

From: Jennifer Margison <[REDACTED]>

Sent: Wednesday, July 12, 2023 12:07 PM

To: Timothy Peterson <tpeterson@islandstrust.bc.ca>; Kim Stockdill <kstockdill@islandstrust.bc.ca>; Lisa Gauvreau <lgauvreau@islandstrust.bc.ca>; Ben Mabberley <bmabberley@islandstrust.bc.ca>; SouthInfo <SouthInfo@islandstrust.bc.ca>

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Subject: Galiano F1 Rezoning Before the LTC

Dear Trustees and Planner

I would like some clarification on one aspect of the DL 14 rezoning application. At the LTC meeting today, I heard reference several times to 4 adjacent landlocked lots. I have been looking at the maps and it appears to me that all adjacent lots have road access. If I am correct in identifying the 4 lots in question, they have road access from Porlier Pass. Please confirm that my understanding of this is correct. If so, a further requirement for road access seems quite unnecessary and I wonder why this is even being discussed.

The DL 14 rezoning application appears to be a fairly simple rezoning with no request for RR subdivision lots to sell and increased density as is the case with the DL 85 and 86 rezoning applications. The intent seems to be to protect the forest and associated ecosystems of this much larger F1 property, congruent with the IT's protect and preserve mandate and with our OCP which states under Forest Objectives:

All land use decisions for lands in the Forest designation must be guided by the following objectives:

- 1) to preserve a forest land base,*
- 2) to preserve and protect the forest, its biodiversity, integrity and ecological services,*
- 3) to encourage ecosystem-based sustainable forest management for all forested lots and to encourage economic opportunities through this forest management practice,*
- 4) to encourage ecological restoration of degraded forest stands, and*
- 5) to maintain or enhance carbon storage and sequestration.*

Forest Policies

- a) The principal use shall be forestry.*

Therefore, I am also very puzzled by Trustee Mabberley's professed concern about this application and his suggestion that a "community amenity" should be part of it. Retention of the forest land base for sustainable forestry as this application proposes is the "amenity" and one that should be supported by the LTC.

The other two applications, if approved, will result in considerable financial benefit to the owners through the sale of waterfront lots. That does not appear to be the case for the rezoning of DL 14. Surely there should be more concern, both for Trustee Mabberley and First Nations about the fact that **no waterfront land is designated as Nature Protection or parkland in the proposed rezonings of DL 85 and 86**. I did not hear him question the absence of that community amenity, for First Nations and for Galiano residents. In addition, the sale of non-waterfront lots rather than waterfront lots would offer a more affordable option to potential buyers, surely congruent with housing affordability concerns on this island.

In the case of the DL 85 and 86 rezoning applications, following the original community-approved Heritage Forest policy when it comes to F1 rezonings would seem to be the best course of action for the LTC. This policy is a very good one and should be revived. The Heritage Forest OCP policy specifically states:

*iii) transfer any lands in excess of 2 hectares (4.94 acres) per 8 hectares (19.76 acres) of F1 land being rezoned, which excess lands must be rezoned FH (Heritage Forest) to permit forestry and associated educational uses only, to an **incorporated Galiano Island organization of at least 30 years standing that has as one of its objects the stewardship of forest land.***

The apparent suggestion that land from these rezonings be donated to the Penelakut rather than the Islands Trust Conservancy would seem to be a sudden and inadequately considered departure from the original community-approved HF policy which again was carefully drafted to be consistent with the Islands Trust's mandate is to preserve and protect the unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia. I don't believe land transfer to a private entity for uses other than Nature Protection fulfills that as a community benefit. A better solution, if land transfer to First Nations is desired, is to allocate the proposed amenity lots to the Penelakut, and include shoreline.

It was my observation and concern yesterday that Trustee Maberley appeared to be attempting to "weaponize", for reasons that are unclear to me, the legitimate interests of First Nations reconciliation in a targeted application-specific way in his suggestion without any evidence that the DL 14 applicant was not interested in First Nations consultation, and in spite of the fact that such consultation is not the applicant's responsibility, all while not questioning any aspects of the DL 85 and DL 86 applications that as Trustee Gauvreau rightly stated need serious consideration.

This made for an extremely uncomfortable LTC meeting in the presence of so many First Nations attendees. I feel strongly that Trustee Maberley's behavior was no service to reconciliation at all but was reckless grandstanding, oblivious to the constraints of the LTC process and Islands Trust judicial responsibilities, extremely unfair to the DL 14 applicant (and potentially to anyone else contemplating a land use application) and seemed designed to aggrandize himself as the **only** champion of First Nations interests, to the detriment of his appropriately more careful and respectful fellow Trustee Gauvreau.

A consistent and fair approach needs to be taken to all rezoning applications; there is a good HF policy that was painstakingly developed by Galiano residents and approved by the community and it should be used as the model. Following yesterday's meeting, I am left with serious concerns about procedural fairness on this island when it comes to land use applications. Therefore I am copying this email to the Trust CAO and Trust Council/Executive Chair for the record.

Sincerely,

Jennifer Margison

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Galiano Island

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