



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: July 28, 2022
Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

Members Present: Dan Rogers, Chair
 Kees Langereis, Local Trustee
 Scott Colbourne, Local Trustee
 Sonja Zupanec, Island Planner by Zoom
 Anthony Fotino, Island Planner by Zoom
 Stephen Baugh, Planner 2 by Zoom
 Katherine Vogt, Recorder by Zoom

Others Present Vanessa Craig, Electoral Area Director
 Approximately seven (7) members of the public

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 Rogers called the meeting to order at 10:32 am. He introduced Trustees, Staff, and recorder; and welcomed members of the public. Chair Rogers, Trustee Colbourne, and Trustee Langereis acknowledged that the meeting was being held in territory of the Coast Salish First Nations. Chair Rogers noted that the meeting was a hybrid of in person and electronic participation, but without electronic public participation; and, that the meeting was being livestreamed with a 25 second delay; and, that it was being recorded for addition to the Islands Trust website.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Move item 7.2 Memorandum to after item 10.4.

By general consent the agenda was approved as amended.

3. RISE AND REPORT

Chair Rogers noted that there was nothing to rise and report because there had been no in-camera meeting in June, 2022.

4. REPORTS

4.1 Trustee Reports

Trustee Colbourne reported on the following:

- The online June 2022 Trust Council meeting at which Trustee Colbourne's motion to have the Provincial Government review the *Islands Trust Act* was passed with 20 votes.
- A recent meeting with Snuneymuxw Chief, Council and Staff at which it was expressed that the elders no longer want to repatriate the remains of loved ones; and at which gratitude was expressed for the Islands Trust for their contributions to the formal agreement between Snuneymuxw First Nations and BC Ferries which was to be signed today.

Trustee Langereis reported on the following:

- The passing of the motion to review the *Islands Trust Act* and the establishment of a Standing Governance Committee at the last Trust Council meeting should prove beneficial.
- A recent site visit to the old gravel pit near Whalebone regarding Provincial rezoning and provision for a green burial site.
- An upcoming Trust Programs Committee meeting on August 26, 2022 regarding the Trust Policy Statement and other recent recommendations.
- A report regarding national marine protection zones around Gabriola should be ready in the new year.
- Camp Miriam is looking for a licenced lifeguard for their next summer session.

4.2 Chair's Report

Chair Rogers reported on the following:

- The Governance Committee will be made up of seven Trustees, including Trustee Langereis, and is intended to be a permanent new committee.
- Recent and upcoming Trust Programs Committee meetings.
- Stefan Cermak, former Islands Trust Regional Planning Manager, has just been hired as the new Islands Trust Director of Planning, taking over for David Marlor who is moving to the Legislative Manager's Office.
- An upcoming art exhibition and symposium at The Yellowhouse Art Centre on Galiano Island, BC from July 23 to August 21, 2022
<https://www.thewaterwecallhome.com>
- August is a hiatus month for most local governments.

4.3 Electoral Area Director's Report

The Regional District of Nanaimo Electoral Area B Director, Vanessa Craig, reported on the following:

- Snuneymuxw First Nation has expressed interest in contributing a work of art for Huxley Park. Public comments are welcome.
- The Regional Parks and Trust Strategy is nearing completion. A draft report is available and will soon be reviewed by the Regional Parks and Trails Select Committee at their upcoming meeting in September 2022. Public comments are welcome.
- Trail research regarding Malaspina and accessible path resurfacing at Blue Heron Canadian Park.
- Beach and boat access issues and improvement.

- Coats Marsh Weir will be reinforced.
- A request for a speed control zone around Huxley Park. Email support for such a zone can be forwarded to Ministry of transportation and Infrastructure (MOTI) Operations Manager, Nikky Schneider and MOTI District Manager, Angie Allwood with a copy to Director Craig.
- The Community Health and Wellbeing Planner position contract feasibility study is continuing and has met twice with the Gabriola health and Wellness collaborative of 30 groups. A consultant's report should be completed in September 2022.
- Sea Level Rise Adaptation Mapping Project for potential flooding impacts.

4.4 First Nation Reports

Trustees discussed a Dust n' Bones film screening opportunity for Gabriola Island for September 2022.

5. TOWN HALL

Members of the public noted the following:

- Long-term Gabriola residents pushed out of their current rental accommodations are unlikely to find a new place, many residents live in fear of being evicted from non-compliant dwellings, and many people have already left the island due to lack of affordable rentals. BC Ferries and other local business and services staff shortages are being caused by lack of rental units causing lineups, increased costs, and the inability to attract doctors.
- The Gabriola Local Trust Committee (LTC) should defer enforcement of safe, unlawful dwellings in alignment with the Salt Spring Island LTC.
- Homeless Gabriola residents may choose not to leave the island.
- The Housing Options and Impacts Review Project has stalled since September 2021 except for the Density Transfers portion. The staff recommendations for the OCP review does not include the entire Project, which should be included and kept as a Top Priority.

Trustee Colbourne made the following motion, modeled on an existing Salt Spring motion, for consideration as a draft motion for a standing resolution:

that the Gabriola Island Local Trust Committee endorse and adopt a standing resolution to state that enforcement activities will be deferred for all non-compliant dwellings being used for residential purposes until there are safe, secure and appropriate housing options that are affordable for all demographics and household types in perpetuity, except in the following circumstances:

- a. there are concerns regarding health and safety;
- b. there are concerns that sewage is not being disposed of in an approved septic or sewage disposal system;
- c. there are concerns that septic or sewage disposal systems are being used in excess of capacity or ability as a result of unlawful dwellings;
- d. there are concerns of possible contamination of wells or other drinking water sources;
- e. unlawful dwellings are in environmentally sensitive areas;
- f. there are non-permitted campgrounds; and,
- g. that the Gabriola Island Local Trust Committee may give direction to resume enforcement activities on any property that poses risk to the health and safety of the neighbouring residents and the residents on the property in question.

Discussion ensued and the decision was made to postpone consideration of the proposed motion for standing resolution.

GB-2022-056

It was MOVED AND SECONDED

that the Gabriola Local Trust Committee postpone consideration of the draft motion for standing resolution until the September 29, 2022 Gabriola Local Trust Committee meeting.

CARRIED

GB-2022-057

It was MOVED and SECONDED,

that the Gabriola Local Trust Committee refer the postponed draft motion for commentary to the Housing Advisory Planning Commission, the Advisory Planning Commission, and the community in general.

CARRIED

GB-2022-058

It was MOVED and SECONDED,

that the Gabriola Local Trust Committee request that staff refer the draft motion for standing resolution to the Bylaw Compliance and Enforcement Manager.

CARRIED

GB-2022-059

It was MOVED and SECONDED,

that the Gabriola Local Trust Committee request that Bylaw Compliance and Enforcement provide an update on the proactive enforcement of short-term vacation rental and non-compliant dwellings for the September 29, 2022 Gabriola Local Trust Committee meeting.

CARRIED

6. MINUTES

6.1 Local Trust Committee Minutes dated June 16, 2022 – for adoption

The following amendments to the minutes were presented for consideration:

- Under Item 3.1, first bullet point, first and second lines, the phrase ‘Request for Proposal’ and the acronym (RFP) should be changed to ‘Request for Decision’ and (RFD) respectively.
- Under item 3.1, fifth bullet point, the acronym ‘FRP’ should be changed to the acronym ‘RFP.’

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-Without-Meeting - none

6.3 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated July 19, 2022

Received.

7.2 Heritage Commissions – Memorandum

Deferred until after item 10.4

8. APPLICATIONS AND REFERRALS

8.1 GB-DVP-2022.2 (Beath - 861 Sharie Road) - Staff Report

Planner Baugh presented the staff report that recommends approval for a Development Variance Permit (DVP) application to reduce the setback requirement of 1.5m from a zone boundary to 0m, to permit an existing house and proposed deck to be sited across a zone boundary on a split-zoned lot.

A Trustee questioned that the structure straddling split density zones could possibly complicate a future subdivision.

- Planner Zupanec noted the ambiguity regarding a zoning density being considered a separate lot on a split-zoned lot and offered to seek clarification regarding the ramifications for future subdivision.

GB-2022-060

It was **MOVED** and **SECONDED**,

that the Gabriola Island Local Trust Committee approve issuance of GB-DVP-2022.2.

CARRIED

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Projects Lists - Staff Report

Planner Zupanec presented the staff report prepared by Regional Planning Manager, Heather Kauer, that asks Trustees to consider endorsing an updated 'Top Priorities List' and an updated 'Projects List;' and to consider requesting staff to prepare a draft business case for a Gabriola Island Comprehensive Official Community Plan (OCP) and Land Use Bylaw (LUB) project, the estimated cost of which is \$50,000 to \$75,000 over two to three years.

Planner Zupanec noted the following:

- Trust Council budget deadlines for submitting a business case is this fall.
- Chair Rogers added that the Financial Planning Committee (FPC) is meeting on August 31, 2022 and business cases are not expected to be reviewed at this time. The next FPC meeting will be October 12, 2022 and business cases could be reviewed then.
- Chair Rogers noted that Regional Planning Manager Kauer was attempting to streamline projects and priorities with budgets throughout the Trust area.

Motion:

that the Gabriola Island Local Trust Committee endorse the 'Top Priorities List' and 'Projects List' as presented on July 28, 2022 for further consideration by the incoming Local Trust Committee.

TABLED

A Trustee suggested that the entirety of The Housing Options and Impacts Review project, not just the density deliverables portion of it, needed to be included in a comprehensive OCP/LUB review; and that First Nations Engagement needed to be maintained on the Projects List.

GB-2022-061

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee table the previous motion until September 29, 2022 and request that staff review the Housing Options and Impacts Review Project Charter and identify elements that could be included in the comprehensive Official community Plan and Land Use Bylaw project for a report for next meeting.

CARRIED

GB-2022-062

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to prepare a draft business case for a Gabriola Island Comprehensive Official Community Plan and Land Use Bylaw project for consideration of Gabriola Island Local Trust Committee endorsement.

CARRIED

9.2 Ecological Protection Zone - discussion (no report)

Planner Fontino noted that Burns Acres, currently designated 'Large Rural Residential,' needs a new OCP amendment bylaw to conform to the overall project, which would necessitate a public hearing.

GB-2022-063

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to proceed with the Ecological Protection Zone draft bylaw in relation to Elder Cedar and remove Burns Acres from the project charter.

CARRIED

10. DELEGATIONS

10.1 Ivan Bulic regarding a Community Heritage Register

Ivan Bulic presented a one-page hard copy letter to Chair Rogers and spoke on the following:

- Previous local support for a Community Heritage Register.
- There are two ways to create a local Heritage Commission; by appointment of a new entity by bylaw, or by designating an existing organization. The Gabriola Historical Museum Society, formed in 2019, is legally capable of functioning as a Heritage Commission.
- A local Heritage Commission could relieve Islands Trust staff of time spent maintaining the register; and terms of reference can be set through a memorandum of understanding.

- The Islands Trust under the Heritage Act is considered equivalent to a municipal government once a Heritage Registry is established, then the authority is granted to the local government with a process of compensation.
- Development pressures can risk losing valuable historic sites and objects before they have even been recognized or documented.

10.2 André Lessard regarding Gabriola Heritage, Significance and Conservation

Andre Lessard, a licensed Heritage Consultant, a 23 year member of the Canadian Association of Heritage Professionals, and the author of the Gabriola Community Hall Statement of Significance noted the following:

- Gabriola is rich in historic items and places including: 100 indigenous archaeological sites; marine and industrial shipyard and brickyard sites; settler residential and public buildings constructed between 1880 and 1919; historical articles, books, and other valuable documents and inventories.
- A Heritage Registry on Gabriola would help to identify, preserve, restore, raise awareness of, and encourage documentation of records keeping for current and future generations.
- BC Archives, located in the basement of the BC museum, has been a source for valuable Gabriola records but may soon not be very convenient to access.
- The Gabriola Historical Museum Society follows standard professional guidelines.

10.3 Elizabeth Iachelli, Vice President, Gabriola Island Community Hall Association regarding creation of a Heritage Register and Heritage Commission

Elizabeth Iachelli spoke on the following:

- A registry would help preserve and respect indigenous sites on Gabriola that are 5000 to 8000 years old by providing an official structure of communication with Snuneymuxw First Nation
- Many petroglyphs on private property currently have no means of protection.
- A signed Memorandum of Understanding provides for Snuneymuxw First Nation to be consulted on any project undertaken by the Gabriola Historical Museum Society.
- Discussions with Elder Geraldine Manson of Snuneymuxw First Nation regarding the 'Village of the Ancestors' formerly called 'Petroglyph Park.'

<https://gabriolacommunityhall.com/wp-content/uploads/2020/03/sos-and-background.pdf>

10.4 Chris Campbell, Director, Gabriola Museum regarding creation of Heritage Register and Heritage Commission

Chris Campbell, Director of the Gabriola Museum, spoke on the following:

- At least 12 sites on Gabriola could be put in the Heritage Registry.
- It is in the Gabriola OCP that a Heritage Registry should be established.
- The Gabriola Museum received a grant from Canadian Heritage in 2017 to publish a booklet called 'Traveling in Time: A Guide to the Historic Places on Gabriola.' This booklet on its own forms a basis for a Heritage Registry.

- A grant from Heritage BC allowed for the creation of Statements of Significance.
- Heritage BC provided a letter of support for the Gabriola Historical Museum Society and indicates possibilities for grant funding for local Heritage Commission projects.

Chair Rogers updated that the Trust-wide Indigenous Heritage Overlay Mapping project was continuing, though stalled due to the recent departure of Senior Intergovernmental Policy Advisor, Lisa Wilcox.

By general consent the meeting was recessed at 1:30 pm and reconvened at 1:57 pm.

7.1 Heritage Commissions – Memorandum

Planner Zupanec presented the Memorandum from Regional Planning Manager Heather Kauer dated July 28, 2022 in which staff recommend that the Gabriola LTC not establish a Heritage Commission nor a Heritage Registry due to staff time constraints.

GB-2022-064

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request additional information from Islands Trust staff on the Heritage Overlay Mapping Project as it relates to heritage conservation.

CARRIED

Trustee Langereis requested that 7.1 Heritage Commissions- Memorandum be put back on the September 29, 2022 agenda.

Trustee Colbourne offered to raise the Heritage Registry issue at his next meeting with Snuneymuxw First Nation and to report back for the next LTC meeting.

11. CORRESPONDENCE

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

11.1 Email dated July 8, 2022 regarding Aircraft Noise Pollution

Trustee Colbourne noted that an older Transport Canada letter to the Trust would be beneficial to review.

GB-2022-065

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that Chair Rogers write a letter to Nanaimo Port Authority regarding seaplane routes and a letter to the Nanaimo Airport Authority regarding airplane flight paths as they affect Gabriola.

CARRIED

12. NEW BUSINESS

12.1 School Site Acquisition Charge - Staff Report

Planner Zupanec presented the staff report dated July 28, 2022 that recommends that Trustees consider including Electoral Area B in the Regional District of Nanaimo's

updated 'School Site Acquisition Charge' that would lower the threshold for new development charges from 4 or more dwelling/lots to two or more dwelling/lots.

Planner Zupanec noted the following:

- Detached secondary suites would not trigger the tax.
- The charge per unit would be from \$600 to \$1000, depending on the number of units created per hectare.
- Administration of the tax is conducted by the Regional District of Nanaimo or Provincial Approving Officer, not the Islands Trust.

GB-2022-066

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that the Regional District of Nanaimo amend Bylaw No. 1850, 2022 'A Bylaw to Establish School Site Acquisition Charges' to include Electoral Area 'B' in the collection of the charge for all applicable building permits and subdivisions resulting in two or more dwelling/lots.

CARRIED

12.2 Emergency Response Planning and Potential Ambulance Service Level Request - for discussion

Deferred until more information can be gathered.

12.3 Use of Herbicides by Commercial Interests Close to Community Water Sources - for discussion

A Trustee noted that some Gabriola residents had observed contractors applying herbicides which likely included Roundup on the grounds around the Telus building on the ferry hill which is about 25 meters upslope from a community water well which provides water for many residents, the pub and the ferry buildings.

GB-2022-067

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that the Chair write a letter to Telus outlining concerns around herbicide use close to their facility on Gabriola Island and request that they monitor the adjacent water well for the foreseeable future.

CARRIED

12.4 National Marine Conservation Area and Proposed Anchorage Sites - for discussion

Trustees discussed strategies for gaining support for extending the boundary of the Gabriola National Marine Conservation Area.

13. REPORTS

13.1 Climate Change Action Update

Trustee Colbourne noted that he was currently researching transportation grant funding potentials for Gabriola Island.

13.2 First Nations Relationship Building

Chair Rogers thanked Trustees for their recent participation in the presentation of the Islands Trust Community Stewardship Award to Snuneymuxw Elder Geraldine Manson (C'tasi:a) at her June 20, 2022 book launch for *Snuneymuxw History Written in Places and Spaces: Ancestor's Voices – An Echo in Time*.

13.3 Trust Conservancy Report dated May, 2022

Trustee Rogers observed that it would be beneficial for the Conservancy to attend an LTC meeting at least once a term.

13.4 Applications Report dated July 19, 2022

Received.

13.5 Trustee and Local Expense Report – none

Received.

13.6 Adopted Policies and Standing Resolutions

Received.

13.7 Local Trust Committee Webpage

14. WORK PROGRAM

14.1 Top Priorities Report dated July 19, 2022

Received.

14.2 Projects List Report dated July 19, 2022

Received.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Thursday, September 29, 2022 at 10:30 am at the Gabriola Arts and Heritage Centre

By general consent the regular meeting was recessed at 2:46 pm.

16. CLOSED MEETING

16.1 Motion to Close the Meeting

GB-2022-068

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) and (d) for the purpose of considering (a) Personal Information about an identifiable individual who holds or is being considered for a position as an agent of the municipality or another position appointed by the municipality and (d) adoption of In-Camera Meeting Minutes dated April 7, 2022 and that the recorder and staff attend the meeting.

CARRIED

16.2 Recall to Order

None.

16.3 Rise and Report

None

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:07 pm.

Dan Rogers, Chair

Certified Correct:

Katherine Vogt, Recorder