



Gabriola Island Local Trust Committee

Minutes of Regular Meeting

Date: July 31, 2025

Location: Gabriola Arts & Heritage Centre
476 South Road, Gabriola Island, BC

Members Present: Laura Patrick, Chair
Tobi Elliott, Trustee
Susan Yates, Trustee

Staff Present: Renée Jamurat, Regional Planning Manager (electronic)
Stephen Baugh, Island Planner
Narissa Chadwick, Island Planner (electronic)
Lisa Millard, Meeting Administrator/Recorder

Others Present: There were approximately 17 members of the public in attendance.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 10:31 am.

2. TERRITORIAL ACKNOWLEDGEMENT

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

3. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 12.1 Consideration of Minor Project to Rezone Densities in Heritage Areas
- 12.2 Obligation of Gabriola Island Local Trust Committee re: Covenant EX113595

By general consent, the agenda was approved as amended.

4. REPORTS

4.1 Trustee Reports

Trustee Yates reported the following:

- Attended meeting with Foresight Canada, a clean technology accelerator focussing on climate sustainability;
- Attended joint Islands Trust Conservancy Board and Executive Committee meeting and highlighted discussion on collaboration with other agencies to strengthen Geographic Information System mapping resources;
- Attended meeting with Gabriola Transportation Society and MLA Malcolmson to identify concerns with BC Ferries including electric vehicle policies, priority

loading for Drivers to Doctors, the dissolution of Ferry Advisory Committees, and safety issues at Descanso Bay terminal;

- Attended Trust Council special meeting and highlighted First Reading of the draft Trust Policy Statement; and
- Attended Trust Programs Committee meeting.

Trustee Elliott reported the following:

- Attended Trust Council special meeting to advance First Reading of the draft Trust Policy Statement to enable commencement of engagement;
- Attended Regional Planning Committee meeting during which the Bylaw Compliance and Enforcement Policy 5.5.1 and Bylaw Compliance and Enforcement Best Practices Manual were advanced to Trust Council;
- Attended joint Islands Trust Conservancy Board and Executive Committee meeting and highlighted discussion on mapping needs of Islands Trust;
- Viewed a preview of Island Trust Freshwater Atlas which is a foundational component of the Islands Trust Freshwater Sustainability Strategy; and
- The local Manu Canoe fundraiser raised over \$4000 to support Tribal Journeys.

4.2 Chair's Report

Chair Patrick reported the following:

- The draft Policy Statement was given First Reading and the public is encouraged to read the updated version available on the website and participate in local public engagement events;
- A new Minister for the Ministry of Housing and Municipal Affairs has been announced; and
- September Trust Council meeting will be held on Gabriola Island.

4.3 Electoral Area Director's Report

Director Craig reported the following:

- The Tiny Homes on Wheels clinic was accepted to be presented at the upcoming Union of BC Municipalities Convention;
- Work on the Descanso Bay emergency wharf gangway has been delayed until later in the fall;
- The Descanso Bay Regional Park Accessible Beach Access Feasibility Study has been completed and the Regional District is moving to next steps to review design possibilities and construction permit requirements; and
- The Regional Affordable Housing Strategy was not supported by the Regional District of Nanaimo Board as municipalities are doing similar work.

4.4 First Nations Reports

Trustee Elliott noted Snuneymuxw First Nation received approximately 7000 acres of land located in the Mount Benson region as part of a treaty agreement with the provincial and federal governments on the return of land.

5. PUBLIC COMMENTS

A member of the public spoke to the number of people harvesting bivalves on Brickyard Beach, the volume being harvested, and potential damage due to people walking over the intertidal zone and they have contacted the Department of Fisheries and Oceans (DFO) who indicated they will be at the location in August to survey the number of clams and oysters. The speaker asked the Local Trust Committee to contact DFO to request the results of the 2025 survey compared to a 2023 survey and that the results be made public.

Prior to adjournment of the meeting, a Trustee stated support for the request and the following resolution was passed.

GB-2025-053

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff write to the Department of Fisheries and Oceans and request information on the August, 2025 Brickyard Beach Area 17 shellfish survey results and conclusions, request information on previous surveys, and connect with the Snuneymuxw Marine Division on their interests on the management of the area, and report back to the Local Trust Committee.

CARRIED

A member of the public, whose family is from Snuneymuxw First Nation, expressed their concern about the ongoing issue of the protection of petroglyphs and sacred sites on Gabriola, stated they attended a meeting held on Gabriola with the Rate Payers Association in 2000 during which they experienced verbal abuse and racism, and noted that attitudes have been shifting towards support of Snuneymuxw presence. They asked what Islands Trust is doing to reflect the evolution of attitudes by way of protecting the sacred sites, petroglyphs, and First Nations culture on the island.

The Local Trust Committee noted challenges in many current regulations which limit Trustees, the draft Policy Statement attempts to reflect what Trust Council and Local Trust Committees understand to be the damages of the past, staff are engaging with Snuneymuxw First Nation staff to look at regulatory tools that can be used to protect cultural heritage sites, and there is possibility of deferring decision making in certain circumstances where the protection of sacred sites if of preeminent importance to the Nation.

A member of the public urged the Local Trust Committee to deny the Centre Stage Holdings Development Permit application and honour commitments to reconciliation and free prior and informed consent unless it is known there is an agreement with Snuneymuxw First Nation to cut trees and allow subsequent subdivision. They acknowledged the applicant has spent time and money making the application; however, the applicant's assertions that no tree removal is intended to occur within the boundaries of the archaeological site is a weak protection for an area of cultural and spiritual importance.

A member of the public addressed correspondence on the agenda regarding the Mudge Island survey results and asked the Local Trust Committee to consider the survey seriously and have meaningful conversation about bylaw amendments.

A member of the public stated they arrived to Gabriola in 1997 shortly after petroglyphs were unveiled to the public and was honoured to be taken to some of the sites and since

then the public has gradually learned over years there are different ways of being respectful of the petroglyphs and First Nations culture, noting it has been a long process.

A member of the public noted Indigenous People are asking to get a lot done and the biggest issue might be having tax payers fund the requests. They stated ongoing concern about commercial truck use on McCollum Road and the amount of noise being made.

A Trustee replied complaints of trucking and dumping of soil have been received but the activity is not in contravention of the bylaw as there is no Soil Deposit Bylaw in place at this time.

A member of the public expressed concern about First Nations cultural heritage sites and heron nesting areas and asked the Local Trust Committee to deny the Centre Stage Holdings application.

A member of the public encouraged the Local Trust Committee to move forward with reconciliation and consider Indigenous protected and conserved areas as a planning tool for areas that are being developed.

A member of the public shared concerns expressed about the Centre Stage Development plan and the geotechnical report related to the stability of the bank following the removal of the trees. They noted tree removal done previously resulted in a change to runoff patterns affecting the properties below the slope, moving water can now be heard, and there is increased truck traffic on Garland and Lackhaven Roads. They asked if the developer is intending on using the existing road or if other roadways are to be part of the development.

A Trustee replied the entire area has a grandfathered driveway that is not a road and construction of roads would be part of the subdivision project.

A Trustee read an email written by a former Trustee into the public record which stated the previous Local Trust Committee wrote a letter from the Chair to the Centre Stage Holding applicants which was shared publicly with Snuneymuxw First Nation and other local governments. The letter made clear that no development should be permitted on the land in question without consent from Snuneymuxw First Nation and without clear indication of said consent no action should be taken to advance the application.

A Trustee read a letter from a resident that lives at the base of the slope below the Centre Stage Holdings property which spoke to concerns about the preservation of the sacred burial caves, petroglyphs, and middens on the land in question, noted that the applicants had broken bylaws by logging during summer shut down, logging near the petroglyphs has exacerbated green growth causing deterioration of the sandstone and destroyed the orca eating a fish petroglyph in one year, logging on the top of the cliff has caused it to deteriorate and send large rocks down slope, trees have become destabilized and are falling downhill towards properties below, runoff has increased, and the property owners do not respond to written communication. The writer expressed hope that the land be held in trust of the Snuneymuxw First Nation.

A member of the public stated the Local Trust Committee is supposed to come up with bylaws that are enforceable and they have contacted Bylaw Enforcement about commercial use of neighbouring property and were told they were exaggerating.

The Chair stated if the speaker is having issues with staff they need to contact Islands Trust Chief Administrative Officer.

The meeting was recessed for a break at 11:45 p.m. and reconvened at 11:50 p.m.

6. MINUTES

6.1 Local Trust Committee Minutes dated June 26, 2025 – for adoption

By general consent, the Local Trust Committee meeting minutes of June 26, 2025 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 July 24, 2025

Received for information.

8. DELEGATIONS - none

9. APPLICATIONS AND REFERRALS

9.1 GB-DP-2021.1 (Centre Stage Holdings Inc.) - Staff Report

The Planner summarized the staff report and highlighted the following:

- The application seeks a Development Permit for proposed tree cutting and subdivision in Development Permit Area 6 – Escarpment Areas;
- The Development Permit Area has been established for the protection of development from hazardous conditions;
- The Local Trust Committee requested information about options to tie the development permit's permission for tree cutting to the Ministry of Transportation and Transit approval of the subdivision;
- Staff have investigated this question and found that conditions must be either directly linked to a Development Permit guideline or recommendation of the qualified professionals;
- The Local Trust Committee also requested a revision to the draft permit to add a reference to the BC Heritage Conservation Act which has been included in the attached draft permit; and
- The guidelines of the Development Permit have been met.

Discussion ensued and the following comments were noted:

- The objective of Development Permit Area 6 is to protect development from natural hazards including terrain, instability, erosion, land slippage, rock falls, subsidence debris flows, and flooding or changes to stormwater runoff due to development or in the proximity to the lands with excessive slope conditions.
- It is not just the guidelines of the Development Permit Area that must be met, the objective must be met as well and it is the job of the Local Trust Committee to determine if both objectives and guidelines have been met;
- The objective states it is to protect development not “the development” and also refers to lands in proximity to the slope;

- Tree removal in the area has caused damage below the slope and similar damage would occur with further tree removal;
- The permit authorizes subdivision of the subject parcel and removal of select trees and this ties the development permit to the subdivision permit;
- The Local Trust Committee has stated in 2021 and 2024 that it does not consent to, or approve, any development unless Snuneymuxw First Nation consents to the entire development;
- An archaeology inventory search shows apparent large areas that have been identified as having high potential for archaeological significance;
- The Section 219 Covenant, in which the property owner has agreed to certain conditions of rezoning, indicates there are legal obligations which state, in part, that land shall not be used for any purpose unless the owner is in compliance of the conditions outlined in Schedule B;
- Development downslope is not protected from development above and evidence can be found in the reports from people that live below the slope;
- Based on the geotechnical report the guidelines have technically been met;
- There is question if the geotechnical report completed in 2021 is still relevant based on climate change and recent severe weather events;
- There are significant impacts in hazards to development downslope;
- The *Local Government Act* states “an Official Community Plan may designate development permit areas for one or more of the following purposes: (a) protection of the natural environment, its ecosystems and biological diversity; (b) protection of development from hazardous conditions”; and “specify guidelines respecting the manner by which the special conditions or objectives will be addressed.”
- The application does not meet the objectives as evidenced from many that have homes and property that have been impacted by logging in the Development Permit Area and throughout the property;
- Archaeology sites have already been disturbed by logging; and
- Development is not just today’s development and the Snuneymuxw First Nation developed a village on the slope which should be protected from hazards as per the Official Community Plan.

GB-2025-054

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee deny Development Permit Application GB-DP-2021.1 because the objective of Development Permit Area 6 - Escarpment Areas in the Gabriola Official Community Plan has not been met, because development of neighbouring and down slope residents and their properties, and the Snuneymuxw First Nation’s historical village site which the Local Trust Committee considers is development that should be protected, are not protected against hazards such as flooding and slope instability caused by the tree cutting activity.

CARRIED

A Trustee noted that the Development Permit Area 6 is a small area of the property and does not preclude the land owner from cutting trees on the property that are outside of the Development Permit Area.

10. LOCAL TRUST COMMITTEE PROJECTS - none

11. CORRESPONDENCE

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

11.1 Email dated July 7, 2025 from D. Elkington regarding Jets Flying over Gabriola Island

GB-2025-055

It was MOVED and SECONDED,

that Gabriola Island Local Trust Committee invite Regional District of Nanaimo Director Craig to sign a joint letter from the Gabriola Island Local Trust Committee Chair to NAV Canada, with copy to Nanaimo Airport Authority, stating concerns from Gabriola residents because of changes to flight path directly over Gabriola Island and increased noise disruption.

CARRIED

11.2 Letter dated July 17, 2025 from N. Bailey, Board Chair, Nanaimo Ladysmith Public Schools Board of Education regarding Advocacy Letter to Support a New Build of Nanaimo District Secondary School

GB-2025-056

It was MOVED and SECONDED,

that Gabriola Island Local Trust Committee request the Chair write a letter of support for funding in the next provincial budget for a new build of Nanaimo District Secondary School to the Ministry of Education and Ministry of Infrastructure, copied to Board Chair of Nanaimo Ladysmith Public School Board of Education.

CARRIED

11.3 Email dated July 21, 2025 from Mudge Island Community Association regarding Mudge Island Bylaw Survey Results

Trustees noted that the work done is very detailed and helpful and consideration of a Mudge Island targeted Land Use Bylaw review is being undertaken; however, there are other projects also being considered for a minor project, staff resources are limited, and in the interim bylaw enforcement files have been put into abeyance which allows time.

By general consent discussion on item 11.3 was tabled until after discussion of New Business.

Discussion continued about the potential for a minor project.

GB-2025-057

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff prepare a project charter for a minor project of targeted amendments to Mudge Island Land Use Bylaw No. 228, scoping in the priorities identified through Mudge Island Community Bylaw Survey and correspondence from Mudge Island Community Association to the Local Trust Committee dated July 18 2025.

CARRIED

12. NEW BUSINESS

12.1 Consideration of Minor Project to Rezone Densities in Heritage Areas - Discussion

Discussion ensued and the following comments were recorded:

- It is the authority of the Local Trust Committee to consider zoning with regard to heritage areas;
- The Local Trust Committee is engaging with the community on the type of growth they want to see and what to scale back on;
- There are densities that have potential to be subdivided;
- There is need to prioritize community engagement on subdivision potential of PID: 003-134-806 NORTH EAST 1/4 OF SECTION 3 GABRIOLA ISLAND NANAIMO DISTRICT EXCEPT PARCEL A (DD 77326I);
- The Planner noted staff are currently working on engagement materials related to subdivision and it is currently part of the major project;
- Cultural heritage protection can be included as one of the considerations of subdivision potential;
- Rezoning a specific parcel prior to completion of the Official Community Plan review project would be considered a separate project and legal opinion should be considered;
- Trustees would like to look at different ways that a rezoning might be considered and options related specifically to a property containing cultural heritage sites;
- Rezoning, transferring densities, and potential for returning a portion of community amenity that was given in exchange for densities needs to be considered; and
- The Local Trust Committee seeks to be procedurally fair to all parties.

GB-2025-058

It was MOVED and SECONDED

that the Gabriola Local Trust Committee request staff to investigate and report back on options to transfer or remove densities from heritage areas, including non-archaeological heritage sites, and specifically from PID: 003-134-806 NORTH EAST 1/4 OF SECTION 3 GABRIOLA ISLAND NANAIMO DISTRICT EXCEPT PARCEL A (DD 77326I) AND ACCEPT PLANS EPP19453 AND EPP66666.

CARRIED

12.2 Obligation of Gabriola Local Trust Committee re: Covenant EX113595 - Discussion

Discussion ensued and the following comments were noted:

- The Covenant was entered into in 2005, it places a number of obligations on the property owner, and the Local Trust Committee has a responsibility to see that the covenant is discharged;
- It should be determined if the conditions of the covenant been met and if provisions for protection of heritage have been met;
- The covenant states the owner shall not subdivide the land until satisfactory provision has been made by the owner to provide protection to First Nations archaeology sites on the land;
- Satisfactory provision to provide protection of the First Nation archaeology sites needs to be defined and considered; and
- The minimum buffer areas to archaeology sites are supposed to be 50 metres, and it is the responsibility of covenant holder to ensure buffer areas are being met.

GB-2025-059

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff report back and seek legal advice, if necessary, on whether the terms of the Section 219 restrictive covenant EX113595 for PID 003-134-806 and PID 003-134-792 held by the Gabriola Local Trust Committee, have been met on these matters:

- a) the obligations of the Local Trust Committee to ensure the protection of archaeological sites on the Lands as stipulated of the covenant,
- b) whether it has been determined that the owner has made satisfactory provision for the protection of First Nations archaeological sites, through a covenant over the Land or other instrument,
- c) by which means the Gabriola Local Trust Committee would ensure the conditions of the covenant in Schedule B are met, and
- d) if all conditions in Schedule B as stipulated in the covenant must be met before further alterations to the Land or development is carried out in anticipation of subdivision.

CARRIED

GB-2025-060

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff use funds for review of Section 19 restrictive covenant EX113595 from the Gabriola local general legal budget.

CARRIED

13. STAFF REPORTS

**13.1 Trust Council Bylaw No. 197 - Local Trust Committee Meeting Procedures
Bylaw, Update Gabriola Island Local Trust Committee Meeting Procedure Bylaw
- Request for Decision**

A new Meeting Procedures Bylaw was adopted by Trust Council which applies to all Local Trust Committees and readings are required to a repeal the current Gabriola Meeting Procedures Bylaw which is superseded by the Trust Council bylaw.

GB-2025-061

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee give Bylaw 323, cited as “Gabriola Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 323, 2025”, First Reading.

CARRIED

GB-2025-062

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee give Bylaw 323, cited as “Gabriola Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 323, 2025”, Second Reading.

CARRIED

GB-2025-063

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee give Bylaw 323, cited as “Gabriola Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 323, 2025”, Third Reading.

CARRIED

GB-2025-064

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee forward Bylaw 323, cited as “Gabriola Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 323, 2025” to the Islands Trust Executive Committee for consideration of approval.

CARRIED

13.2 Trust Conservancy Report - none

13.3 Applications Report dated July 24, 2025

The Planner provided a verbal update.

13.4 Trustee and Local Expense Report dated May, 2025

Received for information.

13.5 Adopted Policies and Standing Resolutions

Received for information.

13.6 First Nations Relationship Building Update

Received for information.

13.7 Climate Change Action Update

Received for information.

13.8 Local Trust Committee Webpage - none

14. WORK PROGRAM

14.1 Active Projects Report dated July 24, 2025

Received for information.

14.2 Future Projects Report dated July 24, 2025

Received for information.

15. UPCOMING MEETINGS

**15.1 Next Regular Meeting Scheduled for Thursday, September 4, 2025 at 10:30 am
at the Gabriola Arts and Heritage Centre**

16. ADJOURNMENT

By general consent, the meeting was adjourned at 2:28 p.m.

Laura Patrick, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder