

# ADOPTED



## Galiano Island Local Trust Committee Minutes of Regular Meeting

**Date:** March 7, 2016  
**Location:** Lions Park Society  
992 Burrill Road, Galiano Island, BC

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

**Staff Present** Kim Stockdill, Acting Planner 2  
David Millership, Recorder

### 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. There were approximately 23 members of the public present and no media.

### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Added item 10.1.1 – March 5, 2016 Email from Shelley Okepnak re Flying Black Dog
- Added item 10.1.2 – March 5, 2016 Letter from Heather McRae re Flying Black Dog

**By general consent** the agenda was approved, as amended.

### 3. TOWN HALL AND QUESTIONS

**Elizabeth McClelland** read a letter on behalf of Martine Paulin, stating support for GL-RZ-2014.1 (Crystal Mountain Society).

**Nancy McPhee** stated support for GL-DVP-2015.4 (Flying Black Dog).

**Paul LeBlond** applauded the Local Trust Committee (LTC) regarding protocol for the siting of wireless antennas. He commented that consultation protocols can be viewed via the Industry Canada website.

**Louise Decario** spoke to GL-RZ-2014.1 (Crystal Mountain Society). She stated support for the 75/25 scenario and for forestland protection being achieved via land donation rather than covenants, in return for development.

**Janice Oakley** spoke on behalf of the Crystal Mountain Society (CMS). She stated that CMS has fielded many questions from the public and that 60 signatures of support for the CMS proposal have been collected.

**Debbie Holmes** read and submitted her comments in writing. In general, she urged the LTC to listen to the public and learn from past process.

**Andrew Loveridge** stated support for Galiano Green (GG) and Trustee Pottle helping with the upcoming process.

**Roger Pettit** noted that he is the father-in-law of Trustee Harris. He stated that it is not in the public interest, due to forest fire risk, for large amounts of forestland to be donated to groups (e.g. Galiano Club) that might not have the resources to maintain it properly.

**Kiyo Okuda** stated support for fire maintenance plans and road networks being the responsibility of the forest lot owner - prior to and after land donation, in return for development. He commented that the LTC must be confident not to trigger the Private Managed Forest Land (PMFL) Act.

There was some discussion regarding the Official Community Plan (OCP) review, PMFL and the bylaws that precede it.

**Geoff Gaylor** spoke to GL-RZ-2014.1 (Crystal Mountain Society). He stated that the LTC should differentiate between CMS, which is not for profit, and a developer; water supply is not a problem and rainwater collection is planned; density is low-impact; and he supports the proposal being accomplished via covenants.

There was some discussion regarding:

- The fairness of CMS having to donate 75% of their land;
- Legally, the LTC is not able to discriminate between owners and it therefore being irrelevant that CMS is a not for profit Buddhist Society;
- Control via covenants;
- Galiano Conservancy Association (GCA) is not doing development on the F1 zoned lands;
- GL-RZ-2014.1 (Crystal Mountain Society) being an F1 rezoning application.

**Louise Decario** provided an update regarding the GCA Keefer covenant associated with GL-RZ-2013.1 (Landworks). She stated that negotiations have been positive and that it looks as though an agreement will be reached.

#### **4. COMMUNITY INFORMATION MEETING**

None.

#### **5. PUBLIC HEARING**

None.

## 6. MINUTES

### 6.1 Local Trust Committee Minutes Dated February 1, 2016

The following amendments to the minutes were presented for consideration:

- Page 9, item 12 – delete second instance of “none”

#### **GL-2016-010**

**It was MOVED and SECONDED,**

that Galiano Island Local Trust Committee Minutes of February 1, 2016 be amended by removing Resolution GL-2016-003 entirely, and noting instead that the Motion was not seconded by the Trustees.

**CARRIED**

**By general consent** the minutes of February 1, 2016 were adopted, as amended.

### 6.2 Section 26 Resolutions Without Meeting Report

None.

### 6.3 Advisory Planning Commission Minutes (for Receipt)

None.

## 7. BUSINESS ARISING FROM MINUTES

### 7.1 Follow-up Action List Dated February 2016

Acting Planner 2 (A/Planner 2) Stockdill summarized the report.

Regarding No. 1, the letter has been sent.

Regarding No. 2, the Ministry is still looking into it.

Regarding No. 4, this will hopefully be on the April agenda.

## 8. DELEGATIONS

None.

## 9. CORRESPONDENCE

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

None.

## 10. APPLICATIONS AND REFERRALS

### 10.1 GL-DVP-2015.4 (Flying Black Dog) - Staff Report

A/Planner 2 Stockdill provided information from the Staff Report dated February 25, 2016 (File No. GL-DVP-2015.4 (Flying Black Dog)).

Applicant Shelley Okepnak was in attendance and spoke to the application.

There was some discussion regarding:

- There being numerous letters of support;
- The Pergola not being a problem to remove.

#### **GL-2016-011**

**It was MOVED and SECONDED,**

that Galiano Island Local Trust Committee Development Variance Permit GL-DVP-2015.4 (Flying Black Dog) be amended by deleting the variance for the pergola structure 'G' (Part 2b(i) and 2b(ii)).

**CARRIED**

#### **GL-2016-012**

**It was MOVED and SECONDED,**

that Galiano Island Local Trust Committee Development Variance Permit GL-DVP-2015.4 for LOT A, DISTRICT LOT 3, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 34507(61 Georgeson Bay Rd. - Flying Black Dog) be approved, as amended .

**CARRIED**

#### 10.1.1 March 5, 2016 Email from Shelley Okepnak re Flying Black Dog

Received.

#### 10.1.2 March 5, 2016 Letter from Heather McRae re Flying Black Dog

Received.

### 10.2 GL-DP-2016.1 and GL-DVP-2016.1 (Usher) - Staff Report

A/Planner 2 Stockdill provided information from the Staff Report dated February 26, 2016 (File Nos. GL-DP-2016.1 and GL-DVP-2016.1 (Usher)).

Applicant Donna Usher was in attendance and spoke to the application.

There was some discussion regarding:

- No comments having been received from the public;
- There being a benefit to the riparian area(s).

**GL-2016-013**

**It was MOVED and SECONDED,**

that Galiano Island Local Trust Committee Development Permit GL-DP-2016.1 for LOT 1, DISTRICT LOT 13, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 35296 (1359 Porlier Pass Rd - Usher) be approved.

**CARRIED**

**GL-2016-014**

**It was MOVED and SECONDED,**

that Galiano Island Local Trust Committee Development Variance Permit GL-DVP-2016.1 for LOT 1, DISTRICT LOT 13, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 35296 (1359 Porlier Pass Rd - Usher) be approved.

**CARRIED**

**10.3 GL-RZ-2014.1 (Crystal Mountain) - Memo**

A/Planner 2 Stockdill provided information from a Memorandum dated February 26, 2016 (File No. GL-RZ-2014.1 (Crystal Mountain)). She noted that Resolution GL-2016-003 is no longer applicable.

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

There was some discussion regarding:

- Land donation/title transfer versus covenant(s), in return for development;
- CMS wanting to maintain a healthy forest and being different from a commercial resort;
- Ability for zoning description to be specific/restrictive enough, and permanent;
- Possible PMFL implications if there were to be a change to Galiano's OCP forest policy;
- Property in question not being a PMFL property;
- LTC responsibility being to preserve and protect the environment and to create/enforce regulations regarding forest policies;
- Processes and resources;
- Desire to learn Trust Fund Board (TFB) procedures;
- Community benefit;
- Land donation being a tested approach that guarantees removal of development aspirations in perpetuity;
- LTC motions - not discussion - being the basis for direction;
- Up-zoning from a forest lot to a 30-bedroom retreat being significant;
- Applicant being willing to move forward with a covenant(s) approach but not a land donation approach;
- Specifically, which OCP policies would CMS be requesting to amend;
- Next steps.

**GL-2016-015**

**It was MOVED and SECONDED,**

that the Galiano Island Local Trust Committee proceed with the application and request staff to draft bylaws on the basis that 75 percent of the land be protected with a conservation covenant.

There was some discussion regarding:

- It being possible to achieve community benefit via covenant(s);
- Process with TFB may be lengthy;
- Owner(s) versus use(s);
- Site specific zoning;
- 75/25 scenario;
- Following what the OCP directs;
- Ability for public use (i.e. walking trails) to be written into bylaws/covenants;
- Possibility of CMS and TFB owning land together;
- Setting precedent and future ramifications on the land donation approach.

The question on the motion was then called,

**CARRIED**  
**Trustee Pottle OPPOSED**

Chair Busheikin invited the public to make comment.

**Debbie Holmes** stated concern with the LTC's decision and asked that it be retracted.

**Roger Pettit** stated support for the LTC's decision to move forward with draft bylaws. He commented that feedback is needed from the public at large.

**Akasha Forest** commented that she doesn't have an opinion regarding the CMS application. She stated concern regarding possible PMFL implications and encouraged the LTC to obtain legal opinion.

**Tom Hennessy** stated support for CMS. He wondered if it might be possible for CMS to donate all of their land to GCA in return for a 99 year lease to run 30 retreat cabins in the summer.

**Elizabeth McClelland** stated concern regarding possible PMFL implications and encouraged the LTC to obtain legal opinion, as well as that of Regional Planning Manager (RPM) Kojima. She stated support for clarifying the definition of site specific zoning.

**Doug Latta** stated that community benefit can involve more than just land donation/protection. He commented that increased tourism can benefit locals (i.e., Pilgrimme Restaurant) and that covenants can mandate fire protection.

**Kiyo Okuda** stated concern: with the LTC's decision and asked that it be retracted; with increased density; that Trustee Harris and Chair Busheikin are colluding to make process easier for F1 owners; regarding PMFL implications.

**Louise Decario** stated concern with the LTC's decision. She commented that it is precedent-setting and a significant departure from past LTC decisions.

**Kim Lenglet** stated support for the CMS application to be looked at as a whole. She commented that PMFL should not be the determinant of Galiano's destiny.

There was some discussion regarding:

- F1 to RRHF or F3 applications prior to 2004;
- Site specific zoning;
- Land donation(s) versus covenant(s), in return for development.

**GL-2016-016**

**It was MOVED and SECONDED,**

that the Galiano Island Local Trust Committee requests staff to research Private Managed Forest Land Act implications for potential Official Community Plan and Land Use Bylaw amendments relevant to application GL-RZ-2014.1 (Crystal Mountain) and to seek legal opinion.

**CARRIED**

There was some discussion regarding process.

A/Planner 2 Stockdill stated that: she will contact TFB regarding their process; will report back regarding PMFL implications; and stated that draft bylaws do not guarantee adoption or public hearing.

Chair Busheikin stated for clarification to the applicant(s) that the will of the LTC has been indicated via resolution and that such can be considered direction (i.e., for the applicant(s) to continue working on the covenant(s) approach).

There was a break at 3:08 pm. The meeting reconvened at 3:20 pm.

**10.4 GL-RZ-2011.1 (Galiano Green) (GG) – Memo**

A/Planner 2 Stockdill provided information from a Memorandum dated February 26, 2016 (File No. GL-RZ-2011.1 (Galiano Land and Community Housing)).

Doug Latta and Tom Hennessy were in attendance and spoke to the application.

There was some discussion regarding:

- GG proceeding as a bare land strata;
- The Housing Agreement having been submitted to Islands Trust counsel for review and recommendation;
- GG not constructing two of the units in the first phase ;
- Owners being responsible for construction;
- GG will provide land and infrastructure only;
- Affordable housing being important;
- Renting via GG not being precluded;
- Qualification and community selection committee process.

## 11. LOCAL TRUST COMMITTEE PROJECTS

None.

## 12. REPORTS

### 12.1 Work Program Reports

#### 12.1.1 Top Priorities Report Dated February 2016

Provided for information.

A/Planner 2 Stockdill stated that regarding No. 1 (Telecommunication Strategy), staff will draft a Staff Report with Project Charter regarding what is and is not included in the project's scope. She asked Trustees for direction.

There was some discussion regarding:

- Including Beacon Wireless and Capital Region Emergency Service Telecommunications (CREST);
- Jurisdiction, authority and Industry Canada;
- Desire to know provider services and to which parts of the island;
- Possibility of locating a tower on public land and using rent gained for affordable housing;
- Possibility of using existing infrastructure at Retreat Cove to provide high speed internet via fiber optic cable;
- Who is responsible for monitoring Safety Code 6;
- Electromagnetic field (EMF) monitoring.

Chair Busheikin stated that she looks forward to further discussion and staff input/guidance.

There was some discussion regarding affordable housing as a Top Priority.

#### **GL-2016-017**

**It was MOVED and SECONDED,**

that the Galiano Island Local Trust Committee adds No. 2 "Affordable Housing Strategy" to Top Priorities.

**CARRIED**

#### 12.1.2 Projects List Report Dated February 2016

Provided for information.

There was some discussion regarding No. 3 Dock Review becoming a Top Priority.



**GL-2016-018**

**It was MOVED and SECONDED,**

that the Galiano Island Local Trust Committee moves Projects List No. 3 “Dock Review” and related Activity to No. 3 Top Priorities.

**CARRIED**

**12.2 Applications Report Dated February 2016**

Provided for information.

**12.3 Trustee and Local Expense Report Dated February 2016**

Provided for information.

A/Planner 2 Stockdill will look into why the meeting expenses seem high.

**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](http://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) will take place on Hornby Island from March 22-24; TC will adopt a budget; TC will consider a proposal to create a new Intergovernmental Relations Advisor position that would deal with Marine and First Nations issues; the Financial Planning Committee (FPC) received a KPMG report regarding Islands Trust Information Technology (IT) Services – it has some recommendations and indicates that things are going well; and she took part in a Simon Fraser Institute webinar regarding public consultations.

**12.7 Trustee Report**

Trustee Harris reported that: some community members would prefer LTC meetings to take place outside of regular business hours; he is a member of the FPC and the KPMG report is a little overwhelming; FCP has a budget of \$7.2 million; an Intergovernmental Relations Advisor position to deal with Marine and First Nations issues would be expensive; the new Chief Administrative Officer (CAO) seems great; \$5k was spent to consult the public regarding the Islands Trust budget; and this is the third year in a row that the Islands Trust has not increased taxes.

There was some discussion regarding increased expenses, ferry schedules and the practicality of holding LTC meetings outside of regular business hours.

Trustee Pottle reported that: she attended a Local Planning Committee (LPC) meeting; she has been talking a lot with members of the public regarding the Crystal Mountain and Landworks applications; she is looking forward to working on the Telecommunication Strategy and Affordable Housing Strategy, and she has trepidation regarding the Crystal Mountain application.

#### **12.8 Trust Fund Board Report**

None.

#### **13. NEW BUSINESS**

None.

#### **14. UPCOMING MEETINGS**

##### **14.1 Next Regular Meeting Scheduled for April 4, 2016 at the North Community Hall, Galiano Island**

The meeting is scheduled as stated.

#### **15. TOWN HALL**

**Debbie Holmes** spoke to Trustee Harris' personal experience with RRHF and asked, in hindsight, what he would do differently. She encouraged the LTC to consider an F3 option for GL-RZ-2014.1 (Crystal Mountain).

Trustee Harris responded that he feels it would have been better for the land to have been transferred to a better suited organization.

There was some discussion regarding RRHF being a great idea at the time but in reality not being a good mechanism due to the lack of a management plan for the forest.

**Roger Pettit** spoke to housing on forest lots and stated that the LTC should make it a priority to have more discussion regarding forest policies.

**Janice Oakley** stated that many islanders, who have no interest in triggering anything detrimental, would support further discussion regarding Galiano's forest policies.

**Kiyo Okuda** stated that the LTC is responsible for the integrity of the forest zone and that a Road Network Plan (RNP) should be an absolute if any development (maximum one house per lot with no possibility of subdivision) is to take place there. He recommended that the three Top Priorities be addressed as one.

There was some discussion regarding Industry Canada.

**Tom Hennessy** spoke to health risks associated with cell towers and technology.

**Nancy McPhee** stated support for rezoning applications being considered by use, on a case by case basis, and in accordance with the unique features of the land(s) in question.

**Louise Decario** stated that: housing on forest lots is permitted via rezoning; the original intent of RRHF was to have a working forest; she is disappointed the LTC decided to move forward with a covenant(s) approach regarding GL-RZ-2014.1 (Crystal Mountain); and she encourages more discussion and thought.

**16. CLOSED MEETING (Distributed Under Separate Cover)**

None.

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 4:48 pm.

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Laura Busheikin, Chair

Certified Correct:

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David Millership, Recorder