



Gabriola Island Local Trust Committee

Minutes of Regular Meeting

Date: November 30, 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
 Stephen Baugh, Island Planner
 Narissa Chadwick, Island Planner, via Zoom
 Margot Thomaidis, Planner 2
 Warren Dingman, Bylaw Compliance & Enforcement Manager
 Lisa Millard, Recorder

Others Present: There were approximately 13 members of the public in attendance.

1. CALL TO ORDER

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

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

The Trustees introduced themselves and Trustee Elliott made her introduction in the Hul'q'umi'num language.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Yates reported the following:

- Attendance at the recent Financial Planning Committee meeting in preparation for Trust Council's upcoming budget decisions, the Regional District of Nanaimo (RDN) Recreation and Parks Master Plan meeting in which public input summary reports

were reviewed, and a meeting on water balance assessment presented by Senior Freshwater Specialist William Shulba; and

- She noted that the Local Trust Committee (LTC) will be discussing the possibility of inclusion in Bill 44 (Housing Statutes Amendment Act) and Bill 35 (Short-Term Rental Accommodations Act).

Trustee Elliott reported the following:

- Attendance at the LTC Special Meeting to discuss the water balance assessment, noting that the public can view the recording of the meeting that will be available on the LTC website for further information;
- Attendance at the Health and Wellness Collaborative, Financial Planning Committee, Regional Planning Committee, RDN Recreation and Parks Master Plan, and Islands Trust / RDN Protocol meetings; and
- She continues to participate in the Culturally Committed group gatherings.

3.2 Chair's Report

Chair Luckham reported the following:

- He also Chairs Gambier Island LTC meetings and noted that island is doing important shoreline work;
- He attended a presentation on the Ocean Protection program that is being developed by Transport Canada to deal with nation-wide matters concerning oceans; and
- He attended at the legislature when the Islands Trust annual report was put onto the floor and spoke with the Minister of Municipal Affairs, Anne Kang, whom he invited to attend a Trust Council meeting.

3.3 Electoral Area Director's Report

Electoral Area Director Vanessa Craig submitted a written report for information and noted the following:

- Desiree Thomas, Snuneymuxw First Nation, has been appointed to the Recreation and Parks Master Plan Committee;
- The RDN will be starting a water budget analysis in Area A; and
- The proposed new Health and Wellbeing Coordinator for Gabriola part-time position has been approved by the RDN and is under consideration for approval by the Ministry of Municipal Affairs and, if approved, will enter into an alternative approval process, which will provide opportunity for additional public engagement.

3.4 First Nations Reports - none

Trustee Elliott noted the Snuneymuxw First Nation publishes a monthly newsletter, which provides relevant information.

4. PUBLIC COMMENTS

- A member of the public stated that Gabriola requires a body made up of dedicated community members that have expertise in various aspects of transportation. This transportation body requires credibility and standing so that agencies that make decisions regarding road maintenance, speed limits, sidewalks, roadside trails, and bicycle and footpaths have a credible body from which to seek advice. They urge the LTC to create a Transportation Advisory Planning Commission.
- A member of the public introduced themselves as a retired hydrologist and noted they have extensive experience in doing water budgets in other areas. They indicated that, in their opinion, there is more than enough water on the islands, but the issue is lack of water storage. They are encouraged to learn that there will be consideration of a water balance assessment in the upcoming budget.
- A member of the public noted that they had an application for redevelopment before the LTC and had previously been granted an extension to submit required reports. They stated that the reports were now available and requested the LTC move the extension into the new year.
 - Staff replied that the reports had been received but not soon enough for discussion at today's meeting; however, the deadline period can be extended.
- A member of the public expressed disappointment that their development application was not on the agenda. They noted they have respect for the process and if there are any concerns brought forward by First Nations regarding artifact protection they would like to know what those concerns are so that they can address them. They also indicated that the public might believe that the sites are not protected; however, all the protections required under the Conservation Act and the Heritage Branch are in place. It was reiterated that First Nations representatives conducted site monitoring at the time the protections were put into place.
- Another member of the public, who is part of the same development permit application, stated the ongoing delays are causing the applicants hardship. They noted that they have practiced First Nations reconciliation throughout their life's work, and that their granddaughter works extensively as a representative on multiple committees as an Indigenous youth advisor. They indicated that they have been told repeatedly that they would receive a decision at a following LTC meeting; however, this has not occurred.
- A member of the public stated that they had submitted correspondence regarding light pollution and the Chair noted they would receive and review when it comes up on the agenda.

5. DELEGATIONS – none

6. MINUTES

6.1 Local Trust Committee Minutes dated October 26, 2023 – for adoption

By general consent the Local Trust Committee meeting minutes of October 26, 2023 were adopted.

6.2 Section 26 Resolutions-Without-Meeting Report – none

6.3 Advisory Planning Commission Minutes – none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated November 22, 2023

- It was noted that the March 30, 2023 Activity No. 2 (staff to prepare a request for proposal for work on water availability) status should state completed.
- A draft report on the June 8, 2023 Activity No. 1 (shoreline structures and setbacks bylaw) has been prepared and will be ready for presentation at an upcoming meeting.

8. APPLICATIONS AND REFERRALS

8.1 GB-DVP-2022.3 (Pink) and GB-DVP-2022.4 (Woodside) - 1160 and 1170 The Strand - Status Update

A Planner provided a verbal update. It was noted that an environmental impact report and additional supporting documents had been received and are under review. Staff and Trustees will conduct a site visit and share information about the applications with the Snuneymuxw First Nation.

8.2 GB-DVP-2023.3 (Miller) - 880 Horseshoe Rd - Request to Waive Survey Requirement - Staff Report

A Planner summarized the staff report and the Bylaw Compliance and Enforcement Manager confirmed that the shed in question was not over the lot line.

The applicant was present and indicated that the shed was built over 30 years ago, that it is not over the property line, and that the owner of the neighbouring property had a survey done in 2018 as part of a development permit application and at that time did not mention a concern about the location of the shed.

Discussion ensued.

GB-2023-082

Moved and Seconded

that the Gabriola Island Local Trust Committee waive the requirement for a survey plan signed by a B.C. Land Surveyor and direct staff to proceed with Development Variance Permit application GB-DVP-2023.3 (Miller).

CARRIED

8.3 GB-DVP-2021.4 (Harris) - 1091 Sea Fern Lane - Staff Report

A Planner summarized the staff report and highlighted the following:

- The setback variance application relates to the existing cottage, deck, tent platform and underground septic tank;

- The variance is consistent with the permitted uses of the lot;
- Granting the variance will not be detrimental to the natural environment or public health; and
- The applicant and owners have been in contact with staff from Snuneymuxw First Nation and the Nation feels that future risk to the site has been mitigated.

Discussion ensued and it was noted that:

- Most letters received that were not in favour of the variance permit were related to health concerns about the septic system being sited too close to the sea; however, the septic field is 35 metres above the setback which meets requirements;
- Provincial sewerage requirements are being met for this lot;
- It is the septic tank that is sited within the setback area not the field; and
- The system is an updated septic-engineered system.

GB-2023-083

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee approve issuance of Development Variance Permit application GB-DVP-2021.4 (Harris).

CARRIED

The meeting was recessed at 12:40 pm for a break and reconvened at 1:11 pm.

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Major Project: Gabriola Island Comprehensive OCP and Land Use Bylaw Review: Results of Community Engagement Event Recipients – Memorandum

A Planner highlighted the following:

- Funds have been made available to support community members in hosting engagement events;
- Several applications were received, and the memorandum identifies the individuals and groups that will receive the funding;
- Some community members have not been captured in this process and staff will facilitate meetings with those groups that are underrepresented;
- There will be a series of videos released which will focus on specific topics of interest to the community such as identifying what a community vision is, what land is, what an OCP is, and what a LUB is; and
- Postcards with QR codes directing people to the project website, as well as a survey, will be sent out.

9.2 Major Project: Gabriola Island Comprehensive OCP and Land Use Bylaw Review: Gabriola Visioning - Verbal Update

A Planner provided a verbal update and stated that the deadline for feedback from the engagement groups and survey responses has been extended to March 1, 2024.

10. CORRESPONDENCE

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

10.1 Letter dated November 20, 2023 from J. Hall regarding Dark Sky

The correspondence was received for information. A Planner noted that there is opportunity to look at this topic within the scope of broader regulations within the OCP and LUB review process and can be included in the OCP projects list.

11. NEW BUSINESS

11.1 Advisory Planning Commission and Housing Advisory Planning Commission Regularly Scheduled Meeting Times - Trustee Yates for Discussion

Trustee Yates noted that the current system of determining Advisory Planning Commission (APC) meeting dates is inefficient and suggested that the APC determine a regular monthly meeting day and time each month and if there are no referrals to review the pre-scheduled meeting can be cancelled.

Discussion ensued.

GB-2023-084

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Request staff to prepare an amendment to Bylaw No. 296 to include the Advisory Planning Commission set a regular monthly day and time for their meetings.

CARRIED

GB-2023-085

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct staff, at the orientation of the new Advisory Planning Commission body, to communicate the request of the Local Trust Committee that the Advisory Planning Commission schedule regular monthly meetings and times for the duration of their term so that notice can be provided to Trustees and the public.

CARRIED

11.2 Discussion regarding GB-RZ-2022.1 (Alley Enterprises) as brought up in Public Comments

A Planner confirmed that the information and documents previously requested had been received on time but due to the timing, the application did not get onto this agenda package for discussion, and an extension would allow staff to review the documents.

GB-2023-086

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to proceed with processing application GB-RZ-2022.1 (Alley Enterprises) for Local Trust Committee consideration of next steps.

CARRIED

12. REPORTS

12.1 Trust Conservancy Report – none

12.2 Applications Report dated November 22, 2023

Received for information.

12.3 Trustee and Local Expense Report dated September, 2023

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 Local Trust Committee Webpage - no update

12.6 Climate Change Action Update - no update

12.7 First Nations Relationship Building

A Planner noted that there have been staff-to-staff meetings between Islands Trust and Snuneymuxw First Nation to discuss questions and concerns regarding the Islands Trust planning and referral processes and the intent of these discussions is to look at reconciliation actions in ways that might improve processes as well as the priorities of Trust Council.

Trustee Elliott said that she will be putting together a gift to present to the outgoing Snuneymuxw First Nation Chief and Council as a gesture of thanks and for their work.

12.8 2024 LTC Meeting Schedule - Staff Report

GB-2023-087

It was MOVED AND SECONDED

that the Gabriola Island Local Trust Committee schedule its regular business meetings on the following dates in 2024: January 18, February 22, March 21, April 18, May 23, June 27, August 8, September 5, and November 7.

CARRIED

13. WORK PROGRAM

13.1 Active Projects Report dated November 22, 2023

Received for information.

13.2 Future Projects Report dated November 22, 2023

Received for information.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting scheduled for Thursday January 18, 2024, time and location to be determine.

15. CLOSED MEETING

15.1 Motion to Close the Meeting

GB-2023-088

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)(a), (d), (f) for the purpose of considering:

- (a) appointment of Advisory Planning Commission members;
- (d) adoption of In Camera Meeting Minutes dated October 26, 2023; and
- (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

The meeting was closed to the public to go to an in-camera meeting at 2:30 pm.

The regular meeting was recalled to order at 2:57 pm.

15.2 Recall to Order

Chair Luckham rose and reported that the in camera meeting minutes of October 26, 2023 were adopted, that a legal update was received, and that the Gabriola Island Local Trust Committee appoint Jennefer Laidley, Carly McMahon, Lisa Webster, Jeff Malmgren, David Reid, Burt Fidler, Rick Mitchell, Devlin Semmler, and Howard Bashaw to the Gabriola Island Advisory Planning Commission, commencing immediately for a term ending November 30, 2025.

16. ADJOURNMENT

By general consent, the meeting was adjourned at 2:58 pm.

Peter Luckham, Chair

Certified Correct:

Lisa Millard, Recorder