

ADOPTED



Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: June 1, 2015
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present: Laura Busheikin, Chair
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Kim Farris, Acting Planner 2
David Millership, Recorder

Members of the Public and Media Present: There were approximately 20 members of the public present and no members of the media

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:30 pm. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Andrew Loveridge stated concern with the Islands Trust's treatment of Vilupti Barrineau, relating to application GL-DP-2014.5 (Koster). He commented that Ms. Barrineau has done a lot of good for Galiano and requested that the Local Trust Committee (LTC) write her a letter of sympathy.

Gary Coward spoke regarding application GL-RZ-2014.1 (Crystal Mountain) and commented that: it is important to remember that the property is F1 zoned; he supports unfragmented forest; he supports land title transfer, where applicable, in return for development; human use of forestlands needs to be regulated; the Islands Trust is a unique eco-government, which needs to be protected; the application is a nice concept but he does not support it; he has concerns regarding density, water and sewage.

Stephen Ryback asked that the people who put up signs opposing the Rogers Cell Tower Proposal, which relate to property values, take them down.

Tom Hennessy provided an update regarding the Galiano Land Trust project and stated that Elizabeth May, Member of Parliament (MP) attended Galiano's 20th Annual Bob Dylan Birthday Party fundraiser for affordable housing.

Louise Decario spoke regarding application GL-RZ-2014.1 (Crystal Mountain) and commented that: she supports a 75% land transfer in return for rezoning and development; she supports the Islands Trust Fund (ITF) being title holder of land(s) designated for transfer; she doesn't support public trails on land(s) designated for transfer; the preservation of forestland is a community benefit; the ITF is the conservation land trust for Canada's islands in the Salish Sea and has a promise to protect in perpetuity; she has concerns regarding density and the applicant having a preference for covenant(s) rather than land transfer; and the application is incomplete and more information is needed, including a detailed site plan with size of structures.

Tom Hennessy stated support for application GL-RZ-2014.1 (Crystal Mountain) but only if there is a 75% land transfer in return for density. He stated support for a portion of land(s) designated for transfer being sold and monies from the sale being used for affordable housing.

4. COMMUNITY INFORMATION MEETING

4.1. Galiano Island Local Trust Committee Bylaw No. 250

Chair Busheikin stated that a Community Information Meeting (CIM) gives the public an opportunity to make comments and/or ask questions.

Acting Planner 2 (A/Planner 2) Farris provided information and stated that in general terms, the purpose of Proposed Bylaw No. 250 is to amend Galiano Island Land Use Bylaw No. 127, 1999 to clarify Section 2.14 pertaining to the setback to the sea.

Mike Hoebel spoke on behalf of the Galiano Island Parks and Recreation Commission (GIPRC) and asked the LTC to consider comments/concerns made in the GIPRC referral report, which detailed a request for amendment(s).

There was some discussion regarding:

- Process;
- Intent of Proposed Bylaw No. 250;
- District Lot (DL) 79;
- GIPRC addressing their concerns via variance application;
- Desire to avoid triggering another Public Hearing (PH) at this time.

5. PUBLIC HEARING

5.1. Recess for Public Hearing

5.1.1. Galiano Island Local Trust Committee Bylaw No. 250

Chair Busheikin recessed the meeting at 1:00 pm.

See separate Public Hearing Record dated June 1, 2015.

5.2. Recall to order

Chair Busheikin recalled the meeting to order at 1:05 pm.

6. MINUTES

6.1. Local Trust Committee Minutes Dated May 4, 2015

The following amendment to the minutes was presented for consideration:

- Page 2, seventh paragraph – replace “Umance” with “Umana”

By general consent the amendment was approved.

GL-2015-035

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Minutes dated May 4, 2015 be amended as follows:

- Page 11, fourth paragraph – replace “next door to her home;” with “next door to her home, however her personal preferences shouldn’t guide her decision;”
- Page 11, fourth paragraph – insert “she agreed that the case made at the March 14, 2015 Community Information Meeting was not compelling, however, the recent presentation provided much more persuasive information;” prior to “Rogers.”

CARRIED

GL-2015-036

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Minutes dated May 4, 2015 be amended as follows:

- Page 11, last paragraph – replace “as amended;” with “to amend.”

CARRIED

GL-2015-037

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Minutes dated May 4, 2015 be amended as follows:

- Page 12, first paragraph – replace “following motion, as amended” with “amended motion”
- Page 12 – delete Resolution GL-2015-031, except “**CARRIED**” and “Trustee Harris, Opposed”, and renumber subsequent resolutions accordingly.

CARRIED

GL-2015-038

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Minutes dated May 4, 2015 be amended as follows:

- Page 14, second paragraph, third sentence – replace “the EC will be having a discussion with” with “TC will include a session with”

CARRIED

By general consent the minutes were adopted as amended.

Art Moses (member of the public) stated that he might like to amend his Page 3 comment and would submit any proposed amendments verbatim to A/Planner 2 Farris, for inclusion.

6.2. Section 26 Resolutions Without Meeting Report

none

6.3. Advisory Planning Commission Minutes Dated May 7, 2015

The minutes were received.

7. BUSINESS ARISING FROM MINUTES

7.1. Follow-up Action List Dated May 2015

A/Planner 2 Farris summarized the report.

Regarding No. 2, Landworks (DL 79), the applicant is doing a delegation today and the Official Community Plan (OCP) amendment(s) has received Ministry approval.

Regarding No. 5, STVR bylaw information, staff is working on the pamphlet and can include wording pertaining to voluntary compliance, if the LTC wants.

Regarding No. 8, letter to Industry Canada and other applicable agencies, staff will be sending amended minutes with the letter.

There was some discussion regarding Short Term Vacation Rentals (STVRs) and the June 13, 2015 Special Meeting (SM), which will include an Open House and Community Information Meeting (CIM).

Regional Planning Manager (RPM) Kojima mentioned that staff will bring the proposed STVR pamphlet to the SM, for discussion of possible amendments, and that the pamphlet mail-out could happen afterwards.

There was some discussion regarding creating a list of existing STVRs and sending each owner an information package, relating to new bylaws.

GL-2015-039

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee directs staff to communicate new Short Term Vacation Rental bylaw information and a pamphlet to all existing bylaw enforcement open files and other advertised Short Term Vacation Rentals.

There was some discussion regarding:

- Process;
- Using Google, Vacation Rentals By Owner (VRBO) and AirBnB to search for STVRs;
- Support for Trust Council (TC) policy regarding bylaw enforcement.

The question on the motion, was then called,

CARRIED

8. DELEGATIONS

8.1. Bowie Keefer re: Sustainable Forestry on Galiano - Opportunities and Covenants

Chair Busheikin introduced Bowie Keefer and he spoke regarding Sustainable Forestry, Opportunities and Covenants on Galiano. PowerPoint slides were used to assist with the presentation of information. In summary the PowerPoint covered the following:

- Canadian Forest Service definition of sustainable forest management;
- Condition of Galiano's forests;
- Wildfire hazard;
- Strategy going forward;
- Galiano Forestry Cooperative;
- Shaggy young forest in need of work;
- Restoration of young forest;
- Trail networks;
- Special situation on Galiano;
- Sustainable forestry covenants;
- Levels of protection for the forest.

Chair Busheikin thanked Mr. Keefer for his delegation.

There was some discussion regarding:

- Mr. Keefer made an excellent presentation and the LTC have no doubt that he will be an excellent steward;
- LTC need to consider the future and other landowners;
- Process and Mr. Keefer's draft sustainable forestry covenant relating to application GL-RZ-2013.1 (Landworks);
- Galiano Forestry Cooperative initiative;
- Islands Trust being supportive of well managed forestland(s);
- Wildfire hazard and local fire departments being the ones to decide safety and whether or not to close public trails etc.;
- Mr. Keefer's draft sustainable forestry covenant being a model and therefore benefitting from a 50/50 cost recovery agreement.

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10.1. GL-SUB-2012.1 (Taylor) – Memo

A/Planner 2 Farris provided information from the memorandum.

GL-2015-040

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee authorize the Chair of the Galiano Island Local Trust Committee to execute a Form C Discharge to release Covenant CA3782457 from Lot 2, District Lot 1, Galiano Island, Cowichan District, Plan EPP31159.

CARRIED

10.2. GL-DP-2014.5 (Koster) - Staff Report

A/Planner 2 Farris provided information from the staff report.

There was some discussion regarding:

- Concern that some trees were removed, which might not have needed to be;
- Arborists determining tree health;
- Community education regarding Development Permit Areas (DPAs);
- Process and it being understandable that, after a fire, an owner might see burnt trees and think they should be removed.

GL-2015-041

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Development Permit GL-DP-2014.5 (Koster) be approved.

CARRIED

GL-2015-042

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee requests staff to communicate with Galiano's fire departments, arborists and contractors by forwarding them Galiano Island Local Trust Committee Development Permit Area information.

CARRIED

Note: there was a break at 2:15 pm and the meeting reconvened at 2:35 pm.

10.3. GL-RZ-2015.1 (Galiano Conservancy) - Staff Report

A/Planner 2 Farris provided information from the staff report.

Applicant representative Ken Millard was in attendance and spoke on behalf of the application.

Trustee Pottle stated that Marjorie McClelland, who worked hard on this and is now deceased, would be very pleased.

GL-2015-043

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Draft Bylaw No. 251, cited as Galiano Island Land Use Bylaw 127,1999, Amendment No. 02, 2015 (GL-RZ-2015.1 Galiano Conservancy Association) be given First Reading.

CARRIED

GL-2015-044

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Draft Bylaw No. 252, cited as Galiano Island Official Community Plan Bylaw 108, 1995, Amendment No. 01, 2015 (GL-RZ-2015.1 Galiano Conservancy Association) be given First Reading.

CARRIED

GL-2015-045

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee direct staff to schedule a public hearing and community information meeting for Bylaws No. 251 cited as Galiano Island Land Use Bylaw 127, 1999, Amendment No. 02, 2015 and Bylaw No. 252, cited as Galiano Island Official Community Plan Bylaw 108, 1995, Amendment No. 01, 2015 (GL-RZ-2015.1 Galiano Conservancy Association).

CARRIED

GL-2015-046

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaw No. 251 and Bylaw No. 252 are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

Ken Millard echoed comments made by Trustee Pottle. He stated that the Galiano Conservancy Association, as an organisation, chose to down-zone the land and that Ms. McClelland's desire was that there be no trails on the property.

10.4. GL-RZ-2014.1 (Crystal Mountain)

A/Planner 2 Farris provided information from the memorandum.

Applicant representative Stephen Foster was in attendance and spoke on behalf of the application.

There was some discussion regarding:

- The staff report;
- Process and community benefit(s);
- Covenants and land transfers;
- Possible review of forestlands rezoning approach to include designating some forestlands for forestry and some forestlands for preservation;
- 75/25 approach not being enshrined in Galiano's OCP anymore and applications being dealt with on a case by case basis;
- The word "forestry" not having an exact/agreed upon definition;
- Inability to force the harvesting of trees or forestry;
- Heritage Forest (HF) option;
- Setting precedent if the 75/25 approach isn't applied to this application;
- Zoning being about land use(s) not land users;
- LTC need to consider the future and other landowners;

- Applicant being a serious meditation centre whose primary concern(s) is client safety/privacy and the ability to monitor/protect clients in retreat;
- Applicant being open to all ideas that accommodate their primary concern(s);
- Applicant concerned that land transfer of the park portion would result in a different land owner holding the right to future decisions regarding that land;
- HF being a conservation area;
- F3 transfer being in exchange for one density;
- Density being a concern because the applicant wants to build 30 10'x16' meditation "huts";
- If kitchens are proposed for the "huts" then each "hut" would be a small cabin/residence;
- The need to consider Galiano's OCP very carefully;
- Ways in which to meet the applicants objectives;
- Possibly having a 30 metre (m) "no go area" clause so that retreat participants are protected;
- Concern that if Crystal Mountain were to sell then future owners could interpret permitted land use(s) differently;
- Applicant being a registered charity and thus having a public value;
- Possible clause requiring current/future land owners to be not for profit;
- Applicant's use being unique and challenging from a planning perspective;
- Structures, groundwater, septic, gray water, composting toilets, building permits/inspection;
- Regulations and logistics.

Chair Busheikin commented that the LTC hopes to find a "win-win" solution and that the applicants should explore the idea of 75% land transfer(s) rather than covenant(s) with their board and perhaps the ITF and with Crystal Mountain's principal objectives being accommodated.

There was further discussion regarding:

- Infrastructure issues and environmental impact(s);
- Need for a detailed environmental assessment;
- Need for a detailed site plan;
- Ability for covenants to be very detailed.

GL-2015-047

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee refers Memorandum (requesting the nine questions listed in Resolution GL-2015-002 to be answered) dated May 25, 2015 Re: Application Update (File Number: GL-RZ-2014.1 Crystal Mountain) to the Galiano Island Advisory Planning Commission and that in the meantime the Galiano Island Local Trust Committee will continue to listen to further ideas pertaining to GL-RZ-2014.1 Crystal Mountain.

There was some discussion regarding:

- Process;
- The APC being very helpful and the applicant being sure to benefit from their direction;

The question on the motion, was then called,

CARRIED

There was some discussion regarding Crystal Mountain maybe needing a management consultant and engineers report.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1. Galiano Island Local Trust Committee Bylaw No. 250 - Technical Amendments – Memo

A/Planner 2 Farris provided information from the memorandum.

There was some discussion regarding:

- Process;
- Galiano Island Parks and Recreation Commission (GIPRC) requested amendments;
- GIPRC addressing their concerns via variance application;
- Variance application fee being \$770.00;
- Desire to avoid triggering another PH at this time.

GL-2015-048

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 250, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2015” be given Third Reading.

CARRIED

GL-2015-049

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 250 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

11.2. Home-Based Contractor Yards Project - Staff Report

A/Planner 2 Farris provided information from the staff report.

GL-2015-050

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee directs staff to amend the Project Charter timeline appropriately.

CARRIED

There was some discussion regarding:

- Temporary Use Permits (TUPs);
- Maintaining the residential appearance of the property;
- Not permitting hazardous materials to be stored;
- Screening and setbacks;
- Description of what a contractor yard is;
- Current regulations;

- Discretionary approval and LTC ability to add further conditions at time of TUP application.

GL-2015-051

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Draft Bylaw No. 253, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2014” be given First Reading.

CARRIED

GL-2015-052

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 253 be referred to the Galiano Island Advisory Planning Commission and other appropriate agencies.

CARRIED

12. REPORTS

12.1. Work Program Reports (attached)

12.1.1. Top Priorities Report Dated May 2015

Provided for information.

It was noted that the June 13, 2015 SM will take place at the Lions Hall (992 Burrill Road) and will include an Open House and Community Information meeting.

12.1.2. Projects List Report Dated May 2015

Provided for information.

GL-2015-053

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee directs staff to add Activity “Review park zoning and specifically to allow stairs in setbacks” to item No. 9 of the Projects List.

CARRIED

12.2. Applications Report Dated May 2015

Provided information

12.3. Trustee and Local Expense Report Dated March 2015

Provided for information

12.4. Adopted Policies and Standing Resolutions

Provided for information

A/Planner 2 Farris will remove item No. 4 regarding STVRs.

12.5. Local Trust Committee Webpage

The Galiano Island Local Trust Committee webpage can be found at:
www.islandstrust.bc.ca/galiano

Regarding current applications, the LTC requested that all related staff reports and APC minutes be made available and specifically for application GL-RZ-2014.1 (Crystal Mountain).

No other specific updates were made; routine items will be updated as necessary.

12.6. Chair's Report

Chair Busheikin reported that: Linda Adams, Chief Administrative Officer (CAO) is retiring, after 25 years of outstanding service, and a hiring committee has been formed to find her replacement; there is a planning staff turnover in the North and on Salt Spring Island; the next Trust Council will be held on Galiano from June 23-25, 2015 and will include a session with BC Ferries Mike Corrigan, President and Chief Executive Officer (CEO) and Deborah Marshall, Director Media Relations; and she is attending a Chairs training session tomorrow.

12.7. Trustee Report

Trustee Pottle reported that: she has volunteered to be a Trustee advisor, regarding BC Ferries, to Claire Trevena, Member of the Legislative Assembly (MLA) for North Island; she attended a Local Planning Committee (LPC) meeting in Ladysmith; she attended a Harbours Commission meeting in Sturdies Bay; she bumped into Hon. Peter Van Loan, Leader of the Government in the House of Commons at Galiano's Saturday Market; she will attend TC on Galiano from June 23-25, 2015; and she has been attending to regular business and office hours.

Trustee Harris reported that: an Islands Trust Council Resolution Without Meeting (RWM) was passed to petition BC Ferries to reduce Gulf Islands fares by 25% and that some people are concerned that such is not good for the planet because it encourages the use of car travel and an increased carbon footprint; BC Ferries is not addressing foot passenger service; the Tour des Iles pilot project will take place June 18-21, 2015 and will connect all of the Southern Gulf Islands for four days via shuttles to all Capital Regional District (CRD) docks; during office hours a landowner expressed concern that a Bluff's subdivision was approved without proof of potable water; he should have received more than one day's notice that Hon. Peter Van Loan, Leader of the Government in the House of Commons was coming to Galiano; he will be involved in a Financial Planning Committee (FPC) meeting on June 3, 2015 regarding the fiscal future of the Islands Trust; and his meeting with Sheila Midgley went well and problems with toilets at Montague Harbour will be addressed.

RPM Kojima spoke regarding the Bluff's subdivision and stated that there was a covenant on title, which stated that proof of potable water wasn't required until the time of obtaining a building permit.

12.8. Trust Fund Board Report

Provided for information.

13. NEW BUSINESS

none

14. UPCOMING MEETINGS

14.1. Next Regular Meeting Scheduled for July 6, 2015, at the South Galiano Community Hall

15. TOWN HALL

Gary Coward stated that: he heard there are over 80 STVRs on Galiano with only 26 of them being advertised online; the word "donated" should not be used when talking about land being exchanged for density; a covenants purpose is to bind current and future landowners, without regard for complexity; he supports the Crystal Mountain application as long as there is a community benefit; and he presented the idea of Crystal Mountain adopting a more monastic approach, which would have 30 "huts" contained within one building.

Bowie Keefer stated that public access on public land(s) shouldn't be denied. He stated support for the Crystal Mountain application and asked the LTC to explore what Crystal Mountain's land management plan would be if a covenant(s), instead of land transfer(s), was applied.

Akasha Forest spoke to the Crystal Mountain application and commented that: it's clear what the community wishes are regarding F1 zoned lots; the community is interested in finding a solution as long as there is a clear community benefit; she supports the Heritage Forest option with ITF being land holder; past, present and future process has to be fair for all.

16. CLOSED MEETING

none

17. ADJOURNMENT

By general consent the meeting was adjourned at 4:50 pm.

Laura Busheikin, Chair

Certified Correct:

David Millership, Recorder

