Potential Presence Rating**" was assigned to each identified species within or near the Study Area using the following criteria:

- **Unlikely:** The species and its breeding or overwintering habitat are unlikely to be present. Occasional observations of migrating or vagrant individuals may occur. While the species, plant, or ecological community is within its known range, it has not been documented in the Study Area or adjacent areas. Required biophysical conditions are not met.
- **Possible:** The species may be observed occasionally during feeding or migration, but habitat conditions necessary for critical life stages (e.g., breeding, overwintering) are absent or currently unsuitable. The species or ecological community is known from surrounding areas but has not been detected in the Study Area. Biophysical conditions may be unsuitable due to past or ongoing disturbances but could improve with habitat restoration.



- **Likely:** Suitable habitat for critical life stages (e.g., breeding, overwintering) is present, but the species was not observed during field investigations or has not been documented in the Study Area. Its presence is expected in suitable habitat. The plant species or ecological community is documented in adjacent areas and is anticipated within the Study Area where conditions allow. Further assessment may be required to confirm presence or absence.
- **Present:** The species or ecological community was observed during field investigations or has been documented within the Study Area or adjacent areas.

Species with a negligible potential presence rating (e.g., old-growth forest obligate species in a seral stage forest) were omitted from **Table 1** below. The ecological information provided is based on the Federal Recovery Strategy for the species considered, Management Plan, BC SEE database, or BC Breeding Bird Atlas.



Table 1: Province of BC and SARA-listed wildlife species at risk potentially present within the Study Area. (BC SEE, January 2025).

Common Name	Scientific Name	Provincial Status	SARA Status	Potential Presence Rating*	Rationale
Amphibians					
Northern Red-legged frog	<i>Rana aurora</i>	Blue (2022)	1-SC (2005)	Possible	Although specimen presence was not confirmed during field investigations, one potential breeding habitat exists on the Island (i.e. swamp), and one red-legged frog occurrence is known from Page's Resort on Gabriola Island (iNaturalist), less than 500 m away from the swamp. Breeds in a variety of permanent and temporary waterbodies, including potholes, ditches, swamps, marshes, lake margins, and slow-moving rivers. Some of these habitats do occur within the Study Area.
Wandering Salamander	<i>Aneides vagrans</i>	Blue (2022)	1-SC (2018)	Unlikely	No known occurrences from nearby Galiano Island. Associated with coastal mature and old-growth coniferous forests. Typically found in Douglas-fir and western hemlock stands at low elevations. They require very moist environments and prefer areas with large amounts of woody debris and leaf litter.
Western Toad	<i>Anaxyrus boreas</i>	Yellow (2022)	1-SC (2018)	Possible	Known occurrences on nearby Galiano Island. Breeds in a variety of aquatic habitats, including lake edges, artificial waterbodies, and temporary and permanent ponds, usually with shallow water. Outside of the breeding season, they forage in forests, clearings, shrubby areas, marshes, and other open areas, typically within 1-2km of their breeding site but movements of up to 7 km have been observed. Typically found from sea level up to 2250 m.



Common Name	Scientific Name	Provincial Status	SARA Status	Potential Presence Rating*	Rationale
Reptiles					
Sharp-tailed Snake	<i>Contia tenuis</i>	Red (2018)	1-E (2003)	Unlikely	No known occurrences on nearby Galiano Island. Mostly found south of Nanaimo on Vancouver Island (BC CDC) Occurs in a variety of habitats from moist, relatively open Garry oak and Douglas-fir woodland, often near streams. During the active season, they are seldom found out in the open, and spend much of their lives underground or buried in the substrate. When they surface, they are mostly found under the cover of rocks and coarse woody debris.
Western painted turtle, Pacific Coast population	<i>Chrysemys picta bellii</i>	Red (2018)	1-T (2021)	Unlikely	Known occurrences on nearby Galiano Island (iNaturalist). Requires permanent, slow-moving waterbodies with soft substrate and adjacent sand or gravel for nesting. One potential breeding and basking area identified within the Study Area.
Birds					
Band-tailed pigeon	<i>Patagioenas fasciata</i>	Blue (2022)	1-SC (2011)	Possible	Known occurrence in Drumbeg Provincial Park on Galiano Island. (e-Bird; iNaturalist). Breeds in a variety of forested habitats from urban parks to closed canopy forests. Most common below 300 m of elevation in the Coastal Western Hemlock biogeoclimatic zone.
Barn swallow	<i>Hirundo rustica</i>	Yellow (2022)	1-T (2017)	Present	Observed foraging on the water near the dock (north end of the Island), but not observed on Lot 2. One old nest cup observed on a light fixture under the patio area of the Principal House. Nests on man-made structures, typically with an overhang to protect the nests.



Common Name	Scientific Name	Provincial Status	SARA Status	Potential Presence Rating*	Rationale
Common nighthawk	<i>Chordeiles minor</i>	Blue (2016)	1-SC (2023)	Possible	Nesting occurrence on nearby Gabriola Island (eBird). Nests on the ground in open, sparsely vegetated areas, with the highest densities recorded in the Southern and Central Interior valley systems. Potentially suitable habitat scarce within the Study Area.
Great blue heron, fannini subspecies	<i>Ardea herodias fannini</i>	Blue (2022)	1-SC (2010)	Possible	No nests observed on the Island. Species presence can be expected periodically during foraging activities along the shoreline. Commonly observed foraging in ditches, mudflats, agricultural fields, and coastal areas where it mainly preys on fish and amphibians, but also relies on small mammals such as voles in the wintertime.
Marbled murrelet	<i>Brachyramphus marmoratus</i>	Blue (2022)	1-T (2003)	Unlikely	No suitable breeding habitat present on the Island based on preliminary assessment. Breeds in old-growth forests, generally below 900 m of elevation, which do not exist within the Study Area. On-going human presence near the parks amenities is likely a limiting factor for this species sensitive to disturbance.
Olive-sided flycatcher	<i>Contopus cooperi</i>	Yellow (2022)	1-SC (2023)	Present	Heard during field reconnaissance. Expected to be breeding on the Island due to the timing of detection (late May). Widespread but in low abundance. Nests in cool, mesic or moist conifer forests with tall trees, mainly along forested edges, often near water or wetlands.
Peregrine falcon, anatum subspecies	<i>Falco peregrinus anatum</i>	Red (2011)	-	Unlikely	Known sightings in the general area according to eBird. Nests on cliff ledges or under tall bridges. No cliffs offering nesting potential are present on the Island. Could forage along the Island shoreline.



Common Name	Scientific Name	Provincial Status	SARA Status	Potential Presence Rating*	Rationale
Western screech-owl, kennicotti subspecies	<i>Megascops kennicottii kennicottii</i>	Blue (2017)	1-T (2005)	Possible	Few known occurrences in the region. Few potential nesting cavities in the immediate vicinity of the swamp. Typically nests in mixed old-growth or mature second-growth forests in riparian areas below 1000 m of elevation.
Insects					
Autumn Meadowhawk	<i>Sympetrum vicinum</i>	Blue (2023)	-	Possible	Known occurrence on nearby Galiano Island (BC CDC). Lives in ponds, slow streams and lakes with dense emergent vegetation.
Common woodnymph, incana subspecies	<i>Cercyonis pegala incana</i>	Red (2021)	-	Possible	Known occurrence on nearby Gabriola Island (iNaturalist). Found in grassy forest openings, clearcuts, meadows, marshes, fields, roadsides, irrigated fields and stream banks. Larval foodplants are associated with grasses and sedges. Adults nectar on a variety of flowers, willow and poplar sap.
Dun Skipper vestris subspecies	<i>Euphyes vestris vestris</i>	Blue (2020)	1-T (2003)	Unlikely	Most occurrences on Vancouver Island between Duncan and Victoria, but has been observed as far north as on Hornby Island (iNaturalist, BC CDC). Prefers moist areas in fields and meadows but also along periodically wetted ditches. Caterpillar Hosts plants include various sedge species (<i>Cyperus</i> spp. and <i>Carex</i> spp.). Adults nectar from white, pink, or purple flowers including common purple vetch, self-heal, fireweed.



Common Name	Scientific Name	Provincial Status	SARA Status	Potential Presence Rating*	Rationale
Edith's Checkerspot Taylori subspecies	<i>Euphydryas editha taylori</i>	Red	1-E (2003)	Unlikely	On-going reintroduction efforts in Helliwell Park on Hornby Island and other suitable Garr Oak meadow habitats on eastern Vancouver Island and Gulf Islands. This species appears to have limited dispersal ability and may be restricted to the known occurrence areas. Mainly nectars on spring gold flowers (<i>Lomatium utriculatum</i>) but also on camas (<i>Camassia spp.</i>) plantain (<i>Plantago spp.</i>), and paintbrush (<i>Castilleja spp.</i>). Caterpillar host plant mainly include speedwell (<i>Veronica spp.</i>) and plantain (<i>Plantago spp.</i>) species.
Moss's Elfin	<i>Callophrys mossii mossii</i>	Red	-	Possible	Known occurrences on Gabriola Island. Host plants (<i>Sedum sp.</i>) observed on rocky outcrop along the shoreline near the Principal House (outside Proposed Development footprint). Found on dry, rocky or scree slopes where the larval foodplant, Stonecrops plants (<i>Sedum spp.</i>) grow. The number of Vancouver Island populations has been greatly reduced by the development of the Victoria region (BC CDC).
Western Pine Elfin	<i>Callophrys eryphon sheltonensis</i>	Blue	-	Unlikely	Known occurrences in the general Nanaimo area but not known from nearby Gabriola Island and adjacent islands. Adults nectar on yarrow (<i>Achillea millefolium</i>), lupine (<i>Lupinus spp.</i>), willow catkins (<i>Salix spp.</i>) hardhack (<i>Spiraea douglasii</i>), or current (<i>Ribes spp.</i>). Caterpillar host plant includes pine tree species such as lodgepole pine (<i>Pinus contorta</i>) and western white pine (<i>P. monticola</i>).



Common Name	Scientific Name	Provincial Status	SARA Status	Potential Presence Rating*	Rationale
Mammals					
Hoary Bat	<i>Lasiurus cinereus</i>	Blue (2022)	-	Unlikely	No documented presence on nearby Gabriola Island, but this species can be difficult to detect and may inhabit the area. Closest known occurrence west of Nanaimo. Roosts in the foliage of deciduous or coniferous trees. The species does not typically form maternity colonies unlike other species. This species is migratory and does not overwinter in BC.
Little brown myotis	<i>Myotis lucifugus</i>	Blue (2022)	1-E (2014)	Possible	Species detected on Gabriola Island. Species is widespread but can be difficult to detect. One of the most common bat species in the region. Roosts in a variety of natural and man-made features, including buildings, bat boxes, tree cavities, loose bark, and crevices in cliffs and talus slopes. Found in a variety of habitats up to 2,300 m of elevation. Some of the buildings and wildlife trees present on the Island may offer suitable maternity roosting and summer roosting opportunities.
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>	Blue (2022)	-	Unlikely	Not known from nearby Gabriola Island. Highly sensitive to human disturbance. Uses caves, mines, abandoned buildings and large tree cavities during the active season and overwinters in caves and mines.



Common Name	Scientific Name	Provincial Status	SARA Status	Potential Presence Rating*	Rationale
Yuma Myotis	<i>Myotis yumaensis</i>	Blue (2022)	-	Possible	Known presence on nearby Gabriola Island. Some of the buildings and wildlife trees present on Sear Island may offer suitable maternity roosting and summer roosting opportunities. One of the most common bat species in the region. Roosts in caves, cliff crevices, bridges, buildings, tunnels, abandoned cliff swallow nests, and cavities in large live trees, typically near water. Found in a variety of habitats up to 1,775 m of elevation. Presence deemed possible in the Principal House.
Plants and Lichens					
Batwing vinyl	<i>Scytinium platynum</i>	Yellow	1-E (2017)	Unlikely	Known occurrence on the southern Gulf Islands, Lasqueti Islands, near Comox Lake, and Little Mountain Lookout in Parksville (iNaturalist, ECCC). Occurs exclusively on sloping rocky outcrops subject to some degree of periodic seepage.
Macoun's meadow-foam	<i>Limnanthes macounii</i>	Red	1-T (2006)	Unlikely	Known occurrence in Drumbeg Provincial Park on Gabriola Island (iNaturalist; BC CDC). No suitable habitat identified during field investigations. Occurs in seasonally wet (i.e. dry in summer and wet in winter) pools and depressions or in seepage streams and slopes at low elevations in coastal areas of Vancouver Island and the adjacent islands. Most sites are in open areas, but several sites are in wet depressions in very open Douglas-fir, Garry oak, and arbutus forests. Other populations are located in open mixed forests of Douglas-fir, Garry oak, arbutus, Rocky Mountain juniper, or lodgepole pine. Depressions in shallow soil-lining bedrock (a form of vernal pool) and intermittent seepage streams along fractures in bedrock typically have water regimes that are suitable for growth.



Common Name	Scientific Name	Provincial Status	SARA Status	Potential Presence Rating*	Rationale
Peacock Vinyl	<i>Scytinium polycarpum</i>	Yellow (2018)	1-SC (2017)	Possible	Known occurrences on Galiano Island and south of Nanaimo (iNaturalist). Found on mossy trunks and branches of maple, arbutus and occasionally Garry oaks.
White-top Aster	<i>Sericocarpus rigidus</i>	Blue (2019)	-	Unlikely	Known occurrence on nearby De Courcy island and southeast of Nanaimo (BC CDC; iNaturalist). Found in dry meadows associated with Garry Oak and Douglas-fir woodland, usually with an understory of shrubs, including common snowberry, Oceanspray, and non-native Scotch Broom.
Ecological Communities					
Douglas-fir / Alaska oniongrass	<i>Pseudotsuga menziesii</i> / <i>Melica subulata</i>	Red (2018)	-	Unlikely	Closest known north of Departure Bay (iNaturalist; BC CDC). Late successional (mature and climax) forest ecosystem occurring on dry, well-drained sites, often adjacent to rock outcrops. It is characterized by a moderately open canopy of Douglas fir with some Garry oak. Arbutus is occasionally present, but other conifer species are absent. The shrub layer is sparse to absent, and consists of hairy honeysuckle, common snowberry and tall Oregon-grape.
Douglas-fir / dull Oregon-grape	<i>Pseudotsuga menziesii</i> / <i>Mahonia nervosa</i>	Red (2018)	-	Possible	An occurrence polygon for this ecosystem, is present on nearby Gabriola Island (BC CDC). Historically the most common forested type in the region. Extensive recent disturbance has caused such widespread fragmentation that it no longer functions as a matrix ecosystem, and mature and old forests are now uncommon. Although Douglas fir is the dominant tree species on the Island and small and localized patches of dull Oregon-grape were observed, this community is not currently in mature/old-growth condition.



Common Name	Scientific Name	Provincial Status	SARA Status	Potential Presence Rating*	Rationale
Garry Oak Ecological Woodlands	<i>Quercus Garryana</i> Woodlands (several plant associations)	Red	-	Unlikely	Scattered occurrences on Vancouver Island and Gulf Islands following agricultural and urban development. Only a few Garry oaks present on the Island. Biophysical attributes of critical habitats are not expressed within the study area.
* Potential presence rating given by endorsing Professional Biologist					



The waters off the eastern and southern extents of the Island are included within the Gabriola Passage Marine Protected Area (MPA). It is delineated by Gabriola Island, Valdes Island, Breakwater Island, and the Flat Top Island Group. The area is known for its abundance and diversity of marine life and low human impacts. The Proposed Development will not impact the marine habitat or adjacent shoreline and as such, this MPA and associated Development Permit Area (DP 5 – Gabriola Pass Marine Protected Area) will not be considered further in this report.

A review of the Islands Trust eelgrass mapping¹⁶ for Gabriola Island (Islands Trust, 2013) and adjacent islands indicates eelgrass (*Zostera marina*) beds are present around most of the island except along the eastern extent and the southeastern extent, where the Proposed Development lies (see Figure 3). Figure 3 below shows that the existing boat ramp does not directly overlap with eelgrass beds, but some eelgrass patches exist. Eelgrass beds providing food, shelter, and breeding grounds for a wide variety of marine life, including fish, shellfish, and birds. It also plays a crucial role in stabilizing sediments, protecting shorelines from erosion, and improving water quality. It is important to note that confirming the presence of eelgrass beds was outside the scope of Roe's assessment. Therefore, the information from the 2013 assessment is assumed to be accurate, although changes in eelgrass coverage may have occurred since that time.

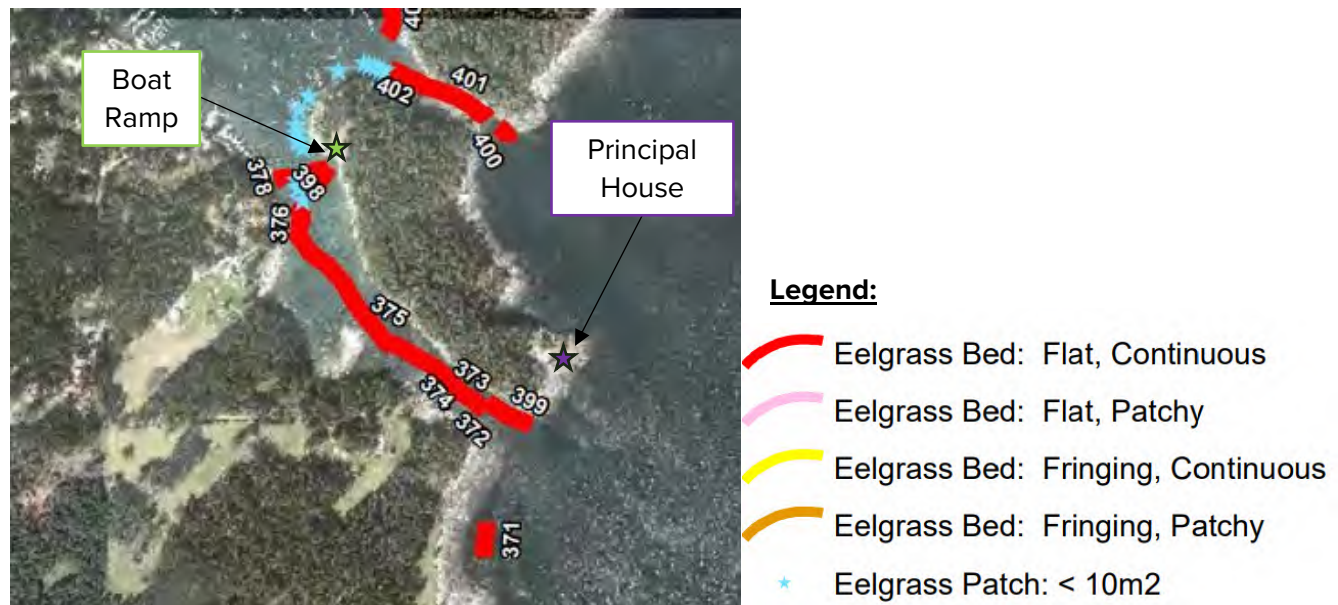


Figure 3: Known eelgrass bed presence near Sear Island. Modified from Islands Trust mapping (2013)

¹⁶ <https://islandstrust.bc.ca/document/gabriola-island-map-11a-eelgrass-2023/>

5 ENVIRONMENTAL OVERVIEW ASSESSMENT

5.1 Description of Existing Conditions

The Proposed Development is located at the southern tip of Sear Island, within an area of existing disturbance. This area was cleared and levelled to accommodate the construction of the existing Principal House and ancillary structures. Two small sheds for the water pumping/treatment system and the electrical box are present along the western extent of the existing building, along the forested edge (see Photo 4). The Principal House is accessed via an unpaved road bisecting the Island north to south (see Photo 1). No other roads exist on the Island, except some short spur roads to access the boat ramp and a guest cabin on the east side of the Island.

The existing house has a footprint of approximately 465 m² with an additional 155 m² overlapped by a concrete walkway, flower bed, and car port access road (see Photo 2). The total area of disturbance (i.e., without visible trees in the vicinity of the house) was measured on Google Earth as being approximately 2,000 m².

5.2 Vegetation

The area of disturbance around the Principal House is comprised of low-lying vegetation, dominated by a maintained grassy area, ornamental trees and forbs. Invasive Scotch broom (*Cytisus scoparius*) patches are present along the northern and eastern extents of the building and foxgloves (*Digitalis purpurea*) specimens were also observed in low densities scattered throughout the existing area of disturbance (see Photo 7 and 8).

The area of existing disturbance is surrounded by a forested area dominated by second-growth Douglas fir (*Pseudotsuga menziesii*), with a few arbutus trees, and an understory of salal (*Gaultheria shallon*) to the west and north of the building. A sparse alignment of trees is present along the eastern and northern shoreline. Douglas fir is the dominant tree species, both in the adjacent forested area and along the shoreline, with a few arbutus trees, some of which are dead or dying. No Garry oaks (*Quercus garryana*) were observed immediately near the area of disturbance, but few immature specimens are present in the forested area south of the house. Similarly, no flowers representative of Garry oak meadows (e.g., camas) were observed despite the favourable time of year to observe such species.

Four planted fruit-bearing trees (plum and apple trees) were observed along the southern extent of the house. These trees appeared to be in poor health (See Photo 10) and were not reported on the site survey or Arborist Report¹⁷ (Burley Boys Tree Service Ltd, May 2025). A small patch of broad-leaved stonecrop (*Sedum spathulifolium*) was observed on the rocky shoreline, immediately above the natural boundary of the Salish Sea (see Photo 9). This species is one of the known caterpillar host plants for Moss's Elfin butterfly (*Callophrys mossii mossii*), a provincially red-listed sub-species. No butterflies were observed flying during field investigations, however, despite favourable conditions (i.e., moderate wind and warm temperatures).

5.3 Wildlife and Wildlife Habitat

Due to the relative isolation and periodic human presence, the Island was found to have high densities of common bird species, including dark-eyed junco (*Junco hyemalis*), white-crowned sparrow (*Zonotrichia*

¹⁷ Burley Boys Tree Service Ltd. 13 May 2025. Arborist report for Lot 2, Sear Island, Gabriola Island Local Trust. Prepared for Burgers Architecture



leucophrys), western flycatcher (*Empidonax difficilis*), rufous hummingbird (*Selasphorus rufus*), and house Wren (*Troglodytes aedon*). No obvious large stick nests were identified near the Principal House and no bald eagle (*Haliaeetus leucocephalus*) or great-blue heron (*Ardea Herodias*) activity was observed other than one adult eagle flying over the Island. Pileated woodpecker (*Dryocopus pileatus*) foraging excavations were observed in the forested area along the access trail, but no evidence of the species presence or potential nesting cavities were observed in the vicinity of the Proposed Development.

Several passerine bird nests were observed on various house structures, including an old barn swallow (*Hirundo rustica*), unoccupied at the time of the site assessment, and another unidentified passerine bird nest in a vent outlet.

Despite the small size of the Island, a Columbian black-tailed deer (*Odocoileus hemionus columbianus*) was observed during field investigations along with a Douglas squirrel (*Tamiasciurus douglasii*). It is assumed that medium- to large-sized wildlife may be able to access the Island by swimming across the narrow, ~80 m wide channel between Gabriola Island and Sear Island, just off Drumbeg Provincial Park.

Some missing panels and mesh on the eaves of the house could allow access to small wildlife, including bats. Bat or small wildlife presence could not be confirmed however due to the single day of field assessment conducted. Although no guano, dejections, or scratch marks were observed at the time of assessment, the periodic use of the roof as shelter or bat maternity roost cannot entirely be discounted.

No butterflies were observed flying in the vicinity of the Principal House during field investigations despite favourable conditions (i.e., moderate wind, warm temperatures and suitable time of year), but a one day survey is not deemed sufficient to provide relevant information for this particular group.

5.4 Aquatic Features

No watercourses, wetlands or periodically wet water features were observed within 30 m of the Principal House. The closets water feature was observed to be a marsh approximately 150 m north, along the eastern shoreline. The existing dwelling is approximately 12-13 m from the natural boundary of the Salish Sea at its closest point (i.e., wooden patio and northern extent of the house).

The natural boundary was surveyed by Benett Land Surveying Ltd. in September 2024 and the 30 m setback from the Salish Sea was reported on Figure 4 below).

5.5 Photo Documentation

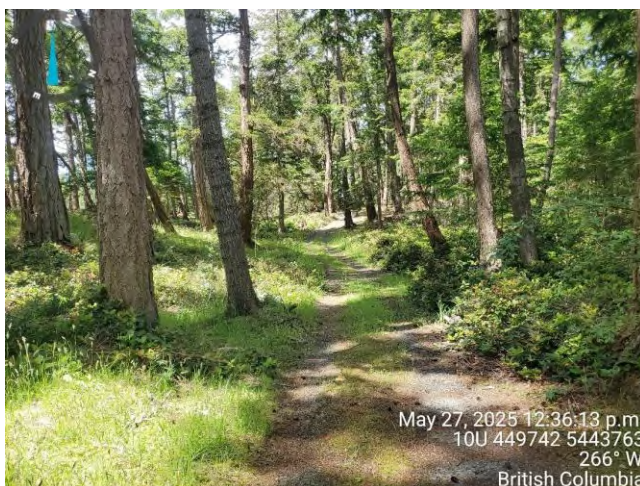


Photo 1: View of main access trail across the Island



Photo 2: Looking northeast at Principal House, showing



(2025-05-27).



Photo 3: Looking east at southern extent of the existing dwelling, showing edge of forested areas dominated by Douglas fir. (May 27, 2025).

concrete walkway and carport access (May 27, 2025).

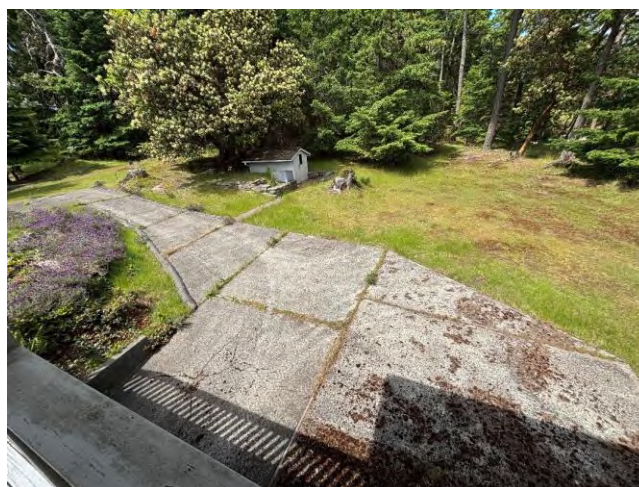


Photo 4: Looking west at maintained grassy area along the back side of the existing dwelling, showing the pumphouse shed and electrical box. (May 27, 2025).



Photo 5: View of the pumphouse and electrical box sheds.



Photo 6: View of rocky shoreline along the eastern extent of the Principal house, looking west.



Photo 7: Looking west towards the Principal House, showing invasive Scotch broom infestation and



Photo 8: Looking east towards the Salish Sea Shoreline, showing invasive foxgloves and Scotch broom (May 27, 2025).



foxgloves (May 27, 2025).



Photo 9: Broad-leaved stonecrop on rocky outcrop near the Salish Sea shoreline (May 27, 2025).

2025).



Photo 10: View of planted fruit-bearing trees along the southern extent of the existing dwelling (May 27, 2025).



Photo 11: View of unoccupied barn swallow nest (red circle) on light fixture in the carport area (May 27, 2025).



Photo 12: View of missing exclusion mesh under the eaves and potential access location for small wildlife (May 27, 2025).

6 ENVIRONMENTAL IMPACT ASSESSMENT

6.1 Impacts within 30 m Setback from Salish Sea Natural Boundary

The Proposed Development will be constructed within the existing area of disturbance and will have a slightly lesser footprint as compared with the existing dwelling (see Table 2 below). Nevertheless, the total footprint of the new building within the 30 m setback from the natural boundary will be substantially reduced by approximately 31 %. The northern corner of the proposed building will be approximately 10 m away from the Salish Sea natural boundary at its northern extent, which is closer than any of the existing structures (~13 m).



Table 2: Permanent footprint comparison between existing and proposed developments

Component	Total Existing Footprint (m ²)	Existing Footprint within 30 m from Natural Boundary (m ²)	Proposed Footprint (m ²)	Proposed Footprint within 30 m from Natural Boundary (m ²)
Dwelling	465.5	437.5	394.1	295.2
Ancillary Structures	156.1	123.7	204.7	132.5
Total	621.6	561.2	598.8	427.7

No tree removal is anticipated based on the design reviewed for the preparation of this report, but the 4 planted fruit-bearing trees present along the southern extent of the existing house will likely require to be removed to accommodate construction due to their poor apparent health. It is noted that, to Roe's knowledge, the condition of these trees has not been assessed by a Certified Arborist. According to the design plan reviewed, the footprint of the proposed building foundation is outside of the critical root-zone of all trees identified on the survey. It is noted that a dead arbutus trees along the shoreline is not reported on the tree survey, but it will not be impacted by the Proposed Development.

6.2 Impacts on Wildlife and Wildlife Habitat

The presence of an old barn swallow nest requires special consideration during the demolition of the existing building. In effect, nests of barn swallows, including unoccupied ones, are protected under the federal *Species at Risk Act* between May 1 and August 31 or whenever this species is actively building or occupying the nests. Additionally, demolition activities may impact nesting birds should they be conducted during the bird nesting window which extends between March 1 and August 31 as suitable habitat exists in the immediate vicinity of the existing building, including the Scotch broom shrubs to be overlapped by the Proposed Development. No year-round protected nests (e.g., pileated woodpecker, bald eagle, great-blue heron) were observed in the vicinity of the house during Roe's preliminary site assessment, but further assessment may be required based on the timing of the Proposed Development construction.

The temporary disturbance of soils associated with the demolition and construction of the Proposed Development poses an increased risk of Scotch broom propagation, without proper mitigation in place, as this invasive plant can establish quickly on bare soil.

The new areas of permanent disturbance, mainly east of the exiting building, are currently comprised of a Scotch broom infestation, which may provide suitable habitat for common birds such as white crowned sparrow or hummingbirds.

Once completed, the Proposed Development is not anticipated to cause additional disturbance to the vegetation and wildlife. Temporary disturbance from increased machinery and human presence during construction is not anticipated to impact local bird populations.

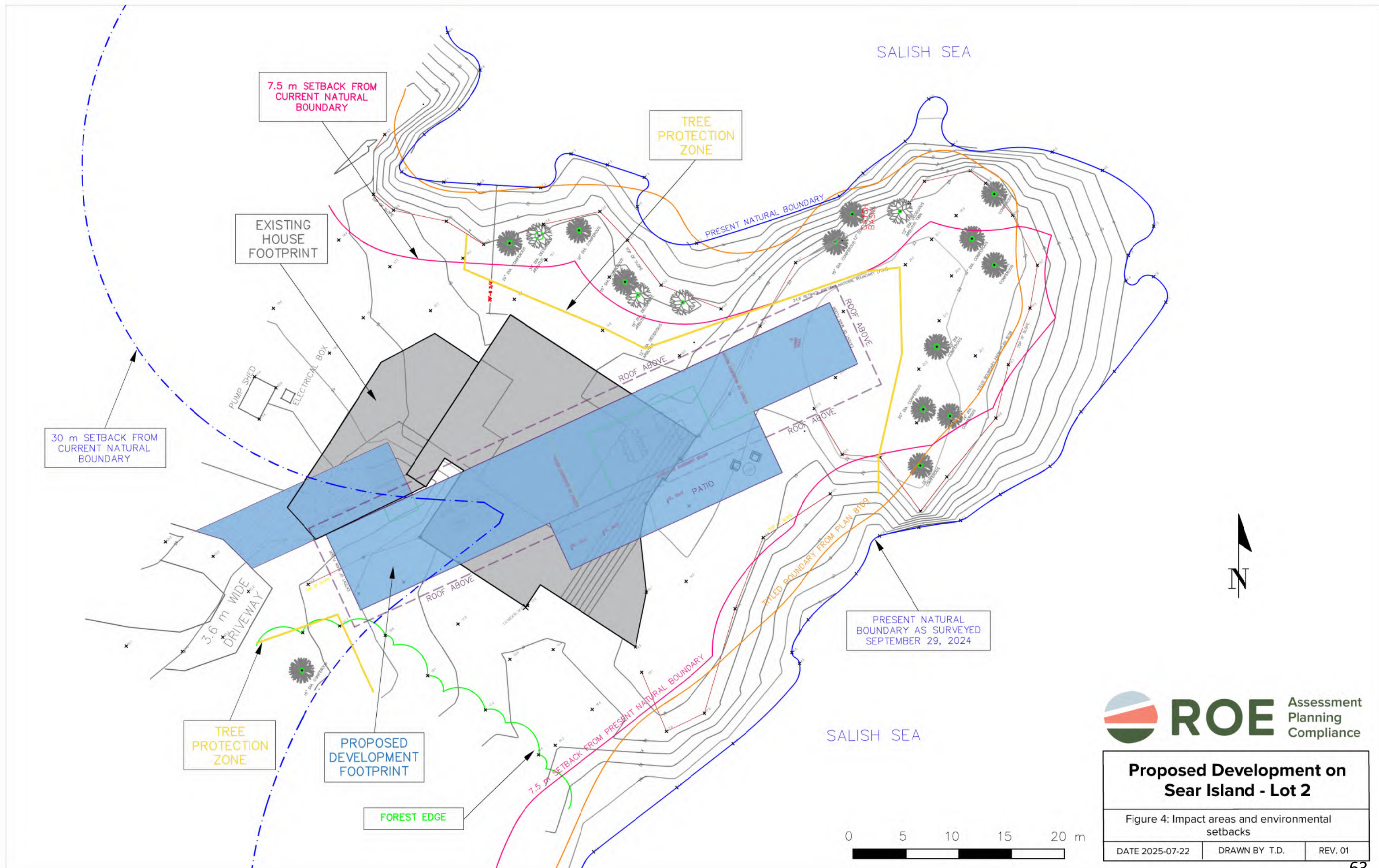


6.3 Impacts on Aquatic Habitat and Foreshore

The potential impacts on the Salish Sea from the Proposed Development are deemed low provided that access to the shoreline is restricted during construction and that appropriate erosion and sediment control (ESC) measures are implemented to minimize the mobilization of sediment-laden water or undue erosion, especially during the fall storm season.

The Proposed Development will not impact the foreshore as the closest permanent footprint is approximately 10 m from the natural boundary of the Salish Sea with the roof overhang extending as close as ~7.8 m. Similarly, the small patch of stonecrop, known host plant for Moss's elfin, will not be disturbed due to its location on a rocky outcrop with limited access. The potential impact on this butterfly species during construction, should it be present, is considered negligible.





7 RECOMMENDATIONS FOR MITIGATIONS

The following recommendations are intended to ensure compliance with the DP-4 Flat Tops Islands Area guidelines:

- Tree protection zones should be installed in advance of construction as per the recommendations of the Arborist Report (see **Appendix D**) to prevent undue damage to the root system. Should any encroachment within the critical root zone be required, a Certified Arborist should be consulted. It is noted that the footprint of the existing house overlaps with the critical root zone of an arbutus tree, but no further damage to the root system is anticipated during construction.
- No native trees will be removed within or outside of the 30 m of the natural boundary of the Salish Sea and no Garry oak meadows are present in the immediate vicinity of the Proposed Development. Minor pruning of some trees is recommended to accommodate safe construction (see **Appendix D**).
- Construction activities associated with the Proposed Development are recommended to occur outside of the sensitive bird breeding window (March 1 – August 31) and active period for bats (March 1 and October 31), preferably between November 1 and February 28. Should the demolition be scheduled during the sensitive windows for birds and bats, migratory bird surveys should be conducted to ensure that no active bird nests are disturbed by demolition activities and the potential presence of bats should be assessed by a QEP.
- No nests of bald eagles or great-blue heron, protected year-round under the BC *Wildlife Act*, were observed in the vicinity of the Proposed Development (or on the Island). No other year-round protected nests (e.g., pileated woodpecker nesting cavity) were observed in the vicinity of the Proposed Development.
- All construction activities should be undertaken in such a manner as to avoid or minimize potential surface erosion and off-site sediment transport into the Salish Sea. Although the risk At a minimum, the following measures should be considered to minimize soil erosion and control sediment run-off from active work areas:
 - Minimize work area footprint to reduce exposure of erodible soils to precipitation.
 - All areas potentially requiring excavation should be clearly delineated to minimize the extent of the disturbance footprint.
 - Disturbed areas should be stabilized as soon as possible with special attention to areas that may become wetted during rainy conditions.
 - Any excavated material requiring to be temporarily stockpiled on site should be staged in a stable area at minimum 30 m from the Salish Sea natural boundary and covered with polyethylene or tarpaulin sheeting.
- Access to the foreshore and all forested areas not necessary for construction should be excluded with temporary fencing (e.g., snow fencing) to minimize undue disturbance.
- All areas where soil was disturbed should be seeded with native grasses or replanted with native vegetation, such as salal, dull Oregon grape (*Mahonia nervosa*), or snowberry (*Symphoricarpos albus*).
- Scotch broom is recommended to be removed prior to construction to avoid spreading of this invasive species. Seeds germinate well in disturbed areas, especially when they have very few native plants to compete with. The best time to remove broom is when the soil is moist – between November and February, especially for smaller plants which can be pulled by hand. Plants larger than a half inch at the base should be cut as low as possible, preferably when the plants are in bloom or just before they bloom. Broom cuttings should be disposed of in an appropriate facility in (e.g., Nanaimo Regional Landfill at 1105 Cedar Road, Nanaimo, BC). Invasive species must be double-bagged prior to disposal.



- Existing disturbance areas along the existing access road and around the existing house should preferably be used as laydown areas during construction. Any clearing of vegetation beyond the 30 m setback from the natural boundary of the Salish Sea should be avoided or minimized. Tree limbing will be preferred to tree removal.
- The boat ramp should be preferably used at high tide for the mobilization of equipment and materials to minimize impacts to the known patches of eelgrass.

8 CLOSURE

Roe trusts that the information provided in this report meets the guidelines for development activities within DP-4 as follows:

F.4.2.1 - *There shall be no disturbance of the vegetation or use of chemicals within 30 metres of the natural boundary of the sea except in accordance with any conditions specified in the permit*

All construction activities will occur within existing areas of disturbance. No removal of native trees will be required for the Proposed Development except for the likely removal of planted ornamental fruit-bearing trees observed to be in poor health. The only vegetation to be disturbed are patches of Invasive Scotch broom, which will be partially overlapped by the Proposed Development or otherwise pulled in favour of native vegetation replanting.

There will be a 31 % reduction of permanent structure footprint within 30 m from the natural Boundary of the Salish Sea as a result of the Proposed Development as compared with existing conditions.

F.4.2.2 - *Garry oak meadows and similar indigenous species shall be identified and their habitats protected from disturbance.*

No Garry oaks meadows were identified during Roe's field investigations in the immediate vicinity of the area of existing disturbance. Native Douglas fir and arbutus trees present in the adjacent forested area and along the shoreline will be protected during construction to avoid undue disturbance.

F.4.2.3 - *There shall be no alteration or disturbance which would cause a negative impact to the foreshore habitat*

The closest extent to the Proposed Development (i.e., northern extent of the roof line) was measured to be more than 7.5 m away from the natural Boundary of the Salish Sea. The foreshore habitat will not be impacted by the Proposed Development and is recommended to be excluded from access during construction to prevent undue encroachment.

F.4.2.4 - *Buildings shall be integrated with the surrounding landscape and sited to minimize removal of vegetation.*

The footprint of the new building was optimized to reduce the footprint within the 30 m setback from the natural boundary of the Salish Sea and avoid all disturbance of native vegetation.

F.4.2.5 - *Other than within existing marine lease areas, applicant shall provide an assessment of environmental impacts and mitigation measures, prepared by a qualified professional, prior to any expansions or new developments.*

The present report summarizes existing environmental values, environmental impacts associated with the Proposed Development and provides recommendations for mitigation measures to be implemented



during construction.

F.4.2.6 *Existing trees and vegetation shall be retained along the upland area and adjacent to the foreshore in order to maintain the habitat and prevent erosion.*

No native trees or vegetation will be removed within 7.5 m of the Natural boundary of the Salish Sea. Additionally, a geotechnical report prepared by Phillips and Associates Engineering Consultants (see **Appendix C**) concluded that “[n]o soils susceptible to erosion were observed along the shoreline. The shoreline along the proposed development area is considered to be adequately protected from erosion by natural bedrock.”

F.4.2.7 *Septic systems shall not be constructed within 30 metres of the natural boundary of any watercourse (including a body of water or the sea).*

The existing septic system will be upgraded and maintained outside beyond 30 m from the natural boundary of the Salish Sea.

F.4.2.8 *Areas subject to flooding shall be subject to a 15-metre setback unless waived by the Ministry of Environment.*

The Proposed Development is located approximately 6 m above sea level according to the site survey, exceeding the Flood Construction Level FCL=5.1 m recommended in the *Regional District of Nanaimo Coastal Flood Hazard Map Atlas – phase II Electoral Areas A & B*¹⁸ (Ebbwater Consulting & Cascadia Coast Research Ltd., 2019)

F.4.2.9 *Where this area includes trees that bear the nests of eagles or other species of birds, a buffer area around each nest tree should be left undisturbed. The size of the buffer should be determined prior to development by a qualified professional, with advice from the Ministry of Environment or the Canadian Wildlife Service*

No bald eagle nests were identified on Sear Island during Roe’s field reconnaissance; however their future presence cannot entirely be discounted and will require further assessment prior to construction. Several species of passerine birds were observed with breeding evidence on the existing house and adjacent vegetation. If vegetation disturbance (i.e., Scotch broom removal) is required to be conducted during the migratory bird nesting window of March 1 – August 31, precautionary bird nest searches should be conducted by a QEP a minimum three days prior to construction activities to identify potential nests and establish appropriate buffers.

¹⁸ https://rdn.bc.ca/sites/default/files/inline-files/2.RDN_CoastalFloodHazardMapAtlas_PhaseII_Series4_FCLReach_1.0mRSLR_0.pdf

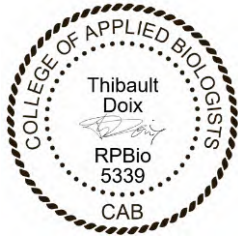


Please feel free to contact the undersigned if you have any questions regarding the content of this report.

Roe Environmental Inc.

Prepared and Endorsed by:

The undersigned certifies the work described herein fulfills standards acceptable of a Professional Biologist.



[Digital Copy, Original Signed]

Thibault Doix, R.P. Bio.

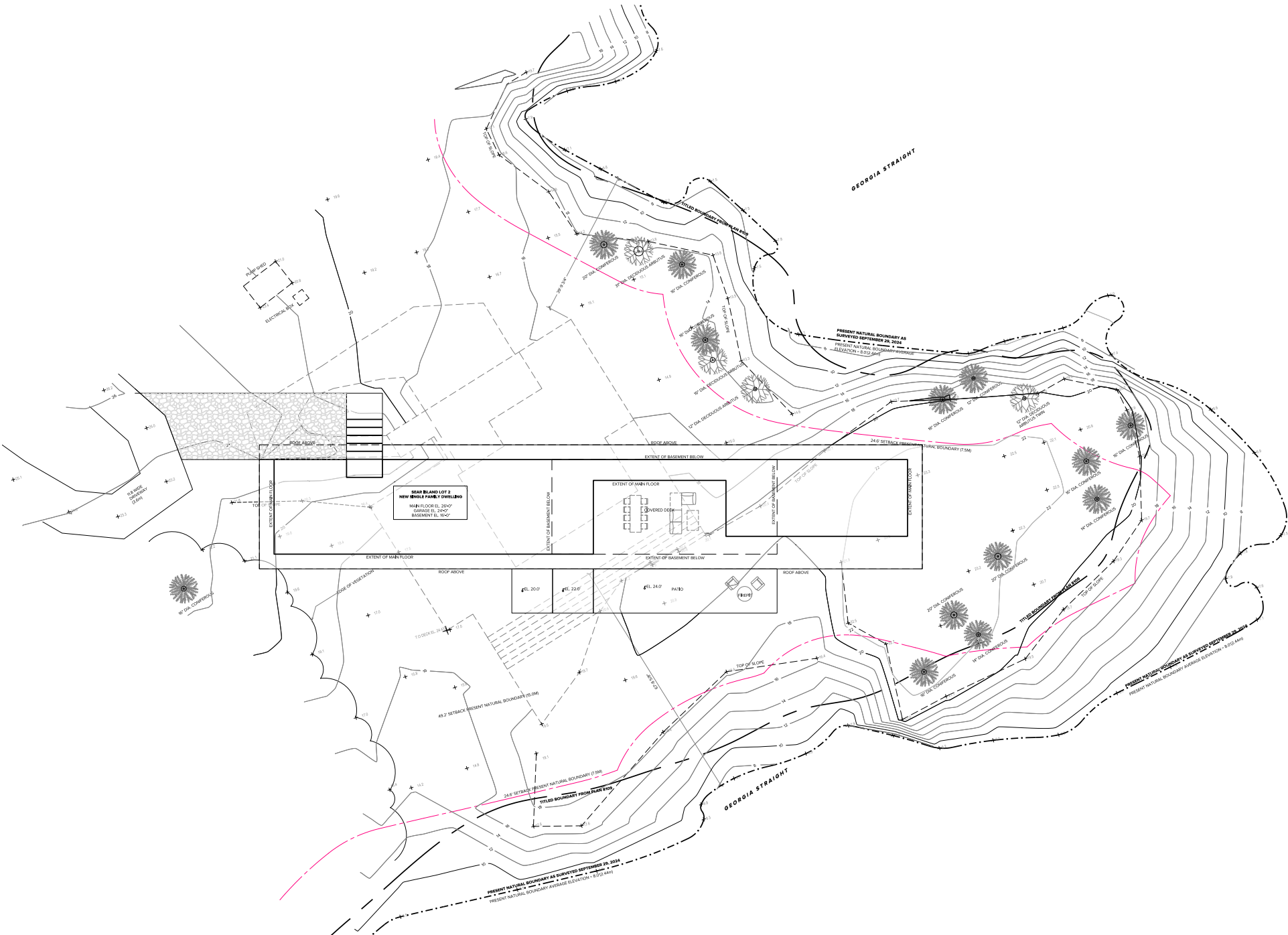
Senior Biologist

thibault@roe-env.ca



APPENDIX A: Proposed Building Design





DATE: 2024
NO. 01
DESCRIPTION: CLIENT REVIEW
BY: HAS

BURGERS ARCHITECTURE
2485 HATFIELD AVENUE
WEST VANCOUVER, BC
V7V 1Y1
PH: 604 926 6058
FAX: 604 926 9941
EMAIL: cedric@burgersarchitecture.com

SEAR ISLAND
NANAIMO, BC
DESIGNED UNDER PART 9, BCBC 2018
MAJOR OCCUPANCY CLASSIFICATION: RESIDENTIAL C

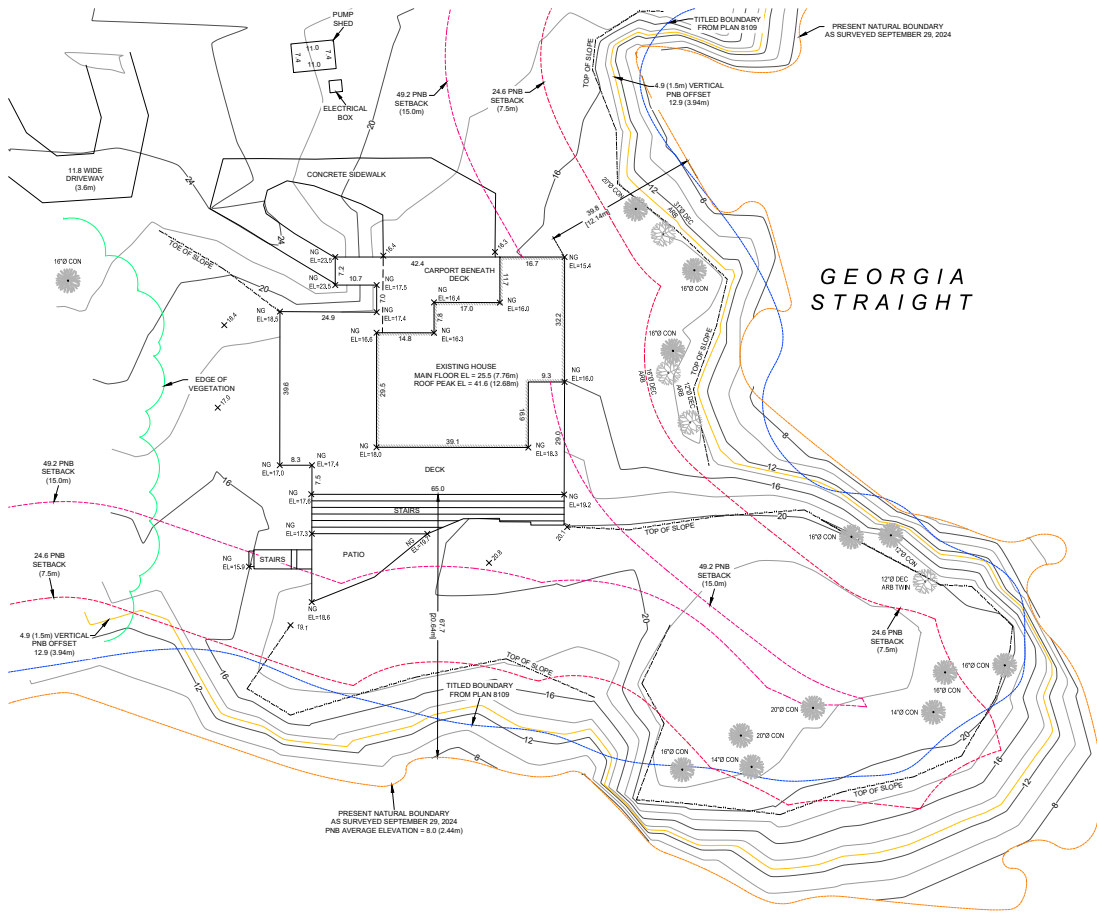
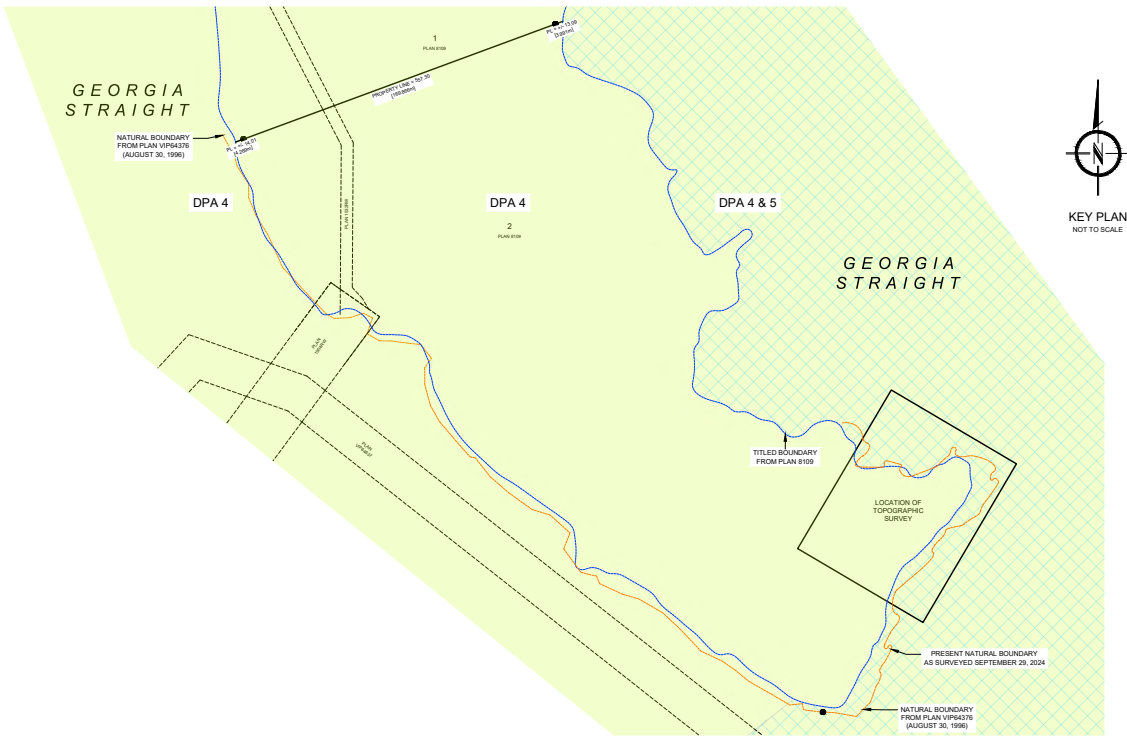
SCALE: Not shown

A221
MAIN FLOOR PLAN

69

APPENDIX B: SITE SURVEY





SITE PLAN OF LOT 2, DISTRICT LOT 13, FLAT TOP ISLANDS, NANAIMO DISTRICT, PLAN 8109.

REGIONAL DISTRICT OF NANAIMO
SEAR ISLAND
PID: 000-433-250
ZONE: R (RESOURCE)
CLIENT: FALCONE, BENJAMIN & ANNA



SCALE 1/16 INCH = 1 FOOT

ALL DISTANCES ARE IN FEET



DATE:	2024-10-15	BY:	TD
	2024-11-14	MINOR UPDATES	TD
	2025-04-21	REVISION	TM
REVISION:			

- LEGEND:**
- - DENOTES STANDARD IRON POST FOUND
 - 12" DEC ARB - DENOTES 12" Ø DECIDUOUS ARBUTUS TREE
 - 16" CON - DENOTES 16" Ø CONIFEROUS TREE
 - - DENOTES DEVELOPMENT PERMIT (DPA) 4 FLAT TOP ISLANDS AREA
 - - DENOTES DEVELOPMENT PERMIT (DPA) 5 GASROLA PASS MARINE PROTECTED AREA
 - - - - - DENOTES PRESENT NATURAL BOUNDARY (PNB) AS MEASURED BY FIELD SURVEY NOTED
 - - - - - DENOTES TITLED BOUNDARY FROM PLAN 8109
 - - DENOTES SPOT ELEVATION OF 18.1' (TYPICAL)

VERTICAL DATUM:
ELEVATIONS ARE GEODETIC (CGVD13) AND DERIVED FROM ON-SITE OBSERVATIONS.
CONTOUR INTERVAL = 2 FEET (MINOR)
4 FEET (MAJOR)

PROPERTY:
PROPERTY DIMENSIONS SHOWN ARE DERIVED FROM PLAN 8109.
OFFSETS TO PROPERTY LINES ARE NOT TO BE USED TO DEFINE BOUNDARIES.
REFER TO CURRENT CERTIFICATE(S) OF TITLE FOR ADDITIONAL, EXISTING OR PENDING CHARGES.

GENERAL:
THIS PLAN SHOWS THE LOCATION OF VISIBLE FEATURES ONLY, AND DOES NOT INDICATE BURIED SERVICES THAT MAY EXIST ON OR AROUND THE SUBJECT SITE.
BUILDING LOCATION BASED ON SURVEY TIES TO VISIBLE EXTERIOR SURFACES UNLESS OTHERWISE NOTED.
TREE SPECIES AND DIMENSIONS SHOULD BE CONFIRMED BY A QUALIFIED ARBORIST. SHADED AREA IS NOT AN INDICATION OF DRIP LINE LOCATION UNLESS SPECIFICALLY LABELLED.

NOTE:
THIS PLAN HAS BEEN PREPARED FOR PRELIMINARY PURPOSES ONLY AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT.
ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE OR IN PART WITHOUT THE CONSENT OF BENNETT LAND SURVEYING LTD.
BENNETT LAND SURVEYING LTD. ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE OR ACTIONS TAKEN BASED ON THIS DOCUMENT.

CERTIFIED CORRECT

FIELD SURVEY COMPLETED ON THE 21ST DAY OF APRIL, 2025.
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED OR DIGITALLY CERTIFIED.

APPENDIX C: GEOTECHNICAL REPORT



GABRIOLA ISLAND LOCAL TRUST COMMITTEE
PLDP20250308

SCHEDULE "B" – Burley Boys Arborist Report (May 13, 2025)

BEGINS ON NEXT PAGE

DRAFT



ON STAFF

604-926-8733 | office@burleyboys.com | www.burleyboys.com
 2401 Mackay Ave, North Vancouver, BC V7P 2N2

Arborist Report

Authored by: Sean Wightman & Erik Helssen

ISA Certification #: PN2013A TRAQ, PN6524A TRAQ

File #:	25-035
Date:	13 May 2025
Weather:	Sun & cloud
Client:	Burgers Architecture Attn: Nada Awadi
Telephone:	778-919-9159
Email:	nada@burgersarchitecture.com
Site Address:	"Lot 2, Sear Island, Gabriola Island Local Trust" District Lot 13, Flat Top Islands, Nanaimo District, Plan 8109 British Columbia

Purpose:

Burley Boys Tree Service Ltd. has been contracted to provide a tree inventory and tree removal/retention outline for the property, known as Lot 2, Sear Island, BC.

Plans for the development of the property include the demolition of the existing structure and construction of a new replacement principal main house.

This report is intended to accompany a development permit for the property. All trees are being retained; no trees are proposed for removal.

Method:

The site was visited with all trees being assessed from the ground only, using the Visual Tree Assessment (VTA) technique. No trees were climbed or cored during the site visit. Assessed trees and their Critical Root Zones (CRZ) are noted in the Appendix below. These CRZ should be noted for design purposes and to avoid/limit any excavations or grade changes too close to the trees as part of the proposed development.

Limitations:

Copyright 2025, Burley Boys Tree Service Ltd. This report is based on the method of assessment on the day of the assessment only. It is not to be copied, reprinted, published or otherwise distributed without prior approval by Burley Boys Tree Service Ltd. This report is to be used in its entirety, for its purpose only. Only the subject trees were inspected, and no others. This report does not imply or in any other way infer that other trees on the property or on neighbouring sites are sound and healthy.

The inherent characteristics of trees or parts of trees to fall due to environmental conditions and internal problems are unpredictable. Defects are often hidden within the tree or underground. The project arborist has endeavoured to use his skill, education and judgement to assess the potential for failure, with reasonable methods and detail. It is the owner's responsibility to maintain the trees to reasonable standards and to carry out recommendations for mitigation suggested in this report.

It is the sole responsibility of the client or their representatives to follow through with all recommendations for future consultations or site inspections.

Observations:

Lot 2 is located on the south side of the Island. The proposed development includes the construction of a new main principal home to replace the existing structure on site.

For the purpose of this report, only trees within or near the building envelope were assessed. 8 trees, or groups of trees, within or near the property were identified. The trees are not individually tagged, but they are referred to as Trees #1 through #8 below and in the Appendix.

Tree #1 consists of a mixed grouping of approximately 7 Douglas fir and Arbutus. Their stems measure 25-50cm DBH and they are all in good condition. These trees are unaffected by the proposed development and are to be retained; tree protection barriers are to be installed.

Tree #2 is an Arbutus. It measures 29cm DBH and is in poor condition. This tree is to be retained; tree protection barriers are to be installed no closer than the minimum CRZ noted in the Appendix below. It is further recommended that this tree be pruned to remove any deadwood and defective limbs throughout its canopy.

Tree #3 is an Arbutus. It measures 38cm DBH and is in good condition. This tree is to be retained; tree protection barriers are to be installed no closer than the minimum CRZ noted in the Appendix below. It is further recommended that this tree be pruned to remove any deadwood and defective limbs throughout its canopy and may require additional pruning to allow for building/construction clearance.

Tree #4 is an Arbutus. It measures 40cm DBH and is in good condition. This tree is to be retained; tree protection barriers are to be installed no closer than the minimum CRZ noted in the Appendix below. It is further recommended that this tree be pruned to remove any deadwood and defective limbs throughout its canopy and may require additional pruning to allow for building/construction clearance.

Tree #5 is a Douglas fir. It measures 39cm DBH and is in good condition. This tree is to be retained; tree protection barriers are to be installed.

Tree #6 is an Arbutus. It measures 59cm DBH and is in good condition. This tree is to be retained; tree protection barriers are to be installed no closer than the minimum CRZ noted in the Appendix below. It is further recommended that this tree be pruned to remove any deadwood and defective limbs throughout its canopy and may require additional pruning to allow for building/construction clearance.

Tree #7 is a Douglas fir. It measures 53cm DBH and is in good condition. This tree is to be retained; tree protection barriers are to be installed. It is further recommended this tree be pruned to provide clearance to the building envelope.

Tree #8 is a Douglas fir. It measures 48cm DBH and is in good condition. This tree is to be retained; tree protection barriers are to be installed. It is further recommended this tree be pruned to provide clearance to the building envelope.

Conclusions:

Any removal/retention recommendations are based on the trees' current health, condition, as well as, their long-term viability as a retained tree and their relative proximities to required excavations.

The critical root zones of retained trees should be observed and protected from any excavations, grade changes or storage of construction materials.

Tree Retention Outline:

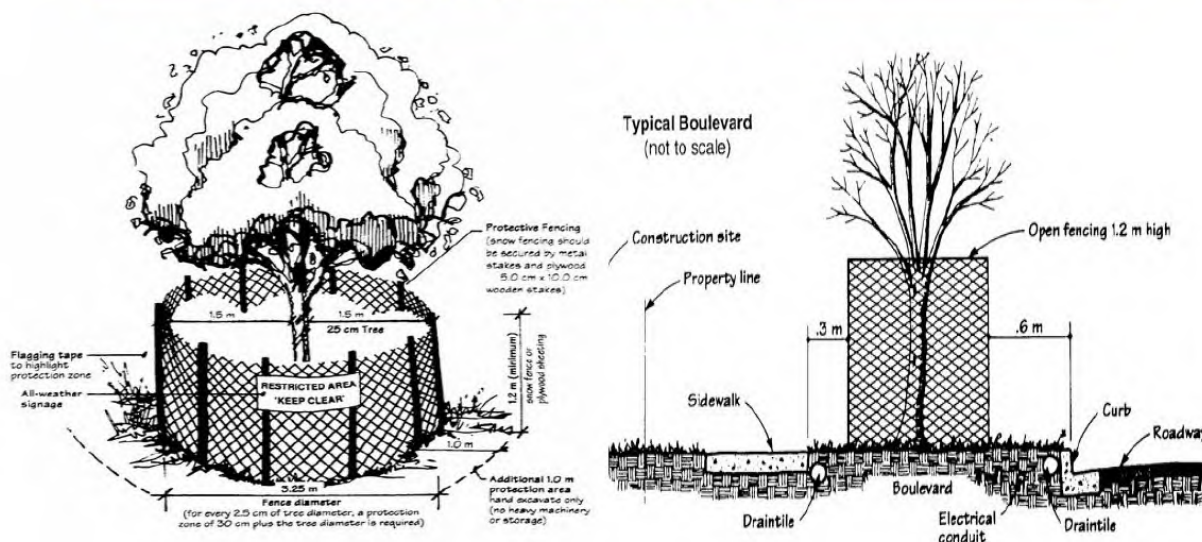
A tree preservation fence must be constructed around the root areas of all trees that are to be retained. Wherever possible, the radius of the tree preservation fence should extend as far as the drip line of the tree's canopy. If this is not possible, the fence should be located no closer than the determined CRZ for each individual tree. This will ensure that the critical root zone for each tree is protected. Protecting the tree's critical root zones will help reduce the amount of soil compaction to the root areas, and will also aid in retaining the moisture in the soils during the construction period.

Should any excavations be required within 1m of the determined critical root zone of any tree to be retained, a certified arborist must be on site to assess and document the roots being affected and mitigate appropriately. If any roots are expected to be uncovered, damaged or cut, it is recommended that a certified arborist be retained to supervise the excavations and mitigate any damaged roots accordingly.

Heavy machines should be kept out of the drip line of all trees on the property. Designated roadways for machines to move through the property may prove beneficial. Construction materials, particularly concrete, should not be stored inside the root zones. Waste concrete should not, under any circumstances, be disposed of inside root zones. This includes hosing down tools used to mix or spread concrete. Any large roots (over 15cm) exposed by excavation should have broken ends cleanly sawn off.

Standard and Boulevard Tree Protection Barrier (TPB) guide/outline (Fig 3)

TPB is to be erected in accordance with municipal bylaw. Traditionally it is composed of wooden 2x4 construction and orange snow fencing material. It is to be erected in a suitable geometrical form or shape to encompass the outlined areas in the above mentioned report, or as described by development services. It is to be a permanent structure that can be maintained for the entire development process. It is to be adhered to and the inside area is not to be used for storage of supplies or rubbish. Any reduction in TPB should be supervised and Arborist consultation is mandatory.



Appendix:

Below details the tree assessed. "DBH" is the main trunk diameter of the tree measured approximately 1.4m from grade. The determined condition of each tree is relative to its health, canopy structure, colour and vigour and any defects noted in the stem, canopy or root plate. Retention values are based on the tree species profile, growing conditions & viability as long-term. "CRZ" is the determined Critical Root Zone of each tree. Preferred & Minimum CRZs are outlined below. The Minimum CRZ measurement is based on 6xDBH unless otherwise noted, while Preferred CRZ measurement is based on 10xDBH; Tree protection barriers should be located no closer to the trunk than this distance and must be minimum 1.2 m in height. It should be noted trees with excavations required inside the Preferred CRZ can often be retained.

Tree/ Tag #	Species	DBH (cm)	Condition Good Fair Poor Dead/Dying	Retention Value High Moderate Low Unsuitable	CRZ (Min) (m)	CRZ (Pref'd) (m)	On site (Y/N)	Comments & Recommendations
1	Douglas fir / Arbutus	25-50	Good	High	3.00	5.00	Y	- Mixed grouping of approximately 7 stems - Unaffected by proposed development Recommend: - Retain, install tree protection barrier
2	Arbutus	29	Poor	Low	2.32	2.90	Y	Recommend: - Retain, install tree protection barrier no closer than 8xDBH - Prune to remove any deadwood, defective limbs throughout canopy
3	Arbutus	38	Good	High	3.04	3.80	Y	Recommend: - Retain, install tree protection barrier no closer than 8xDBH - Prune to remove any deadwood, defective limbs throughout canopy - May require additional pruning for building/construction clearance
4	Arbutus	40	Good	High	3.20	4.00	Y	Recommend: - Retain, install tree protection barrier no closer than 8xDBH - Prune to remove any deadwood, defective limbs throughout canopy - May require additional pruning for building/construction clearance

5	Douglas fir	39	Good	High	2.34	3.90	Y	Recommend: Retain, install tree protection barrier
6	Arbutus	59	Good	High	4.72	5.90	Y	Recommend: - Retain, install tree protection barrier no closer than 8xDBH - Prune to remove any deadwood, defective limbs throughout canopy - May require additional pruning for building/construction clearance
7	Douglas fir	53	Good	High	3.18	5.30	Y	Recommend: - Retain, install tree protection barrier - Prune for building/construction clearance
8	Douglas fir	48	Good	High	2.88	4.80	Y	Recommend: - Retain, install tree protection barrier - Prune for building/construction clearance

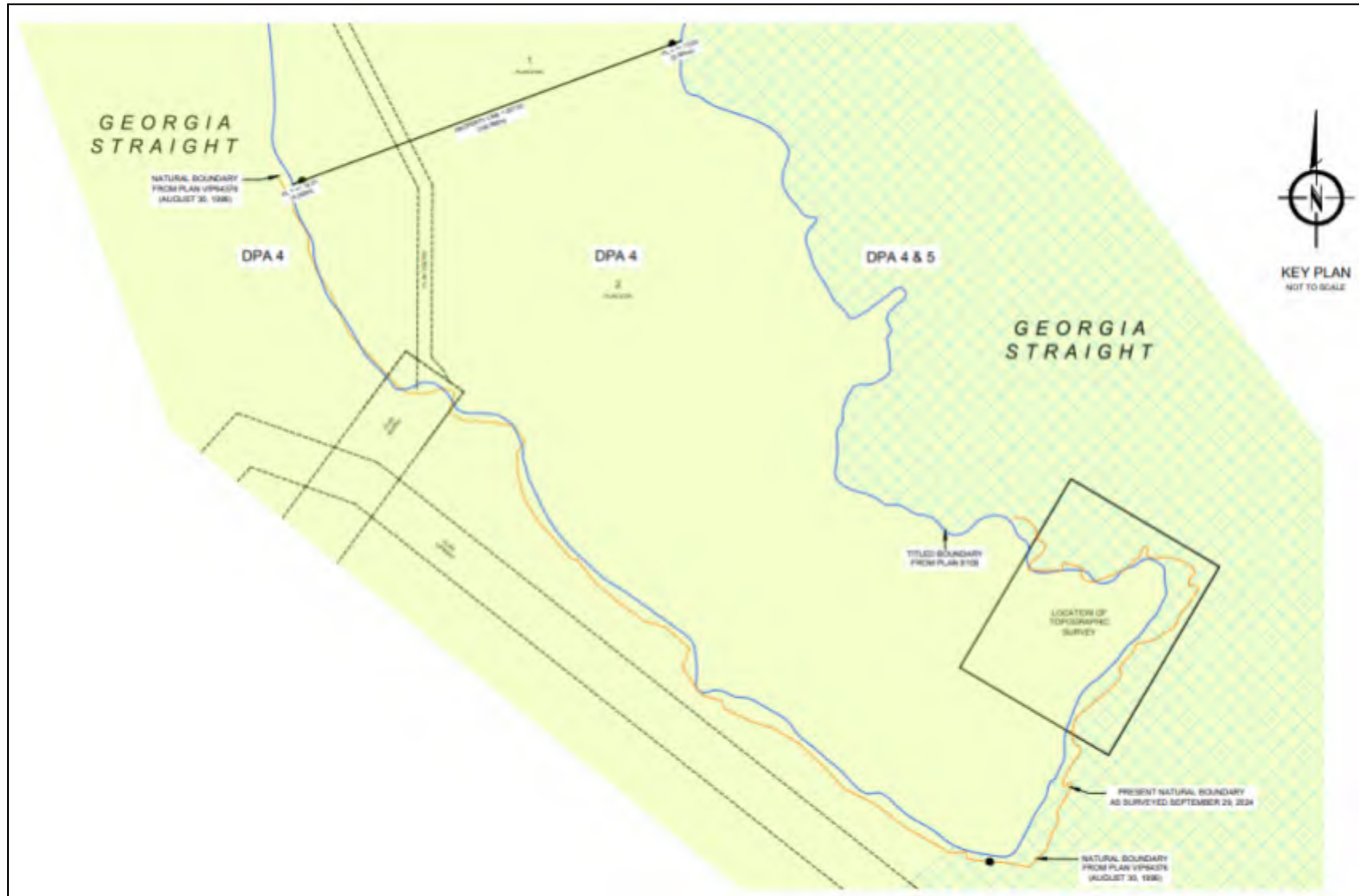
Tree Removal/Retention Summary:

Number of trees to be removed:	0
Number of trees to be retained:	8

Site Maps:

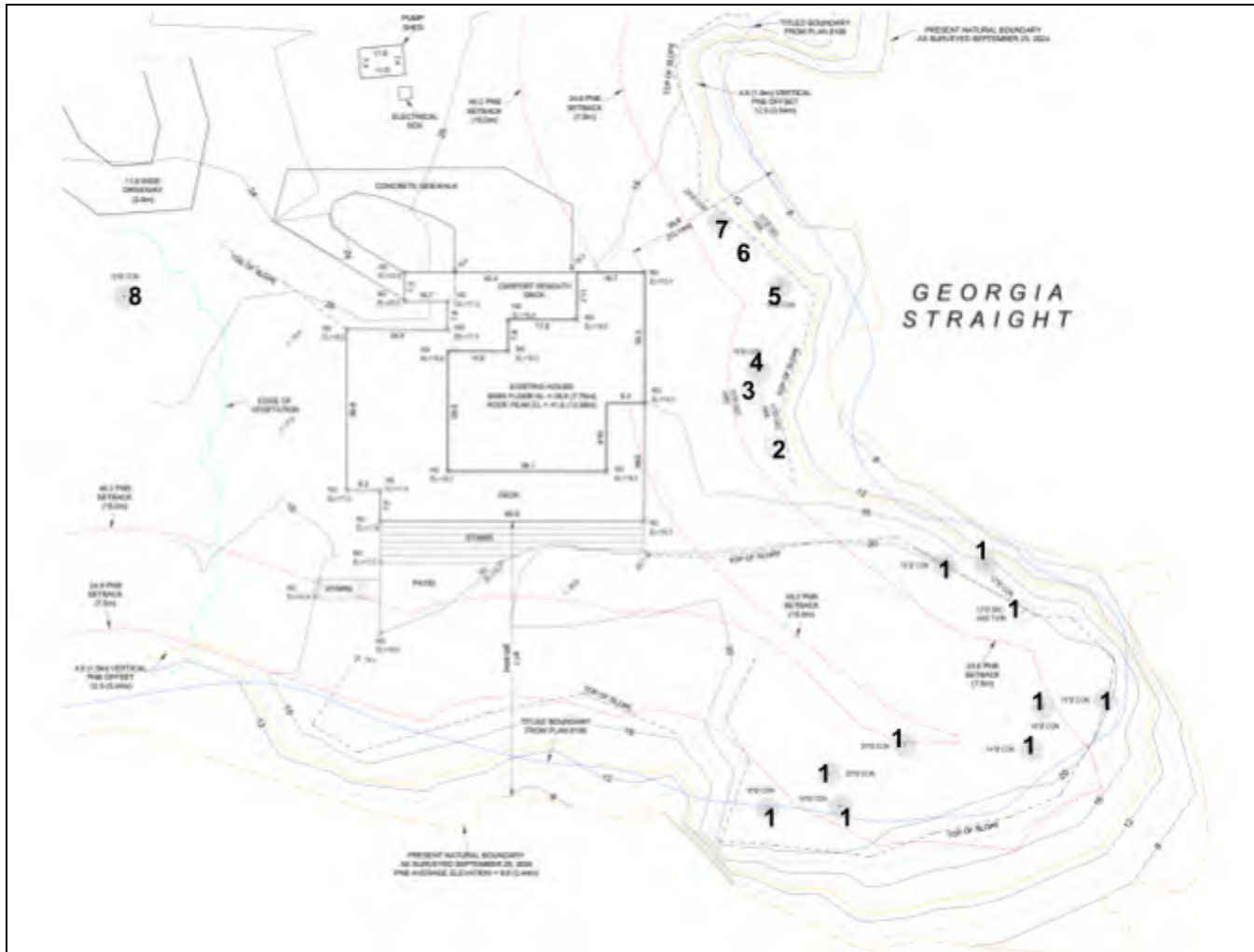
The below site maps note approximate lot lines and location of proposed principal home.





Site Survey:

The below site survey plots tree locations.



Site Plan:

The below site plan plots tree locations and outlines removal/retention recommendations (Retain, Remove). Approximate Tree Protection Zones are outlined in yellow. Retained Trees requiring Arborist Supervision are outlined in orange. An original large scaled copy of the site plan indicating trees marked for removal, and the locations of Tree Protection Zones has not been included with this report; this is to be provided by the applicant, if required.



Images:





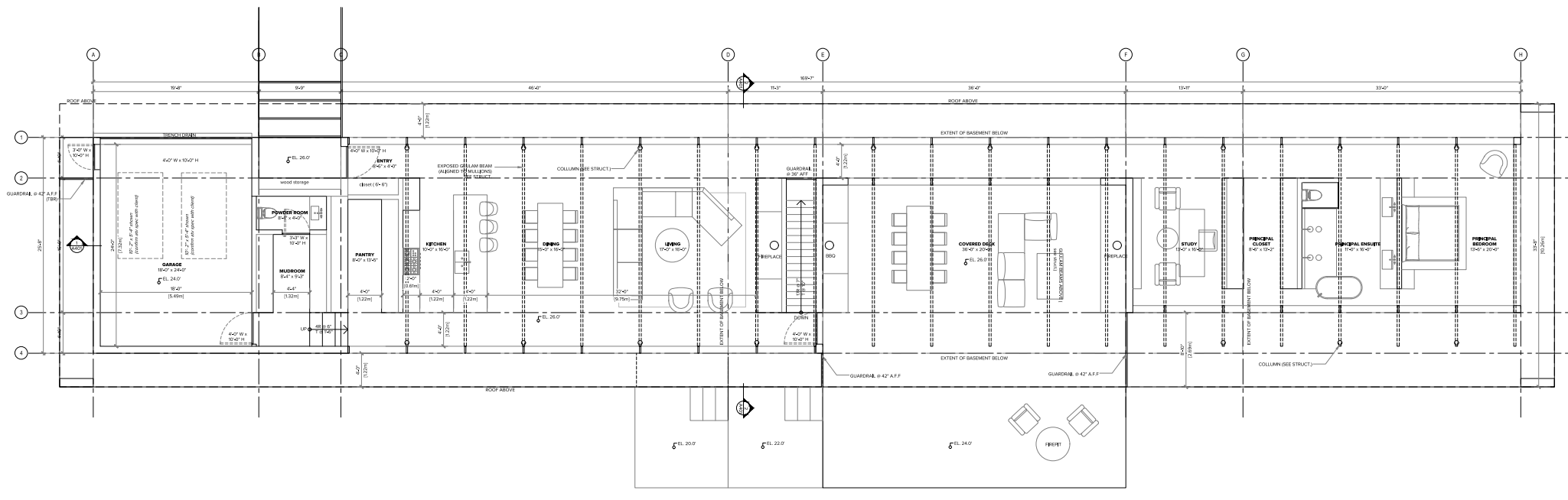
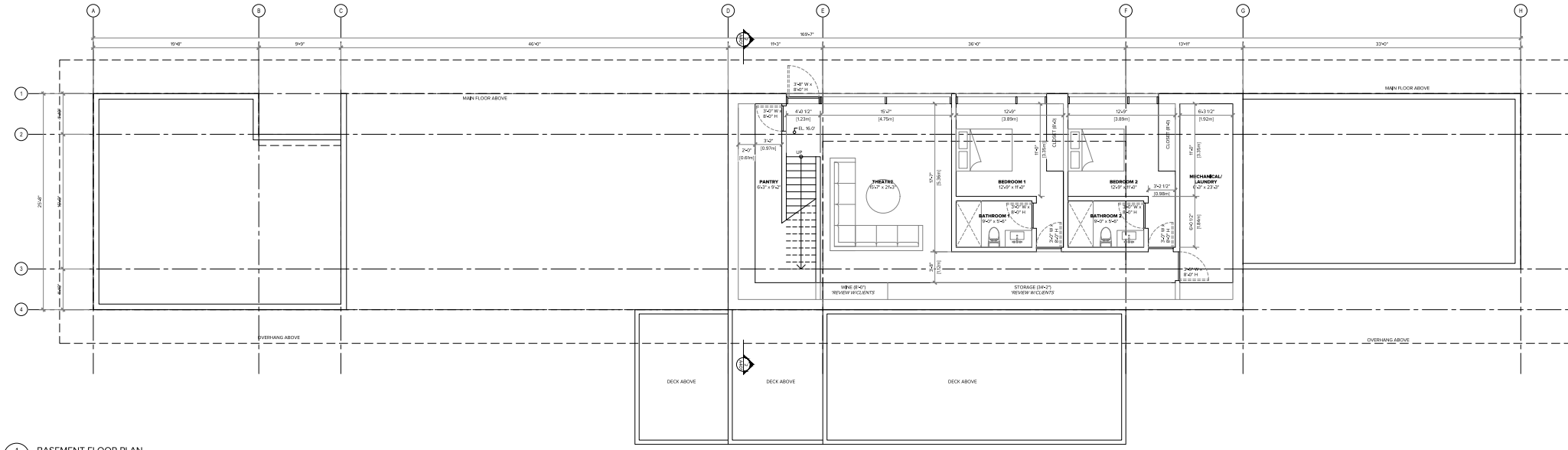


GABRIOLA ISLAND LOCAL TRUST COMMITTEE
PLDP20250308

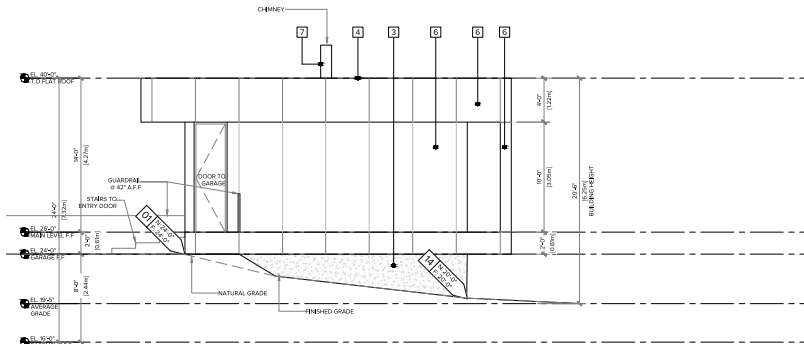
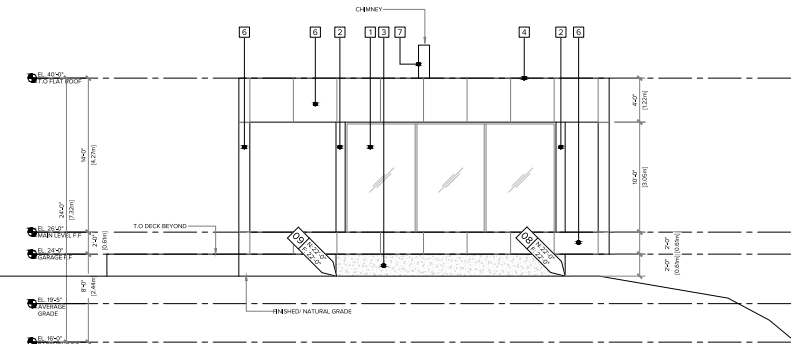
SCHEDULE "C" – Site and Building Plans

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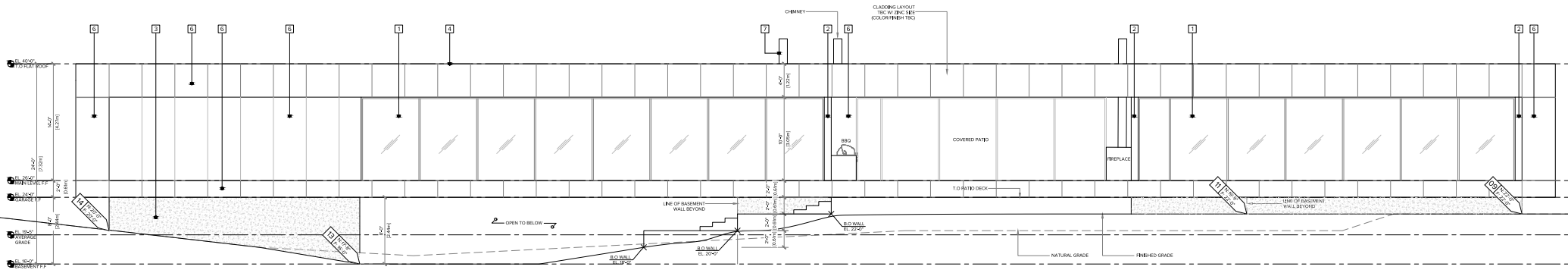
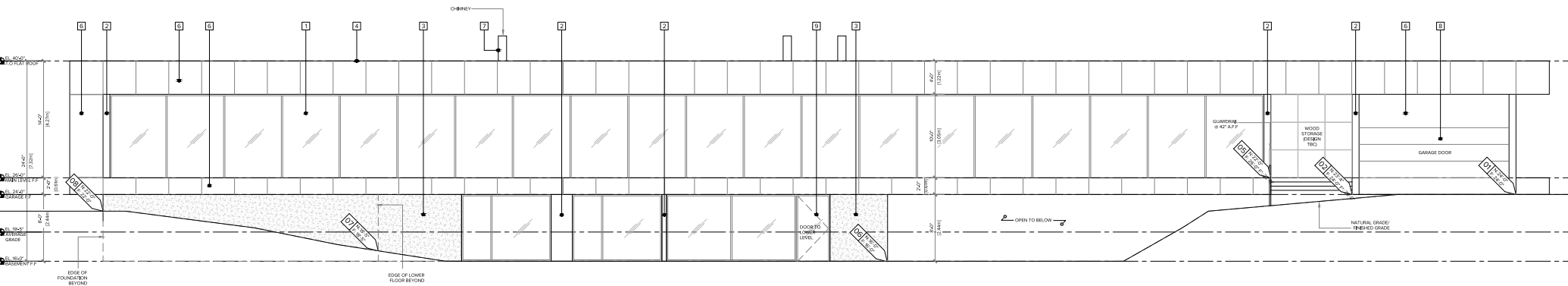


DATE: 10/07/19	NO. DESCRIPTION: 01 PLUMBING	BY: H.A.	BURGERS ARCHITECTURE 2485 HATWOOD AVENUE WEST VANCOUVER, BC V7V 1Y1 PH: 604 926 6058 FAX: 604 926 9941 EMAIL: cedric@burgersarchitecture.com	SEAR ISLAND NANAIMO, BC DESIGNED UNDER PART 9, BCBC 2018 MAJOR OCCUPANCY CLASSIFICATION: RESIDENTIAL C	A201 MAIN FLOOR PLAN BASEMENT FLOOR PLAN
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FINISH SCHEDULE- EXTERIOR

- 1 WINDOW SYSTEM (COLOR: FINISH TRC)
- 2 TRIM PANELS TO MATCH COLOR OF ADJ. DOOR/WINDOW FRAME (COLOR: FINISH TRC)
- 3 EXPOSED ARCHITECTURAL CONCRETE (LIGHT SANDBLAST FINISH TRC)
- 4 2 PLY INSULATED DETACHABLE MEMBRANE SCORING
- 5 STRUCTURAL GLASS GUARD RAIL
- 6 METAL ENCLOSURE (COLOR: FINISH TRC)
- 7 METAL CLAD CHIMNEY SLEEVE (COLOR: FINISH TRC)
- 8 OVERHEAD GARAGE DOOR (COLOR: FINISH TRC)
- 9 EXTERIOR SWING DOOR

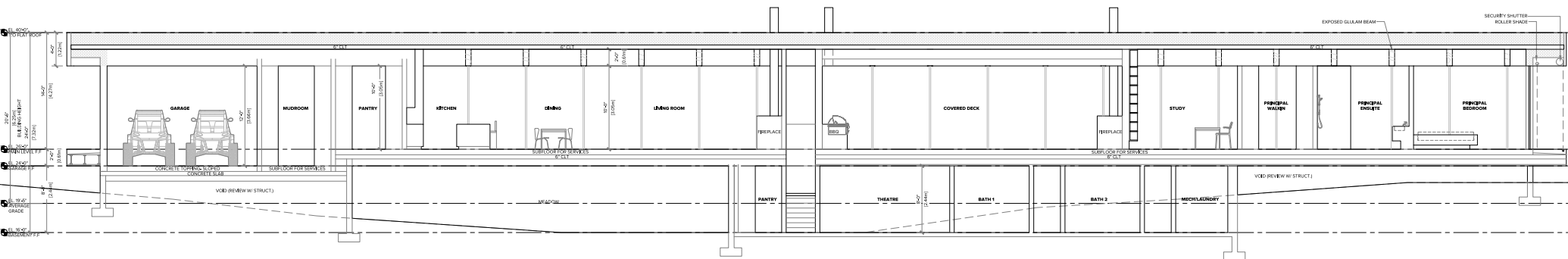
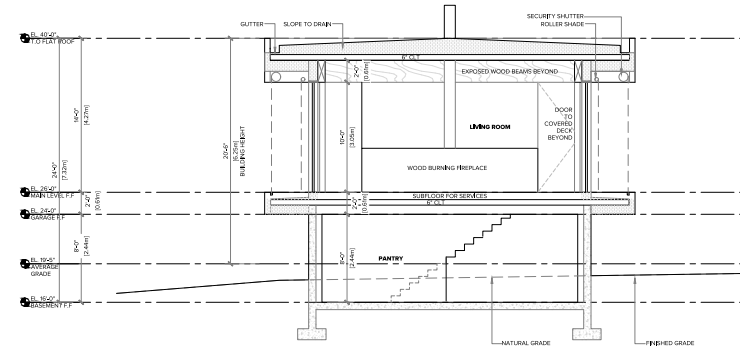


DATE: 10/01/18
NO. 10/01/18
DESCRIPTION: 10/01/18
BY: H.A.

BURGERS ARCHITECTURE
2485 HATWOOD AVENUE
WEST VANCOUVER, BC
V7V 1Y1
PH: 604 926 6058
FAX: 604 926 9941
EMAIL: cedric@burgersarchitecture.com

SEAR ISLAND
NANAIMO, BC
DESIGNED UNDER PART 9, BCBC-2018
MAJOR OCCUPANCY CLASSIFICATION: RESIDENTIAL C

A301
ELEVATIONS



DATE: 10/07/18
NO. DESCRIPTION: 01-1000-0000
BY: NLS

BURGERS ARCHITECTURE
2485 HATWICK AVENUE
WEST VANCOUVER, BC
V7V 1Y1
PH: 604 926 6058
FAX: 604 926 9941
EMAIL: cedric@burgersarchitecture.com

SEAR ISLAND
NANAIMO, BC
DESIGNED UNDER PART 9, BCBC 2018
MAJOR OCCUPANCY CLASSIFICATION: RESIDENTIAL C

SCALE: Not shown

A401
SECTION

92



Islands Trust

STAFF

REPORT

File No.: PLTUP20250167
(Kohli)

DATE OF MEETING: November 20, 2025

TO: Gabriola Island Local Trust Committee

FROM: Margot Thomaidis, Planner 2
Northern Team

COPY: Stephen Baugh, Island Planner

SUBJECT: Temporary Use Permit for a Commercial Vacation Rental (2-bedroom accessory dwelling)
Applicant: S. Brett and Glenda Kohli
Location: 2372 Windecker Drive, Gabriola (PID: 028-875-095)

RECOMMENDATION

- 1. That the Gabriola Island Local Trust Committee approve issuance of PLTUP20250167 for a period of three years.**

REPORT SUMMARY

The purpose of this report is to introduce an application for a Temporary Use Permit (TUP) to allow the operation of a commercial vacation rental (CVR) in an accessory detached secondary suite on the subject property. The applicants have applied to the LTC to consider issuing the permit for three years per the Gabriola Island Land Use Bylaw TUP Guidelines. Staff is recommending issuance considering that the proposed commercial vacation rental complies with all applicable TUP guidelines, zoning and land use regulations.

BACKGROUND

The applicant's letter (Attachment 1) describes their rationale for applying for the TUP, and the proposed Temporary Use Permit is Attachment 2. Detailed background information, including the Site Context can be found in Attachment 3, and details of how the application was evaluated against the TUP Guidelines can be found in Attachment 4. A map of active and proposed Temporary Use Permits for commercial vacation rentals is in Attachment 5. Supporting information provided by the applicants is included as Attachments 6-10.

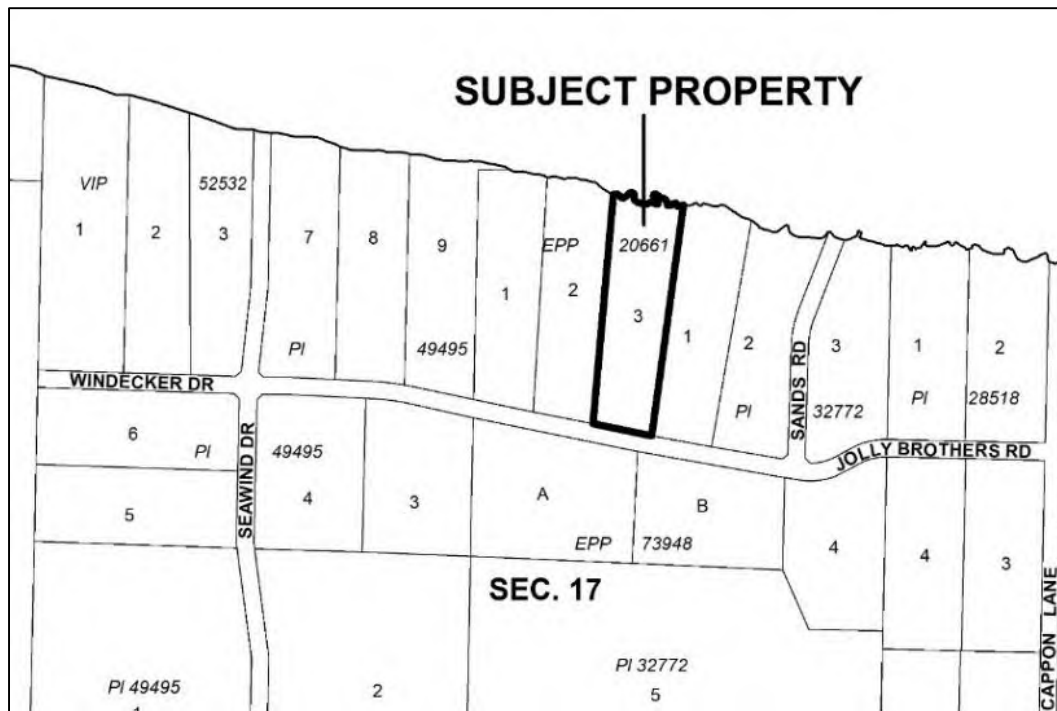


Figure 1 - Subject Property Location

ANALYSIS

A comprehensive site context analysis and detailed background information is provided in Attachment 3. The policies and regulations that pertain to discussion for this application are summarized below.

Islands Trust Policy Statement

This application is not contrary to the Islands Trust Policy Statement.

Official Community Plan:

Temporary Use Permit Designations and Guidelines

Designations

- a) Subject to the guidelines, Temporary Use Permits may be issued for:
 - vii. commercial vacation rentals within areas designated on Schedule B as 'Small Rural Residential', 'Large Rural Residential', 'Forestry', 'Agriculture' or 'Resource'.

An analysis of the OCP Guidelines for commercial vacation rentals is included in Attachment 4.

Land Use Bylaw:

As noted in Attachment 3, the subject property is zoned Small Rural Residential (SRR) in the Gabriola Island Land Use Bylaw No. 177. The intent of the TUP is to allow a use that is not otherwise permitted.

B.6.3 Commercial Vacation Rentals

B.6.3.1 All dwelling units, including secondary suites, are for residential use and any use for overnight accommodation on less than a monthly basis for monetary gain is prohibited except where a temporary use permit has been issued by the Local Trust Committee.

Issues and Opportunities

The owners provided documentation for the application to satisfy the OCP TUP guidelines, including the following supporting information:

- A record of sewerage system and technical design review for sewerage disposal plan;
- A Water Plan;
- A Guest Information package;
- Indication of off-street parking for two vehicles;
- An Occupancy Permit, stating that the dwelling is safe to occupy;
- Confirmation that the dwelling meets the requirements of the B.C. Fire Code; and
- Confirmation of an on-island operations manager available 24 hours per day, 7 days per week.

Water supply

The applicants have provided a written plan for the supply of water in the amount of 227 litres (50 gallons) per paying guest per day (Attachment 7). A rainwater collection and filtration system featuring two, 2,500-gallon cisterns supply the secondary suite with potable water. The owners plan to top up the cisterns in the dry season with water from the well on the property, which also supplies the principal dwelling unit.

The applicants have indicated in their application letter that they plan to rent out the suite a maximum of 6 weeks in the summer months, and they will make water conservation information available in the Guest Information Package (Attachment 6). Staff have not requested a well pump test to support the permit, as the Guidelines could be considered to be satisfied. However, the LTC may still request a well test or well monitoring, if so desired.

Principal residence and short-term rental registration requirements

On November 1, 2024, all CVR operations on Gabriola must be conducted at the principal residence of the owner, per LTC Resolution 2024–013 opting in to the provincial principal residence requirement under section 15 of the Short-Term Rental Accommodation Act. The applicants have indicated that the subject property is their primary residence, as they live full-time on the property.

As of May 1, 2025, short-term rental hosts operating in B.C. must now follow a simple online process to register with the Province. This involves a \$450 registry fee for a short-term rental in a secondary suite or accessory dwelling unit on the same property as the host's home. The applicants have not yet registered because they do not plan to operate unless their TUP is approved. This step may be completed after TUP issuance, prior to beginning operations.

Notification

Notice of the proposed TUP was sent out to all property owners and occupants of properties within 100 metres of the subject property (Attachment 11). Notice was also published in the local newspaper (Gabriola Sounder) for two consecutive weeks in a row leading up the LTC regular business meeting.

No public correspondence was received at the time of this report writing as a result of the notification.

Any additional comments received from the public following completion of this report will be shared with the LTC and reported at the LTC regular business meeting.

First Nations

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage and archaeological sites.

At this time, SFN does not request property owners to complete a referral process with their Lands Department for applications that do not involve ground disturbance or physical impact to known cultural heritage sites and values as part of CVR TUP applications.

Rationale for Recommendation

Staff considers the information provided in the application to meet the TUP Guidelines outlined in Section 3.8 of the OCP.

ALTERNATIVES

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

1. Request additional information

The LTC may request further information prior to making a decision. Suggested wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request [insert information] regarding PLTUP20250167 prior to making a decision on issuance.

2. Deny issuance of the permit

The LTC may deny the application. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee deny PLTUP20250167 for the following reasons... [Insert reasons here].

NEXT STEPS

If the LTC resolves to issue the permit based on the staff recommendation found on page 1 of this report, the TUP will be issued for the period specified.

Submitted By:	Margot Thomaidis, Planner 2	October 31, 2025
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	November 10, 2025

ATTACHMENTS

1. Applicant Narrative Letter
2. PLTUP20250167 - Draft Temporary Use Permit
3. Site Context
4. OCP TUP Guidelines
5. TUP Tracking Map
6. Guest Information Package
7. Water Plan
8. Septic Information
9. RDN Occupancy Permit
10. Fire Inspection Report

11. Copy of Public Notice
12. Public Correspondence

ATTACHMENT 1

Glenda and S. Brett Kohli
2370 Windecker Drive,
Gabriola, BC
V0R 1X7

Islands Trust
700 North Road
Gabriola, BC

September 7, 2025

REGARDING 2372 WINDECKER DRIVE, GABRIOLA. BC

Dear Islands Trust,

This letter is to recommend the use of our carriage house suite to vacation rental use. This suite has received occupancy as of April 2025, and is completely compliant with the RDN building code, including fire safety.

We built the suite so that friends and family can have a place to stay when they visit us. Our children are grown, with partners, and hopefully grandchildren soon. Some of our children live overseas (England) and when they do come to visit we want to offer them a place where they can have some privacy, as they will be staying for a week or two at a time. Our home is one bedroom with an office, so there is not enough space for them to feel comfortable for an extended periods.

Given that, we will have lengthy spaces of time when our suite will be empty. We would like to offer our space for visitors to the island to enjoy. We especially look forward to the opportunity to meet others from around the world and share appreciation for the marvels and beauty that make Gabriola special. During our retirement, this will help keep us active and engaged.

We anticipate having short term rental visitors for four- six weeks in the summer months, and for three - four weeks in the spring. We may enjoy having visitors for a few weeks in December during the holiday season as well. We are not running this as a full time business, as we both work other jobs, and do not require or want short term rental use as a full time income or job.

Our carriage house is detached from the main house and has a separate entrance. It is located above the garage. It has two bedrooms, a kitchen, and one and a half bathrooms. The deck runs along the full length of the suite, and visitors can ocean watch and observe whales and other marine life. It's a lovely space that we enjoy sharing with visitors.

Thank you, and please let me know if you require any additional information.

Glenda and S. Brett Kohli



**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
PLTUP20250167**

To: S. Brett and Glenda Kohli

1. This Permit applies to the land described below:

PID 028-875-095

LOT 3, SECTION 17, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN EPP20661

2. This Permit is valid for a period of three years from the date of issuance.
3. This Permit is issued for the purpose of permitting a commercial vacation rental within a detached secondary suite above a garage.
4. The use may be carried out subject to the following conditions:
 - 4.1 The dwelling and subject property must maintain a residential appearance, and any existing vegetative screening or fencing must not be removed;
 - 4.2 Parking for a minimum of two vehicles for the commercial vacation rental use must be provided on the property;
 - 4.3 The owner or an operations manager must reside on Gabriola Island and be available by telephone 24 hours per day, seven days per week. Any changes to contact information must be provided to the Islands Trust within seven (7) working days;
 - 4.4 Neighbours within a 100-metre radius of the commercial vacation rental must be provided with at least one resident contact phone number, and a copy of the temporary use permit;
 - 4.5 Information must be posted for guests pertaining to: noise bylaws, water conservation, fire safety, storage of garbage, septic care, and control of pets (if pets are permitted);
 - 4.6 A supply of water in the amount of 227 litres (50 imperial gallons) per paying guest per day must be provided for the duration of the permit;
 - 4.7 The maximum number of bedrooms in the accessory dwelling unit for the commercial vacation rental is 2;
 - 4.8 The maximum number of guests that may stay in the commercial vacation rental is 2 per bedroom for a maximum of 4 guests at any given time;
 - 4.9 The owner submits a copy of the property insurance for the subject property;
 - 4.10 The maximum number of signs advertising the commercial vacation rental is restricted to one, with a maximum area of 0.3 square metres, made of wood, and not illuminated;
 - 4.11 The rental or provision of motorized personal watercraft to guests is prohibited;
 - 4.12 The use of recreational vehicles and camping for the overnight accommodation of guests is prohibited;

PROPOSED

- 4.13 The holder of the Permit will be responsible for any violation of the conditions of this Permit. For the purpose of investigating a complaint, the Islands Trust Bylaw Investigations Officer may enter the property between the hours of 9:00 am and 5:00 pm on any day without prior consultation.
5. It is the responsibility of the landowner to obtain any required authorization under the *Water Sustainability Act* or any other relevant legislation pertaining to groundwater.
6. All in accordance with Schedules “A” and “B” attached to and forming part of this permit, as signed and dated by the Deputy Secretary of Islands Trust.
7. This is not a Building Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for the proposed development.

**AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE
THIS <<XX>> DAY OF <<MONTH>>, 2025.**

Deputy Secretary, Islands Trust

Date Issued

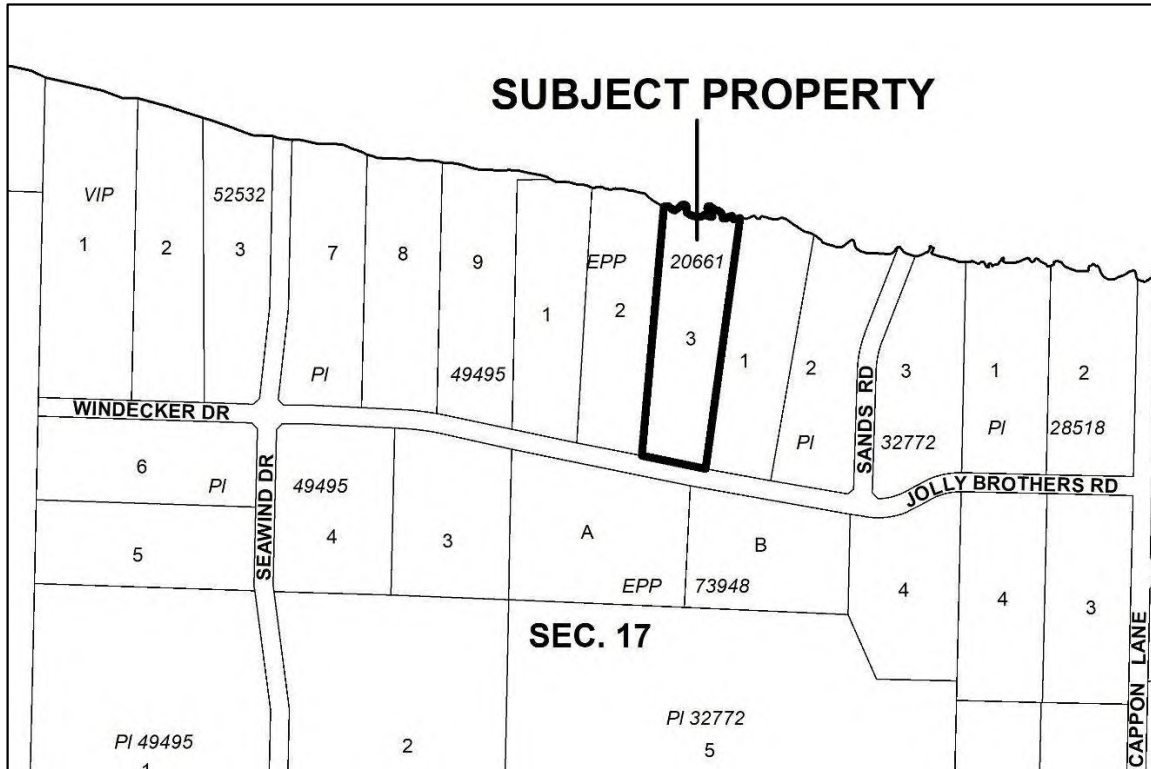
PROPOSED

I hereby certify this to be Schedule "A" which is attached to and forms part of Temporary Use Permit No. PL-TUP-2025-0167.

Signature of Islands Trust Official Date of Issuance

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
PLTUP20250167

SCHEDULE "A" Subject Property



PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE TEMPORARY USE PERMIT PLTUP20250167 SCHEDULE "B" Site Plan

I hereby certify this to be Schedule "B" which is attached to and forms part of Temporary Use Permit No. PL-TUP-2025-0167.

Signature of Islands Trust Official Date of Issuance

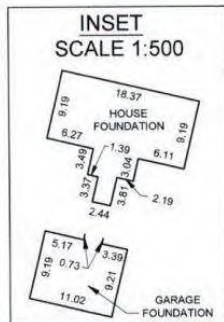
SITE PLAN OF LOT 3, SECTION 17, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN EPP20661.

SHOWING LOCATION OF EXISTING BUILDINGS THEREON

GABRIOLA ISLAND
CIVIC ADDRESS: 2370 WINDECKER DRIVE
PID: 028-875-095
ZONE: B-SRR
PARCEL AREA: 2.01 ha
CLIENT: BRETT KOHLI

SCALE 1:1000

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.



PROPERTY DIMENSIONS SHOWN ARE DERIVED FROM: PLAN EPP20661
OFFSETS TO PROPERTY LINES ARE NOT TO BE USED TO DEFINE BOUNDARIES.
REFER TO CURRENT CERTIFICATE(S) OF TITLE FOR ADDITIONAL, EXISTING OR PENDING CHARGES.
THIS PLAN SHOWS THE LOCATION OF VISIBLE FEATURES ONLY, AND DOES NOT INDICATE BURIED SERVICES THAT MAY EXIST ON OR AROUND THE SUBJECT SITE.
BUILDING LOCATION BASED ON SURVEY TIES TO VISIBLE EXTERIOR SURFACES UNLESS OTHERWISE NOTED.

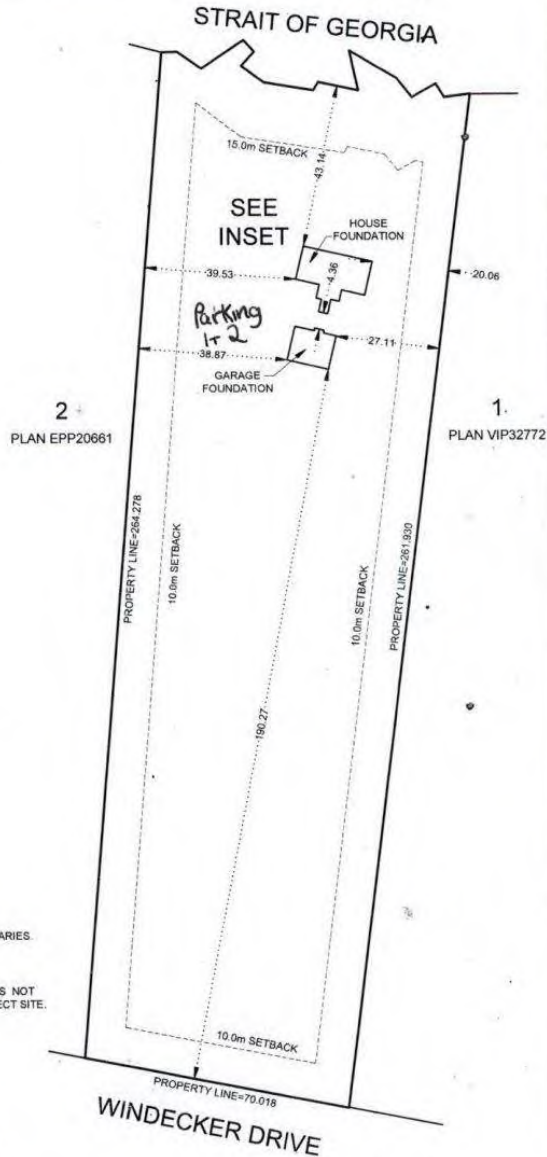
NOTE:

THIS PLAN HAS BEEN PREPARED FOR CONSTRUCTION PURPOSES ONLY AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT.
ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE OR IN PART WITHOUT THE CONSENT OF BENNETT LAND SURVEYING LTD..
BENNETT LAND SURVEYING LTD. ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DECISIONS THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.



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NANAIMO, BC
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FB110391 P1-2 (CD DP)
v2021-08-09



CERTIFIED CORRECT

Danu
Vandermark
FX6ACW

Digitally signed by Danu
Vandermark FX6ACW
Date: 2021.08.09
17:56:30 -07'00'

FIELD SURVEY COMPLETED ON JULY 27TH, 2021.

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED OR DIGITALLY CERTIFIED.

\\FRONTDESK\\DATA\\JOBS\\2021\\110391.00-2370-WINDECKER-DR-GABRIOLA\\110391.00-DRAWINGS\\110391.00-SKETCHES\\ST110391 2021-08-09.DWG

ATTACHMENT 3 – SITE CONTEXT – PL-TUP-2025-0167 (KOHLI)

LOCATION

Legal Description	LOT 3, SECTION 17, NANAIMO LAND DISTRICT, PLAN EPP20661
PID	028-875-095
Civic Address	2370 WINDECKER DRIVE, GABRIOLA, BC
Lot Size	2.01 hectares (4.96 acres)
Location	

LAND USE

Current Land Use	Residential
Surrounding Land Use	North – Water South – Residential East – Residential West – Residential

HISTORICAL ACTIVITY

File No.	Purpose
GB-ALR-1993.2	Agricultural Land Reserve
GB-RZ-1997.1	Rezoning (cancelled)
GB-BP-2022.17	Building Permit to construct a garage
GB-BP-2022.20	Building Permit to construct new SFD
GB-BP-2024.4	Building Permit to complete secondary suite in existing structure
GB-SUB-2011.3	Subdivision to create 4 rural residential parcels

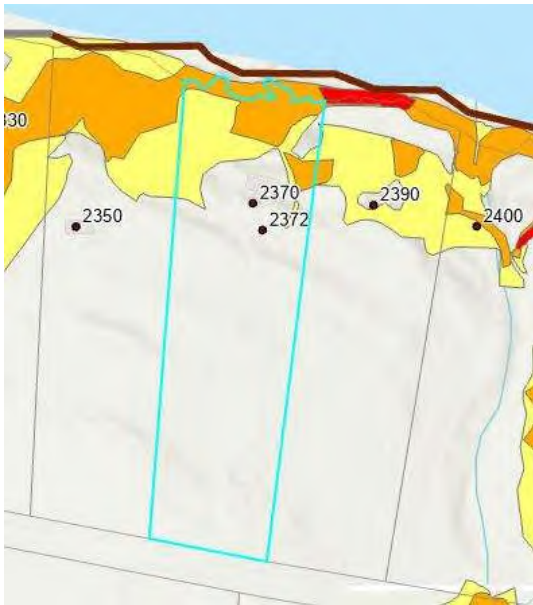
POLICY/REGULATORY

Official Community Plan Designations	Small Rural Residential (SRR) Development Permit Area: None
--------------------------------------	---

	Applicant proposes to use the detached secondary suite on the subject property as a commercial vacation rental. The Temporary Use Permit Guidelines 3.8.h) for commercial rental of single family residential dwelling units apply.
Land Use Bylaw	Small Rural Residential (SRR) zone Part B – General Regulations B.6 Miscellaneous B.6.3 Commercial Vacation Rentals B.6.3.1 All dwelling units, including secondary suites, are for residential use and any use for overnight accommodation on less than a monthly basis for monetary gain is prohibited except where a temporary use permit has been issued by the Local Trust Committee.
Other Regulations	Short-term Rental Accommodations Act
Covenants	LTC Covenant CB1227091-CB1227092– Section 219 covenant stating: - The Lands shall not be subdivided by subdivision plan, strata plan, or bare land strata plan, or in any other manner, that creates a separate parcel for the secondary suite located on the Lands; and - If the Lands are not designated as being within the Agricultural Land Reserve, there shall be no more than two dwellings permitted on the Lands, including the principal dwelling. CA2649633 – Section 219 covenant stating: - No building shall be constructed, or mobile home located within fifteen (15.00) metres of the natural boundary of the ocean or any watercourse. - No area used for habitation, business, or storage of goods damageable by flood waters should be located within a building at an elevation such that the underside of the floor system thereof is less than one point five (1.5) metres above the natural boundary of the ocean or any watercourse.
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Conservancy	The proposal does not direct affect an Islands Trust Conservancy Board (ITC) owned property or conservation covenant, nor directly affects a property adjacent to an ITC owned property or conservation covenant. Referral to ITC for comment is not required.
Regional Conservation Strategy	Appendix II of the Regional Conservation Plan 2018-2027 indicates the relative value for conservation is Low/Medium on the subject property.
Species at Risk	None mapped on property
Sensitive Ecosystems	Young Forest, Coastal Douglas Fir ecosystem is mapped on subject property. https://islandstrust.bc.ca/document/gabriola-coastal-douglas-fir-forests-fact-sheet/
Hazard Areas	Mapping indicates Low/Moderate risk of steep slope on the northern portion of the subject property

	
Archaeological Sites	Remote Access to Archaeological Data (RAAD) mapping does not indicate an archaeological site within 100 metres of the subject property. Although there are no known/recorded sites on the subject property, the applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the Heritage Conservation Act. If such material is encountered during development, all work should cease and the BC Archaeology Branch should be contacted immediately as a Heritage Conservation Act permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	This TUP application seeks to lawfully permit the use of a SRR zoned lot for Commercial Vacation Rental use. GHG emissions can be expected to be commensurate with the levels associated with single family residential development patterns and use, and a potential increase due to the use of personal vehicles by guests for transport on and off island during the tourist season.
Shoreline Classification	Sea Cliff
Shoreline Data in TAPIS	No ecosystems or species noted in the marine area adjacent to the subject property.

ATTACHMENT #4 – TUP GUIDELINES

PL-TUP-2025-0167 (KOHLI)

GABRIOLA ISLAND OCP SUBSECTION 3.8 (F)**Temporary Use Permit Designations and Guidelines**

h) For commercial rental of single-dwelling residential units, when considering the issuance of a temporary use permit for a commercial vacation rental, the following guidelines apply:

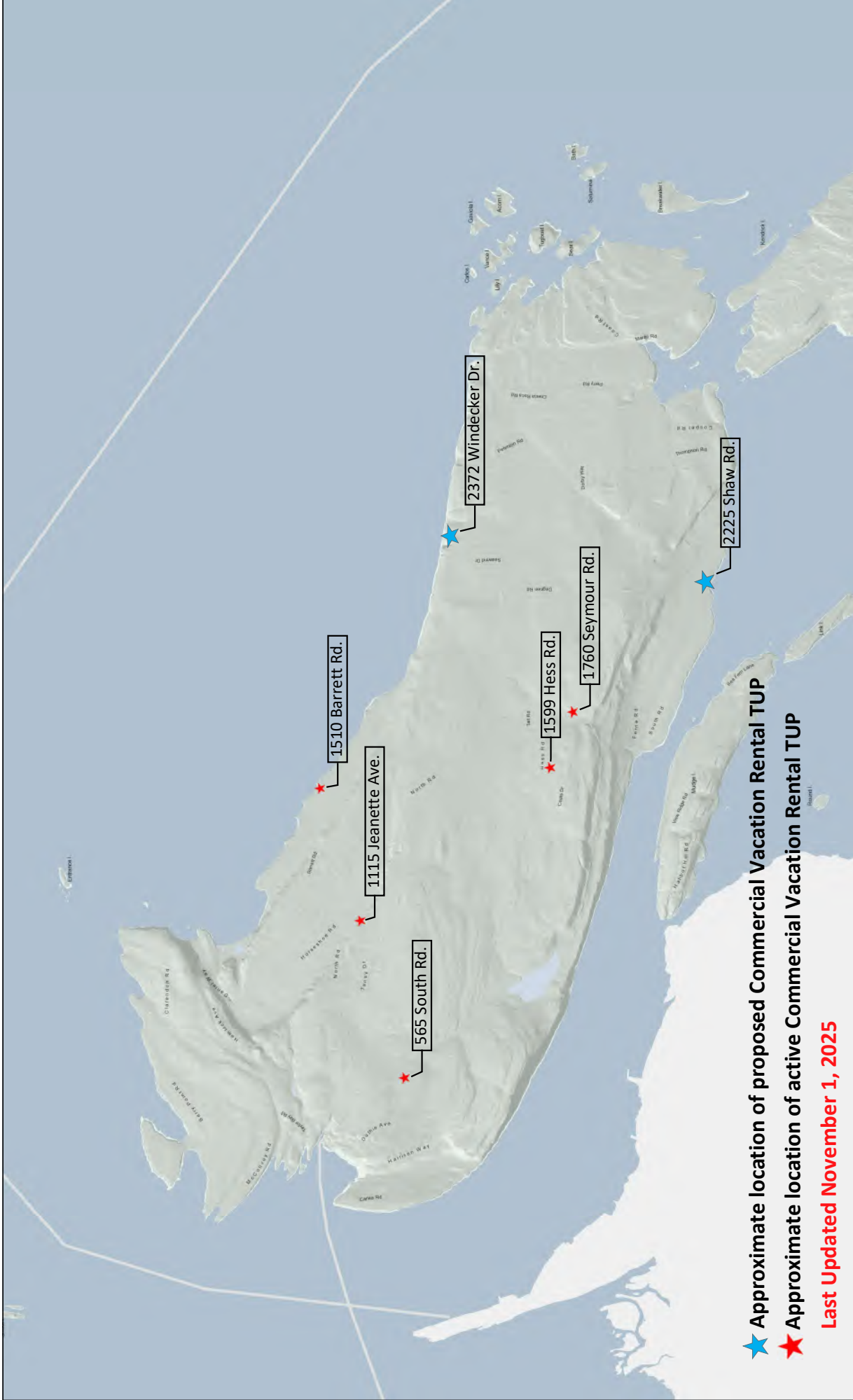
Guideline	Planner Comments
<i>i. the Local Trust Committee should consider the cumulative effects on the neighborhood and Island of all the temporary use permits issued for commercial vacation rentals;</i>	<i>TBD by Local Trust Committee (LTC).</i> There are currently 5 active Temporary Use Permits for Commercial Vacation Rental use on Gabriola, none of which are in the direct vicinity of the proposed TUP at 2372 Windecker Dr. See the staff report for a map of all current TUPs for CVRs.
<i>ii. the Local Trust Committee may consider issuance of a temporary use permit for commercial vacation rental if the proposal does not alter the residential appearance of neighbourhood;</i>	Included as a condition of the draft permit (Condition 4.1).
<i>iii. the Local Trust Committee may require mitigating measures to address neighbour concerns, such as screening and fencing; the Local Trust Committee may consider issuance of a temporary use permit for commercial vacation rentals in situations where the proximity of dwelling under consideration for a commercial vacation rental to a neighbouring dwelling is such that screening or fencing is practical or able to mitigate potential impacts or address neighbour privacy issues;</i>	Staff are not aware of any screening or privacy issues regarding CVR use of the secondary suite. Included as a condition of the draft permit (Condition 4.1).
<i>iv. a temporary use permit respecting a parcel in the Agricultural Land Reserve shall require the approval of the Agriculture Land Commission prior to the permit being issued;</i>	N/A. Subject property is not in the ALR.
<i>v. the landowner should be required to provide a written plan for the supply of water for the duration of the permit in the amount of 227 litres (50 imperial gallons) per paying guest;</i>	The applicant has provided a written plan for the supply of water that is adequate to meet this Guideline. Included as a condition of the draft permit (Condition 4.6)
<i>vi. The landowner should be required to provide proof that the property is able to accommodate a minimum of two vehicles;</i>	Included as a condition of the draft permit (Condition 4.2).
<i>vii. the landowner should be required to provide documentation from a qualified professional that the septic tank has been inspected to show it is working properly and capable of supporting the proposed occupancy load;</i>	The applicant has provided documentation from a qualified professional that the septic tank has been inspected and is working properly and is capable of supporting the proposed occupancy load. The Owner engaged Coast Geotechnical to review the existing sewerage disposal plan for a 1-bedroom single-family dwelling and a 2-bedroom seasonal residential suite. See Attachment 5 for the

	Record of Sewerage System and Technical Design Review for Sewerage Disposal Plan.
<i>viii. the landowner should be required to provide proof of an occupancy permit and written proof from a qualified professional that the dwelling meets the fire code;</i>	Applicant has provided proof of an occupancy permit and a letter from the fire chief stating that the dwelling meets the B.C. Fire Code. (Attachments Guideline has been met.
<i>ix. the owner or an operations manager should be required to reside on Gabriola and a condition of the permit should require that the owner or operations manager be available by telephone 24 hours/day, seven days per week;</i>	Included as a condition of the draft permit (Condition 4.3).
<i>x. a condition of the permit should require that the owners or operations manager must provide neighbours within a 100 metres radius of the vacation rental with the manager's phone number, and a copy of the temporary use permit;</i>	Included as a condition of the draft permit (Condition 4.4).
<i>xi. a condition of the permit should require that the landowner posts for guests' information on noise bylaws, water conservation, fire safety, storage of garbage, septic care and control of pets (if pets are permitted);</i>	Included as a condition of the draft permit (Condition 4.5). (See Attachment 7 – Guest Information Package).
<i>xii. a condition of the permit should restrict the maximum number of people that can stay to a maximum of two guests per bedroom;</i>	Included as a condition of the draft permit (Condition 4.8).
<i>xiii. a condition of the permit should restrict the maximum number of signs advertising the commercial vacation rental to one sign, with a maximum area of 0.3 square metres, be made of wood and not illuminated;</i>	Included as a condition of the draft permit (Condition 4.10).
<i>xiv. a condition of the permit should prohibit the rental or provision of motorized personal watercraft to rental clients;</i>	Included as a condition of the draft permit (Condition 4.11).
<i>xv. a condition of the permit should limit the number of bedrooms to:</i> <i>a maximum of 3 on lots smaller than 2.0 hectares; and</i> <i>a maximum of 4 on lots of 2.0 hectares or larger;</i>	The accessory secondary suite has two bedrooms, but the subject property is larger than 2.0 hectares, therefore the CVR may technically contain up to 4 bedrooms. Included as a condition of the draft permit (Condition 4.7).
<i>xvi. a condition of the permit should prohibit recreational vehicles or camping;</i>	Included as a condition of the draft permit (Condition 4.12).
<i>xvii. such other considerations as are deemed applicable with respect to a specific commercial vacation rental application;</i>	TDB by LTC.
<i>xviii. the Local Trust Committee may require water metering;</i>	TBD by LTC.
<i>xix. the Local Trust Committee may consider a professionally registered house inspector report if an occupancy permit is not available, indicating that the house is safe and appropriate for the proposed commercial vacation rental use and activities; and</i>	N/A. Staff deem the occupancy permit to meet this Guideline.
<i>xx. the Local Trust Committee may require the landowner to post information for guests about awareness and sensitivity to First Nation sites and artifacts.</i>	TBD by LTC. There are no registered cultural heritage sites on the subject property.



TUP Tracking Map

ATTACHMENT 5



★ Approximate location of proposed Commercial Vacation Rental TUP

★ Approximate location of active Commercial Vacation Rental TUP

Last Updated November 1, 2025

3,773.4 0 1,886.7 3,773.4 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
Islands Trust

1:74,280

May 31, 2023

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. Islands Trust makes no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



2372 WINDECKER DR, GABRIOLA, BC

NOISE BYLAW: Bylaw 1082 reads: No person, being the owner, tenant or occupier of real property, shall allow or permit the real property to be used so that noise which occurs on or is emitted from that real property disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public in the neighbourhood or vicinity.

Please see Bylaw No. 1082 for more information (included in this package).

WATER CONSERVATION: Gabriola Island has a limited supply of water and therefore water conservation should be top of mind. The carriage house's water supply at 2372 Windecker Dr is a rainwater collection system with a storage capacity of 5000 gallons. In drought conditions and normal use, this water should adequately supply water for three months. Please use consideration when running the water, and use only what is necessary for the task.

FIRE SAFETY: The suite is equipped with carbon monoxide and smoke detectors located in the hallways and with smoke detectors in each bedroom and in the kitchen/ living area. First Alert Fire Spray is supplied in the kitchen stored under the sink. If evacuation is necessary, use the stairway to the front door and exit through that door. Meet by the outside car park area.

If stairway is blocked, there are three egress options: one in each bedroom and the deck. Please see the drawings located in this binder.

STORAGE OF GARBAGE: Recycling, compost, and garbage bins are located in the pull-out drawer under the sink. When these need to be changed, please deposit these in the appropriate receptacles at the top of the driveway.

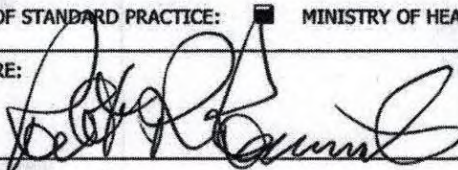
SEPTIC SYSTEM: Gabriola has no sewer system so all the dwellings here are on septic tanks. Please help ensure that the system operates properly by only putting the three pees in the toilet (pee, pooh, and paper). Use the garbage bin next to the toilet to dispose of feminine products, Q-Tips, or any other product. Wet-wipes also do not belong in the septic. The septic field is in front of the main house.

PETS: Pets must be leashed when not in the unit. There are ample trails and places to explore nearby. Please see the trail map for locations. There is a limit of two pets per rental.

WATER PLAN

The suite is serviced by a stand-alone rainwater collection system, consisting of two 2,500-gallon cisterns. The water is transferred to the suite via a jet pump, then it is treated by a UV lamp and double filter system.

If the cisterns should run low during the dry summer season, they will be topped-up with water from the well on the property that provides water to the main house. Per discussions with Dan Foley of Summer Rain Water Delivery, these top-ups can be accomplished by simply utilizing a potable water (RV) hose connected to the hose bid at the house.

RECORD OF SEWERAGE SYSTEM		ATTACHMENT 8		FILING # (OFFICE USE ONLY): NA17/011	
1. PROPERTY INFORMATION 	☒ NEW CONSTRUCTION	☐ ALTERATION	☐ REPAIR	☐ AMENDMENT -- ORIGINAL FILING #:	
	TAX ASSESSMENT ROLL #: 768013897.620			PID #: 028-875-095	
	LEGAL DESCRIPTION (PLAN, LOT, DISTRICT LOT, BLOCK NUMBERS): LOT 3, SECTION 15, NANAIMO LAND DISTRICT, PLAN EPP20661				
	STREET (CIVIC) ADDRESS OR GENERAL LOCATION: Windecker Drive			CITY: Gabriola Island	
2. OWNER INFORMATION	NAME OF LEGAL OWNER:			MAILING ADDRESS:	
	PHONE:	CITY:	PROV:	POSTAL CODE:	
3. AUTHORIZED PERSON INFORMATION	NAME OF AUTHORIZED PERSON: Robert R. Roenicke, P.Eng		REGISTRATION #: 9852	MAILING ADDRESS: P.O. Box 26	
	PHONE: 250-228-2741	EMAIL: qual.eng@shaw.ca		CITY: Qualicum BC	POSTAL CODE: V9K 1R4
4. STRUCTURE INFORMATION	SEWERAGE SYSTEM WILL SERVE: ☒ SINGLE FAMILY DWELLING ☐ OTHER STRUCTURE (SPECIFY) ☐ OTHER DWELLING (SPECIFY)				
	THE DESIGN DAILY DOMESTIC SEWAGE FLOW IS (CHECK ONE): ☒ LESS THAN OR EQUAL TO 9 100 LITRES ☐ MORE THAN 9 100 LITRES BUT LESS THAN 22 700 LITRES				
5. SITE INFORMATION	DEPTH OF NATIVE SOIL TO SEASONAL HIGH WATER TABLE OR RESTRICTIVE LAYER (cm): 66		INFORMATION RESPECTING THE TYPE, DEPTH AND POROSITY OF THE SOIL IS ATTACHED ☒ YES ☐ NO		
	GPS LOCATION OF SYSTEM (DECIMAL DEGREES) LATITUDE: 49.1652 LONGITUDE: -123.7481				
	HORIZONTAL ACCURACY (m) 19m ☒ RECREATIONAL GPS ☐ DIFFERENTIAL GPS				
6. DRINKING WATER PROTECTION	WILL THE SEWERAGE SYSTEM BE LOCATED LESS THAN 30m FROM A WELL? ☐ YES ☒ NO IF YES, ATTACH A PROFESSIONAL'S REPORT AND SPECIFY THE INTENDED DISTANCE _____ (m) DISTANCE OF PROPOSED SEWERAGE SYSTEM TO THE CLOSEST SURFACE WATER +30m (m)				
7. SYSTEM INFORMATION	SEWERAGE TREATMENT METHOD: ☒ TYPE 1 ☐ TYPE 2 ☐ TYPE 3				
8. LEGAL OR REGULATORY CONSIDERATIONS	☒ CONSTRUCTION OF THE PROPOSED SEWERAGE SYSTEM WILL NOT CONFLICT WITH LEGAL INSTRUMENTS REGISTERED ON THE PROPERTY.		IS THIS FILING SUBMITTED AS THE RESULT OF AN ORDER FROM THE HEALTH AUTHORITY? ☐ YES (ATTACH A COPY OF THE ORDER) ☒ NO		
9. PLOT PLAN AND SPECIFICATIONS	☒ PLOT PLAN (TO SCALE) AND SPECIFICATIONS ARE ATTACHED				
	☒ THE PLANS AND SPECIFICATIONS ARE CONSISTENT WITH STANDARD PRACTICE SOURCE OF STANDARD PRACTICE: ☒ MINISTRY OF HEALTH STANDARD PRACTICE MANUAL ☐ OTHER				
10. AUTHORIZED PERSON'S SIGNATURE	SIGNATURE: 		OFFICE USE ONLY		
	DATE: January 31, 2017		FILING ACCEPTED RECEIPT NUMBER: FEB 07 2017 214269		

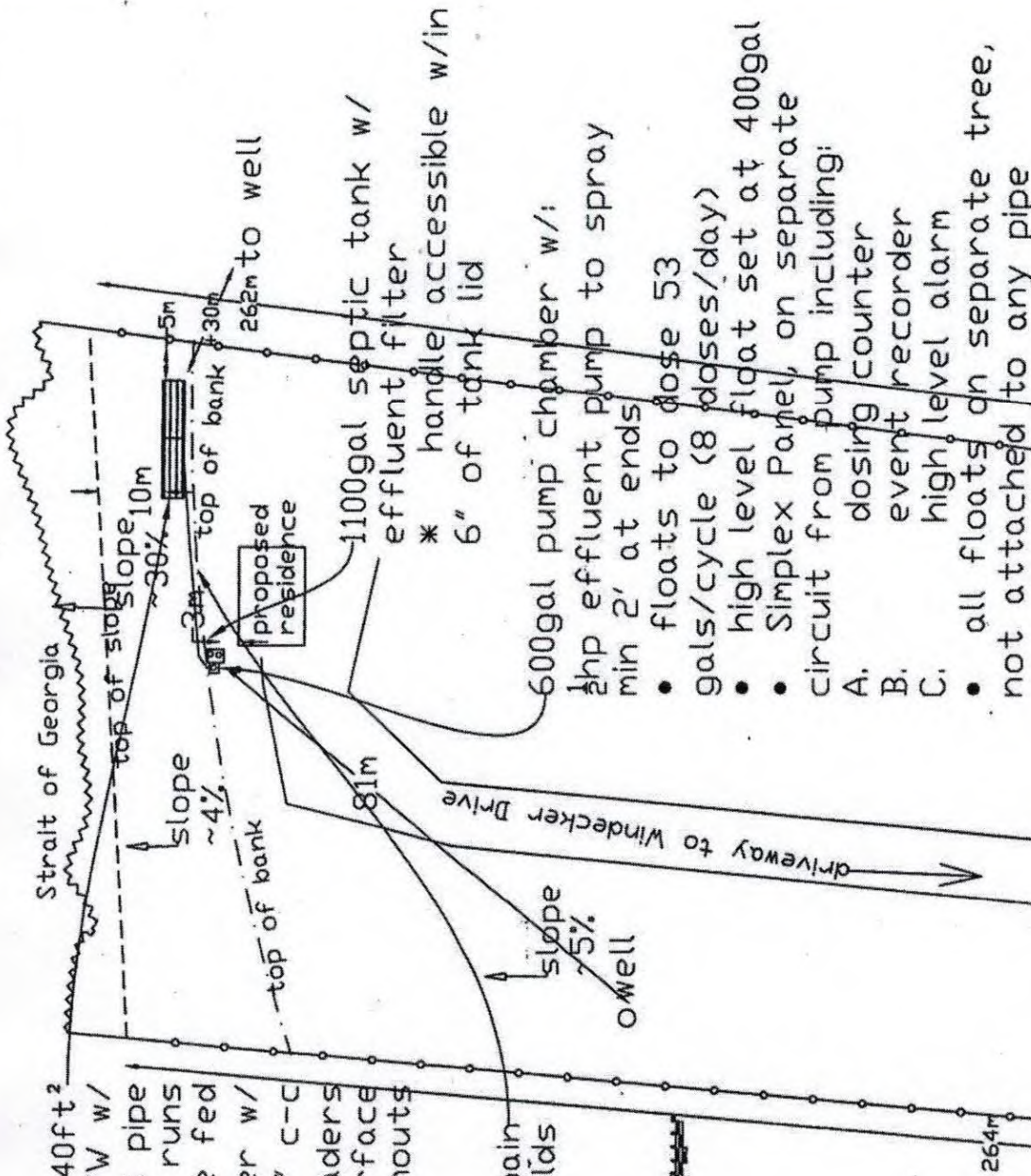
Revised April 2015

POSTED
Feb 7/17
HL

This Filing Does Not Constitute Approval for Further Subdivision

- total bed area = 640ft²
- 60'L x 11'W w/
 - 240' total pipe
 - 8 x 30' runs
 - centre fed
 - 1-1/4" Sched 40 header w/
 - 3" orifices @ 36" c-c
 - 1-1/4" ball valves @ headers
 - 45° elbows @ ends to surface (protected) for cleanouts

2" Sched 40 force main
... to 2" tee manifolds



Sewerage Disposal System for Lot 3, Section 17, Nanaimo Land District, Plan EPP20061

sewerage disposal drawing of construction	Anita Davey Consulting Services	
	2881 Virogo Pl, Ladang, BC V6C 1G8	
Jan. 31, 2017	20170131-2	
	01	

Brett Kohli

Sent via email only to: kohlibrett@gmail.com

March 27, 2024

Project # 24-813

Attn: Brett Kohli

**Re: Technical Design Review for Sewerage Disposal Plan for Single Family Dwelling and Proposed Suite
Located at 2370 Windecker Road, Gabriola Island, BC**

1. INTRODUCTION

This letter presents a desktop review of the sewerage disposal system for the property located at 2370 Windecker Drive, Gabriola Island, taking into account the existing single-family dwelling and proposed construction of a separate seasonal residential suite. The Sewerage Disposal Plan (SDP) was prepared to comply with the Government of British Columbia, Ministry of Health Regulation 326/2004, enacted June 1, 2005. This letter provides a professional opinion of the capacity of a Sewage Disposal System (SDS) installed at 2370 Windecker Drive, Gabriola Island, British Columbia in 2017, for the purpose of addressing specific concerns of the Regional District of Nanaimo.

2. PROJECT BACKGROUND

We understand the property is to be improved with a separate seasonal single-family suite proposed for construction in addition to the existing 1-bedroom residence. A Sewerage Disposal System was installed at the time of the construction of the existing SDS to current standards under filing number NA17-011, as engineered by Mr. Robert Roenicke, P.Eng. (deceased). The SDP was originally designed in 2017 for a 4-bedroom single family residence. The Regional District of Nanaimo queried the capacity of the existing system to withstand the extra flows put on the system by the addition of the seasonal residential suite.

3. REVIEW INTENT

The intent of the sewerage design review (SDR) is to accommodate the effluent produced by the construction of the separate seasonal suite and the continued occupancy of the single-family residence and to prevent causing a health hazard. The SDR seeks to determine the new overall daily flow and required sewerage disposal area of infiltrative surface in comparison to the original design flow and installed area of infiltrative surface of the sewerage disposal field. In accordance with B.C. Regulation 326/2004 we understand the applicable regulatory requirements to be:

1. Provide a combined collection, storage and dispersal system that will not cause or contribute to a health hazard;
2. Provide a combined collection, storage and dispersal system that will be less than 22,700 Litres per day (Lpd);
3. Provide a combined collection, storage and dispersal system that will be designed and constructed substantially in accordance with plans and specifications to be filed with the local Health Authority.

In addition, the intent of this design review is to:

4. Ensure to the satisfaction of the Regional District of Nanaimo, with a Sealed letter from a Professional Engineer registered in the Province of British Columbia, confirming that the installed sewerage system is

sizeable for an added detached seasonal secondary suite.

4. SEWERAGE DISPOSAL DESIGN LOAD

The original sewerage design load was for up to 4.5 persons inhabiting a 4-bedroom residence, with a daily design load of 1600 Litres per day, as per Version 3 of the Sewerage System Standard Practice Manual. This version of the Standard Practice Manual is still in effect in the province. The daily design flow rate is applied to the soil type hydraulic loading rate to determine the required area of infiltrative surface for the disposal field. The field is then designed based upon slope and space considerations.

• Design Load Calculations

○ Original Daily Design

- Daily Design Flow [DDF] = 1600 Lpd
- Hydraulic Loading Rate (HLR) for sandy loam soils = 27 Lpd/m²
- Required minimum area of infiltrative surface (AIS) = $DDF / HLR = 1600 \text{ Lpd} / 27 \text{ Lpd/m}^2 = 59.3 \text{ m}^2$
- Constructed AIS as per Letter of Certification and as shown in Drawing No. 20170131-2 (sewerage disposal drawing of construction) dated Jan. 31, 2017 for filing #NA17/011 = 59.5 m²

○ Proposed Combined Daily Design

- Daily Design Flow [DDF] = 1-bedroom SFD = 700 Lpd (see table II-8 below) + 2-bedroom seasonal suite = (3x 250) Lpd (see Table II-9 below) = 1450 Lpd
- Hydraulic Loading Rate (HLR) for sandy loam soils = 27 Lpd/m²
- Required minimum AIS = $DDF / HLR = 1450 \text{ Lpd} / 27 \text{ Lpd/m}^2 = 53.7 \text{ m}^2$

Table II- 8. Minimum Daily Design Flow (DDF) for Residences

NUMBER OF BEDROOMS	MAXIMUM FLOOR AREA (M ²)	DDF LITRES/DAY
1	140	700
2	240	1,000
3	280	1,300
4	330	1,600
5	420	1,900
6	520	2,200
Additional bedroom, add		300
Additional 1m ²		3

Notes:

- Use the total floor area that is living space.

Table II- 9. Per capita Daily Design Flow for Residences

USE	PER PERSON FLOW (L/DAY)
Single family dwelling	350
Multi-family (apartment)	300
Luxury homes	700
Seasonal cottage	250
Mobile home	300
NUMBER OF BEDROOMS	MINIMUM NUMBER OF OCCUPANTS
1	2
2	3
3	3.75
4	4.5
5	5.5
6	6.5

Key: Original Daily Design Flow, per filing NA117/011
Updated Daily Design Flow

4. CLOSURE

Based on the results presented herein, we consider that the sewerage system installed and certified under filing #NA17/011 in accordance with the relevant guidelines, is sizeable for an added detached seasonal secondary suite to the existing 1-bedroom residence. The two residential units combined remain below the original maximum daily design flow threshold, and the combined required Area of Infiltrative Surface remains under the original required designed and installed AIS.

Normal maintenance to this system is recommend by regular pumping of the septic tank and cleaning of the effluent filter between the outlet of the septic tank and the pump chamber to ensure that solids are not carried over from the primary tank, as outlined in the Operation and Maintenance Plan issued with the Letter of Certification. However, no warranty or claim of expected life of this system, or the remaining productive life of the installed effluent pump, is explicitly stated or implied.

Thus, all intents of this desktop technical sewerage design review have been met.

We trust that this meets your present requirements. Should you have any questions, please do not hesitate to contact the undersigned at your earliest convenience.

Prepared By:

Anita Davey

Anita Davey, P.Ag.
Senior Environmental Agrolgist

Reviewed By:



Alyssa Kohlmann, P.Eng.
Senior Geotechnical Engineer



ATTACHMENT 9

BUILDING INSPECTION SERVICES

OCCUPANCY PERMIT

Pursuant to the requirements of the building bylaws of the Regional District of Nanaimo permission is hereby granted to occupy the described building subject to the following limitations.

Street Address: 2372 WINDECKER DR

Legal Description: LOT 3, SECTION 15, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN EPP20661

Class of Occupancy: C Residential occupancies

Building Permit Number: PR20240000003

Date Issued: April 01, 2025

Inspector: Michael Foster

Signature:

A handwritten signature in blue ink, appearing to be "MF", written over a light blue circular stamp.

IMPORTANT NOTICE

The occupancy approved under this permit refers only to structural and plumbing components of the above building permits(s) and such occupancy is permitted as of the date shown. This permit is not a warranty that the subject building or any part of the building complies with all regional and provincial regulation covering zoning and building construction or that the building or any part of the building is without defect. Conformity to the regulations is the responsibility of the owner. Owners are reminded that a new **OCCUPANCY PERMIT** is required prior to change in **CLASS OF OCCUPANCY**.



Proudly serving Gabriola since 1968

ATTACHMENT 10

October 29, 2025

Islands Trust
700 North Road
Gabriola, B.C.
VOR 1X3

To Whom It May Concern

Re: Fire code compliance inspection – 2372 Windecker Drive, Gabriola, B.C.

This is to confirm that I carried out an inspection at the above-noted address. Based on my inspection, I find that the home meets the requirements of the B.C. Fire Code for the purpose of a Temporary Use Permit (TUP).

If you have any questions, please do not hesitate to contact me.

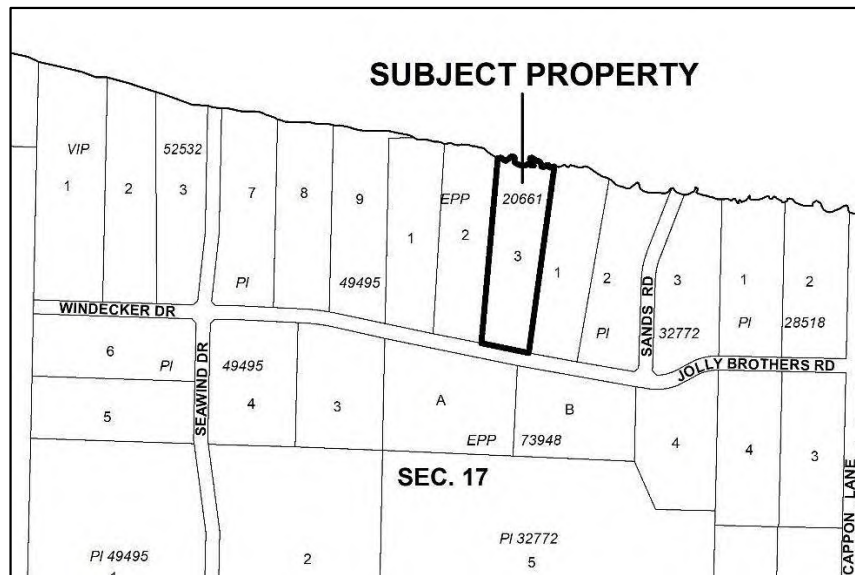
Yours truly,

Will Sprogis,
Fire Chief
GVFD

NOTICE is hereby given pursuant to Section 494 of the *Local Government Act* that the Gabriola Island Local Trust Committee (LTC) will be considering a resolution allowing for the issuance of a Temporary Use Permit. The proposed permit would apply to PID: 028-875-095, LOT 3, SECTION 17, NANAIMO DISTRICT, PLAN EPP20661, located at **2372 Windecker Drive, Gabriola, BC.**

The purpose is to provide issuance of the Temporary Use Permit for the operation of a commercial vacation rental within a detached secondary suite dwelling on the subject property. The establishment of this use would be subject to the conditions specified in the attached proposed permit.

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



A copy of the proposed permit may also be inspected at the Islands Trust Office, 700 North Road, Gabriola Island, BC V0R 1X3 between the hours of 8:30 a.m. to 4:00 p.m. Monday to Friday inclusive and on the Islands Trust website <https://islandstrust.bc.ca/island-planning/gabriola/current-applications/> commencing **November 5, 2025** and continuing up to and including **November 19, 2025**.

Enquiries or comments should be directed to Margot Thomaidis, Planner 2 at (250) 247-2204, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: northinfo@islandstrust.bc.ca before **4:00 p.m., November 19, 2025**

The Gabriola Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the business meeting to be held at **10:30 AM November 20, 2025 at the Gabriola Arts and Heritage Centre, 476 South Rd, Gabriola, BC.**

Written comments made in response to this notice will also be available for public review.

Nadine Mourao, Deputy Secretary



File No.: GB-RZ-2022.1 (Moen)

DATE OF MEETING: November 20, 2025

TO: Gabriola Island Local Trust Committee

FROM: Stephen Baugh, Island Planner
Northern Office

SUBJECT: GB-RZ-2022.1 (Moen)

Applicant: Kent Moen

Location: 750 Tin Can Alley, Gabriola Island
LOT B SECTION 19 GABRIOLA ISLAND NANAIMO DISTRICT
PLAN VIP60373 (PID 023-005-629)

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee Bylaw No. 318 cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2024” be read a Third time.
2. That the Gabriola Island Local Trust Committee Bylaw No. 319 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2024” be read a Third time.
3. That the Gabriola Island Local Trust Committee proposed Bylaw No. 318 cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2024” be forwarded to the Minister of Housing and Municipal Affairs for approval.
4. That the Gabriola Island Local Trust Committee proposed Bylaw No. 318 cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2024” and proposed Bylaw No. 319 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2024”, be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

REPORT SUMMARY

This is a post public hearing report supporting next steps for proposed Bylaw Nos. 318 (OCP amendment) and 319 (LUB amendment). These bylaws seek to redesignate and rezone 750 Tin Can Alley to allow a range of commercial uses in addition to the existing commercial uses on the property as well as two dwelling units, the bylaws will also result in the subject property being included in the Village Centre Development Permit Area to establish guidelines for the form and character of commercial development, to promote water conservation, and to promote the reduction of greenhouse gas emissions.

Staff are recommending the LTC give Third Reading to Bylaw Nos. 318 and 319, forward Bylaw No. 318 to the Minister of Housing and Municipal Affairs for approval, and forward the Bylaw No. 318 and 319 to Executive Committee for approval.

BACKGROUND

The LTC is considering a bylaw to amend the Gabriola Island Official Community Plan No. 166 and a bylaw to amend the Gabriola Island Land Use Bylaw No. 177 to redesignate and rezone 750 Tin Can Alley. The bylaws will permit a broader range of commercial uses, two dwellings, and include the property in the village centre DPA.

The LTC gave Bylaw Nos. 318 and 319 First and Second Reading on September 4, 2025. The bylaws were referred to First Nations, agencies and organizations in February 2025 with a 90-day referral period.

A Public Hearing is scheduled for November 20, 2025. A Public Hearing is a quasi-judicial process within and following which specific procedures must be followed.

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Third Reading (this may include amendments to alter the bylaws).
2. Send the OCP Bylaw to the Minister for approval.
3. Forwarding of the bylaws to Executive Committee for approval.
4. Final LTC consideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Minister and Executive Committee approve the bylaws, the next step for the LTC would be to adopt the bylaw.

Rationale for Recommendation:

Staff are recommending the LTC give Third Reading, and that the Bylaw be forwarded to Executive Committee for approval. The recommendations are supported because:

- All statutory requirements have been completed including the required notification and holding of a Public Hearing consistent with the *Local Government Act*;
- Public, government agency or First Nation concerns raised with the proposed bylaws have been considered by the LTC; and
- All Islands Trust bylaw amendments require the approval of the Executive Committee of the Islands Trust prior to the consideration of adoption.

ALTERNATIVES

1. Amend the Bylaw(s)

The LTC may amend the bylaw provided the amendments would not alter use or increase density
That the Gabriola Island Local Trust Committee proposed Bylaw No. 318 cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2024” be amended as follows:...

That the Gabriola Island Local Trust Committee proposed Bylaw No. 319 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2024” be amended as follows:....

2. Defer Third Reading to a future LTC Meeting

The LTC may choose to defer consideration of third reading to a future LTC meeting. If the LTC chooses this option, no resolution is needed and Bylaw Nos. 318 and 319 will be brought forward at a subsequent meeting.

3. Proceed no further

That the Gabriola Island Local Trust Committee proceed no further with Bylaw Nos. 318 and 319.

NEXT STEPS

If the recommendations are supported

- Bylaw No. 318 will be sent to the Ministry of Municipal affairs for approval;
- Bylaw No. 318 and Bylaw No. 319 will be sent to Executive Committee for approval; and
- Pending approval from the Minister and EC, Bylaw No. 318 and Bylaw No. 319 will be presented to the LTC for adoption.

Submitted By:	Stephen Baugh, Island Planner	November 3, 2025
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	November 6, 2025

ATTACHMENTS

1. Bylaw No. 318
2. Bylaw No. 319

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 318

A BYLAW TO AMEND GABRIOLA ISLAND OFFICIAL COMMUNITY PLAN, 1997

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

1. Citation

This bylaw may be cited for all purposes as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2024”.

2. Gabriola Island Local Trust Committee Bylaw No. 166, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw No. 166, 1997”, is amended as per Schedule “1”, Schedule “2”, and Schedule “3” attached to and forming part of this bylaw

READ A FIRST TIME THIS 4TH DAY OF SEPTEMBER , 2025

READ A SECOND TIME THIS 4TH DAY OF SEPTEMBER , 2025

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 202x

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

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 202x

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS

_____ DAY OF _____ , 202x

ADOPTED THIS _____ DAY OF _____ , 202x

Chair

Secretary

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 318
Schedule "1"

1. **Schedule "A"** of Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997 is amended as follows:

- 1.1. **Section 2 – General Land Use and Residential Development**, Subsection **2.0 General Land Use**, Clause 2.0.k) is deleted and replaced with the following text:

“k) This Plan only supports the realization of additional residential density without subdivision when used for Affordable Housing for Special Needs residents, Seniors, multiple-dwelling affordable housing, and two dwellings (with no restrictions on their tenancy or affordability) on the following parcel: LOT B SECTION 19 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP60373.”

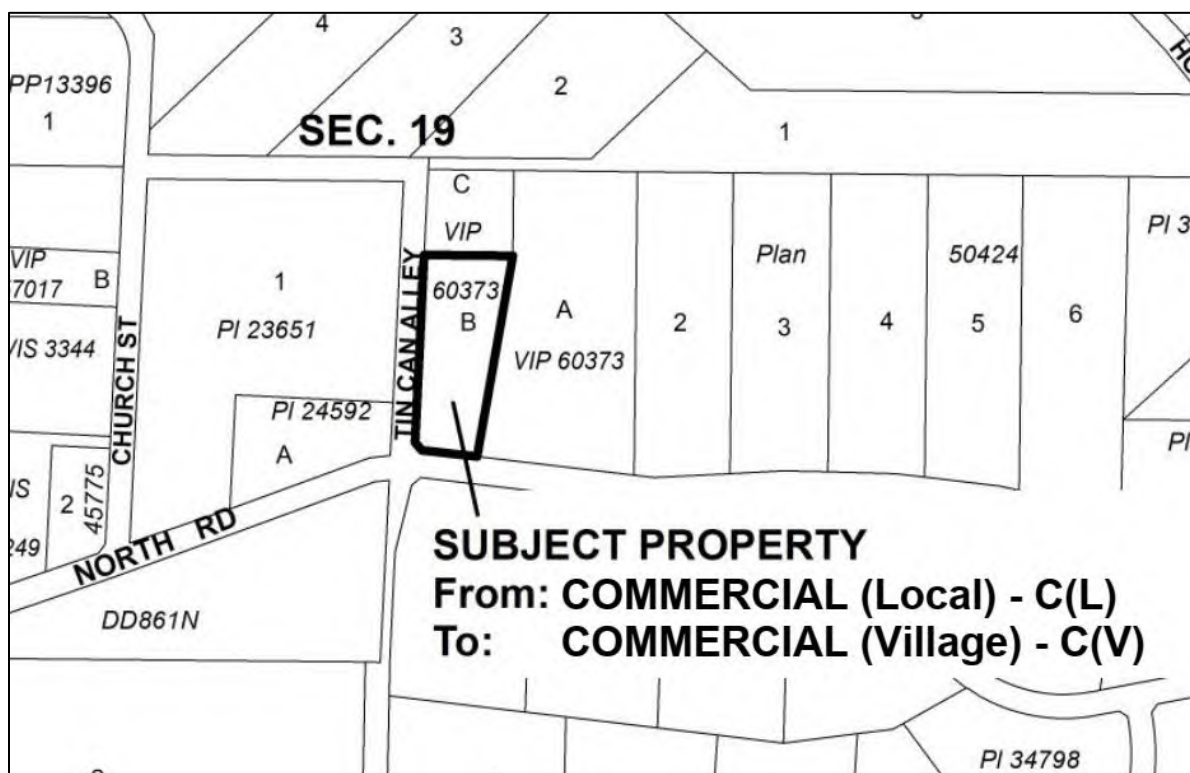
- 1.2. **Section 3 – Economic Activities**, Subsection **3.1 Commercial Activity, General Commercial Objectives** number 1 is amended by deleting the words “(Lockinvar Triangle area)”.
- 1.3. **Section 3 – Economic Activities**, Subsection **3.1 Commercial Activity, General Commercial Policies** is amended by adding a new clause after clause d) as follows: “e) Despite clause a) and d) a minimum and average parcel size of 1.0 hectare (2.47 acres) and up to 2 dwelling units per parcel may be permitted on the following parcel: LOT B SECTION 19 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP60373.”
- 1.4. **Section 3 – Economic Activities**, Subsection **3.2 Village Commercial**, Clause 3.2.a) is amended by deleting the words “(the Lockinvar Triangle area)”.
- 1.5. **Section 3 – Economic Activities**, Subsection **3.4 Local Commercial**, Clause 3.4.a), is amended by deleting Item 3.4.a)ii in its entirety and by making such consequential numbering alterations to effect this change.

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 318
Schedule "2"

1. **Schedule "B"** of Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997 is amended as follows:

- 1.1. **Schedule "B" – Land Use Designations – North Sheet**, is amended by changing the land use designation on the lands described as LOT B SECTION 19 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP60373 (750 Tin Can Alley, Gabriola Island PID 023-005-629) from "Commercial (Local)" to "Village Commercial" as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" as are required to effect this change.

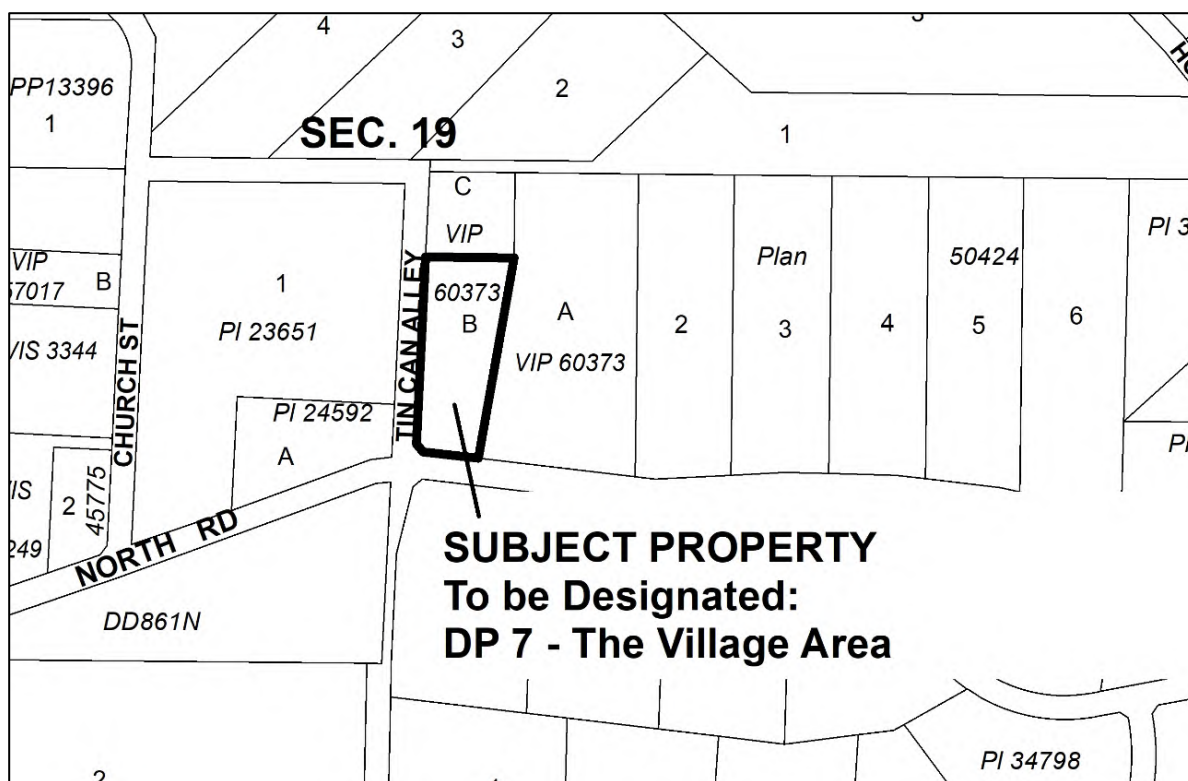
Plan No. 1



GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 318
Schedule "3"

1. **Schedule "D" – Development Permit Areas - OCP B North Sheet**, is amended by including the lands described as LOT B SECTION 19 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP60373 (750 Tin Can Alley, Gabriola Island PID 023-005-629) in the Schedule D map for DP 7 - The Village Centre as shown on Plan No. 2 attached to and forming part of this bylaw, and by making such alterations to Schedule "D" of Bylaw No. 166 as are required to effect this change.

Plan No. 2



PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 319

A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW, 1999

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

1. Citation

This bylaw may be cited for all purposes as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2024”.

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

READ A FIRST TIME THIS 4TH DAY OF SEPTEMBER , 2025

READ A SECOND TIME THIS 4TH DAY OF SEPTEMBER , 2025

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 202x

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

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 202x

ADOPTED THIS _____ DAY OF _____ , 202x

Chair

Secretary

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 319**

Schedule “1”

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

- 1.1 **Part B GENERAL REGULATIONS**, Section B.1 **USES, BUILDINGS AND STRUCTURES**, Subsection **B.1.1 Permitted in Any Zone**, Article **B.1.1.1** Uses, Clause B.1.1.1.c. is amended by replacing “D.3.7. Ferry Parking, D.3.10” with “D.3.8. Ferry Parking, D.3.11”.
- 1.2 **Part B GENERAL REGULATIONS**, Section B.4 **SIGNS**, Subsection **B.4.1 Number and Total Sign Area**, Article **B.4.1.1**, Table 1 **Sign Regulations**, Column I is amended by adding “VC3,” after “VC2,”.
- 1.3 **Part B GENERAL REGULATIONS**, Section B.5 **PARKING**, Subsection **B.5.1 Minimum Number of Parking Spaces for Automobiles and Bicycles**, Article **B.5.1.1**, Table 2: **Parking Requirements**, is amended by adding a new row under the “Residential” heading as follows:

<i>dwelling unit</i> in the Village Commercial 3 zone	1 per <i>dwelling unit</i>	None required	None required
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- 1.4 **Part C ESTABLISHMENT OF ZONES**, Section C.1 **DIVISION INTO ZONES**, Subsection **C.1.1 Land Based Zones**, insert new zone “VC3 Village Commercial 3” after “Village Commercial 2 – Professional Centre” and before “DC1 District Commercial 1”.
- 1.5 **Part D ZONES**, Section D.3 **COMMERCIAL AND INDUSTRIAL ZONES**, insert new Subsection **D.3.3 Village Commercial 3 (VC3)** after Subsection **D.3.2 Village Commercial 2 – Professional Centre(VC2)** as shown in **Appendix 1** attached to and forming part of this bylaw; and renumber all subsequent subsections chronologically.
- 1.6 **Part D ZONES**, Section D.3 **COMMERCIAL AND INDUSTRIAL ZONES**, Subsection **D.3.3 District Commercial 1(DC1)**, Article D.3.3.3 **Regulations**, Clause D.3.3.3.b. **Buildings and Structures Siting Requirements**, Item D.3.3.3.b.iii. is amended by replacing “D.3.3.3.ii” with “D.3.4.3.ii”.
- 1.7 **Part D ZONES**, Section D.3 **COMMERCIAL AND INDUSTRIAL ZONES**, Subsection **D.3.6 Local Commercial 3 – Garden Centres(LC3)**, Article **D.3.6.1 Permitted Uses**, Clause **D.3.6.1.b. Permitted Accessory Uses**, Item **D.3.6.1.b.iii** is amended by deleting the words “except on lands shown on Schedule C, Map 12”.
- 1.8 **Part D ZONES**, Section D.3 **COMMERCIAL AND INDUSTRIAL ZONES**, Subsection **D.3.6 Local Commercial 3 – Garden Centres(LC3)**, Article **D.3.6.1 Permitted Uses**, Clause **D.3.6.1.b. Permitted Accessory Uses**, Item **D.3.6.1.b.iv** is deleted in its entirety.

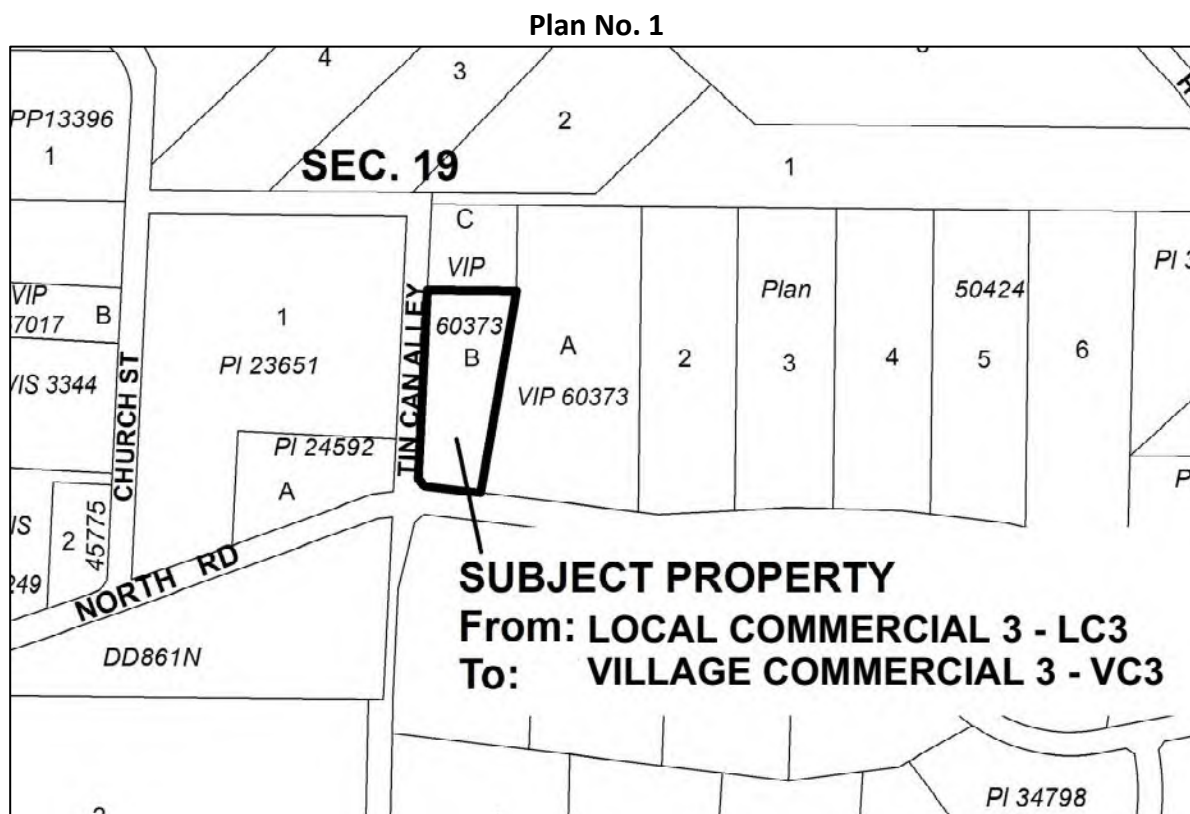
- 1.9 **Part D ZONES**, Section D.3 **COMMERCIAL AND INDUSTRIAL ZONES**, Subsection **D.3.6 Local Commercial 3 – Garden Centres(LC3)**, Article **D.3.6.2 Buildings and Structures**, Clause **D.3.6.2.a. Permitted Buildings and Structures**, Item **D.3.6.2.a.iv** is deleted in its entirety.

- 1.10 **Part G**, Section G.1 **DEFINITIONS**, is amended by deleting the following definition:

“farm supply centre a business for the retail sale of farm supplies, but excluding the sale of farm equipment;”

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

- 2.1. Schedule “B” – North Sheet, is amended by changing the zoning classification of LOT B SECTION 19 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP60373 (750 Tin Can Alley, Gabriola Island PID 023-005-629) from “Local Commercial 3” to “Village Commercial 3” as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 177 as are required to effect this change.



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

- 3.1. Schedule “C” – Map 10, is amended by replacing “Item d.3.8.1.a.vii” with “Item d.3.9.1.a.vii”.
- 3.2. Schedule “C” – Map 12, is deleted in its entirety.

- 3.3. Schedule “C” – Map 17, is amended by replacing “Items D.3.8.1.a.v and D.3.8.1.a.viii” with “Items D.3.9.1.a.v and D.3.9.1.a.viii”.

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 319**

Appendix 1

D.3.3 Village Commercial 3 (VC3)

D.3.3.1 Permitted Uses

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Village Commercial 3 (VC3) zone:

a. Permitted *Principal* Uses

- i *garden centre*
- ii retail sales and rentals
- iii *personal services*
- iv *restaurant*
- v bakeries
- vi offices
- vii *limited public market*, subject to Subsection B.6.2

b. Permitted *Accessory* Uses

- i *single family* residential
- ii *two family dwelling* residential
- iii mini-storage

D.3.3.2 Buildings and Structures

The *buildings* and *structures* permitted in Article B.1.1.2, plus the following *buildings* and *structures* and no others are permitted in the Village Commercial 3 (VC3) zone:

a. Permitted *Buildings* and *Structures*

- i *Buildings* and *structures* to accommodate *principal* uses set out in this zone which must be connected to a freshwater collection system with a minimum storage capacity of 22,500 litres (5,944 US gallons).
- ii Maximum of:
 - two *dwelling units* per lot; and
 - two *buildings* per lot that exclude a *pump/utility house* and woodshed, and that are *accessory* to a *dwelling unit*.
- iii The maximum permitted floor area of a *dwelling unit* is 90 square metres (968 square feet)
- iv Other *buildings* and *structures* to accommodate the permitted accessory uses set out in this zone.

D.3.3.3 Regulations

The general regulations in Part B, plus the following regulations apply in the Village Commercial 3 (VC3) zone:

a. Buildings and Structures Height Limitations

- i The maximum *height* of *buildings* and *structures* is 9.0 metres (29.5 feet).

b. Buildings and Structures Siting Requirements

- i The minimum *setback* for *buildings* or *structures* except for a sign, *fence*, or *pump/utility house* is:
 - 6.0 metres (19.7 feet) from the *front lot line*;
 - 6.0 metres (9.8 feet) from any *interior lot line*, except where the *interior lot line* abuts a commercial or industrial *zone* in which case there is no *setback* requirement from the *interior lot line*; and
 - 3.0 metres (9.8 feet) from another *building* sited on the same *lot*.
- ii There is no *setback* requirement from any *exterior side lot line*, except for mini-storage units in which case the minimum *setback* is 4.5 metres.
- iii *Dwelling units* must be located within the building envelope of a commercial building.

c. Lot Coverage Limitations

- i The maximum combined *lot coverage* by *buildings* and *structures* is 40 percent of the *lot* area.

d. Lot Area Requirements for Subdivision

- i The minimum average *lot* area and the minimum *lot* area is 1.0 hectare (2.47 acres).

e. Mini-Storage Limitations

- i The maximum *floor area* is 9.3 square metres (100 square feet) per mini-storage unit.
- ii Mini-storage units must be separated from a highway or from land with zoning permitting a *principal* residential use by a landscape screen, subject to subsection B.2.7, not less than 2.0 metres (6.6 feet) in *height*.

f. Conditions of Use

- i The floor area of any commercial use on the lot shall not be expanded, and no building or structure greater than 100 square metres shall be constructed, or increased in floor area, unless:
 - one dwelling unit for residential use has been constructed on the lot; or
 - a dwelling unit is constructed as part of the construction or expansion of commercial use on the lot.
- ii The floor area of any commercial use on the lot shall not be expanded, and no building or structure greater than 200 square metres shall be constructed, or increased in floor area, unless:
 - two dwelling units for residential use have been constructed on the lot; or
 - two dwelling units are constructed as part of the construction or expansion of commercial use on the lot.

DATE OF MEETING: November 20, 2025

TO: Gabriola Island Local Trust Committee

FROM: Narissa Chadwick, Senior Planner
Local Planning Services

COPY: Stephen Baugh, Island Planner
Renee Jamarat, Regional Planning Manager

SUBJECT: OCP Project Update

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee request that staff include policies in the draft OCP related to subdivision, as recommended in the November 20, 2025 staff report.
2. That the Gabriola Island Local Trust Committee request include policies in the draft OCP related to options for rezoning for multiple units, as recommended in the November 20, 2025 staff report.
3. That the Gabriola Island Local Trust Committee request staff explore, with the RDN, the use of Temporary Use Permits for non-conforming dwellings that have applied for a building permit.
4. That the Gabriola Island Local Trust Committee request staff forward the model Development Permit Area (DPA) guidelines and the DPA prioritization list to the Gabriola DPA working group.

REPORT SUMMARY

The purpose of this report is to provide an update of a number of topics related to the Gabriola OCP review. These include:

1. Updated workplan
2. The Gabriola buildout map
3. Changing subdivision potential
4. Options for non-conforming dwellings
5. Update to “What We Heard” Report
6. DPA Assessment

BACKGROUND



At the October 2025 LTC meeting, the LTC provided direction to staff to proceed with drafting Official Community Plan policies in accordance with the approved draft table of contents presented at the October 9, 2025 Local Trust Committee Meeting as well as revised project charter with minor amendments.

Staff are currently focussing on bylaw writing with the intention of having draft policy language by the February LTC meeting. Any additional tasks requested from staff related to the OCP will delay the project. A number of project updates, based primarily on LTC requests are provided below.

1. Updated Project Charter

The updated project charter is contained in Attachment 1. In addition to correcting dates (e.g. 2025 supposed to be 2026), Staff have reviewed the project charter in light of the 3 week labour disruption. Staff have attached a revised project charter. The only item that has been changed is the date of the water balance assessment report. This corresponds with the LTC meeting schedule. If the LTC would like the report on the water balance assessment they can request staff schedule a special meeting to review it. Staff note that given the 3 week labour dispute and in light of the need to balance focus on other projects, a February target for review of draft policy language is ambitious.

2. Gabriola Buildout Map

A hard copy of the Gabriola build out map will be provided to the LTC at the November meeting. It provides an indication of the number of potential additional lots that are possible based on existing subdivision potential as well as total buildout which considers both primary dwelling and secondary dwelling potential. The buildout map along with the suitable land analysis provides the basis for decisions related to “reimagining growth”- considering where dwelling density potential could be removed, moved or increased based on an analysis of data related to environmental and cultural heritage protection considerations.

3. Changing Subdivision Potential

Changes to subdivision potential has been part of the “reimagining growth” discussion that was introduced during the September 14, 2025 community workshop. At their October 2025 LTC meeting the LTC requested staff provide “options and potential consequences to the removal of subdivision potential to support the Gabriola OCP project”.

Recommended Option - Limiting subdivision potential to applications that deliver clear community benefits such as affordable housing, land conservation, or First Nations interests. All other subdivision would require a bylaw amendment (e.g. rezoning). This would ensure that future growth reflects shared community values. This approach prioritizes collective benefit over individual lot creation and encourages housing diversity through housing options such as secondary suites, cooperative models, and density bonusing, rather than land fragmentation. This is the approach that staff propose to be reflected in draft bylaws, as a foundational element of the OCP, unless otherwise directed by the LTC.

Alternatives –

Maintain status quo: Maintain existing subdivision potential across the island. Subdivisions would continue to be permitted without major restrictions.

Restrict Subdivision only within 200 metres of Natural Boundary of the Sea: Remove subdivision potential (except for community-benefit projects) for parcels within 200 metres of the shoreline. This addresses areas of high archaeological value, saltwater intrusion potential, and a number of other considerations. Property owners could still apply to rezone for subdivision.

Restrict Subdivision only within 200 metres of Natural Boundary of the Sea and in areas of known and potential archaeological sites: There appears to be archeological potential throughout most of the Islands. Locations will be confirmed through the archeological overview assessment. Property owners could still apply to rezone for subdivision.

Support only Parkland and Protected Areas Subdivisions: Removes all remaining subdivision potential except for parks and protected areas. All other subdivision applications would require a bylaw amendment (OCP and LUB) including affordable/special needs housing owned and operated by a non-profit, First Nation, or government agency.

Potential Consequences - Subdivision is one of the most influential tools shaping settlement patterns on Gabriola, yet subdivision potential has often been considered without fully accounting for environmental limits or cultural heritage impacts. Creating new lots rarely results in affordable or diverse housing; instead, it can increase land values, encourage speculation, and fragment larger parcels that might otherwise support ecological protection or community oriented housing options (e.g. land sharing, cluster housing).

Redirecting subdivision potential toward affordable housing, parks, and protected areas can better align development with community priorities, but it also raises concerns about overdevelopment in areas where density is redistributed, potential pressures on groundwater and septic systems, and questions of fairness in how benefits are allocated. Establishing clear criteria in policy, transparent decision-making processes, and grounding decisions in reliable environmental and archaeological data and understanding of First Nations interests will help address these concerns and maintain community trust. Impacts to property values is also a concern that may be raised. These impacts are difficult to quantify in light of the many other opportunities and requirements that may be integrated into the OCP and LUB review.

4. Options for Non-Conforming Dwellings

At their October LTC meeting, the LTC requested that staff provide options for supporting non-conforming dwellings, including Temporary Use Permits (TUPs), cob and natural building techniques, and non-manufactured tiny homes, in a manner that ensures health, safety, and environmental considerations are met.

Staff note that, without an occupancy permit issued by the Regional District of Nanaimo, there is no assurance that health and safety standards have been met, as regulatory oversight is limited. One approach used by other Local Trust Committees is to support the siting of dwellings that meet Canadian Standards Association (CSA) certification as an alternative means of verifying construction and safety where buildings do not meet the BC Building Code. For example, Mayne Island previously permitted the long-term residential use of RVs, but due to health and habitability concerns, these regulations are being amended to allow RVs only through TUPs for temporary use. Mayne Island has also introduced regulations supporting tiny homes that meet CSA certification, and staff intend to incorporate similar direction in the draft OCP.

TUPs could be used on Gabriola to allow for cob and other natural building forms that do not conform to building code requirements. This would enable the LTC to evaluate and manage environmental and cultural heritage impacts. However, it is important to note that TUPs do not ensure compliance with health and safety standards in the absence of an occupancy permit. The OCP include policies related to permitting the use of TUPs to support non-conforming dwellings that have applied for a building permit with the RDN. Discussion with the RDN is required before this type of approach is considered.

Changes to the Gabriola OCP to permit rezoning for multiple dwellings on a lot may provide a pathway to compliance for existing dwellings that are currently not conforming with Gabriola dwelling density and siting regulations. Staff are working on policy language to support the options below. Evaluation criteria, based on available data, related to review of rezoning applications and processes (including LTC initiated) will be included.

- **Cluster Housing:** A development form in which several smaller detached or semi-detached dwellings are grouped on a single lot, often sharing common open space and infrastructure. Housing agreements are required and floor area limits are recommended.
- **Small Unit Clustered Housing:** Similar to cluster housing, but focused on small or mobile units (e.g., tiny homes, manufactured homes) with shared facilities. Housing agreements required and floor area limits recommended.
- **Flexible Housing:** multiple additional dwelling units within a maximum combined floor area, based on lot size. Would not require housing agreements.
- **Density Bonus:** Allow additional density if specific criteria are met, e.g., conservation covenant registration, affordable housing contributions, or land donation to First Nations

5. Update to “What We Heard” Report

At the October 2025 LTC meeting the LTC requested staff update the “What We Heard” report to include details related to support for housing options. These have been added (see Attachment 2).

6. DPA Assessment

At the May LTC meeting the LTC requested staff provide an assessment of possible DPAs to update as part of OCP review. While the update of DPAs for Gabriola is important as the existing site specific DPAs limit protection of environmental and other interests at a broader island scale, staff have identified that updating DPAs as a part of the current OCP review will push the completion of the OCP review out many months and potentially years depending on the data required. The 2026/27 budget has not included funding for DPA work. However, Staff recommend including a DPA priority list in the implementation section of the revised OCP. To facilitate consideration of priorities, an analysis of DPA priority is provided below. This is provided for information only, to be discussed in more detail following a presentation of draft bylaws in February 2026.

The DPA options are numbered in Table 1 based on staff recommended ranking. Key criteria considered including whether there is available data, if there is a model DPA created (model DPAs were created by the Regional Planning Team based on existing DPAs in the Islands Trust Aare), feedback from focus groups, survey results and other submissions. Community input from surveys, focus groups, and written submissions strongly supports expanding Development Permit Areas (DPAs) to protect Gabriola’s natural and built environment. Residents highlighted the importance of safeguarding riparian areas, marine shorelines, sensitive ecosystems, endangered habitats, old or large trees, and carbon-sequestering ecosystems such as wetlands and forests.

There was also strong support for DPAs that address natural hazards, including forest fire risk and erosion on steep or unstable slopes, encouraging FireSmart landscaping, native species planting, and slope-sensitive development. Focus group participants identified interest in DPAs to guide the form and character of multi-unit residential, commercial, and industrial development. Updating DPA mapping and guidelines was seen as essential to reflect current environmental and hazard data, ensuring that new development supports ecological protection, climate resilience, and the island’s unique character.

Table 1 – DPA Options

Type of DPA	Staff Rank	Are there examples in the IT area? Is there a Model?	Is there up to date Data?	What does the community think?	Staff recommendation
Critical Aquifer Recharge	1	Examples – GL Model - yes	Yes- recent data	A key priority	Major Priority – Could be minor project due to existing data and applied methodology
Steep Slopes	2	Examples – GB, GL, NP, SS, Model- No	Yes- province has updated data	A lower priority	Medium priority
Shorelines and Marine Areas	3	Examples– B-W, GL, GM, SS Model - yes	No -would need to update data	Strong interest	Priority – to support community and SFN interests
Endangered Species Habitat	4	No Examples No Model	Yes – provincial updates annually	Strong interests	Medium priority
Riparian Areas	5	Yes – all LTCs	Yes – 2019 data from province	Related to wetland protection,	Priority -Current DPA relies on outdated information
Fire Resilience	6	No Examples No Model	No- data needed	Strong interest	Priority – support community resilience.
Sensitive Ecosystems	7	Examples– GL, NP Model - Yes	No – would need to update data	Strong interest.	Priority - would require detailed studies to update data
Forested Areas	8	No Examples No Model	No – would need to update	Strong interest.	Priority – start with assessment of land
Wetlands	9	No Examples No Model	No – would need to update	Strong interest.	Medium Priority – related to groundwater
Habitat Corridors	10	No Examples No Model	No – would need to explore	A secondary priority.	Medium priority

Form and Character DPA – not included in chart as these can be created when there are specific changes to bylaws in particular locations and they do not require data.

As staff will be focussing on preparing a draft Bylaw, no additional attention will be given to DPAs unless directed by the LTC. Staff note that any additional work requests will push timelines for OCP completion. Staff recognize that there is a Gabriola community group that has been focussing on Development Permit Areas. For this reason, staff have recommended that the LTC direct staff to provide this group DPAs with the table above as well as model DPAs for feedback on prioritization by February 2026.

NEXT STEPS

- Staff will draft OCP policy language
- Staff will present OCP language to LTC for review
- Public will have an opportunity to review and provide comment on draft policy language
- OCP draft will be read for the first time
- OCP draft will be read for the second time
- CIM and Public Hearing
- OCP will be read for the third time
- OCP will be sent to Province for approval
- OCP will be approved by LTC

Submitted By:	Narissa Chadwick RPP MCIP, Senior Planner	November 10, 2025
Concurrence:	Renee Jamurat RPP MCIP, Regional Planning Manager	November 12, 2025

ATTACHMENTS

1. Project Charter

StafGabriola Island Official Community Plan(OCP) and Land Use Bylaw (LUB) Review Project (Phase 2)- Charter

Gabriola Island Local Trust Committee (LTC)

Date: November 2025 (Version 5)

Purpose: To explore, through targeted engagement specific questions related to key topics relevant to the OCP and LUB review and begin to draft OCP policies and identify related LUB changes needed to support these policies .

Background: An OCP describes the long-term vision for a community, through policy statement that guide decisions on planning and land use. An LUB contains regulations to implement the OCP policies. The Gabriola OCP have not been updated since 1997 and the LUB since 1999. The 2024/25 Gabriola Island OCP and LUB Comprehensive Review will address a number of issues of importance to the Gabriola Community. In Phase 1 (2023/24 helped to identify vision and values of the community. From these, a number of principles, upon which to base OCP revised policies, has emerged. \$77,000 has been allocated to this project from the 2024/25 Trust Council Budget. \$50,000 of this has been allocated to do a water availability assessment which will inform decisions related to the location of additional density and the protection of land.

Objectives

Through targeted and focussed engagement on specific topic areas, begin to draft OCP policies and identify related LUB changed based on the values and principles emerging from Phase 1.

In Scope

- First Nations Engagement.
- Public education and engagement activities.
- Target and focussed engagement with relevant parties
- Identifying related LUB changes needed to support revised OCP policies

Out of Scope

- New DPA mapping

Workplan Overview

Deliverable/Milestone	Date
First Nations consultation	ongoing
Suitable Land and Build Out Analysis	February 2025
Community Profile	June 2025
Topic Focussed Engagement	Jan 2025 – May 2025
Engagement on Growth Management	September 2025
Water balance assessment report to LTC	November 2025 February 2025
Milestone: LTC Review of draft policy language	February 2026
Public Engagement - review of OCP draft policy language and DPA prioritization	February – April 2025
Milestone: First Reading	April 2026
Legal Review as needed	April 2026 – June 2026
Public Review of draft bylaws/referrals	April 2026 – June 2026
Phase 3 of Project(LUB Review, DAI, AOA) Initiated	June 2026
Milestone: Second/Third Reading	June-September 2026

Project Team

Regional Planning Manager	Renée Jamurat
Regional Planning Team Member	Narissa Chadwick/ Sonja Zupanec
Planning Team Assistant	Shalini Nakai
Gabriola Planner	Stephen Baugh

Budget

Budget Sources:		
26/27	Communication and Engagement	\$6,000
	Arch Overview Ass.	\$25,000
	Legal + contingency	\$4,000
TOTAL		\$35,000

REQUEST FOR DECISION

To: Local Trust Committees **For the Meeting of:** November 20, 2025

From: David Marlor, Director,
Legislative and
Information Services **Date Prepared:** November 7, 2025

SUBJECT: Public Notification Bylaw

RECOMMENDATION:

That the Gabriola Local Trust Committee considers that the notification methods in draft Bylaw 324 are reliable, suitable and accessible for the Gabriola Local Trust Area.

That the Gabriola Local Trust Committee give Bylaw No. 324, cited as “Gabriola Local Trust Committee Public Notification Bylaw No. 324, 2025”, First Reading.

That the Gabriola Local Trust Committee give Bylaw No. 324, cited as “Gabriola Local Trust Committee Public Notification Bylaw No. 324, 2025”, Second Reading.

That the Gabriola Local Trust Committee give Bylaw No. 324 cited as “Gabriola Local Trust Committee Public Notification Bylaw No. 324, 2025”, Third Reading.

That the Gabriola Local Trust Committee forward Bylaw No. 324 cited as “Gabriola Local Trust Committee Public Notification Bylaw No 324, 2025” to the Islands Trust Executive Committee for consideration of approval.

DIRECTOR COMMENTS:

1 PURPOSE:

The purpose of this Request for Decision provides the local trust committees with a draft bylaw for Public Notification that is based on the model approved by Trust Council.

2 BACKGROUND:

The Community Charter establishes the requirements for publishing public notice where public notices are required by the *Local Government Act*. The Community Charter includes a default requirement, and an option to adopt an alternative means by bylaw.

The default public notification is by publication in two editions of a newspaper once each week for two consecutive weeks, unless another provision for a specific type of notice states otherwise. The newspaper has to circulate in the local area.

Section 94.2 of the *Community Charter* gives local governments, including local trust committees, the authority to adopt public notice bylaws. If a local trust committee adopts a Public Notice Bylaw, the local trust committee is required to publish notices by all the methods specified in that bylaw. Local trust committees that do not adopt a Public Notice

Bylaw are required to continue to follow the default publication rules under Section 94.1 of the *Community Charter*.

When adopting a Public Notice Bylaw, the local trust committees are required to consider the principles of effective public notice (reliable, suitable, and accessible) described by the [Public Notice Regulation](#).

Principles of Effective Public Notice

The Public Notice Regulation establishes the principles that must be considered before a public notice bylaw is adopted; these are:

- Reliable – the publication methods are dependable and trustworthy;
- Suitable – the publication methods work for the purpose for which the public notice is intended; and
- Accessible – the publication methods are easy to access and have broad reach.

In considering the adoption of a Public Notice Bylaw, local trust committees must consider and record, either by a resolution recorded in the minutes, or by preamble whereas clauses in the bylaw, that these principles have been considered.

Considering the three principles (reliable, suitable and accessible) possible methods to publish public notices that are available to local trust committees include:

- Online or print newspaper;
- Islands Trust website;
- Community website or newsletter;
- Islands Trust social media page, such as Facebook; and
- Direct email or mail out.

Each of the above meet the principles set out in the Public Notice Regulation. On-line print newspaper still has the problem of being published infrequently, or not circulated through the entire local trust area. Use of a community website or newsletter is outside the control of Islands Trust and each could be shut-down or modified without Islands Trust input; this could compromise the accessibility and reliability principles. Direct mail or a mail-out would reach all owners and residents; however, it could be expensive and time consuming to undertake.

The two best options with the lowest costs and that meet the principles outlined in the Public Notice Regulation are publishing on the Islands Trust website and publishing on an Islands Trust social media page. These are recommended, however, Trust Council recognizes that there may be other conditions on the islands that may warrant a different method.

At its June 2025 meeting, Trust Council adopted Policy 4.1.16 Model Public Notice Bylaw. This contains the format for such a bylaw and recommends the use of the Islands Trust website and a social media account to post the notices. As these are recommendations, and each local trust committee must consider the reliability, suitability and accessibility of the form of notice for their islands, variation on the recommendation may be considered.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

In addition to the default requirement of newspaper advertising, local trust committees are already posting notices on our website and email notification service. Adoption by local

trust committees of a bylaw similar to the model would simplify our administrative processes and reduce costs.

FINANCIAL:

Adoption by local trust committees of a Public Notice Bylaw similar to the model will result in a reduction in costs generally as it will remove the need to advertise in print newspapers.

POLICY:

There are no policy implications

IMPLEMENTATION/COMMUNICATIONS:

Staff post the new bylaw on the Islands Trust website, and staff would be made aware of the new public notification process.

FIRST NATIONS RELATIONS:

There are no First Nations relations implications.

OTHER:

There are no other implications.

4 RELEVANT POLICY(S):

- Section 94 and Section 94.2 of the Community Charter
- Community Charter Public Notice Regulation
- Trust Council Policy 4.1.16 Model Public Notice Bylaw

5 ATTACHMENT(S):

- Draft Bylaw 324

RESPONSE OPTIONS

Recommendation:

That the Gabriola Local Trust Committee considers that the notification methods in draft Bylaw 324 are reliable, suitable and accessible for the Gabriola Local Trust Area.

That the Gabriola Local Trust Committee give Bylaw No. 324, cited as “Gabriola Local Trust Committee Public Notification Bylaw No. 324, 2025”, First Reading.

That the Gabriola Local Trust Committee give Bylaw No. 324, cited as “Gabriola Local Trust Committee Public Notification Bylaw No. 324, 2025”, Second Reading.

That the Gabriola Local Trust Committee give Bylaw No. 324 cited as “Gabriola Local Trust Committee Public Notification Bylaw No. 324, 2025”, Third Reading.

That the Gabriola Local Trust Committee forward Bylaw No. 324 cited as “Gabriola Local Trust Committee Public Notification Bylaw No 324, 2025” to the Islands Trust Executive Committee for consideration of approval.

Alternative:

As directed by the Gabriola Local Trust Committee.

Prepared By: David Marlor, Director, Legislative and Information Services

Reviewed By/Date:
2025.

Renée Jamurat, Regional Planning Manager / November 10,

DRAFT

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
PUBLIC NOTIFICATION BYLAW
BYLAW NO. 324**

A Bylaw to provide for an alternative means of publishing a public notice.

WHEREAS pursuant to section 94.2 of the Community Charter, the Gabriola Island Local Trust Committee may adopt a Bylaw to provide an alternative means of publishing a public notice;

AND WHEREAS, pursuant to section 94.2(3) of the Community Charter and section 2 of the Public Notice Regulation, B.C. Reg. 52/2022, the Gabriola Island Local Trust Committee considers the means of publication set by this Bylaw to be reliable, suitable for providing notices, and accessible;

NOW THEREFORE, the Gabriola Island Local Trust Committee in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "Gabriola Island Local Trust Committee Public Notification Bylaw No. 324, 2025".
2. The means of publication for public notice requirements under the Community Charter, Local Government Act, or any other enactment may be given by the following methods:
 - (i) electronically by posting the notice on the Islands Trust website; and
 - (ii) electronically by posting the notice on Islands Trust's social media platform.

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

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

READ A THIRD TIME THIS _____ DAY OF _____, 202

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _____ DAY OF _____, 2021

ADOPTED THIS _____ DAY OF _____, 202

Chairperson

Secretary



REQUEST FOR DECISION

To: Gabriola Island Local Trust
Committee

For the Meeting of: November 20, 2025

From: Meeting Administrator

Date Prepared: October 30, 2025

SUBJECT: Draft 2026/27 Gabriola Island Local Trust Committee Annual Meeting Schedule

RECOMMENDATION: THAT Gabriola Island Local Trust Committee approve their April, 2026 to March, 2027 Meeting Schedule.

DIRECTOR COMMENTS: The work of developing the proposed 2026/27 fiscal year committee schedule has been centralized thereby allowing the Executive Coordinator and Meeting Administrator to consider, at length, the many factors involved in creating an effective schedule that meets the requirements of each committee, the chairpersons, and committee members. The proposed schedule allows decisions made by local trust committees to move onto the relevant standing committee's agenda to Executive Committee in a timely manner allowing for increased efficiency. Adoption of the proposed meeting schedule will increase productivity by allowing a seamless process in completing the work required to organize and publish the meetings without need for significant re-ordering of the schedule

The proposed meeting dates for 2026/27 (attached) were selected based on guidance from senior staff to avoid scheduling meetings between the general election date and the swearing-in of trustees, as well as to minimize meetings during the election campaign period.

1 PURPOSE:

To approve the Gabriola Island Local Trust Committee Business Meeting Schedule from April 1, 2026 to March 31, 2027

2 BACKGROUND:

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular annual business meeting schedule for 2026/27.

The proposed meeting dates for 2026/27 (attached) were selected based on guidance from senior staff to avoid scheduling meetings between the general election date and the swearing-in of trustees, as well as to minimize meetings during the election campaign period.

As part of this endorsement, the LTC will need to designate which meeting dates are anticipated to be electronic or in-person. This would allow staff to plan further in advance to accommodate meeting logistics, enable staff to book venues for the year and anticipate cancelling the bookings if the meetings get changed to electronic-only at a later date.

Factors that have been considered when putting together the schedule are as follows:

- Islands Trust fiscal year timeframe;
- General local elections year and legislative meeting requirements;
- LTC's preferred meeting days and times;

- Historical number of meetings held per year;
- Anticipated project commitments and application volumes;
- Trust Council meeting dates;
- Chair and trustee availability and conflicts with Executive Committee and Trust Council Standing Committee meeting dates including Accessibility, Financial Planning and Audit, Governance, Regional Planning, and Trust Programs;
- Flow of work from LTCs through standing committees to Financial Planning Committee to Executive Committee and then to Trust Council;
- Islands Trust Conservancy Board meetings, Bowen Island Municipality meetings, Union of BC Municipalities, Association of Vancouver Island and Coastal Communities, and other conferences;
- Other local trust committee meeting dates;
- Statutory holidays, including Christmas closures;
- Preference to hold as few meetings in August as possible;
- Available staff and staff capacity and
- Ferry and travel schedules.

3 IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL: If Gabriola Island LTC makes significant amendments to the schedule there will be a substantial re-ordering of LTC and Council Committee meeting dates as a result.

FINANCIAL: LTCs decisions whether to hold electronic meetings or in-person meetings will affect budgets. Electronic meetings do not incur venue costs or travel status costs from trustees or staff.

POLICY: [Local Trust Committees' Meeting Procedure Bylaw No. 197, 2024](#)

IMPLEMENTATION/COMMUNICATIONS: Dates and locations of meetings will be posted immediately following adoption and as per LTC Meeting Procedures Bylaw.

FIRST NATIONS RELATIONS: Not applicable.

OTHER:

4 **RELEVANT POLICY(S):** [Trust Council Bylaw No. 197, 2024](#)

5 **ATTACHMENT(S):** [GB LTC April/26 to March/27 Proposed Meeting Dates](#)
[2026/27 LTC Meeting Scheduling Calendar](#)
[2026/27 Council Standing Committees Scheduling Calendar](#)

RESPONSE OPTIONS

Recommendation: THAT Gabriola Island Local Trust Committee approve their April, 2026 to March, 2027 Business Meeting Schedule.

Alternative: The Gabriola Island Local Trust Committee may suggest alternative meeting dates.

Prepared By: Lisa Millard, Meeting Administrator

Reviewed By/Date: Director Planning Services / Oct. 31, 2025



Islands Trust

Gabriola Island Local Trust Committee April, 2026 to March, 2027 Regular Meetings

The Gabriola Island Local Trust Committee will be meeting to consider land use applications, bylaws, correspondence, and various community planning topics.

Meetings are subject to change. Please visit the Islands Trust website for up-to-date schedule information.

DATE		TIME	MEETING TYPE	LOCATION
Thursday	April 23, 2026	10:30 a.m.	Regular	TBD
Thursday	May 21, 2026	10:30 a.m.	Regular	TBD
Thursday	July 16, 2026	10:30 a.m.	Regular	TBD
Thursday	September 3, 2026	10:30 a.m.	Regular	TBD
Thursday	December 3, 2026	10:30 a.m.	Regular	TBD
Thursday	January 21, 2027	10:30 a.m.	Regular	TBD
Thursday	February 18, 2027	10:30 a.m.	Regular	TBD

Updated: November 3, 2025

The proposed meeting agenda is generally available one week prior to the meeting and may be obtained at the Islands Trust office or on our website.

Correspondence received from the public may become part of a meeting agenda that is published online.

VISIT OUR WEBSITE: <https://islandstrust.bc.ca/location/gabriola/>

CONTACT US AT [250-247-2063](tel:250-247-2063) OR: northinfo@islandstrust.bc.ca

Receive Islands Trust meeting notifications, news, events, and important notices to your email inbox.

Sign up at islandstrust.bc.ca/subscribe.



SCAN ME

2026/27 Draft Meetings Calendar LTCs

APRIL

S	M	T	W	T	F	S
			1	2	3	4
5	6	GL	8	SS	10	11
12	13	14	15	16	17	18
19	20	21	22	GB	24	25
26	MA	TH	29	SA		

MAY

S	M	T	W	T	F	S
					HO	2
3	LA	5	6	7	SP	9
10	11	DE	13	SS	15	16
17	18	19	20	GB	22	23
24	25	GM	27	28	NP	30
31						

JUNE

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14	15	16	17	18	19	20
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28	MA	DE				

JULY

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AUGUST

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30	MA					

SEPTEMBER

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OCTOBER

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NOVEMBER

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DECEMBER

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MARCH

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AVICC: APR 24-26
 UBCM: SEP 14-18
 WRIT: SEP 19
 ELECTION: Oct 17
 SWEAR IN: NOV 12-14

2026/27 Draft Meetings Calendar – Trust Council & Committees

APRIL (AVICC)

S	M	T	W	T	F	S
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JUNE (LGMA)

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SEPTEMBER (UBCM)

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OCTOBER

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DECEMBER

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JANUARY/27

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FEBRUARY/27

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MARCH/27

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28	29	30	31			

AVICC: APR 24-26

UBCM: SEP 14-18

LGMA: JUN 9-11

PIBC: JUN 2-5

MIABC: APR 8/9 & MAR 31/APR 1, 2027

Legend:

Accessibility Committee
Bowen Island Municipality
Executive Committee
Financial Planning Committee
Governance Committee
Islands Trust Conservancy Board
Regional Planning Committee
Chief Administrative Officer Select Committee
Trust Council/Committee of the Whole
Trust Programs Committee



Gabriola Local Trust Committee

Open Applications

Report

Print Date: November 13, 2025

Development Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20250308	Nada Awadi	7/29/2025	0 SEAR ISLAND	<Optional, enter comments if required>
Planner		Status	Most Recent Completed Activity	
Ian Cox		Local Trust Committee	Email Applicant of LTC Meeting	

Application Number	Applicant Name	Date Received	Address	Purpose
GB-DP-2021.1		5/20/2021	0 STOKES RD	DP application for protection of development from hazardous conditions DPA6, relating to subdivision application.
Planner		Status	Most Recent Completed Activity	
Sonja Zupanec		Local Trust Committee	Record LTC Decision/Update FUAL	

Gabriola

Development Variance Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLDVP20240299	Michael Apps	11/7/2024	1140 THE STRAND, GABRIOLA, BC	Application to allow a rock revetment to repair and prevent ongoing damage to the property shoreline.
Planner		Status	Most Recent Completed Activity	
Stephen Baugh		Waiting for Submittals	Issue Permit & Send to Applicant	

Application Number	Applicant Name	Date Received	Address	Purpose
GB-DVP-2022.3	Thomas Pink	6/23/2022	1160 THE STRAND, GABRIOLA, BC	PID: 008-828-067 Shoreline protection variance. Civic address: 1160 The Strand, Gabriola Island, BC.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Under Review	Planning Review	

Application Number	Applicant Name	Date Received	Address	Purpose
GB-DVP-2022.4	Mark & Gail W	6/30/2022	1170 THE STRAND, GABRIOLA, BC	PID: 008-828-059 Foreshore protection variance. Civic address: 1170 The Strand, Gabriola Island, BC.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Local Trust Committee	Verify Final Review Status	

Gabriola

Rezoning

Application Number	Applicant Name	Date Received	Address	Purpose
GB-RZ-2024.1	Talyn Martin	1/10/2024	0 SOUTH RD	PID: 004-633-989 seeking a rezoning from industrial to commercial in order to build a year-round community food hub at 465 South Rd. on Gabriola.
Planner		Status	Most Recent Completed Activity	
Stephen Baugh		Waiting for Submittals	Waiting for Revisions	

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20250138	Toby Seward	3/29/2025	1900 STALKER RD, GABRIOLA, BC	Application to amend the OCP and complete a rezoning at 1900 Stalker Road, Gabriola.
Planner		Status	Most Recent Completed Activity	
Stephen Baugh		Waiting for Revisions	Verify Final Review Status	

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20240091	Nigel Gray	6/18/2024	793 LOCKINVAR LANE	Proposed rezoning to add propane tank storage and delivery as a site specific permitted use.
Planner		Status	Most Recent Completed Activity	
Ian Cox		Local Trust Committee	Record LTC Decision/Update FUAL	

Gabriola

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20240091	Nigel Gray	6/18/2024	793 LOCKINVAR LANE	Proposed rezoning to add propane tank storage and delivery as a site specific permitted use.
Planner		Status	Most Recent Completed Activity	
Ian Cox		Local Trust Committee	Record LTC Decision/Update FUAL	

Application Number	Applicant Name	Date Received	Address	Purpose
GB-RZ-2022.1	Kent Moen	6/7/2022	750 TIN CAN ALLEY, GABRIOLA, B	PID: 023-005-629 Change zoning to accommodate multiple changes in use. Civic address: 750 Tin Can Alley, Gabriola Island, BC.
Planner		Status	Most Recent Completed Activity	
Stephen Baugh		In Progress Rezoning	Generate & Send Notice of LTC Decision	

Application Number	Applicant Name	Date Received	Address	Purpose
GB-RZ-2023.1	John Steil	6/13/2023	0 DESCANSO BAY	PID: 025-798-090 and 025-798-103 renovation and expansion of ferry terminal at Descanso Bay Ferry Terminal on Gabriola Island.
Planner		Status	Most Recent Completed Activity	
Stephen Baugh		In Progress Rezoning	Waiting for APC Response	

Gabriola

Subdivision

Application Number	Applicant Name	Date Received	Address	Purpose
GB-SUB-2024.2	Scott Stevenson	4/30/2024	0 STOKES RD	subdivision to create 2 lots at NORTH EAST 1/4 OF SECTION 3 GABRIOLA ISLAND NANAIMO DISTRICT EXCEPT PARCEL A (DD 77326I) AND EXCEPT PLANS EPP19453 AND EPP66666 on Gabriola Island.

Planner	Status	Most Recent Completed Activity
Sonja Zupanec	Administrative Review	Record and File PLR

Application Number	Applicant Name	Date Received	Address	Purpose
GB-SUB-2024.1	Scott Stevenson	3/13/2024		PID: 027-086-500 subdivision to create 11 lots at Lot 20, Section 8 on Gabriola Island.

Planner	Status	Most Recent Completed Activity
Sonja Zupanec	Administrative Review	Record and File PLR

Gabriola

Temporary Use Permit

Application Number	Applicant Name	Date Received	Address	Purpose
PLTUP20250167	Glenda and S. Brett	4/19/2025	2370 WINDECKER DR, GABRIOLA,	Application for a temporary use permit to allow a short-term rental.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Under Review	Generate Complete Application Letter	

Application Number	Applicant Name	Date Received	Address	Purpose
PLTUP20250126	Chris Campbell	3/20/2025	2235 SHAW RD, GABRIOLA, BC V0	Application for a short-term vacation rental.
Planner		Status	Most Recent Completed Activity	
Margot Thomaidis		Under Review	Generate Complete Application Letter	

Islands Trust
LTC EXP SUMMARY REPORT F2026
Invoices posted to Month ending September 2025

620 Gabriola	Invoices posted to Month ending September 2025	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	0.00	184.64	-184.64
LTC Local				
65050-620	LTC "Executive Expense on LTC's"	819.00	680.71	138.29
65200-620	LTC - Local Exp - LTC Meeting Expenses	3,090.00	925.12	2,164.88
65210-620	LTC - Local Exp - APC Meeting Expenses	0.00	1,006.40	-1,006.40
65220-620	LTC - Local Exp - Communications	490.00	369.00	121.00
TOTAL LTC Local Expense		<u>4,399.00</u>	<u>2,981.23</u>	<u>1,417.77</u>
Projects				
73001-620-2001	Gabriola OCP/LUB	48,000.00	37,119.23	10,880.77
TOTAL Project Expenses		<u>48,000.00</u>	<u>37,119.23</u>	<u>10,880.77</u>

Gabriola Island Local Trust Committee Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	June 14, 2018	GB-2018-040	Processing non-medical cannabis retail license applications	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee; - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical; - The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal; and - However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - Name of the applicant and a description of the proposal in general terms; - The location of the proposed establishment and the subject site; - The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered; - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; and - How public comments may be submitted to the Local Trust Committee.
2.	November 22, 2018	GB-2018-122	Applications for Federal Cannabis License	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee requests that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.
3.	February 28, 2019	GB-2019-031	First Nations - Community Reconciliation	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution: Whereas the Local Trust Committee seeks to engage in Reconciliation with local

				First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing Trustees and Staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; and e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.
4.	April 11, 2019	GB-2019-040	S219 Covenant Signatories	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution: that the Gabriola Island Local Trust Committee is authorized to enter into section 219 covenants, in the form of the 'Model Covenant for Secondary Suites' attached and in satisfaction of subsection B.6.6.8 of the Gabriola Island Land Use Bylaw No. 177, provided that such covenants must be executed on behalf of the Local Trust Committee by two members of the Local Trust Committee.
5.	January 23, 2020	GB-2020-002	Consultation for Communication Towers	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the "Model Strategy for Antenna Systems" prepared by the Local Planning Committee of the Islands Trust, as the Gabriola Local Trust Committee strategy to assess any future potential tower proposals in the Gabriola Local Trust Area.

6.	August 8, 2024	GB-2024-066	Defer enforcement of Mudge Island Land Use Bylaw No. 228 except...	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.
7.	November 7, 2024	GB-2024-075	Gabriola Island Local Trust Committee Bylaw Compliance & Enforcement Policy	Bylaw Compliance & Enforcement Policy No. 1, effective November 7, 2024. Version No. 1 Purpose To establish policies and procedures for bylaw compliance and enforcement in the Gabriola Island Local Trust Area in accordance with the adopted Trust Council Policies contained in Policy 5.5.1., and that are within the authority of the Local Trust Committee to enforce, and that will ensure polices and procedures are efficient, transparent, reasonable, and consistent with local community standards. PART A 1.0 Application This policy will apply to the Gabriola Island Local Trust Area and the enforcement of all applicable regulatory bylaws. 2.0 Definitions & Abbreviations BEN – bylaw enforcement notice LUB – Land Use Bylaw LTC – Local Trust Committee Minor structure – any structure that does not require a building permit, and that is not located in a development permit area or located within any other environmentally sensitive area Respondent – a property owner whose property is subject to a bylaw enforcement complaint Health & Safety concerns – fire, unsafe construction, hazards relating to steep slopes or cliffs, dumping of sewage Vexatious - complaints that are made in bad faith or for retaliatory purposes or that are considered frivolous, may be considered vexatious; or repeated

				complaints that form a part of a pattern of conduct by the complainant that amounts to an abuse of the complaint process 3.0 References Gabriola Island Land Use Bylaw No. 177 Mudge Island Land Use Bylaw No. 228 Gabriola Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 263 4.0 Priorities 4.1 Enforcement on short-term vacation rentals is a priority and proactive enforcement is authorized. 4.2 Enforcement on non-compliant dwellings will be deferred unless there are contraventions in development permit areas; or other environmentally sensitive areas; or there are concerns about health and safety; or the lack of an approved septic system; or if it is determined that there is contamination of wells or other drinking sources. 4.3 Enforcement on limited public markets will be deferred when they are operated indoors contrary to section B.6.2 of the LUB. Operators will be provided with information regarding the applicable land use regulations. 5.0 Inspection 5.1 At the start of any investigation, Bylaw Enforcement Officers will determine if entry to the property is necessary to investigate the alleged contravention or if the investigation can be conducted from a public road or other lands. 5.2 Bylaw Enforcement Officers will give 30 days notice for inspection of any property unless there is consent for a site inspection at less than 30 days. 5.3 Investigations into health and safety issues and matters that may cause adverse environmental impact and result in irreversible damage are a priority and may be investigated without notice pursuant to section A.3.2.1 of the LUB. 5.4 If a Respondent has indicated that they will work towards compliance, and have agreed on a time to comply, a site inspection is only required to confirm compliance. 5.5 Site inspections will be limited to the use or structure subject to complaint unless there is work observed in development permit areas, or other environmentally sensitive areas, or there are concerns regarding health and safety.
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			5.6 If a Respondent provides photographic evidence, a survey, or a professional report that confirms compliance, or other reliable evidence, a site inspection is not mandatory. 6.0 Enforcement Procedures 6.1 If a bylaw contravention is confirmed, and there is no agreement on a deadline for compliance, there will be notice in writing, and Respondents will be given a minimum of 90 days to comply. Notice may also be given that enforcement action will be escalated if there is no compliance at the deadline, and this may include the use of the BEN system or a request for legal action. 6.2 Bylaw Enforcement Officers can use their discretion to consider any reasonable request for time to comply from Respondents, but the term cannot be for more than one year. 6.3 If there are contraventions in environmentally sensitive areas, or development permit areas, or if there is a risk to health and safety, there will be a demand for the Respondent to cease the use or activity immediately. 6.4 Respondents will be given a Bylaw Warning Notice with a minimum of 45 days to comply before a Bylaw Violation Notice is issued, unless there are health and safety concerns, or contraventions in environmentally sensitive areas. 6.5 Bylaw Violation Notices will not be issued more than once per week unless authorized by the Manager of Bylaw Compliance and Enforcement. 7.0 Closing Files 7.1 If the identity of a complainant cannot be confirmed during the course of an investigation, or if a complainant uses a false name, the file will be closed. 7.2 If the contravention is for a minor structure that has only received one written complaint, the file can be closed. 7.3 If it is unreasonable for a Respondent to comply, whether due to specific circumstances or finances, Bylaw Enforcement Officers or the Manager of Bylaw Compliance and Enforcement, can use their discretion to close the file. 7.4 If a contravention has been identified that is subject to deferred enforcement by the LTC, the file can be closed unless there are contraventions that exist in environmentally sensitive areas or there are concerns about health and safety. 7.5 If it is determined during an investigation that the complaint was frivolous, repeat, or vexatious in nature, the Manager of Bylaw Compliance and Enforcement can use their discretion to close the file unless there is work on a
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				development permit area, or work in an environmentally sensitive area, or there are health and safety concerns. 7.6 The LTC will be notified when any file is closed. 8.0 Vexatious Complaints 8.1 If a decision is made to not act upon a complaint that is considered frivolous, repeat, or vexatious, the complainant will be advised of the decision, the reason for it, and may be advised of the circumstances under which it may be reconsidered. 9.0 Communications 9.1 When a file is opened and an investigation commenced, Respondents will be advised of the Trust Council Policy that authorized the opening of the file and that an investigation has commenced. 9.2 Respondents will receive as much information about complaints against their properties as possible without revealing the identity of the complainant. 9.3 The Manager of Bylaw Compliance and Enforcement will communicate with Trustees or the LTC if there are questions or concerns regarding individual files. 9.4 The Manager of Bylaw Compliance and Enforcement will arrange public information and education sessions regarding bylaw enforcement when appropriate and time permitting. 9.5 Bylaw staff will be available during regular LTC meeting public comment sessions to answer questions regarding bylaw enforcement. 10.0 Reporting 10.1 The LTC will receive regular reporting on bylaw compliance and enforcement files. 10.2 The Manager of Compliance and Enforcement will report to the LTC any concerns, trends, or issues with enforcement that they believe the LTC needs to be aware of. 10.3 The Manager of Compliance and Enforcement will maintain the Gabriola Island Bylaw Enforcement Policy and will report to the LTC if amendments are recommended or required. PART B MUDGE ISLAND
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				All policies in Part A will apply to compliance and enforcement of the Mudge Island Land Use Bylaw with the following exceptions: 1.1 Priorities 1.1.1 Enforcement of the Mudge Island Land Use Bylaw No. 228 will be deferred 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. 1.1.2 Enforcement will not proceed for siting contraventions involving structures that predate 2008. Property owners will be able to repair and maintain these structures as long as they did not expand the contravention. 1.1.3 Enforcement will not proceed regarding otherwise lawful accessory uses, buildings and structures on a parcel where no principal use exists if the adjacent parcel has a permitted principal use and both parcels are held under common ownership. 1.2 Inspection and Enforcement Procedures: 1.2.1 Subject to section 1.1.1, enforcement will proceed only if there are written complaints received from two property owners residing on separate parcels located in the immediate neighbourhood; and where the contraventions are causing a nuisance or an adverse effective in the neighbourhood. 1.2.2 Enforcement on contraventions that are in environmentally sensitive areas, concern issues of health and safety, or interfere with archeological heritage sites, will proceed if there is a written complaint from any person. 1.2.3 There will be 30 days notice for site inspections unless there is consent for an earlier date, or there are concerns about contraventions in environmentally sensitive areas, and issues of health and safety. 1.2.4 For confirmed contraventions, a minimum of 180 days will be given to comply unless there are immediate concerns regarding health and safety or possible environmental damage. PART C Bylaw Enforcement Notice Bylaw Screening Officer's Powers and Duties Policy Appointment of Screening Officers
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				Pursuant to section 7.2 of the Gabriola Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 263, 2011, (the Bylaw) the persons holding the following positions are appointed as screening officers: 1) Regional Planning Manager; 2) Manager of Compliance and Enforcement; and 3) Bylaw Compliance and Enforcement Assistant. Screening Officer Powers and Duties The powers and duties of the screening officer are contained in section 7.3 of the Bylaw. It is the direction of the Gabriola Island Local Trust Committee (LTC) that these powers and duties are only exercised in respect to each of the above positions as follows: 1) Regional Planning Manager. In respect to Bylaw Violation Notices issued by the Manager of Compliance and Enforcement, only the Regional Planning Manager, acting as Screening Officer, may exercise all of the powers and duties in Section 7.3 of the Bylaw; 2) Manager of Compliance and Enforcement. In respect to Bylaw Violation Notices issued by Bylaw Compliance and Enforcement Officers, only the Manager of Compliance and Enforcement, acting as Screening Officer, may exercise all of the powers and duties in Section 7.3 of the Bylaw; 3) Bylaw Compliance and Enforcement Assistant. In respect to Bylaw Violation Notices issued by the Manager of Compliance and Enforcement, and Bylaw Compliance and Enforcement Officers, the Bylaw Compliance and Enforcement Assistant, acting as Screening Officer, may exercise only those powers and duties in Section 7.3(1) and 7.3(2) of the Bylaw. Authorized Reasons to Cancel Bylaw Violation Notices The Screening Officer may cancel a Bylaw Violation Notice if satisfied that one or more of the following reasons exist: 1. The contravention did not occur as alleged. 2. The contravention no longer exists. 3. The Bylaw Violation Notice was issued to the wrong person. 4. The Bylaw Violation Notice was not completed properly. 5. The issuance of the Bylaw Violation Notice did not adhere to established Trust Council or LTC policies. 6. It is unreasonable for the person to pay the penalty. 7. An exception specified in the bylaw or related enactment or LTC Standing Resolution exists. 8. A permit exists or has been obtained that authorizes the alleged
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				contravention. 9. There is poor likelihood of success at adjudication for the Local Trust Committee the following reasons: a. The evidence is inadequate to show a contravention; b. Incorrect information was relied upon in issuing the Bylaw Violation Notice; c. The disputant intends to challenge the bylaw with a legal argument that is ill suited to the adjudication process or the legal arguments are too complicated to be decided by an adjudicator. 10. It is not in the public interest to proceed to adjudication for one of the following reasons: a. The bylaw has changed since the Bylaw Violation Notice was issued and now authorizes the contravention; b. An LTC resolution has deferred enforcement on the specific contravention; c. The LTC has closed the file; d. The offence occurred because of a circumstance that made it unreasonable for the person to comply with the bylaw.
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Active Projects Report

Gabriola Island

1. Major Project - Gabriola Island Comprehensive OCP and LUB Review - Phase 2

Responsible

Dates

Activity:

Narissa Chadwick

To identify and prioritize the community values and vision that will inform the review of Gabriola Island's Official Community Plan and Land Use Bylaw through engaging First Nations, the Gabriola community, community organizations and other relevant groups. The 2024/25 Gabriola Island OCP and LUB Comprehensive Review will address a number of issues of importance to the Gabriola Community. In Phase 1 (2023/24), community engagement helped to identify the vision and values of the community. The next phases of the project will build upon this work with focused engagement on specific topic areas, undertake a water balance assessment and drafting of OCP policies related LUB changes. The project will result in a new Official Community Plan and Land Use Bylaw for Gabriola Island.

Future Projects Report

Gabriola Island

1. 1. LTC Initiated Rezoning of Property with PID: 003-134-806

Responsible

Date Received

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

2. 2. Mudge Island Official Community Plan and Land Use Bylaw Review

Responsible

Date Received

Comprehensive review or targeted amendments to Mudge Island OCP and LUB.