



# ADOPTED

## Galiano Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** September 7, 2021  
**Location:** Electronic Meeting (Zoom Webinar)

**Members Present:** Dan Rogers, Chair  
Jane Wolverton, Local Trustee  
Tahirih Rockafella, Local Trustee

**Staff Present:** Brad Smith, Island Planner  
Phil Testemale, Planner 2  
Dionne LoForte, Administrative Assistant (Host)  
Carly Bilney, Recorder

**Others Present:** There were approximately 27 attendees in the Zoom Webinar.

#### 1. CALL TO ORDER

Chair Rogers called the meeting to order at 12:30 pm. He acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations.

Trustee Wolverton commented on the need to ensure Local Trust Committee (LTC) meetings are a safe place for everyone who attends them and that animosity among attendees creates an uncomfortable environment.

#### 2. APPROVAL OF AGENDA

The following amendment to the agenda was presented for consideration:

- Move Item 13.5 GL-DP-2021.1 (Orlitzky) to the top of the applications section.

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

#### 3. TRUSTEE REPORT

Trustee Rockafella reminded attendees of the upcoming Trust Council meeting. Trustee Wolverton reported on the following:

- There have been communications with BC Ferries related to a reduction of speed by ferries in Active Pass because wave action is causing erosion and damage to middens in the area; and

- Complaints have been received about non-permitted activities on properties and the unnecessary use of groundwater during a drought.

#### 4. CHAIR'S REPORT

Chair Rogers reported on the following:

- The Trust Policy Statement has not received First Reading but has been received by the Trust Council and referred out to agencies, including the Galiano LTC;
- Efforts are underway to develop a new engagement strategy concerning the Trust Policy Statement in response to concerns raised by members of the public who do not feel like they were properly engaged in previous discussions; and
- Efforts are being made by Islands Trust to provide an option to LTC for a hybrid model that allows for meeting both electronically and in-person.

#### 5. TOWN HALL AND QUESTIONS

Town hall was held and the following comments were made:

- Trustees were urged to consider classifying the proposed zoning and land use designation for the Crystal Mountain Society (CMS) property as Economic Activity;
- There should be no groundwater use on the Crystal Mountain property;
- First Nations, including Lelum Sar Augh Ta Naogh, should be more thoroughly consulted in regards to the Crystal Mountain application;
- Concern was expressed that the proposed rezoning will restrict public access to Crown land on DL87;
- Concern was expressed that the proposed rezoning might lead to the creation of a luxury spa;
- Concern was expressed about the precedent that may be set if the CMS application proceeds as proposed, particularly regarding density on a forest lot;
- Support was expressed for adding another use to the Community Facilities section of the Official Community Plan as currently proposed (OCP);
- Trustees were asked to consider broadening the “spiritual education” zoning proposed for CMS to “non-profit education” or “educational retreat;”
- The minutes from the June Community Information Meeting (CIM) related to the CMS application do not accurately reflect the reasoning put forward for moving the proposed rezoning to Economic Activity;
- Thanks was given to Islands Trust Freshwater Specialist William Shulba for the recent CIM in which he described groundwater as a “unique amenity” that ought to be protected;
- Support was expressed for meeting in person instead of electronically; and
- The LTC has not yet seen a plan related to funding received by the Islands Trust from the Local Government Development Approvals Program to improve processes related to affordable housing applications.

Trustee Wolverton recused herself from the meeting at 1:35 pm due to conflict of interest with GL-RZ-2019.1 Gulf Islands Galisle Affordable Rental Housing Society (GIGARHS). The following comments were made:

- Support was expressed for an independent fire risk assessment from a professional forester for the GIGARHS application;
- The Planner has had ongoing correspondence with South Galiano Volunteer Fire Department Chief Sugden, who has access to all material related to the GIGARHS application;
- A professional report by a qualified forester should be part of the approval process; and
- Trustees were asked to request that GIGARHS applicants present a detailed business plan before the application proceeds.

Trustee Wolverton returned to the meeting at 1:49 pm.

**6. COMMUNITY INFORMATION MEETING**

None

**7. PUBLIC HEARING**

None

**8. MINUTES**

**8.1 Local Trust Committee Minutes Dated July 5, 2021 (for Adoption)**

**By general consent** the Local Trust Committee meeting minutes of July 5, 2021 were adopted.

**8.2 Section 26 Resolutions Without Meeting Report - None**

**8.3 Advisory Planning Commission Minutes Dated July 27, 2021 (for Receipt)**

**9. BUSINESS ARISING FROM MINUTES**

**9.1 Follow-up Action List Dated August 2021**

**10. DELEGATIONS**

**10.1 Galiano EcoForestry Association (GEFA)**

A delegation, including Bowie Keefer and Karen Harris, introduced the Galiano EcoForestry Association (GEFA) to the LTC and described its aim to provide leadership and education on environmentally sensitive forest management practices and actions to increase fire mitigation.

**11. CORRESPONDENCE**

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

**12. MEETING BREAK - COMMUNITY UPDATE** – A break was deferred until after Item 13.5.

**13. APPLICATIONS AND REFERRALS**

Item 13.5 GL-DP-2021.1 (Orlitzky) was moved to the top of the Applications List.

**13.5 GL-DP-2021.1 (Orlitzky) - Staff Report**

Planner Testemale provided an update on the Staff Report related to GL-DP-2021.1 (Orlitzky).

**GL-2021-067**

**It was Moved and Seconded**

that the Galiano Island Local Trust Committee amend Development Permit GL-DP-2021.1 (Orlitzky) as specified in Attachment 3 to the staff report dated September 7, 2021.

**CARRIED**

**GL-2021-068**

**It was Moved and Seconded**

that the Galiano Island Local Trust Committee approve issuance of Development Permit GL-DP-2021.1 (Orlitzky) as amended.

**CARRIED**

A break was held between 2:23 and 2:33 pm.

**13.1 GL-RZ-2014.1 (Crystal Mountain) - Staff Report**

Planner Smith reviewed the staff report regarding GL-RZ-2014.1 (Crystal Mountain) and provided an update on the application. Discussion was held and the following comments were made:

- A covenant would define which areas of CMS land can be developed;
- Any development on the upper ridge would be restricted by covenant until proof of water can be demonstrated;
- Section 5.5 of the OCP states that subdivision of land requires a development permit (DP) when it occurs within The Sensitive Ecosystem development permit area (DPA);
- A DP is necessary if this application proceeds, and another would be necessary if CMS wants to undertake any development in DP areas in the future;
- The CMS area is in the highest rainfall area on the island with the highest recharge potential, but the water budget shows a high number of wells in the region;
- A monitoring well is considered a community amenity in the OCP and would be of benefit to both the Trincomali and Spanish Hill groundwater regions;
- A 12-hour pump test was completed in October 2015; and

- The CMS property is not in the water management area.

The applicants were invited to address questions from the LTC and the following comments were made:

- A designated monitoring well is part of the application;
- Rainwater catchment is part of the water management plan for both the upper and lower portions of the property;
- CMS has proposed further forest protection within its share of the property;
- A typical retreat has a mix of people who are both new and experienced to the spiritual education offered by CMS;
- CMS is open to anyone who is looking for a spiritual path;
- “Retreat users” could be defined in the Land Use Bylaw (LUB); and
- CMS has provided a parking plan to provide for 25 spots.

Discussion followed among the Trustees and the following comments were made:

- Whoever takes on the land would be restricted to both the bylaw and the covenant in terms of what they can and cannot do;
- There is a lot of work yet to be done on this application before a Public Hearing can be scheduled; and
- Another CIM is needed to discuss the water management plan, the Section 219 Covenant and the position of the Capital Regional District (CRD) on emergency access.

A five minute break was held from 3:55 pm to 4:00 pm. Discussion continued and the following comments were made:

- Bylaws can still be amended after they are read a first time; and
- Zoning the property under Community Facility seems appropriate as it fits better with the Millard Learning Centre (MLC), Galiano Island Film and Television School and churches than it would with commercial businesses.

**GL-2021-069**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee amend Bylaw No. 257 to update the numbering in section 8.7 and to amend the parking requirements in 8.7.12 to provide one parking space per hut or tent platform.

**CARRIED**

**GL-2021-070**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee amend Bylaw No. 257 Section 2.2 and Section 8.7 to read “Crystal Mountain Spiritual Education Zone.”

**CARRIED**

**GL-2021-071**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee ask staff to investigate Section 1(d) of Bylaw No. 256 and give recommendations as to whether it is lawful.

**CARRIED**

**GL-2021-072**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee Bylaw No. 256, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2016," be read a first time as amended.

**CARRIED**

**GL-2021-073**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee Bylaw No. 257, cited as "Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2016" be read a first time as amended.

**CARRIED**

**GL-2021-074**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee ask staff to investigate the possibility of maintaining a percentage of forest cover by covenant as part of GL-RZ-2014.1.

**CARRIED**

It was Moved and Seconded that the Galiano Island Local Trust Committee request that the applicants put a data logger into the source well starting as soon as possible into the indefinite future.

The motion was amended to note that the data be summarized by a professional hydrogeologist following the recharge period. Discussion was held about how to frame a resolution that clearly describes the information that the LTC expects and by when it is expected.

It was Moved and Seconded that the Galiano Island Local Trust Committee request that the applicants put a data logger into the source well starting as soon as possible into the indefinite future and to report upon recharge of the aquifer by January 2022.

The motion was amended again to note that the report must be done by a professional hydrogeologist.

**GL-2021-075**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee request that GL-RZ-2014.1 applicants put a data logger into the source well starting as soon as possible into the indefinite future and to report, by a professional hydrogeologist, upon recharge of the aquifer by January 2022.

**CARRIED**

Discussion was held about how best to define “retreat user.”

**GL-2021-076**

**It was Moved and Seconded**

that the Galiano Island Local Trust Committee request that staff draft a definition of “retreat user” consistent with considerations raised in discussion about GL-RZ-2014.1 at this meeting.

**CARRIED**

**GL-2021-077**

**It was Moved and Seconded**

that the Galiano Island Local Trust Committee direct GL-RZ-2014.1 applicants to draft a suitably worded Land Title Act Section 219 covenant that reflects the required conditions of rezoning prior to the public hearing.

**CARRIED**

**GL-2021-078**

**It was Moved and Seconded**

that the Galiano Island Local Trust Committee direct GL-RZ-2014.1 applicants to register an emergency access right of way that is acceptable to the Capital Regional District prior to the public hearing.

**CARRIED**

**13.2 GL-RZ-2019.2 (Gauvreau) - Staff Report**

Planner Smith reviewed the staff report related to GL-RZ-2019.2 (Gauvreau).

**GL-2021-079**

**It was Moved and Seconded**

that the Galiano Island Local Trust Committee Bylaw No. 271, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2019”, be read a third time.

**CARRIED**

**GL-2021-080**

**It was Moved and Seconded**

that the Galiano Island Local Trust Committee Bylaw No. 271 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

**CARRIED**

**13.3 GL-RZ-2021.1 (GALI) - Staff Memo**

Trustee Rockafella recused herself from the meeting at 4:40 pm due to conflict of interest with GL-RZ-2021.1 (GALI).

Planner Smith reviewed the staff memo and provided an update on the GALI application.

Discussion was held and the following comments were made:

- At the October CIM, the Planner will provide an overview of the draft bylaws and professionals will be on hand to speak to ecological and water assessment work;
- The applicants have had a data logger in since June, and are seeking guidance as to when a reading should be done to capture the recharge rate; and
- The applicants have been in discussion with engineers about using permeable asphalt.

**13.4 GL-RZ-2019.1 (GIGARHS) Staff Memo**

Trustee Wolverton recused herself from the meeting at 5:00 pm due to conflict of interest with GL-RZ-2019.1 (GIGARHS). Trustee Rockafella returned to the meeting at 5:00 pm.

**GL-2021-081**

**It was Moved and Seconded**

that the Galiano Island Local Trust Committee request that the GL-RZ-2019.1 (GIGARHS) applicants provide a report from a professional hydrogeologist to summarize the results from data logger tracking from June 2021 to January 2022.

**CARRIED**

Discussion was held and the following comments were made:



- A housing agreement will need to be at least nearing completion before a public hearing is held; and
- The LTC will need to see what is being proposed in a Section 219 Covenant.

**13.6 Trust Council Policy Statement Bylaw No. 183 Referral**

Trustee Wolverton returned to the meeting at 5:12 pm.

Comments were made about determining how to engage the Galiano community in updating the Trust Council Policy Statement.

**13.7 Gambier Island Local Trust Committee Referral for Proposed Bylaws No. 153 and 154**

**GL-2021-082**

**It was Moved and Seconded**

that the Galiano Island Local Trust Committee respond to referrals listed in Items 13.7, 13.8 and 13.9 to note its interests are unaffected.

**CARRIED**

**13.8 Salt Spring Island Local Trust Committee Referral for Proposed Bylaws No. 504 and 505**

Interests unaffected - See Resolution GL-2021-82 above

**13.9 Salt Spring Island Local Trust Committee Referral for Proposed Bylaws No. 523 and 524**

Interests unaffected - See Resolution GL-2021-82 above

**14. LOCAL TRUST COMMITTEE PROJECTS**

NOTE: As time ran out for the meeting, all remaining matters were deferred to the LTC meeting scheduled for October 4, 2021.

**15. REPORTS - DEFERRED**

**15.1 Work Program Reports**

15.1.1 Top Priorities Report Dated August 2021

15.1.2 Projects List Report Dated August 2021

15.1.2.1 Review of LUB tiny home/trailer regulations, maximum house sizes and lot coverage - Discussion

**15.2 Applications Report Dated August 2021**

**15.3 Trustee and Local Expense Report Dated June 2021**

- 15.4 **Adopted Policies and Standing Resolutions**
- 15.5 **Local Trust Committee Webpage**
- 15.6 **Islands Trust Conservancy Report Dated July 2021**
- 16. **NEW BUSINESS - DEFERRED**
  - 16.1 **Ministry Response - Galiano Island Mines Act application\_0800175-2021-01**
- 17. **UPCOMING MEETINGS**
  - 17.1 **Next Regular Meeting Scheduled for October 4, 2021 at the South Community Hall, Galiano Island**
- 18. **TOWN HALL**
- 19. **CLOSED MEETING**
  - None
- 20. **ADJOURNMENT**
  - By general consent** the meeting was adjourned at 5:15 pm.

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Dan Rogers, Chair

Certified Correct:

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Carly Bilney, Recorder