

# ADOPTED



## Galiano Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** March 7, 2022  
**Location:** Electronic Meeting

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

**Staff Present:**  
Brad Smith, Island Planner  
Narissa Chadwick, Island Planner  
William Shulba, Islands Trust Senior Freshwater Specialist  
Carly Bilney, Recorder

**Public Present:** There were approximately 21 members of the public present.

#### 1. CALL TO ORDER

Chair Rogers called the meeting to order at 12:33 pm. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Chair Rogers provided a rise and report from the February 7, 2021 in-camera meeting and noted the minutes of the in-camera meetings of April 12, 2021 and June 14, 2021 were adopted, and the following five members of the Galiano Advisory Planning Commission (APC) were appointed: Alan de Genova, Karen Harris, Robert Matson, Patrick Ramsay and Laurene Stefanyk.

#### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 16.4 Potential Change to May Local Trust Committee (LTC) Meeting Date; and
- 16.5 Governance Review Report

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

#### 3. TRUSTEE REPORT

Trustee Wolverton reported that:

- there have been many inquiries about things like setbacks and cottage sizes;
- and concerns expressed about misinformation on social media related to the Islands Trust;

- She provided an update on the Ecofootprint Project, led by the Galiano Conservancy Association; and
- commented on the latest census results that show increases in the number of residents and occupied dwellings on Galiano.

Trustee Rockafella reported that Trust Council is upcoming and will include opportunity for the public to provide input.

#### **4. CHAIR'S REPORT**

Chair Rogers reported on the upcoming Trust Council meeting including a presentation on the Trust Policy Statement engagement report and budget discussion; he also described the importance of the Trust's cultural heritage preservation mapping project.

#### **5. TOWN HALL AND QUESTIONS**

Town hall was held and the following comments related to GL-RZ-2014.1 (Crystal Mountain) were made:

- The Crystal Mountain rezoning proposal ignores large parts of the Official Community Plan (OCP);
- There has not been a comprehensive analysis of the area's capacity to handle more development;
- Concern was expressed about the draft water management plan including lack of a rainwater catchment system for potable water;
- The daily water use in the water management plan seems low compared to Canadian averages;
- The aquifer in the north end of Galiano is oversubscribed and under a high level of stress;
- It is negligent to base the estimated water use of the property on the lowest number of participants;
- The CMS proposal is a wellness tourism proposal that belongs in the commercial section of the OCP;
- Concern was expressed that the Crystal Mountain proposal could lead to the development of a resort in the north end;
- Concern was expressed about how restrictions on land use have been ignored in the past and how new restrictions will be enforced in the future;
- It is unclear how the proposed covenant will be effective without a rent charge built in;
- It is unclear what is being done to monitor the covenant;
- Occupancy rates in the Crystal Mountain proposal are enforceable by Islands Trust bylaw enforcement staff;
- Concern was expressed about how the "creation and extension of zones" is authorized;
- Concern was expressed at a lack of democratic process and transparency with how decisions are being made and feel they have not received sufficient response to their concerns;
- Some residents noted that it is not clear that submitted information is reaching the LTC;

- The LTC is conscious of having an open and transparent process and submissions received from constituents are taken as input and used in the decision-making process as the LTC proceeds; and
- The LTC received the petition from residents;

The Crystal Mountain proposal is on the present agenda so staff can update the LTC and the community on progress.

The following comments were made on topics other than Crystal Mountain:

- The number of deeply subsidized units in both proposed affordable housing projects should be explicit in the housing agreements;
- The affordability of housing projects should be measured based on average income levels of Galiano residents; and
- Water licenses are required for short-term vacation rentals.

Trustee Rockafella recused herself from the meeting at 1:57 p.m. due to conflict of interest with GL-RZ-2021.1 (GALI), and a comment was made about how the median income level for the Southern Gulf Islands region is higher than that of Galiano.

Trustee Rockafella returned to the meeting at 2:00 p.m. Trustee Wolverton recused herself from the meeting at 2:00 p.m. due to conflict of interest with GL-RZ-2019.1 (GIGARHS). The following comments were made:

- The amount of concern raised by people in town hall who feel their concerns are not being reflected in staff reports or by the LTC should be addressed; and
- A well monitoring analysis conducted by the property owner for a well near the proposed GIGARHS development demonstrated steadily falling well levels in the summer and problematic well interference from other nearby properties; it was requested that the Islands Trust Senior Freshwater Specialist review the data.

Trustee Wolverton returned to the meeting at 2:04 p.m. A break was held from 2:04 p.m. to 2:08 p.m.

**6. COMMUNITY INFORMATION MEETING – None**

**7. PUBLIC HEARING – None**

**8. MINUTES**

**8.1 Local Trust Committee Minutes Dated February 7, 2022 (for Adoption)**

The following amendments to the minutes were presented for consideration:

- On page 7 of the agenda, (page 4 of the February 7, 2022 LTC minutes), item 12 should say: "A meeting break was held..."

By general consent the minutes of February 7, 2022 were adopted as amended.

**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 Feb 2022**

Received for information.

**10. DELEGATIONS – None**

**11. CORRESPONDENCE**

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

**11.1 Wiser Projects re Affordability of Georgia View Affordable Housing (Rezoning Application GL-RZ-2019.1)**

Trustee Wolverton recused herself from the meeting at 2:11 pm due to conflict of interest with GL-RZ-2019.1 (GIGARHS).

Discussion was held about how Housing Income Limits vary between the province, the Southern Gulf Island region and Galiano, and how they should be incorporated into the housing agreement. Comments were made about how housing income limits relate more to determining who is qualified to live in an affordable housing development than to rental rates. The proposed housing agreement and correspondence was submitted to the LTC too late to be included in a staff report.

**GL-2022-28**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee request staff to refer the GL-RZ-2019.1 (GIGARHS) proposal to legal counsel for consistency with the Official Community Plan and bring the draft housing agreement back for the Local Trust Committee for consideration at a future meeting.

**CARRIED**

Trustee Wolverton returned to the meeting at 2:37 p.m.

**12. MEETING BREAK – COMMUNITY UPDATE – None**

### 13. APPLICATIONS AND REFERRALS

#### 13.1 GL-RZ-2021.1 (GALI) – Staff Report

Trustee Rockafella recused herself from the meeting at 2:37 p.m. due to conflict of interest with GL-RZ-2021.1 (GALI). Planner Smith reviewed the Staff Report; discussion was held and the following comments were made:

- A report on the site assessment by the septic engineer is forthcoming;
- Units set at market rents would offset the cost of units that receive deep subsidies to ensure the financial sustainability of the project; and
- The intent of the project is to maximize the number of deeply subsidized and affordable units.

#### **GL-2022-29**

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

that the Galiano Island Local Trust Committee direct staff and legal counsel to draft a Housing Agreement based on the proposed Option 2 “rent structure” as described in the March 7, 2022 staff report for application GL-RZ-2021.1 (GALI), and including Housing Income Limits based on low to moderate income limits as determined periodically by BC Housing.

**CARRIED**

#### **GL-2022-30**

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

that the Galiano Island Local Trust Committee direct staff and legal counsel to draft a Land Title Act s. 219 covenant based on the staff recommendations in Attachment 1 of the March 7, 2022 staff report for application GL-RZ-2021.1 (GALI).

**CARRIED**

#### 13.2 GL-RZ-2014.1 (Crystal Mountain) - Staff Report

Trustee Rockafella returned to the meeting at 2:53 p.m.

Planner Smith reviewed the Staff Report related to GL-RZ-2014.1 (Crystal Mountain). Discussion was held and the following comments were made:

- Both a Section 219 covenant and a bylaw are legally enforceable instruments subject to bylaw enforcement;
- The proposed covenant does not currently contain provisions for monitoring or rent charges;
- Under the Land Title Act, the LTC has broad authority to seek a rent charge that could be levied if the covenant holders were found to be non-compliant with the terms of the covenant;

- Most provisions in the covenant are linked to development and would require the issuance of a building permit and related processes during which the LTC could ensure covenant conditions are being met;
- Different water uses for a dwelling unit, an occupant and a visitor should be identified to determine estimated water use for CMS operations; and
- The average retreat length would be one week to ten days.

Discussion was held about the applicant’s request to increase the amount of days when more than 35 people can be present on the land from one day to six. The following comments were made:

- The increased amount of people would be for occasions such as a visiting teacher, First Nations, or members of the public, or when CMS is hosting a workshop or work parties;
- The concern is the impact on neighbours and the daily maximum is meant to ensure the space does not become a gathering place on a regular ongoing basis;
- The water management plan should consider days where the number of visitors exceeds 35 people;
- Data loggers that produced the well monitoring report were reinstalled and are currently logging more data; and
- A requirement to notify neighbours could be included on these days and they could be restricted to day time only.

**GL-2022-31**

**It was Moved and Seconded,**

that the Galiano Local Trust Committee ask staff to review the water management plan and, in particular, provide feedback on:

- a) whether the water usage estimates are reasonable,
- b) recommendations on alternative pump tests, and
- c) recommendations on impacts on water use on days when the numbers of people on the property exceed 35.

**CARRIED**

**14. LOCAL TRUST COMMITTEE PROJECTS**

**14.1 Groundwater Sustainability Implementation Project – Staff Report**

Planner Chadwick and Senior Freshwater Specialist Shulba reviewed the Staff Report related to the Groundwater Sustainability Implementation Project.

Discussion was held and the following comments were made:

- Local governments play an intricate role in protecting aquifers to ensure the efficacy and sustainability of Provincial water licenses and authorizations;

- Local governments and the Province need to collaborate on incorporating water sustainability into land-use planning;
- Staff recommend updates to the existing Elevated Groundwater Catchment Development Permit Area; and
- Local governments have a legislative role in protecting water resources.

**GL-2022-32**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee request staff to prepare a draft bylaw to amend the “Galiano Island Official Community Plan Bylaw No. 108, 1995” to include Critical Aquifer Recharge Development Permit Area guidelines, map updates and minor updates to relevant sections as identified in the March 7, 2022 staff report.

**CARRIED**

**GL-2022-33**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee request staff to prepare a draft bylaw to amend the Land Use Bylaw to include updates to definitions, addition of cistern requirements for all new builds and updates to subdivision regulations related to potable water.

**CARRIED**

**GL-2022-34**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee request staff to identify options for changes to zoning regulations informed by GW Solutions (2021) groundwater availability assessment data.

**CARRIED**

Full discussion on the Groundwater Sustainability Implementation Project was deferred until a future meeting.

**15. REPORTS**

**15.1 Work Program Reports**

15.1.1 Top Priorities Report Dated Feb 2022

Received for information.

15.1.2 Projects List Report Dated Feb 2022

Received for information.

**15.2 Applications Report Dated Feb 2022**

Received for information.

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

Received for information.

**15.4 Adopted Policies and Standing Resolutions**

Received for information.

**15.5 Local Trust Committee Webpage**

**15.6 Islands Trust Conservancy Report - None**

**16. NEW BUSINESS**

**16.1 Rogers Communications Letter re CREST Tower**

Provided for information.

**16.2 Shoreline Protection Model Bylaw Report – Briefing**

Discussion was held on the Shoreline Protection Model Bylaw Report.

**GL-2022-35**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee ask the Advisory Planning Commission to review the recommendations in the Shoreline Protection Model Bylaw Report in the context of the Galiano Official Community Plan and bring suggested actions back to the Local Trust Committee.

**CARRIED**

**16.3 Advisory Planning Commission Vacancies**

Trustees will include an advertisement for the APC vacancies in the Trustee Update in the Active Page.

**16.4 Potential Change to May LTC Meeting Date**

No change was made.

**16.5 Governance Review Report**

Discussion was held about the Governance Review Report.

**17. UPCOMING MEETINGS**

**17.1 Next Regular Meeting Scheduled for April 4, 2022 at the Galiano South Community Hall, Galiano Island**



**18. TOWN HALL**

Town hall was held and the following comments were made:

- Deeply subsidized units ought to be included in affordable housing developments;
- Disappointment was expressed that the Trustees might allow six days a year on which the number of people at the Crystal Mountain property exceeds 35 people;
- The water management plan for CMS should include a plan for a water catchment system to backup the groundwater system;
- Saltwater intrusion in wells is a valid concern for residents who live close to the shoreline; and
- The issue of enforcement in the Crystal Mountain proposal has not been satisfactorily addressed.

**19. CLOSED MEETING – None**

**20. ADJOURNMENT**

**By general consent** the meeting was adjourned at 4:59 p.m.

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Dan Rogers, Chair

Certified Correct:

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Carly Bilney, Recorder