



# ADOPTED

## Galiano Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** February 7, 2023  
**Location:** Galiano South Community Hall  
141 Sturdies Bay Road, Galiano Island BC

**Members Present:** Tim Peterson, Chair  
Ben Maberley, Trustee  
Lisa Gauvreau, Trustee

**Staff Present:** Kim Stockdill, Island Planner  
Brad Smith, Island Planner  
Narissa Chadwick, Island Planner (electronic)  
Charly Caproff, Planner 1 (electronic)  
Warren Dingman, Bylaw Enforcement and Compliance Manager (electronic)  
Sarah Shugar, Recorder (electronic)

**Others Present:** Approximately 40 members of the public

These minutes follow the order of the agenda, although the sequence may have varied. The electronic meeting was live-streamed, recorded, and made available for electronic public attendance.

#### 1. CALL TO ORDER

Chair Peterson called the meeting to order at 12:37 p.m. 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:

- 17.2 Notice of Motion regarding Standing Resolution GL-2019-053
- 17.3 Wise Island
- 17.4 CRD Building Inspections

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

#### 3. TRUSTEE REPORT

Trustee Gauvreau reported she attended a Southern Gulf Islands Forum meeting on January 9, 2023 and topics included anchorages and derelict boats and tiny homes. Trustee Gauvreau and Trustee Maberley met with MLA Adam Olsen regarding Forestry 1 (F1) lots on Galiano Island.

Trustee Gauvreau attended several training sessions for new Trustees and thanked staff for their work to put together the agenda package.

Trustee Mabberley expressed condolences to family of long time community member elder Charley. Trustee Mabberley introduced Penelakut Tribe Council member Ken Thomas and expressed support to work collaboratively with the Penelakut Tribe.

Penelakut Tribe Council member Ken Thomas spoke to unceded territory within the Galiano Island Local Trust Area and sensitive heritage sites on Galiano Island. Mr. Thomas expressed support for open communication and to work collaboratively on issues of common interest.

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

Chair Peterson reported he would plan to spend extra time following the LTC regular meetings to meet with community members. Chair Peterson reported he attended a Lasqueti Island Local Trust Committee meeting regarding updating the Lasqueti Island Official Community Plan and will attend a Salt Spring Island Local Trust Committee meeting on February 9, 2023. The next Trust Council meeting will be held March 7 to 9, 2023 at the Coast Bastion Hotel in Nanaimo.

#### **5. ELECTORAL AREA DIRECTOR'S REPORT – None**

#### **6. TOWN HALL AND QUESTIONS**

Chair Peterson opened the town hall at 12:47 p.m.

A member of the public asked for an update regarding a recent court case regarding herring fishery brought forward by Galiano residents. Trustee Mabberley advised the herring case is finished and residents are waiting for a decision from the court.

A member of the public expressed concern regarding approving the motion to bring back application GL-RZ-2022-1 (Gaylor) at the December 2022 meeting and expressed support for greater clarity and discussion on any motion, especially a motion that was previously denied by the LTC and/ or any motion that is not included in the agenda.

A member of the public requested the LTC to move project 15.1.2-GA-2022-106 - Wise Island Bylaw Review to the LTC priority list and recommended that Gambier Island Local Trust Committee Bylaw No. 114 could be used as a template for the Wise Island Bylaw Review.

A member of the public welcomed newly elected Trustees and expressed support for Trustees to guide development and reduce unplanned development. The member of the public spoke to the importance of protection of forest corridors for climate change and to prevent fire risk. Development within contiguous forests has been a contentious issue for 30 years. The member of the public expressed concern that Trustee Mabberley made a notice of motion regarding non-enforcement of unlawful dwellings, reconsideration of an application that was denied by the past LTC, and invite a letter from a member of the public that was seeking abeyance of bylaw enforcement and advised that these three items are a breach of the LTC the code of conduct.

The member of the public expressed support for enforcement of unlawful dwellings.

A member of the public expressed concerns regarding application GL-RZ-2014.1 (Crystal Mountain) including the lack of community support and that the proposal is not supported by the Galiano Island Official Community Plan and requested the LTC to not proceed to public hearing and meet with community members prior to considering the application.

A member of the public expressed concerns regarding the lack of enforcement of Galiano Island Bylaws, specifically development within the Forestry 1 zones. The member of the public expressed concerns regarding not enforcing unlawful dwellings in Forestry 1 zoned areas.

Chair Peterson advised it is each Trustees responsibility to declare conflict of interest for a real or perceived conflict of interest.

Trustee Mabblerley spoke to the need for affordable housing on Galiano Island and advised he would declare conflict of interest regarding the notice of motion for Bylaw Enforcement on Unlawful Dwellings.

A member of the public welcomed new Trustees and stated it is not required for the new Trustees to follow the path of previous Trustees.

A member of the public expressed support for the notice of motion for Bylaw Enforcement on Unlawful Dwellings that was introduced at the last meeting and expressed support for the LTC to take action to increase affordable housing. The member of the public advised he lost two employees due to lack of housing.

A member of the public expressed support for the notice of motion for Bylaw Enforcement on Unlawful Dwellings and expressed support for application GL-RZ-2014.1 (Crystal Mountain) to move forward to Public Hearing.

A member of the public expressed support for affordable housing initiatives and expressed support for application GL-RZ-2014.1 (Crystal Mountain) and the Learning Centre.

A member of the public advised the Learning Centre property was zoned for development and the Crystal Mountain application is zoned Forestry 1. The member of the public expressed concern regarding the notice of motion to relax bylaw enforcement on unlawful dwellings. The member of the public advised Galiano Island is unique in that 50% of the island was designated a managed forestry zone and was rezoned to Forestry 1 zoning. He expressed concern that no notice was given to the community regarding the notice of motion and that a change of this nature should be done as part of an Official Community Plan review as the changes would be impactful and should involve a community review.

A member of the public advised the lack of affordable housing on Galiano Island is largely due to Short Term Vacation Rental (STVR's) and encouraged enforcement of STVR's to encourage long-term rentals in the community.

Chair of the Galiano Island Forestry Association advised the Galiano Island Forestry Association works to reduce fire risks, improve biodiversity and improve groundwater recharge. He expressed support for forest management practices for a healthy forest and advised that people who live on the land take the best care of our forests.

A member of the public spoke on behalf of Coast Salish People of Galiano Island and expressed support for affordable housing initiatives, to work collaboratively and for Indigenous ways of caring for the land.

**7. COMMUNITY INFORMATION MEETING - None**

**8. PUBLIC HEARING – None**

**9. MINUTES**

**9.1 Local Trust Committee Minutes Dated December 15, 2022**

**By general consent**, the Local Trust Committee meeting minutes of December 15, 2022 **were** adopted.

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

**9.3 Advisory Planning Commission Minutes – None**

**10. BUSINESS ARISING FROM MINUTES**

**10.1 Follow-up Action List Dated Jan 2023**

Received.

**11. DELEGATIONS – None**

**12. CORRESPONDENCE**

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

**12.1 Sandy Pottle re Standing Resolutions - unlawful dwellings LTA**

Received.

**12.2 Jennifer Margison re Standing Resolutions - unlawful dwellings**

Received.

**13. MEETING BREAK - COMMUNITY UPDATE – None**

**14. APPLICATIONS AND REFERRALS**

**14.1 GL-DVP-2021.8 (O'Shaughnessy) - Staff Report**

Planner Stockdill presented a staff report dated January 30, 2023 regarding a Development Variance Permit application to permit stacked boulder slope stabilization works to remediate a slide area to provide protection to development and to a water service line and gravel driveway from further erosion and risk.

Representative of the applicant Laura from Ryzuk Engineering spoke to the application.

In discussion the following items were noted:

- There was a question regarding eelgrass and what is the plan for the trees that have fallen; and
- The culverts do not have sufficient capacity to handle the volume of water.

**GL-2023-001**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee approve issuance of Development Variance Permit GL-DVP-2021.8 (O'Shaughnessy).

**CARRIED**

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

Planner Smith presented a staff report dated January 30, 2023 to seek direction from the LTC regarding next steps for proposed Bylaws No. 256 and 257.

In discussion the following items were noted:

- There was a question regarding the map on page 92 and whether there a registered Statutory Right of Way (SROW) on Lot B. Planner Smith reported staff would work with CRD to resolve the question and ensure emergency access is provided and staff will report back to the LTC prior to a Public Hearing; and
- Staff recommend that any rezoning approval be subject to an approved provincial water license.

**GL-2023-002**

**It was Moved and Seconded,**

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

**CARRIED**

Staff will schedule a Public Hearing for application GL-RZ-2014.1 (Crystal Mountain) on Saturday, May 6, 2023 at the Lions Park Society Hall. It will be a hybrid in person and electronic meeting.

Trustee Maberley declared conflict of interest for application GL-DP-2022.5 (Longson) and left the meeting at 2:00 p.m.

**14.3 GL-DP-2022.5 (Longson) - Staff Report**

Planner Caproff presented a staff report dated January 25, 2023 regarding a Development Permit application for new construction of a building located at 90 Montague Road for the purposes of food production and as a support facility for the Valley Mill Restaurant.

The property owner spoke to the application.

**GL-2023-003**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee approve issuance of Development Permit GL-DP-2022.5 (Longson).

**CARRIED**

Trustee Maberley returned to the meeting at 2:05 p.m. The meeting recessed for a break at 2:05 p.m. and reconvened at 2:20 p.m.

**15. LOCAL TRUST COMMITTEE PROJECTS**

**15.1 Groundwater Implementation Project - Staff Report**

Planner Chadwick presented a staff report dated January 25, 2023 regarding the Groundwater Sustainability Implementation Project.

**GL-2023-004**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to look into inclusion of FireSmart exemptions and First Nations land ownership in the Groundwater Sustainability Implementation Project.

**CARRIED**

**16. REPORTS**

**16.1 Work Program Reports**

**16.1.1 Active Projects Report Dated January 2023**

Received.

**16.1.2 Future Projects Report Dated January 2023**

Received.

**GL-2023-005**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee request staff to refer Work Program Review staff report dated December 5, 2022 to the Galiano Island Advisory Planning Commission and request recommendations for the next minor and/or major project.

**CARRIED**

**16.2 Applications Report Dated January 2023**

Received.

**16.3 Trustee and Local Expense Report Dated November 2022**

Received.

**16.4 Adopted Policies and Standing Resolutions**

Received.

**16.5 Local Trust Committee Webpage - None**

**16.6 Islands Trust Conservancy Report Dated November 2022**

Received.

Trustee Mabblerley declared conflict of interest with item 17.1 - Deferred Enforcement on Unlawful Dwellings and left the meeting at 2:50 p.m.

**17. NEW BUSINESS**

**17.1 Deferred Enforcement on Unlawful Dwellings - Staff Report**

Bylaw Enforcement and Compliance Manager Dingman presented a staff report dated January 27, 2023 regarding Policy Options for Unlawful Dwellings.

A Trustee advised that Galiano Island is unique and a motion regarding enforcement of unlawful dwellings should be specific to address the lack of affordable housing and specific consideration of unlawful dwellings within the Forestry 1 zones.

Trustee Mabblerley returned to the meeting at 2:58 p.m.

**17.2 Notice of Motion regarding Standing Resolution GL-2019-053 – Adopted Policies and Standing Resolutions**

A Trustee expressed concern that Standing Resolution GL-2019-053 does not accurately address First Nations engagement and acknowledgement of First Nations people on Galiano Island.

Trustee Mabblerley presented a notice of motion to replace Standing Resolution GL-2019-053, for consideration at the next meeting, as follows:

That the Galiano Island Local Trust Committee seek to engage in reconciliation with local First Nations, governments and island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, the United Nations Declaration on Rights of Indigenous Peoples, draft principles that guide the Province of British Columbia's relationship with Indigenous Peoples and Islands Trust First Nations engagement principles. That the Galiano Island Local Trust Committee endeavor to:

- a. Annually write a letter to all First Nations organizations introducing Trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year as well as provide an update of current projects and advocacy activities;
- b. For all Local Trust Committee meetings, invite all local First Nations to attend meetings as well as provide a traditional welcome to the Territory if they would like;
- c. Work with Local First Nations, Governments and Organizations on cooperative initiatives, including but not limited to, language, place names, territorial

acknowledgements and community education on Coast Salish and local First Nations cultural heritage and history;

- d. Work with Local First Nation Governments and Organizations on engagement principles for inclusive land use, marine use and climate change planning advocacy, protection and stewardship and knowledge and information sharing protocols;
- e. Establish and maintain dialogue with Local First Nations and organizations now and into the future based on respect and recognition of Aboriginal Rights and Titles, Treaty Rights, Traditional Rights and First Nations Traditional Territories within the Local Trust Area; and
- f. Direct staff not to take enforcement action against any Indigenous peoples in regards to their traditional inherent rights.

### **17.3 Wise Island**

A Trustee expressed support for a Wise Island Bylaw Review to address concerns of Wise Island property owners.

Staff advised a Wise Island Bylaw Review is on the future projects list and would be considered a minor LTC project and it is estimated it could be completed project within one year. Staff will look into a Wise Island Bylaw Review project and report back at a future meeting.

### **17.4 CRD Building inspections**

Trustee Mabblerley read a letter received from Trustee Dave Maude regarding Capital Regional District (CRD) building permits and clarification regarding siting and use permits in the event the CRD should discontinue the use of building permits.

## **18. UPCOMING MEETINGS**

The next regular meeting is scheduled on March 14, 2023, at 1:00 p.m. at the South Community Hall.

## **19. TOWN HALL**

Chair Peterson opened the town hall at 3:20 p.m.

A member of the public expressed support for the Local Trust Committee to advocate for emergency access through the old Haul logging road and that an "Emergency Use Only" sign be installed for an evacuation route in case of fire etc.

Trustee Mabblerley advised the old Haul logging road was the emergency access road for Galiano Island in the past.

A member of the public expressed support for emergency access though the old Haul logging road and to address the Forestry 1 lot grievances.

A member of the public clarified that his request for bylaw enforcement to be suspended on Wise Island is specific to solar panel impacts and small decks only.

A member of the public requested the LTC to consult with Wise Island property owners regarding a Wise Island Bylaw Review.



A member of the public suggested Trustees refer to two Ministry of Transportation and Infrastructure reports regarding the Forestry 1 lots on Galiano Island for information.

A member of the public suggested that Forest lot property owners be included in an Advisory Planning Commission.

A member of the public spoke to the history of forest lot property owners building rights and suggested that the issues could be resolved through collaboration.

A member of the public expressed support for Wise Island property owners and expressed support for the notice of motion introduced in item 17.2 including the history of First Nations families on Galiano Island and the importance of including First Nations in the Galiano Island Official Community Plan in a meaningful way.

A member of the public requested the LTC to review the water management plan for application GL-RZ-2014.1 (Crystal Mountain). Planner Smith reported the applicant has demonstrated sufficient water availability for the proposed uses.

A member of the public asked whether his farm property would be exempt from the Groundwater Sustainability Project regulations. Chair Peterson encouraged the member of the public to contact Planner Chadwick for clarification regarding whether his property would be impacted by the Groundwater Sustainability Project regulations.

**20. CLOSED MEETING – None**

**21. ADJOURNMENT**

**By general consent**, the meeting was adjourned at 3:45 p.m.

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Tim Peterson, Chair

Certified Correct:

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Sarah Shugar, Recorder