



Gabriola Island Local Trust Committee

Minutes of Regular Meeting

Date: February 22, 2024
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 electronic meeting)
Lisa Millard, Recorder

Others Present: There were approximately 9 (nine) members of the public in attendance.

1. CALL TO ORDER

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

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

2. APPROVAL OF AGENDA

The following changes to the agenda were presented for consideration:

Remove item 9.3 as it is a duplication of item 9.2.

By general consent the agenda was approved as amended.

3. REPORTS

3.1 Trustee Reports

Trustee Elliott reported the following:

- She attended several Visioning 2050 community hosted events;
- She attended the Breaking Bannock Building Bridges speaker series event;
- She visited Mudge Island to participate in a safe boat access conversation;

- She attended a recent Regional Planning Committee meeting to discuss budget for the Housing Strategy Action Plan;
- She has been following the Manager of Southern Gulf Islands Service Delivery Justine Starke's work on the rural housing program being developed by the Capital Regional District;
- She noted that the Province of BC has expanded the secondary suite incentive program to include regional districts; and
- She stated that Islands Trust has received the ombudsperson report on bylaw enforcement policies and procedures and recommendations for implementation are being discussed.

Trustee Yates reported the following:

- She has attended two recent Financial Planning Committee meetings;
- She will be attending the upcoming Trust Council Meeting during which the next fiscal budget will be finalized;
- She attended the recent Parks and Open Spaces Advisory Committee meeting;
- She attended the Visioning 2050 meeting; and
- She attended both freshwater sustainability webinars presented by Freshwater Specialist William Shulba.

3.2 Chair's Report

Chair Luckham reported the following:

- He has been preparing for the upcoming Trust Council budget meeting; and
- He has been participating in the process of recruiting a new Islands Trust Chief Administrative Officer.

3.3 Electoral Area Director's Report

3.3.1 Electoral Area Directors Report dated January 18, 2024

Received for information.

3.4 First Nations Reports - none

4. PUBLIC COMMENTS

- A member of the public asked if the community meeting noted on page 43 of the agenda package was a formal community information meeting or a less formal community meeting. Planner Chadwick clarified that a community information meeting is typically held to inform the public about applications or bylaws and provides an opportunity for public questions while a community meeting is less formal and attempts to facilitate conversation. The meeting in question will be a community meeting.
- A community member stated their concerns about the recent roadside clearing done by the Ministry of Transportation and Infrastructure (MOTI) and indicated that while they are not opposed to clearing, the machine that was used twisted and shredded plants and trees and

caused destruction to native species. They asked that the Trustees request MOTI to not use that type of machine in the future and that MOTI identify areas that need to be trimmed rather than clear cutting the verges.

- A resident stated that they are horrified at the destructiveness of the verge cutting method that was used this year. They noted that there are now sharp stakes sticking up out of the ground that can cause harm to wildlife and people. They would like the Trustees to request that both the Ministry of Transportation and Infrastructure, and the contractor that performed the work, be informed of the importance of both protecting the natural environment and sustaining the character of the island.
- A Mudge Island resident said that over the last two years there have been several concerns within the Mudge community about both shoreline access and bylaw enforcement. They would like the Trustees to attend an in-person meeting held on Mudge Island to hear the community concerns and to get a sense from the residents about what is important to them regarding bylaws and other issues.
- Another Mudge Island resident reiterated that there was a significant concern with the lack of safe shoreline access. They request support in maintaining existing, and gaining new, shoreline access. They indicated that there is a general community concern about bylaw enforcement and that there is a fear in the community due to a lack of information regarding who is getting bylaw infraction fines and why. They requested that a summary of bylaw non-compliance be made available so that fear can be replaced with knowledge.
- A member of the public stated that it has been ten months since they submitted a development permit application, and five months since said application was deferred to allow time for referral to the Snuneymuxw First Nation. The development permit is for the purpose of removing trees from a small percentage of steep bluffs on the property and they are working with two companies that specialize in wildfire protection and tree falling. They believe that they have complied with the bylaw requirements and are concerned that they have not been invited to attend an upcoming meeting between Islands Trust and the Snuneymuxw First Nation during which this application might be discussed. They noted that if they were allowed to attend the meeting they would have the opportunity to address any misinformation and respond to concerns.

Chair Luckham qualified that the Snuneymuxw First Nation invited Islands Trust to a meeting and therefore it is up to the Snuneymuxw to determine who can attend. He noted that if Islands Trust receives information about the development permit application that they are given permission to share then they will do so.

5. DELEGATIONS - none

6. MINUTES

6.1 Local Trust Committee Special Meeting Minutes dated November 28, 2023 - for adoption

By general consent the Local Trust Committee meeting minutes of November 28, 2023 were adopted as presented.

6.2 Local Trust Committee Minutes dated January 18, 2024 – for adoption

By general consent the Local Trust Committee meeting minutes of January 18, 2024 were adopted as presented.

6.3 Section 26 Resolutions-Without-Meeting Report - none

6.4 Advisory Planning Commission Minutes dated February 7, 2024 - for receipt
Received for information.

6.5 Housing Advisory Planning Commission Minutes dated January 11, 2024 - for receipt
Received for information.

6.6 Housing Advisory Planning Commission Minutes dated January 25, 2024 - for receipt
Received for information.

6.7 Housing Advisory Planning Commission Minutes dated February 8, 2024 - for receipt
Received for information.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated February 15, 2024

A Trustee noted that at the November 28, 2023 Local Trust Committee special meeting a resolution passed in which staff were requested to provide a memo outlining the rationale behind funding support from Trust Council for water balance assessments, and that it was important to note that the assessments would benefit the entire Trust area and not just Gabriola. She stated that a business case for said funding had not been prepared, therefore Trustees will be unable to advocate for this funding at Trust Council. Planner Chadwick replied that a memo had been forwarded to the Regional Planning Committee and that staff can extract key pieces of that memo to provide speaking notes for further discussion with the Financial Planning Committee regarding this funding.

8. APPLICATIONS AND REFERRALS - none

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Major Project: Gabriola Island Comprehensive Official Community Plan and Land Use Bylaw Review: Endorsement and Authorization for Capacity Work Agreement with Snuneymuxw First Nation- Staff Report

Planner Chadwick summarized the staff report and highlighted the following:

- The provision of capacity funding has been effective in other areas in facilitating First Nations engagement;
- Funding for the Official Community Plan project can be moved to the First Nation so they can begin to work with them with respect to the Official Community Plan project; and
- There is already \$4000 (four thousand dollars) allocated for First Nations engagement, and there might be additional funding of \$1000 (one thousand dollars) remaining from the community engagement process for allocation.

GB-2024-009

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to prepare a capacity work agreement between the Local Trust Committee and Snuneymuxw First Nation, for the purpose of engagement with the Nation on the Gabriola Island Official Community Plan Review Project.

CARRIED

GB-2024-010

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee authorize the release of up to \$5,000 (five thousand dollars) from the Official Community Plan Review Project 2023/2024 fiscal project budget for the purposes of entering into a capacity work agreement with Snuneymuxw First Nation on the Gabriola Island Official Community Plan Review Project.

CARRIED

9.2 Major Project: Gabriola Island Comprehensive Official Community Plan and Land Use Bylaw Review: Engagement Update, Revised Engagement Strategy

Planner Chadwick provided an update on the engagement process and noted the following:

- There were 405 (four hundred and five) responses to the survey; and
- A community meeting will be held at The Haven on March 23, 2024 to share information gathered from the survey and the community engagement groups.

GB-2024-011

It was MOVED and SECONDED

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

CARRIED

10. CORRESPONDENCE

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

10.1 Email dated January 15, 2024 from N. Huot regarding Road Allowance Pruning
Received for information.

10.2 Email dated February 4, 2024 from EJ Hurst regarding Destruction of Plants While Clearing Road Verges
Received for information.

- 10.3 Email dated February 5, 2024 from K. Gurr regarding Mainroad Mid-Island Contracting Advance Notice of Road Verge Mowing**
Received for information.

- 10.4 Email dated February 6, 2024 from B. Bossin regarding Verges**
Received for information.

GB-2024-012

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request a meeting with Ministry of Transportation and Infrastructure representatives regarding the road allowance and brush mowing operation.

CARRIED

11. NEW BUSINESS

- 11.1 Review of the New Provincial Short Term Rental Accommodation Act for the Gabriola Island Local Trust Area – Memorandum**

11.1.1 Housing Statute Changes to British Columbia Legislation – Memorandum

The Planner summarized the memorandum. He noted that while the existing Temporary Use Permit process allows for some short-term vacation rentals, there is no requirement that the unit also be the operator's principal residence. He further indicated that opting into the new provincial short-term rental accommodation act would result in any existing temporary use permits that do not meet the principal residence requirement, becoming void.

GB-2024-13

It was MOVED AND SECONDED

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

CARRIED

GB-2024-14

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to add a new project description to the "Project List" to include a review and update of short-term vacation regulations on Decourcy Island.

CARRIED

- 11.2 Engagement with Mudge Island Residents – verbal discussion - Trustee Elliott**
Discussion ensued.

GB-2014-15

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to schedule a special community meeting on Mudge Island in spring or summer, 2024 to hear community concerns about bylaw enforcement and safe water access approaches.

CARRIED

11.3 Destination BC Letter of Support - verbal discussion - Trustee Elliott

Received for information

The meeting was recessed for a break at 12:36 pm and reconvened at 1:02 pm.

The meeting was closed to the public at 1:03pm to go *in camera* and reconvened at 2:19 pm.

12. CLOSED MEETING

12.1 Motion to Close the Meeting

GB-2024-015

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)(f)&(i) for the purpose of considering:

- (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment; and
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

and that the Recorder and Staff attend the meeting.

CARRIED

12.2 Recall to Order

Chair Luckham rose and reported that:

- the Local Trust Committee will request staff to provide a report on Mudge Island bylaw enforcement files for the March 21, 2024 Local Trust Committee meeting and schedule a webinar information meeting for Mudge Island residents; and
- A response to the administration fairness complaint regarding a development permit issue be forwarded to the complainant.

GB-2024-016

It was MOVED AND SECONDED

that the Gabriola Island Local Trust Committee request staff prepare a Webinar regarding bylaw enforcement issues on bylaws on Mudge Island and provide a staff report to the Local Trust Committee on enforcement files in the Gabriola local Trust area.

CARRIED

GB-2024-017

It was MOVED and SECONDED

that after consideration of a complaint received from Center Stage Holdings that a response based upon the draft of January 22, 2024 be made to the complainant.

CARRIED

13. REPORTS

13.1 Trust Conservancy Report - none

13.2 Applications Report dated February 14, 2024

Received for information.

13.3 Trustee and Local Expense Report dated December, 2023

Received for information.

13.4 Adopted Policies and Standing Resolutions

Received for information.

13.5 Local Trust Committee Webpage – no updates

13.6 Climate Change Action Update – none

13.7 First Nations Relationship-Building Update

Chair Luckham stated that the Local Trust Committee is hoping to meet with the Snuneymuxw First Nation in the coming weeks.

14. WORK PROGRAM

14.1 Active Projects Report dated February 14, 2024

Received for information.

14.2 Future Projects Report dated February 14, 2024

Received for information

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Thursday, March 21, 2024 at 10:30 am at the Gabriola Arts and Heritage Centre

16. ADJOURNMENT

By general consent the meeting was adjourned at 2:30 p.m.

Peter Luckham, Chair

Certified Correct:

Lisa Millard, Recorder