

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