

# ADOPTED



## Galiano Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** July 4, 2022  
**Location:** Galiano South Community Hall  
141 Sturdies Bay Road, Galiano Island, BC

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

**Staff Present:** Brad Smith, Island Planner  
Phil Testemale, Planner 2  
William Shulba, Senior Freshwater Specialist  
Carly Bilney, Recorder

**Members of the Public:** Approximately 28 members of the public were present.

#### 1. CALL TO ORDER

Chair Rogers called the meeting to order at 12:38 pm. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. He welcomed and thanked former Trustees Anderson and Pottle, who were in attendance at the meeting, for their past work.

#### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Item 16 New Business – motion regarding the October 3, 2022 Local Trust Committee (LTC) meeting; and
- Item 11 Correspondence – motion related to the Rogers Tower.

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

#### 3. TRUSTEE REPORT

Trustee Wolverton made the following comments in her report:

- Over the past weekend, 1600 people arrived on Galiano from Tsawwassen; and
- A standing committee of trustees, including Trustee Rockafella, was formed through an election during the last Trust Council meeting; the committee will make decisions

regarding next steps on governance matters.

Trustee Rockafella made the following comments in her report:

- At Trust Council, Trustee Rockafella's motion to advocate for the implementation of the Province's Old Growth Strategic Review recommendations was unanimously voted on and will go forward at the Union of BC Municipalities.

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

Chair Rogers reported:

- The ongoing review of the Trust Policy Statement has resulted in a report that is now available to the public;
- The Trust Programs Committee will meet to review the report in detail and make recommendations; and
- There is one remaining Trust Council meeting left in the term and the Trust Policy Statement, Governance Report and other matters are still being worked on.

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

Town hall was held and the following comments were made:

- Concern was expressed about COVID-19 on Galiano and a request was made to postpone the Community Information Meeting (CIM) regarding GL-RZ-2019.1 (GIGARHS) scheduled for this evening until arrangements can be made for a fully hybrid event;
- Comments were made that Crystal Mountain Society (CMS) is increasing the intensity and density of land use;
- Trustees were asked to reconsider the decision to exclude CMS from bylaw enforcement while the application remains open and to delay a CIM until a commercial water license and sewage disposal authorization has been achieved;
- The LTC was asked whether it is appropriate to schedule a CIM for CMS before the Province has issued a water license;
- Concern was expressed about potential forest fragmentation in the CMS proposal;
- Support was expressed for the CMS proposal as an opportunity to preserve Galiano's forests;
- Some North Galiano residents described negative impacts of CMS retreats currently in operation;
- Concern was expressed about inadequate water supplies in the CMS proposal;
- Comments were made about the CMS proposal not demonstrating community need and it was therefore suggested that CMS not be placed under the Communities Facilities and Utilities section of the Official Community Plan (OCP);

- It was suggested that the CMS property be placed under the Commercial Land Use section of the OCP rather than the Community Facilities and Utilities section; and
- The applicants noted CMS has received authorization from the Islands Health inspector with respect to their interim use of porta-potties for current operations.

Trustee Wolverton recused herself from the meeting at 1:32 p.m. due to conflict of interest with GL-RZ-2019.1 (GIGARHS). Town hall continued and the following comments about the GIGARHS application were made:

- It was suggested that the proposed housing agreement not be included in the Public Hearing so community members can continue to comment on the draft;
- Concern was expressed on behalf of neighbours living down slope from the proposed development site about the potential for groundwater contamination by the septic field; and
- Support was expressed for the application.

Trustee Wolverton returned to the meeting at 1:43 p.m. A break was held from 1:43 – 1:48 p.m.

**6. COMMUNITY INFORMATION MEETING – None**

**7. PUBLIC HEARING – None**

**8. MINUTES**

**8.1 Local Trust Committee Minutes Dated June 6, 2022 (for Adoption)**

Comments were made that the minutes record what is being said in the Town Hall, rather than a decision made by the LTC or an indication that a point-of-view has been accepted.

**By general consent** the Local Trust Committee meeting minutes of June 6, 2022 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 June 2022**

Received for information.

**10. DELEGATIONS – None**

**11. CORRESPONDENCE**

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

**GL-2022-60**

**It was Moved and Seconded,**

that the correspondence of Mr. Patrick Ramsay and Mr. Stephen Rybak be added to the correspondence section of the September 2022 Local Trust Committee meeting.

**CARRIED**

**12. MEETING BREAK – COMMUNITY UPDATE**

**13. APPLICATIONS AND REFERRALS**

**13.1 GL-DP-2022.1 and GL-DVP-2022.2 (Fox) - Staff Report**

Planner Testemale reviewed the Staff Report regarding GL-DP-2022.1 and GL-DVP-2022.2 (Fox). Discussion was held and the following comments were made:

- The only way to achieve an easement is if it is provided voluntarily (the LTC cannot insist on an easement), however the decision whether to issue the DVP is at the discretion of the LTC;
- While an easement would allow for consolidation of the docks, the applicants expressed concerns about liability and relinquishing control of their asset; and
- Eventually, sacrifices will have to be collectively made to protect the environment.

**GL-2022-61**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee approve issuance of Development Permit GL-DP-2022.1 (Fox).

**CARRIED**

**GL-2022-62**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee approve issuance of Development Variance Permit GL-DVP-2022.2 (Fox).

**CARRIED**

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

Trustee Wolverton recused herself from the meeting at 2:12 p.m. due to conflict of interest with GL-RZ-2019.1 (GIGARHS). Planner Smith reviewed the related Staff Memo, and the following comments were made:

- The applicants requested that the LTC consider groundwater restrictions on intensive uses to apply seasonally;
- If amendments are made today to the housing agreement and the Section 219 covenant, they will appear in the Public Hearing binder;

- The Public Hearing binder is the reference for a complete public record of an application and includes all related documents and correspondence; and
- Post Public Hearing, the LTC cannot consider any more related information without reopening the Public Hearing, though individuals can continue to communicate with the planning staff.

**GL-2022-63**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to amend the GL-RZ-2019.1 (GIGARHS) covenant to include the second option as described in the July 4, 2022 Staff Report regarding intensive uses and to change the period of restriction from May through October, inclusive.

**CARRIED**

**GL-2022-64**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to accept the suggested changes regarding GL-RZ-2019.1 (GIGARHS) from the planner in the July 4, 2022 Staff Report related to the housing agreement and water management plan.

**CARRIED**

Trustee Wolverton returned to the meeting at 2:31 p.m.

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

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

- CMS has an application for two water licenses – one is an existing use license and another is a new use license;
- Submission of the existing use water license makes the continued use prior to being assessed legal;
- Adjudication for existing groundwater licenses has typically taken longer than for new licenses, and in this case, both licenses will likely be adjudicated together;
- The LTC could create a conditional zoning approval subject to receipt of a provincial water license;
- The present LTC has not indicated it would not adopt a rezoning unless a water license had been granted;
- A statement was read by the applicants about the value of the type of forest-based activity led by CMS;
- The applicants confirmed approval of the septic system application; and
- CMS continues to operate while the application is pending because of a standing resolution (GL-2020-040) from July 2020 regarding unlawful land uses and planning applications.

**GL-2022-65**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee rescind first reading of Bylaw No. 257.

**CARRIED**

**GL-2022-66**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee amend proposed Bylaw No. 257 to establish cumulative daily use limits of 27 persons in Area A and 3 persons in Area B, including retreat users, to reduce the maximum number of tent platforms in Area A from five to three, and to reduce the maximum number of overnight retreat users in both Area A and B combined from 22 to 20.

**CARRIED**

**GL-2022-67**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee give first reading of Bylaw No. 257, as amended.

**CARRIED**

Discussion continued and the following comments were made:

- Decisions have been made to regulate the land and how it is being used;
- Protecting 18 hectares of ecologically sensitive land in the area is no small means and has been a driving force behind supporting the application thus far;
- Reducing the number of people using the land is significant;
- There is an element of forest fragmentation every time a house or a road is built so, by definition, there is a judgment call about what is minimizing forest fragmentation;
- With the protection of 75% of the land by the Islands Trust Conservancy, and protection of 65% of the remaining land, there is a strong element of minimizing forest fragmentation;
- The proposal leaves Lot 9 completely untouched and protects the wetland; and
- The Island's Trust freshwater specialist has weighed in on the water issues related to this application and the Ministry will eventually do so as well.

**GL-2022-68**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directive Policies Checklist and determined that proposed Bylaw No. 256 and 257 are not contrary to or at variance with the Islands Trust Policy Statement.

**CARRIED**

It was Moved and Seconded that the Galiano Island Local Trust Committee direct staff to schedule a Community Information Meeting on application GL-RZ-2014.1 (Crystal Mountain). An amendment to the motion was made to also direct staff to schedule a Public Hearing (PH). Discussion followed about whether including a PH is logistically possible, and comments were made about how having the new trustees hear the PH might be more conducive to decision-making.

**GL-2022-69**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to schedule a Community Information Meeting and Public Hearing on application GL-RZ-2014.1 (Crystal Mountain).

**DEFEATED**

**Trustee Rockafella and Chair Rogers opposed**

**GL-2022-70**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to schedule a Community Information Meeting on application GL-RZ-2014.1 (Crystal Mountain).

**CARRIED**

Discussion was held about setting a precedent that limits the number of people allowed on a property.

**GL-2022-71**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to amend Bylaw 257 to include the second option of 8.7.7 that includes a maximum four days per year daily use limit of 60 persons as presented in the July 4, 2022 staff report.

**CARRIED**

**Chair Rogers opposed**

A break was held between 3:28 – 3:33 pm.

**13.4 GL-RZ-2022.1 (Gaylor) - Preliminary Staff Report**

Planner Smith reviewed the Staff Report related to GL-RZ-2022.1 (Gaylor). Discussion was held and the following comments were made:

- There is an open bylaw enforcement file for illegal structures on DL85 and the proposed solution of the applicant is to rezone the land to allow those structures to become legalized;
- Ministry and BC Parks staff have indicated that First Nations have raised concerns regarding having public road access to Dionisio Point Provincial Park;

- The application proposes 51% of the land will continue to be held privately and 49% would be donated in some capacity;
- The applicants noted the amenity lot is based on the approved rezoning of DL79;
- The proposal is not consistent with approaches taken in most other F1 zonings and is a liberal departure from the 75/25% heritage forest precedent that the community has adopted; and
- The land in the area is an important part of First Nations historical cultural uses and these concerns must be taken seriously.

**GL-2022-72**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to proceed no further with application GL-RZ-2022.1 (Gaylor).

**CARRIED**

A motion was made to direct staff to proceed no further with 2021.2 (Gaylor). Discussion on the motion was held. A motion was made to direct staff to put 2021.2 (Gaylor) into abeyance.

**GL-2022-73**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee defer the proposed motion on GL-RZ-2021.2 (Gaylor) to the next Local Trust Committee meeting.

**CARRIED**

**14. LOCAL TRUST COMMITTEE PROJECTS**

**14.1 DL 64, 68, 72, 87 Rezoning Project – Staff Report**

Planner Smith reviewed the Staff Report regarding the DL 64, 68, 72, 87 Rezoning Project. In the discussion that followed, concern was expressed that First Nations have not responded to the proposal. The following comments were made:

- As Crown-owned lots, the Province and First Nations could negotiate a land transfer regardless of the local government zoning;
- The lands are not specifically related to current treaty discussions; and
- The provincial database shows 15 First Nations that have overlapping historical use in the area.

**GL-2022-74**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee Bylaw No. 231, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 14, 2011”, be given second reading.

**CARRIED**



**GL-2022-75**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee Bylaw No. 232, cited as “Galiano Island Land Use Bylaw 127, 1999 Amendment No. 3, 2011” be given second reading.

**CARRIED**

**GL-2022-76**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to schedule a Public Hearing for proposed Bylaws No. 231 and No. 232 to be held on September 6, 2022.

**CARRIED**

**GL-2022-77**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to schedule a Community Information Meeting in conjunction with the Public Hearing for proposed Bylaws No. 231 and No. 232.

**CARRIED**

**GL-2022-78**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee ask staff to re-refer the bylaws related to the DL 64, 68, 72, 87 Rezoning Project to the relevant First Nations and advise them of the motions that were passed today.

**CARRIED**

**15. REPORTS**

**15.1 Work Program Reports (attached)**

15.1.1 Top Priorities Report Dated June 2022

Received for information.

15.1.2 Projects List Report Dated June 2022

Received for information.

**15.2 Applications Report Dated June 2022**

15.2.1 Setting Dates for Galiano Affordable Living Initiative Society (GALI)

**15.3 Trustee and Local Expense Report Dated May 2022**

Received for information.

**15.4 Adopted Policies and Standing Resolutions**

**15.5 Local Trust Committee Webpage**

**15.6 Islands Trust Conservancy Report Dated May 2022**

Received for information.

**16. NEW BUSINESS**

**GL-2022-79**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee ask staff to reschedule the October 3, 2022 Local Trust Committee meeting to Sept 27, 2022 at 12:30 p.m.

**CARRIED**

**17. UPCOMING MEETINGS**

**17.1 Community Information Meeting re GL-RZ-2019.1 (Gulf Islands Galise Affordable Rental Housing Society) (GIGARHS) - Monday, July 4, 2022 (6 – 8 p.m.)**

**17.2 Special Meeting and Public Hearing re GL-RZ-2019.1 (Gulf Islands Galise Affordable Rental Housing Society) (GIGARHS) - Saturday, July 16, 2022 (12:30 p.m.)**

**17.3 Next Regular Meeting Scheduled for Tuesday, September 6, 2022 at South Community Hall, Galiano Island**

**GL-2022-80**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to schedule a Community Information Meeting on application GL-RZ-2021.1 (GALI) for September 6, 2022 and a Public Hearing on September 27, 2022.

**CARRIED**

Trustee Rockafella recused herself from the meeting at 4:44 p.m. due to conflict of interest with GL-RZ-2021.1 (GALI).

**GL-2022-81**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee ask staff to schedule a special meeting of the Local Trust Committee for July 26, 2022 at 12:30 pm to receive reports on application.

**CARRIED**

Trustee Rockafella returned to the meeting at 4:48 p.m.

**18. TOWN HALL**

Town hall was held and the following comments were made:

- A request was made to hold the CIM related to GL-RZ-2014.1 (Crystal Mountain) at the North End Community Hall;
- Concern was expressed about the limited capacity of the North Hall for a CIM, particularly with COVID-19;
- The Crystal Mountain CIM will likely be a hybrid meeting potentially held at the Lions Hall;
- Comments were made about how the applicants seeking to rezone DL85 and DL86 may not be aware that BC Parks is not the only available recipients of forest lands; and
- The Galiano Club or Galiano Conservancy could also receive forest lands though that could remove the land from potential treaty negotiations.

**GL-2022-82**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee ask staff to schedule a Community Information Meeting on Crystal Mountain Society on September 24, 2022 at 12:30 pm.

**CARRIED**

**19. CLOSED MEETING – None**

**20. ADJOURNMENT**

**By general consent** the meeting was adjourned at 4:58 p.m.

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Dan Rogers, Chair

Certified Correct:

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Carly Bilney, Recorder