

ADOPTED



Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: December 7, 2015
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present Laura Busheikin, Chair
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present Robert Kojima, Regional Planning Manager
Kim Farris, Acting Planner 2
David Millership, Recorder

Public and Media Present: There were 32 members of the public present and no media

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:30 pm. Introductions were made and she acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Added item 10.4.1 – December 6, 2015 Letter from Phyllis Stafford re Re-Zoning Application for Lot A of Lot 89, Galiano Island, by Crystal Mountain Society
- Added item 10.6.2.1 – Letter from Louise Decario
- Added item 10.6.2.2 – December 5, 2015 Email from Harry Lipetz re Galiano Lot 6 DL 79 Rezoning

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Tom Hennessy asked if an applicant is able to speak to their application, when it's an agenda item, and when the Local Trustee Committee (LTC) is addressing it.

Chair Busheikin responded yes.

Andrew Loveridge provided an update regarding Galiano Green (GG). He stated support for GG, advance of process and requested the LTC to set a Public Hearing (PH) date, pertaining to GG's rezoning application, at today's meeting.

Louise Decario provided an update regarding Galiano Conservancy Association (GCA) and Bowie and Anna Keefer F3 covenant negotiations for Lot 6 of District Lot (DL) 79 and spoke to her letter regarding such, which is agenda item 10.6.2.1. She stated concern regarding process/timing pertaining to July 3, 2015 Galiano Island Advisory Planning Commission (APC) recommendations being on the LTC agenda.

Regional Planning Manager (RPM) Kojima responded that APC minutes were on the September 2015 agenda and that the APC report was circulated to the LTC.

There was some discussion regarding process and timing.

Louise Decario stated concern regarding a meditation hut photo being used to represent a pagoda building in Staff Report dated November 27, 2015 re GL-RZ-2014.1 (Crystal Mountain Society). She asked if the Retreat Cove Covenant was resolved, and if not, then why it isn't on the Follow-up Action List (FUAL).

Planner Farris responded that the photo would be corrected, and that Retreat Cove Covenant would be on the next FUAL.

Doug Latta read and submitted a letter dated December 7, 2015 on behalf of himself and his wife Elizabeth stating support for GL-RZ-2014.1 (Crystal Mountain Society).

Paul LeBlond congratulated the LTC on the work they've done this past year and for carrying through on their three top priorities. He stated support for continued efficiency in 2016.

Bowie Keefer stated support for GG and GL-RZ-2014.1 (Crystal Mountain Society). He commented that he is impressed with Crystal Mountain's ability to manage their own land properly and stated hope that they would be able to continue to do so in the future.

Phyllis Stafford stated opposition to GL-RZ-2014.1 (Crystal Mountain Society) and read her letter regarding such, which is agenda item 10.6.2.2.

Debbie Holmes spoke and then submitted supporting documents in writing. She highlighted the importance of preserving agricultural lands, forests and watersheds and urged the LTC to plan wisely and slowly regarding Galiano's forestlands.

Bob Bilson stated support for GG and affordable housing.

Tom Hennessy stated support for affordable housing.

4. **COMMUNITY INFORMATION MEETING**

none

5. **PUBLIC HEARING**

none

6. MINUTES

6.1 Local Trust Committee Minutes

6.1.1 Galiano Island Local Trust Committee Meeting Draft Minutes of November 2, 2015

The following amendments to the minutes were presented for consideration:

- Page 2, Debbie Holmes comment – delete “stated support”
- Page 3, item 4.1, third paragraph from bottom – replace “larger cottages aren’t precluded as long as a housing agreement is attached.” with “a future bylaw might address larger cottage sizes connected to a housing agreement.”

There was some discussion regarding new minute taking guidelines and policies and RPM Kojima commented that concerns should be directed to Trust Council (TC).

By general consent the Galiano Island Local Trust Committee meeting minutes of November 2, 2015 were adopted as amended.

6.1.2 Galiano Island LTC Public Hearing Record of November 2, 2015

By general consent the Galiano Island Local Trust Committee Public Hearing Record of November 2, 2015 was 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 2015

Planner Farris provided information and noted that Retreat Cove Covenant would be on the next FUAL.

8. DELEGATIONS

8.1 B. Keefer re Forestry in the Forest Zone

Chair Busheikin introduced Bowie Keefer and he spoke regarding Forestry and other pursuits in the Forest Zone. PowerPoint was used to assist with the presentation of information; below are the titles of the PowerPoint slides used.

- Forestry challenges

- Shaggy young forest in need of work
- Fuel load reduction in progress
- Restoration of young forest
- Galiano Forestry Cooperative
- Progress being made
- Frozen conflict
- The big challenge
- Frozen conflict zone map
- How not to protect the forest
- How to protect the forest
- PMFL
- The first steps going forward

Mr. Keefer submitted a document version of his PowerPoint presentation to the LTC.

Chair Busheikin thanked Mr. Keefer for his presentation.

9. CORRESPONDENCE

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

9.1 Nov. 2, 2015 Email from R. Longini re Cell Towers

Received.

Note: there was a break at 1:27 pm and the meeting reconvened at 1:47 pm.

10. APPLICATIONS AND REFERRALS

10.1 GL-DVP-2015.3 (Black) - Staff Report

Planner Farris provided information from Staff Report dated November 25, 2015 (File No.: GL-DVP-2015.3 (Black)).

Applicant representative Peter Thomson was in attendance and spoke to the application.

There was some discussion regarding:

- There being neighbour concern(s);
- Not receiving anything from the Capital Regional District (CRD);
- Property line being determined last year.

GL-2015-113

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee GL-DVP-2015.3 (Black) be amended by deleting variance for the Atco Trailer (Part 2f) and that the amended GL-DVP-2015.3 (Black) be approved.

CARRIED

10.2 Salt Spring Island Local Trust Committee Bylaw 485 Referral

By general consent the Galiano Island Local Trust Committee decided Interests Unaffected.

10.3 GL-RZ-2015.1 (Galiano Conservancy) - Staff Memo - Bylaws No. 251 & 252

Planner Farris provided information from Memorandum dated November 18, 2015 (File No.: GL-RZ-2015.1 (Galiano Conservancy)).

GL-2015-114

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 252, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2015” be adopted.

CARRIED

GL-2015-115

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 251, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2015” be adopted.

CARRIED

10.4 GL-RZ-2014.1 (Crystal Mountain) - Staff Report

Planner Farris provided information from Staff Report dated November 27, 2015 (File No.: GL-RZ-2014.1 (Crystal Mountain)).

Applicant Stephen Foster was in attendance and spoke to the application.

There was some discussion regarding:

- The site plan being forwarded to the fire department(s) for comment;
- Community benefit;
- Specific number of sleep/use huts and proof of potable water needing to be determined prior to a land use bylaw;
- Water catchment viability and such being a potential requirement;
- Groundwater being a non-renewable resource;
- Process and various zoning options;
- Maximum protection for Coastal Douglas Fir;
- APC recommendation for the LTC to work with the Trust Fund Board (TFB);
- Not changing forest policies;
- Crystal Mountain activities being unconventional and different from a resort;
- Balancing privacy and public use.

GL-2015-116

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee support the recommendation of the Galiano Island Advisory Planning Commission dated June 29, 2015;

“The Galiano Island Advisory Planning Commission recommends that the Local Trust Committee work with the Trust Fund Board to produce, in writing, options that can be considered to make the transfer of title to the Trust Fund Board to provide the necessary privacy for the applicant that is integral for their project while providing the community benefit, as required by the Official Community Plan.”

And that staff be requested to arrange a meeting between the Galiano Island Local Trust Committee and the Trust Fund Board to discuss this matter.

CARRIED

There was some discussion regarding:

- Process and various zoning options;
- Use being able to be defined very specifically;
- Regulating users being difficult;
- Intentions being to limit environmental impact(s);
- Community benefit and the applicant needing to fit into current regulations;
- Setting the right precedent;
- Concern with drafting bylaws too soon.

GL-2015-117

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee directs staff to report back with research regarding Retreat Zones on other islands and analysis of the potential for using the Visitor Accommodation Zone.

CARRIED

There was some discussion regarding:

- It being beneficial for the applicant to make distinctions between what they do and what a typical resort might do;
- The need to determine what exactly community benefit means;
- Zoning options.

10.4.1 December 6, 2015 Letter from Phyllis Stafford re Re-Zoning Application for Lot A of Lot 89, Galiano Island, by Crystal Mountain Society

Received.

10.5 GL-RZ-2011.1 (Galiano Green) - Staff Memo

RPM Kojima provided information from Memorandum dated November 27, 2015 (File No.: GL-RZ-2011.1 (Galiano Land and Community Housing)).

Applicant representatives were in attendance and spoke to the application.

There was some discussion regarding:

- It being a challenge for the applicant to fit their unique project vision into an existing legislative framework;
- Process and the various options for moving forward;
- Galiano being in need of affordable housing;
- LTC needing assurance that the project will achieve affordable housing in perpetuity;
- There being many unanswered questions still;
- Project financing challenges;
- Fundraising maybe being necessary for the applicant to cover necessary legal costs;
- Housing and lease agreements needing more legal structure;
- Potential for the need of a special Act of the legislature;
- A suggestion to rezone the GG property to ten 1 acre (ac) lots before selling them fee simple and in a community facilities zone that has a house size limit of 1,000 square feet (sq. ft.);
- Fee simple ownership not preventing flips for profit;
- GG's ownership vision;
- Applicants first choice being a foundation lease model and to proceed with the application as currently presented;
- Applicants second choice being a bare-land strata model and to proceed with the application but prepare a housing agreement that would accommodate a variety of models;
- GG consultant having shown affordability;
- Current resale price cap being \$130 per sq. ft.;
- The option to amend the zoning to a density bonus zone;
- Applicant exploring options with legal counsel;
- Cost recovery.

GL-2015-118

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee requests staff to refer the Galiano Green housing agreement, based on the foundation lease model, to Islands Trust legal counsel for an estimate of costs.

CARRIED

Note: there was a break at 4:12 pm and the meeting reconvened at 4:15 pm.

10.6 GL-RZ-2013.1 (Landworks)

Applicant Bowie Keefer was in attendance and addressed the LTC regarding process and GCA covenant negotiations.

Chair Busheikin asked Mr. Keefer to discuss covenant negotiations details with GCA covenant negotiator Louise Decario.

Mr. Keefer submitted a signed Hopwood covenant and a signed Public Hearing (PH) covenant, on behalf of himself and his wife Anna Keefer.

10.6.1 CLOSED MEETING (Distributed Under Separate Cover)

GL-2015-119

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee meeting be closed to the public in accordance to the Community Charter, Part 4, Division 3, s. 90(1) (d) & (i) for the purpose of considering:

- Adoption of In-Camera Minutes dated September 14, 2105
- Legal Advice

AND that the Recorder and Staff attend the meeting.

CARRIED

Note: the public was asked to adjourn at 4:25 pm.

See separate In Camera Meeting Minutes dated December 7, 2015.

10.6.1.1 Recall to Order

The meeting was recalled to order at 4:35 pm.

10.6.1.2 Rise and Report

Chair Busheikin reported that the In-Camera Minutes dated September 14, 2015 were adopted and a Memorandum from Legal Counsel was received.

10.6.2 GL-RZ-2013.1 (Landworks) - Staff Memo

RPM Kojima provided information from Memorandum dated November 25, 2015 (File No.: GL-RZ-2013.1 (Landworks)).

Applicant Kelly Gesner was in attendance and spoke to the application.

There was some discussion regarding:

- Timeline and process;
- The subdivision application and discharge of easements;
- Removing encumbrances from title being onerous;
- Ministry deadline(s) and fiscal year end being March 31, 2016;
- GCA wanting to hold the covenant and find agreement with Mr. Keefer;
- Covenant being endorsed via Resolution Without Meeting (RWM) if needed;
- Time constraint concerns in relation to covenant negotiations;
- Possible consequence(s) of not meeting Ministry deadline(s);
- Options and next steps.

GL-2015-120

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee await the completion of the covenant review process currently underway between the Galiano Conservancy Association and Mr. Keefer.

CARRIED

10.6.2.1 Letter from Louise Decario

Received.

10.6.2.2 December 5, 2015 Email from Harry Lipetz re Galiano Lot 6 DL 79 Rezoning

Received.

11. LOCAL TRUST COMMITTEE PROJECTS

none

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated November 2015

Provided for information.

There was some discussion regarding:

- Telecommunications Strategy and Affordable Housing becoming new Top Priorities;
- Deciding new Top Priorities in the new year;
- Telecommunications Strategy already being on the Projects List and LTC ability to hold related discussions at any time.
- Staff checking to see if there are any Telecommunications Strategy examples from other islands.

12.1.2 Projects List Report Dated November 2015

Provided for information.

12.2 Applications Report Dated November 2015

Provided for information.

Planner Farris reported that a Temporary Use Permit (TUP) application was recently received, pertaining to the Woodstone property, and that the applicant is requesting residential use.

Chair Busheikin stated that the LTC would make a decision regarding the TUP at the February 2016 meeting.

12.3 Trustee and Local Expense Report Dated November 2015

Provided for information.

12.4 Adopted Policies and Standing Resolutions

Provided for information.

12.5 Local Trust Committee Webpage

The Galiano Island Local Trust Committee webpage can be found at the following url: www.islandstrust.bc.ca/galiano

No specific updates were made; routine items will be updated as necessary.

12.6 Chair's Report

Chair Busheikin reported that: Trust Council (TC) would take place in Victoria from December 8-10, 2015; the Executive Committee (EC) met with Hon. Peter Fassbender, Minister of Community, Sport and Cultural Development at the Legislature in Victoria and was asked to articulate adaptation plans regarding potential Salt Spring Island incorporation; the EC has made a request to change the name of the Trust Fund Board to the Trust Fund Conservancy; and TC in Victoria will address changing the Strategic Plan and providing budget for a Policy Statement review.

12.7 Trustee Report

Trustee Harris reported that: he encourages people to read the Islands Trust Strategic Plan, which is available via the Islands Trust website; and he encourages people to get involved with and be informed of adaptation plans regarding potential Salt Spring Island (Salt Spring) incorporation because such plans will be of major significance to what the Islands Trust does.

Trustee Pottle reported that: she has been attending to regular business and office hours; she attended a Local Planning Committee (LPC) meeting regarding affordable housing and the LPC will be putting out related documents; if Salt Spring incorporates then one impact on Galiano would be an area expansion of its area to include Hall, Norway, Secretary and Wallace islands; Salt Spring incorporation referendum criteria is not yet decided; the Salt Spring Incorporation Study website (<http://www.ssiincorporationstudy.com/>) is a good resource; and the Galiano LTC is a signatory of the Coastal Douglas Fir Conservation Strategy.

12.8 Trust Fund Board November 2015 Report

12.8.1 Briefing re Coastal Douglas-fir & Associated Ecosystems Partnership Conservation Strategy & Attachments

Provided for information.

13. NEW BUSINESS

13.1 Galiano Island Local Trust Committee Draft Annual 2016 Meeting Schedule & Memo

Provided for information.

Chair Busheikin noted that she wouldn't be available for an August 29, 2016 meeting and RPM Kojima responded that the proposed meeting date can be rescheduled.

GL-2015-121

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed 2016 Regular Business Meeting Schedule be adopted as presented.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for 2016, to be Announced

The next meeting is to be Announced.

15. TOWN HALL

Akasha Forest commented that TC discussions would include the continuing existence of the Islands Trust.

16. ADJOURNMENT

By general consent the meeting was adjourned at 5:18 pm.

Laura Busheikin, Chair

Certified Correct:

David Millership, Recorder