

# ADOPTED



## Galiano Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** December 6, 2021  
**Location:** Galiano South Community Hall  
141 Sturdies Bay Road, Galiano Island, BC

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

**Staff Present:** Brad Smith, Island Planner (via Zoom)  
Phil Testemale, Planner 2 (via Zoom)  
Carly Bilney, Recorder

**Public Members:** There were approximately 30 members of the public.

#### 1. CALL TO ORDER

Chair Rogers called the meeting to order at 12:41 pm. He 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:

- 13.4 – GIGARHS Update;

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

#### 3. TRUSTEE REPORT

Trustee Rockafella made the following comments:

- Trust Council was recently held and included much discussion on budget; and
- Islanders are reminded to participate in public consultation related to budget.

Trustee Wolverton made the following comments:

- Discussions at the Southern Gulf Island Forum in November focused on the recent rainstorms and how they affected the islands;
- Concerns have been raised about the need for ongoing road maintenance, in addition to repairs;

- Trust Council passed a motion asking Government to end the use of scrubbers on ships that remove sulphur from air emissions and transmit it to the ocean; and
- Stewardship Awards will take place every four years, instead of annually.

#### 4. CHAIR'S REPORT

Chair Rogers made the following comments:

- Trust Council budget discussions focused on which projects are achievable and should receive funding;
- A tour of the Galiano Green project site was recently led by representatives of the Galiano Affordable Living Initiative Society; and
- Much work is underway by the Islands Trust related to reconciliation and water projects.

#### 5. TOWN HALL AND QUESTIONS

Town hall was held and the following comments were made:

- The Local Trust Committee (LTC) has received commentary from people who say proposed Bylaw 256 for GL-RZ-2014.1 (Crystal Mountain) should not be in the Community Facilities and Utilities section of the Galiano Official Community Plan (OCP);
- The LTC gauges public support by listening to the community through all forms of engagement, including letters, phone calls, surveys, etc.
- Support was expressed for the site-specific rezoning proposal for Crystal Mountain Society (CMS) that ensures this kind of proposal will not set precedent;
- Concern was expressed about misinformation spread related to the CMS application;
- A rezoning proposal should be about land-use not about land-users;
- Support was expressed for the CMS proposal because it provides for the protection of a majority of the land in question in perpetuity, it provides for lot coverage that will be less than two percent of the property, and it gives the benefit of Lot 9 to the community;
- Opposition to the CMS proposal was expressed because of the hooked lot configuration and because it is based on a 75/25 percent split (where 75 percent goes to the Islands Trust Conservancy) – a calculation that should not act as precedent for proposals as it was meant for saving mature forests rather than ones that had been clear-cut;
- Trustees were encouraged to put a stop to uncivil behaviour at Galiano LTC meetings that create a toxic environment;
- Questions about public consultation were raised concerning the letter sent to the LTC from Samuel Sugita, Access Networks BC, regarding Galiano Antenna Colocation on CREST tower;
- The LTC was encouraged to respond to Rogers Communications Inc.; and
- An article was shared that describes deed restrictions as a tool to preserve affordable housing (<https://www.outsideonline.com/culture/essays-culture/how-to-save-a-ski-town-west-tourism-economy/>).

Trustee Wolverton recused herself from the meeting at 1:48 pm due to conflict of interest with GL-RZ-2019.1 – Gulf Islands Galisle Affordable Rental Housing Society (GIGARHS). The following comments were made:

- The number of units in the proposed affordable housing development should be reduced to six and the location should be moved closer to the entrance of the community forest; and
- Supportive neighbours of the proposed development may be viewed positively by funding agencies;
- Neighbours of the proposed project expressed support for consultation and negotiation with the applicants; and
- Support was expressed for affordable housing in general.

Trustee Wolverton returned to the meeting at 1:57 pm.

**6. COMMUNITY INFORMATION MEETING**

None

**7. PUBLIC HEARING**

None

**8. MINUTES**

**8.1 Local Trust Committee Minutes Dated November 8, 2021 (for Adoption)**

By general consent the Local Trust Committee meeting minutes of November 8, 2021 were adopted.

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

**8.3 Advisory Planning Commission Minutes - None**

**9. BUSINESS ARISING FROM MINUTES**

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

Planner Smith provided an update on business related to the Follow-up Action List Dated November 2021. Trustees confirmed that the proposed models fee bylaw should be kept as it was drafted with no changes.

**10. DELEGATIONS** None

**11. CORRESPONDENCE**

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

**12. MEETING BREAK - COMMUNITY UPDATE**

Deferred until after Item 13.2.

### 13. APPLICATIONS AND REFERRALS

#### 13.1 GL-DVP-2021.10 (Gathercole) - Staff Report

Planner Testemale reviewed application GL-DVP-2021.10 (Gathercole). Discussion was held and the following comments were made:

- The Ministry of Transportation and Infrastructure (MOTI) would not define a septic field a “structure” and the new system would no longer be in the right-of-way; and
- Concern was expressed about whether trees needed to be removed for the new system.

#### **GL-2021-100**

#### **It was Moved and Seconded,**

that the Galiano Island Local Trust Committee approve issuance of Development Variance Permit application GL-DVP-2021.10 (Gathercole).

**CARRIED**

#### 13.2 GL-RZ-2021.2 (Gaylor) Preliminary Staff Report

Planner Smith reviewed application GL -DVP-2021.2 (Gaylor). Discussion was held and the following comments were made:

- This is a very sensitive area and the Penelakut have concern about opening a road access;
- An initial step would be an early engagement letter with First Nations, particularly the Penelakut;
- The applicants are working with MOTI to identify what kind of public road is needed;
- In order to have a subdivision there must be a road going right into the property for emergency access;
- Issues related to road access must be resolved before the application can advance; and
- The application may provide an opportunity to add a stretch of shoreline to nature protection.

A motion was made to request further information from BC Parks and other provincial agencies in regards to Land Transportation Policy S, to gather information on the ecological conditions of the property, and to consult with First Nations. Discussion on the motion was held.

**GL-2021-101**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to proceed with GL-DVP-2021.2 (Gaylor) and further investigate road and lot layout with potentially effective government agencies and First Nations, in particular considering OCP Transportation Policy S.

**CARRIED**

**GL-2021-102**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee ask staff to bring the 1995 Heritage Forest Bylaw Official Community Plan provisions (Bylaw 108) back to the Local Trust Committee to be reviewed for consistency.

**CARRIED**

**GL-2021-103**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee seek early consultation and engagement with First Nations on GL-RZ-2021.2 (Gaylor), particularly the Penelakut, regarding cultural heritage sites on DL86.

**CARRIED**

A break was held between 3:00 and 3:15 pm.

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

Planner Smith reviewed application GL-DVP-2014.1 (Crystal Mountain). Discussion was held and the following comments were made:

- The inclusion of the word “non-profit” in the amending OCP bylaw may be *ultra vires* and could potentially be legally challenged ;
- The LTC has received commentary from people who say that because the CMS application cannot be restricted to a non-profit it should fall under the “Economic Activity” section of the OCP;
- CMS policies note that should the organization dissolve, the assets must go to an organization that has the same legal status as CMS – a registered charity; and
- A restriction on day-use would be included in the bylaw as opposed to a covenant.

**GL-2021-104**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to draft language for Bylaw 257 to set daily visitor use at 35 subject to a once-a-year exception where notification to the community is provided in advance.

**CARRIED**

**GL-2021-105**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee request staff to put the definition of “retreat user” as provided and amended into Bylaw 257.

**CARRIED**

Discussion continued and the following comments were made:

- Challenges in maintaining at least 60 percent natural forest cover on the land include measuring a baseline coverage and monitoring over time;
- The water management plan will return to the LTC for review early in the new year; and
- The water license application is ongoing.

**GL-2021-106**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee request staff to include the 60 percent forest cover retention condition as proposed by the GL-RZ-2014.1 applicant in the Section 219 covenant.

**CARRIED**

**13.4 GIGARHS Update**

Trustee Wolverton recused herself from the meeting at 3:57 pm due to conflict of interest with application GL-RZ-2019.1 (GIGARHS).

The development consultant representing the applicants provided an updated on the application and the following comments were made:

- GIGARHS is in the process of engaging an architect to provide more detail on the site plan and building design;
- GIGARHS has concerns about the restriction on groundwater use for irrigation proposed for the Section 219 covenant; and
- GIGARHS is looking at different funding options and considering a Canada Mortgage and Housing Corporation co-investment fund.

Discussion followed and the following comments were made:

- Concerns about the Section 219 covenant as it relates to potable water have been heard;
- Islands Trust legal counsel is of the view that the covenant-condition restricting groundwater is legal and valid;
- The applicants do not think the water restriction is an appropriately legal condition and that it should not be included at all;
- A conditional water license has been issued by the Province;
- The Province has allocated less water than GIGARHS requested; and
- The draft covenant will return to LTC for consideration.

Trustee Wolverton returned to the meeting at 4:11 pm.

**13.5 Salt Spring Island Local Trust Committee Referral for Proposed Bylaw No. 525 (for response)**

**GL-2021-107**

**It was Moved and Seconded,**

that the interests of the Galiano Island Local Trust Committee are unaffected regarding the Salt Spring Island Local Trust Committee referral for Proposed Bylaw No. 525.

**CARRIED**

**14. LOCAL TRUST COMMITTEE PROJECTS**

**14.1 DL 87 Rezoning - Staff Memo**

Planner Smith reviewed the Staff Memo and discussion followed.

**GL-2021-108**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to initiate a project charter for the rezoning of DL64, 68, 72, 87 and establish it as a priority project on the Priority Projects List.

**CARRIED**

**15. REPORTS**

**15.1 Work Program Reports**

15.1.1 Top Priorities Report Dated Nov 2021

15.1.2 Projects List Report Dated Nov 2021

**15.2 Applications Report Dated Nov 2021**

Received for information.

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

Received for information.

**15.4 Adopted Policies and Standing Resolutions**

Received for information.

**15.5 Local Trust Committee Webpage – None**

**15.6 Islands Trust Conservancy Report – None**

**16. NEW BUSINESS**

**16.1 Galiano Antenna Colocation on CREST Tower**

Discussion was held about correspondence received by Rogers Communications Inc. regarding the Galiano Antenna Colocation on CREST Tower and the degree to which public consultation is required. The following comments were made:

- Adding equipment to an existing tower may fall within the exemptions; and
- The protocol indicates there are circumstances in which an applicant should be strongly encouraged to partake in community consultation.

**GL-2021-109**

**It was Moved and Seconded,**

that Chair Rogers, in consultation with the other Trustees, will draft a letter to Mr. Samuel Sugita based on the protocol that requests more information and public consultation.

**CARRIED**

**17. UPCOMING MEETINGS**

**17.1 Next Regular Meeting Scheduled for February 7, 2021 at the South Community Hall, Galiano Island**

**18. TOWN HALL**

Town hall was held and the following comments were made:

- A suggestion was made to request that CMS provide a periodic update on forest coverage every five or ten years; and
- Other communities have been able to resist cell towers in areas they do not want them.

**19. CLOSED MEETING**

None

**20. ADJOURNMENT**

**By general consent** the meeting was adjourned at 4:45 pm.

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Dan Rogers, Chair

Certified Correct:

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Carly Bilney, Recorder