



## Gabriola Island Local Trust Committee Minutes of Regular Meeting

**Date:** July 20, 2023  
**Location:** Gabriola Arts & Heritage Centre  
476 South Road, Gabriola Island, BC

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

**Staff Present:** Renée Jamurat, Regional Planning Manager  
Narissa Chadwick, Island Planner  
Sonja Zupanec, Island Planner, via Zoom  
Margot Thomaidis, Planner 2  
Stephen Baugh, Planner 2, via Zoom  
Marlis McCargar, Island Planner, via Zoom

Lisa Millard, Recorder

**Others Present:** There were approximately twelve (12) members of the public in attendance.

### 1. CALL TO ORDER

Chair Luckham called the meeting to order at 10:30 am. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 11.3 Anchorages in Degnan Bay

**By general consent** the agenda was approved as amended.

### 3. REPORTS

#### 3.1 Trustee Reports

Trustee Elliott reported the following:

- She attended the Regional Planning Committee working group on housing;

- She attended the Trust Council meeting and her written report was published in the July 19, 2023 edition of the Gabriola Sounder;
- She participated in the climate café on the 12-12-12 event on housing alternatives;
- She continues to hold regular office hours; and
- She attended the Islands Trust Conservancy meeting followed by the Executive Committee meeting.

Trustee Yates reported the following:

- She noted that printed copies of the Gabriola Official Community Plan (OCP) and Land Use Bylaw (LUB) are available at the Gabriola Library;
- The Vancouver Fraser Port Authority announced a six-month trial prioritizing the arrival and departure of freighters between 7am and 11pm in order to reduce the noise of dropping anchor at night, and she noted that the Port Authority that regulates ships anchoring north of Gabriola might follow the same protocol; and
- She attended the Island Trust Conservancy meeting and acknowledged incoming, and outgoing, conservancy members.

### **3.2 Chair's Report**

Chair Luckham reported the following:

- He received a response from Nav Canada regarding a letter he wrote outlining concerns about the proposed flight path route over Gabriola, and he will further reply to Nav Canada's response; and
- He attended the recent Trust Council and Executive Committee meetings.

### **3.3 Electoral Area Director's Report - June 8, 2023 update**

Director Craig reported the following:

- She provided a late written report for information;
- The first meeting regarding the Area B Parks, Trails and Recreation master plan was held and the process for community engagement has been outlined with a community open house consultation to be scheduled later this year; and
- A tentative approval process has been completed regarding hiring a Community Wellness Coordinator for Gabriola, and a community open house will be planned later in the fall to determine the level of community support.

### **3.4 First Nation Reports - none**

## **4. PUBLIC COMMENTS**

- A member of the public asked if Phase 1 of the OCP and LUB Review Project will include bylaw changes, if Trustees will be considering water and sewage capacity when looking at housing density, and why housing was chosen as a priority when environmental protection is also important. They further noted that during the Housing Options Review Project done two years ago 75% of respondents indicated they did not want to increase density.

- A Planner replied that those topics would be taken under consideration during the review, and that bylaws will not be drafted during Phase 1 of the project.
- A member of the public noted typing errors in the OCP and LUB Project Charter document and highlighted suggested language changes to the document for ease of understanding. They also stated that the proposed parallel process of studying housing, or any secondary topic, at the same time as values and visions might complicate the process. They also urged Trustees to consider alternative 1, which suggests the Housing Advisory Planning Commission (HAPC) is not involved in the review of the project materials.
- A member of the public stated that while they support the Islands Trust initiative that calls for a temporary halt on bylaw enforcement on nonconforming housing, there is a particular property that is of concern and falls into the exceptions to said moratorium. They noted that there are health and safety issues on the property and that there have been two fires. They acknowledged that Bylaw Enforcement has opened files on said property and urges action be taken quickly due to the fire hazard concern.
  - The Chair noted that while he can not speak to specific bylaw issues there is action being taken on the property of concern.

**5. MINUTES**

**5.1 Local Trust Committee Minutes dated June 8, 2023 – for adoption**

**By general consent** the Local Trust Committee meeting minutes of June 8, 2023 were adopted.

5.1.1 Amending Minutes - Regional Planning Manager – Briefing  
Received for information.

**5.2 Section 26 Resolutions-Without-Meeting Report – none**

**5.3 Advisory Planning Commission Minutes - none**

**6. BUSINESS ARISING FROM MINUTES**

**6.1 Follow-up Action List dated July 13, 2023**

A Trustee requested that Chair Luckham send a copy of his letter to Nav Canada, and any further related correspondence, to local Members of Parliament.

A Trustee inquired about the status of a heritage register, and a Planner noted that research is being gathered for a staff report which will highlight some approaches that might be considered.

**7. LOCAL TRUST COMMITTEE PROJECTS**

**7.1 Major Project - OCP Review - Major Project Business Case and Project Charter - Staff Report**

A Planner reviewed the staff report and discussed timelines. They noted the importance of the need for collaboration between the APC and HAPC in regard to the project, as well as for engagement with other community groups.

Discussion ensued.

**GB-2023-045**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee endorse the Project Charter for the Official Community Plan and Land Use Bylaw Review Project (Phase 1) as amended by suggestions made by Nancy Hetherington Peirce for communication clarity.

**CARRIED**

**GB-2023-046**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee endorse the Business Case for the Official Community Plan and Land Use Bylaw Review Project (Phase 2).

**CARRIED**

**GB-2023-047**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee endorse Engagement Option 2: Structured Community Engagement Process and to include open call for submissions.

**CARRIED**

**GB-2023-048**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request staff to provide options for engaging First Nations in the Official Community Plan and Land Use Bylaw Review Project (Phase 1 and Phase 2).

**CARRIED**

**GB-2023-049**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee refer the July 20th staff report to the Advisory Planning Commission for feedback by September 1, 2023 on the engagement options, identification of groups, and the broader community, including under-represented members, with feedback for engagement options (Phase 1).

**CARRIED**

**GB-2023-050**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee refer the materials related to the Housing Options and Impact Review Process for review and feedback to the Housing Advisory Planning Commission by January 2024, and for staff to post the project materials to the website.

**CARRIED**

**GB-2023-051**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request staff schedule an orientation meeting for the Advisory Planning Commission to review the terms of reference for their participation in the Gabriola Island Official Community Plan and Land Use Bylaw Review and collect feedback on the engagement strategy and communications (Phase 1).

**CARRIED**

**GB-2023-052**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request staff schedule an orientation meeting for the Housing Advisory Planning Commission to review the terms of reference for their participation in the Gabriola Island Official Community Plan and Land Use Bylaw Review (Phase 1).

**CARRIED**

**GB-2023-053**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request staff schedule a soft launch of the project in September 2023, and develop the related messaging and communications materials.

**CARRIED**

**7.2 Minor Project - Gabriola Ecological Protection Zone Update - Staff Report**  
Discussion ensued.

**GB-2023-054**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee accept the comments from the Regional District of Nanaimo Staff and Electoral Area Director.

**CARRIED**

The meeting recessed 12:55 pm and reconvened at 1:25 pm.

**8. APPLICATIONS AND REFERRALS**

**8.1 GB-DVP-2023.2 (Gaultois) - 150 Decourcy Dr - Staff Report**

A Planner summarized the staff report.

**GB-2023-055**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee approve issuance of Development Variance Permit GB-DVP-2023.2.

**CARRIED**

**8.2 GB-TUP-2023.1 (Taylor) - 1100 Berry Point Rd - Staff Report**

A Planner stated that the applicant recently withdrew this application.

**8.3 GB-DP-2021.1 (Centre Stage Holdings) - no civic address PID 003 134 806 - Staff Report**

A Planner summarized the staff report. Discussion ensued and the following points were made:

- The applicant does not require subdivision approval in advance of removing any trees;
- There are no geotechnical concerns related to slope stability;
- The Local Trust Committee (LTC) is not able to deny the application as the only guideline that the application requires has been met; and
- The applicant is aware that they are required to obtain a permit if any work is done within any of the recorded archaeological sites.

The applicant made the following points:

- They purchased the property in 1997 and have been in discussion with First Nations for twenty years;
- They have had three archeological assessments done, the most recent one has been completed within the last two months, and a representative from the Snuneymuxw First Nation was in attendance;
- They have put covenants in place to protect the archeological sites on the property;
- The property has been clear cut twice;
- As private property owners, they can remove trees on the property with the exception of any that are located on designated steep slope areas or within the archaeological sites;
- They donated 707 acres of parkland which created a water recharge zone and green relief;
- They are very concerned about protecting the heritage value of the property; and
- The Ministry of Transportation and Infrastructure (MOTI) is the governing authority regarding subdivision approval and MOTI is responsible for sending referrals to local First Nations. It was further noted that the most recent archeological assessment

has been received by the Archaeological Branch of the provincial government and referrals to First Nations will also be sent from that department.

Discussion ensued.

**GB-2023-056**

**It was MOVED and SECONDED**

that Gabriola Island Local Trust Committee defer issuance of Development Permit GB-DP-2023.1 to the September meeting.

**CARRIED**

**GB-2023-057**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request staff to add “Review and Update of Development Permit Area 6 – Steep Slopes” to the future project list.

**CARRIED**

**8.4 GB-TUP-2023.2 (Mackay) - 1016 Berry Point Rd. - Staff Report**

The Planner summarized the staff report.

Discussion ensued and it was noted that the renewal date should coincide with the timeline for public input to be heard regarding the upcoming OCP review

**GB-2023-058**

**It was MOVED and SECONDED**

That the Gabriola Island Local Trust Committee approve Temporary Use Permit GB-TUP-2023.2 (MacKay), subject to the conditions imposed by the permit, with an expiry date of March 31, 2025.

**CARRIED**

**8.5 GB-DP-2023.1 (Woodfire - Intrascap) - 510 North Rd. - Staff Report**

A Planner summarized staff report.

**GB-2023-059**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee approve issuance of GB-DP-2023.1 subject to the conditions imposed therein.

**CARRIED**

**8.6 GB-TUP-2022.1 (Garner) - 671 Balsam Street - Staff Report**

A Planner summarized staff report and noted that a decision on this application was deferred at the June 2023 LTC meeting as the LTC had requested that the applicant apply for a water license. The applicant submitted the water license application on June 12, 2023.

Discussion ensued.

**GB-2023-060**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee approve the issuance of Temporary Use Permit GB-TUP-2022.1 (a renewal of previously issued Temporary Use Permit GB-TUP-2018.1), subject to the conditions imposed by the permit, with an expiry date of January 30, 2025.

**CARRIED**

**8.7 GB-DVP-2023.1 (Wilson) - 1036 Berry Point Road - Staff Report**

A Planner summarized the staff report.

The applicant indicated that he had been notified that there were no known archeological sites on the property, but there was a possible site within proximity of the property. The applicant further stated that they are aware of the potential implications of a chance archeological find.

**GB-2023-061**

**It was MOVED and SECONDED**

That the Gabriola Island Local Trust Committee approve issuance of GB-DVP-2023.1 (Wilson).

**CARRIED**

**8.8 Regional District of Nanaimo Referral of Draft Regional Growth Strategy - Shaping Our Future 2040 – Briefing**

Received for information.

**9. DELEGATIONS – none**

**10. CORRESPONDENCE**

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

**10.1 Department of Fisheries and Oceans Canada Consultation check-in - Schedule 1 of the Species at Risk Act**

Received for information.

**11. NEW BUSINESS**

**11.1 Gabriola Commons Foundation request to LTC to be Covenant Holder - Staff Report**

**GB-2023-062**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee indicate their level of support to become signatories to the draft covenant prepared under section 219 of the Land Title Act from the registered owners of the Gabriola Commons – 675 North Road, Gabriola Island [Lot 1, Plan VIP27281, Section 19, Land District 32, Gabriola Island (PID 002-600-992)] intended to protect, preserve and steward the Land and Amenities as a Community Commons.

**CARRIED**

**GB-2023-063**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee direct staff to receive a legal review of the draft covenant prepared by the registered owners of the Gabriola Commons – 675 North Road, Gabriola Island [Lot 1, Plan VIP27281, Section 19, Land District 32, Gabriola Island (PID 002-600- 992)].

**CARRIED**

**11.2 Crown Lease Referral Period - for discussion**

Discussion ensued regarding the possibility of requesting a longer referral period—of at least 60 days—to allow for public comment on crown lease referrals. It was noted that the LTC can make comments regarding a referral and that the agency asking for referral will receive them for information.

**GB-2023-064**

**It was MOVED and SECONDED**

that the Gabriola Local Trust Committee request staff to share the referral BC-CL-2023.1 to the Local Trust Committee to provide comments to staff for the referral response by July 28.

**CARRIED**

**11.3 Anchorages in Degnan Bay**

Discussion ensued.

**GB-2023-065**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request staff to review comments from the public around jurisdiction in Degnan Bay and water zones to clarify how this could be addressed in the upcoming Official Community Plan Review in conjunction with the

forthcoming report from Bylaw Enforcement this coming August regarding the authority to regulate anchorages and mooring buoys.

**CARRIED**

**12. REPORTS**

**12.1 Trust Conservancy Report dated June 2023**

Received for information.

**12.2 Applications Report dated July 13, 2023**

Received for information.

**12.3 Trustee and Local Expense Report dated May, 2023**

Received for information.

**12.4 Adopted Policies and Standing Resolutions**

Received for information.

**12.5 Local Trust Committee Webpage – none.**

**12.6 Climate Change Action Update**

Received for information.

**12.7 First Nations Relationship Building**

Received for information.

**13. WORK PROGRAM**

**13.1 Active Projects Report dated July 13, 2023**

Received for information.

**13.2 Future Projects Report dated July 13, 2023**

Received for information.

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for Thursday, September 14, 2023 at 10:30 am at the Gabriola Arts and Heritage Centre**

**15. CLOSED MEETING**

**15.1 Motion to Close the Meeting**

**GB-2023-066**

**It was MOVED and SECONDED**

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

(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment; and that the recorder and staff attend the meeting.

**CARRIED**

**15.2 Recall to Order**

The meeting was recalled to order at 3:26 pm.

**16. ADJOURNMENT**

**By general consent** the meeting was adjourned at 3:26 pm.

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Peter Luckham, Chair

Certified Correct:

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Lisa Millard, Recorder