



Islands Trust

ADOPTED

Galiano Island Local Trust Committee

Minutes of Regular Meeting

Date: June 20, 2023
Location: Galiano North Community Hall
 22790 Porlier Pass Road
 Galiano Island BC

Members Present: Timothy Peterson, Chair
 Ben Maberley, Local Trustee
 Lisa Gauvreau, Local Trustee

Staff Present: Kim Stockdill, Island Planner
 Charly Caproff, Planner 1
 Warren Dingman, Bylaw Enforcement Manager
 Lisa Millard, Recorder

Others Present: Approximately 15 members of the public were present.

1. CALL TO ORDER

Chair Peterson called the meeting to order at 1:21 p.m. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

2.1 Add Late Correspondence

By general consent, the agenda was approved as amended.

3. TRUSTEE REPORT

Trustee Gauvreau and Trustee Maberley reported the following:

- Attended the recent public hearing held regarding the Crystal Mountain proposal.
- In May, the Islands Trust posted a Watershed Security Strategy session as part of the Freshwater Sustainability Project.
- Galiano’s recent emergency preparedness week provided opportunity and education for the community to review their emergency plans, and she invited people to consider joining the volunteer Galiano Emergency Program.
- Trustee Maberley acknowledged the community members names that are displayed on the North Community Hall wall. He noted that First Nations families had built the hall as a

school for their children, so the children did not have to attend the residential school on Penelakut Island.

- Trustee Maberley introduced Michelle Crocker and welcomed her to speak. Ms. Crocker stated that the meeting was held on the territory of the Penelakut Tribe. She acknowledged the First Nations families who had resided on the land and noted long term challenges between First Nations and Islands Trust.

4. CHAIR'S REPORT

Chair Peterson stated that he had recently attended Executive Committee Meetings in preparation for the upcoming Trust Council meeting being held on Gabriola Island.

5. ELECTORAL AREA DIRECTOR'S REPORT - none

6. TOWN HALL AND QUESTIONS

A member of the public stated that the local bylaws are not specific regarding the percentage of land that is required to be donated to affordable housing at time of rezoning. They further indicated that there is a lack of clarity regarding land donation requirements.

Planner Stockdill noted that historically when a property is rezoned, and 25% of the property is rezoned to Rural Residential, there is a requirement for one lot to be set aside for affordable housing, or alternatively that the proceeds of the sale of said lot are donated to community housing. It was noted that the question was asked from a member of the public that will be making a rezoning application that differs to application GL-RZ-2023.1, and that each application is looked at on its own merits.

A member of the public stated that applications that involve land donations as a result of rezoning should be referred to the Penelakut First Nation.

A member of the public indicated that the 75% / 25% requirement is not ambiguous.

A member of the public stated that the use of the word donation is not accurate but should be referred to as a land transfer in exchange for additional density.

A member of the public noted their objection to items in the minutes as follows:

- The May 6, 2023, Public Hearing minutes state that there were no further submissions. It was determined that hearing a maximum of two submissions from each member of the public was sufficient even though there were more submissions to be made.
- The April 20, 2023, Advisory Planning Commission (APC) minutes Item 4.1 states that roadside parking at Parkside is a safety issue but Montague is a higher priority, however the speaker was concerned about serious parking issues at Spanish Hills Dock, and believed the APC has dismissed these concerns.

A Trustee replied that the parking concerns in this area have been subject to an ongoing discussion, that roadway is in the jurisdiction of the Ministry of Transportation and Infrastructure (MOTI), and that MOTI has not addressed these issues.

A member of the public asked Trustees if the legal advice received regarding the proposed Groundwater Recharge Protection Development Permit Area could be released to the public.

The Chair noted that the request to release the legal opinion would need to be put before the Executive Committee and that legal advice is typically given in-camera to ensure that there are no legal ramifications.

7. COMMUNITY INFORMATION MEETING – None

8. PUBLIC HEARING – None

9. MINUTES

9.1 Local Trust Committee Minutes Dated April 11, 2023 (for Adoption)

The following amendments to the minutes were presented for consideration:

Item 1 strike word traditional

By general consent, the minutes were adopted as amended.

9.2 Local Trust Committee Special Meeting Minutes of May 6, 2023 (for Adoption)

The following amendments to the minutes were presented for consideration:

Item 1 strike word traditional

By general consent, the minutes were adopted as amended.

9.3 Local Trust Committee Public Hearing Record of May 6, 2023 (for Receipt)

Page 5 of the Minutes change the last sentence to “There being no new further submissions”

By general consent, the minutes were adopted as amended.

9.4 Local Trust Committee Special Meeting Minutes Dated May 9, 2023 (for Adoption)

The following amendments to the minutes were presented for consideration:

Item 1 strike word traditional

By general consent, the minutes were adopted as amended.

9.5 Section 26 Resolutions Without Meeting Report – None

9.6 Advisory Planning Commission Minutes Dated April 20, 2023 (for Receipt)

Received for information.

10. BUSINESS ARISING FROM MINUTES

10.1 Follow-up Action List Dated June 2023

Planner Stockdill referenced Item 1 and stated that extra speakers were requested but will not be forthcoming at this time, however if there is an ongoing issue they will inquire further.

11. DELEGATIONS

11.1 Wise Island Community Association re Wise Island Rezoning and Bylaw Amendments

A representative from the Wise Island Community Association read a statement (Annex A of the June 20, 2023, Galiano Island Local Trust Committee Meeting Agenda Package) and highlighted the following:

- Wise Island relies on solar power for energy and on direct ocean access from each property for emergency response situations
- The application of Bylaw 127 to Wise Island by Bylaw Enforcement has created several issues related to solar power and water access
- The Association proposes a Small Lot Residential (SLR) zone as part of Bylaw 127.
- This proposed SLR zone would permit solar power, stairs, and walkways within key setback areas
- They request that the LTC move the Wise Island zoning project from the project list and make it a top priority and propose that bylaw enforcement be suspended in the interim

Discussion ensued and Trustees noted that there are different options to consider regarding this matter including a bylaw review resulting in bylaw amendments or consideration of a rezoning application.

12. CORRESPONDENCE

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

12.1 Late Correspondence

Two pieces of late correspondence were received for information.

13. MEETING BREAK - COMMUNITY UPDATE - none

14. APPLICATIONS AND REFERRALS

14.1 Salt Spring Island Local Trust Committee Referral for Proposed Bylaw No. 530 (for response)

GL-2023-36

It was Moved and Seconded,

that the Galiano Island Local Trust Committee recommended approval with the condition of consultation with Coast Salish People of Salt Spring Island.

CARRIED

14.2 GL-ALR-2023.1 (Cupples) - Staff Report

Planner Caproff reviewed the staff report.

A Trustee noted the proposed line that is closest to the barn is also near the bank and if barn needed to be evacuated there would not be an animal corridor. The applicant indicated that they would be willing to move the lot line for any potential future owner's use. Discussion ensued.

GL-2023-37

It was Moved and Seconded,

that the Galiano Island Local Trust Committee supports application GL-ALR-2023.1 on condition of an animal corridor on the southern lot line of proposed Lot 1 and requests staff to forward the application to the Agricultural Land Commission for further consideration.

CARRIED

The meeting was recessed at 2:43 p.m. and reconvened at 3:04 p.m.

14.3 GL-RZ-2023.1 (Rockafella) – Staff Report

Planner Stockdill summarized the staff report and highlighted the following:

- The applicant seeks to rezone the property from Forest 1 (F1) to a split zoned lot with 80 hectares zones as Forest 3 (F3) and 2 hectares zoned to Forest Industrial (FI).
- The existing lot includes five (5) buildings and a site used as a sawmill.
- Staff can look into the potential for public trails and emergency access on the subject property to address Schedules C and E in the Official Community Plan (OCP)

The applicant was present and indicated that the application is based on existing OCP and Land Use Bylaws (LUB).

Discussion ensued and Trustees noted that the following topics should be taken into consideration during discussions regarding this application:

- Access to four land locked lots located at the Porlier Pass side of the property.
- Amenity zoning for the Galiano housing organization.
- Consultation with First Nations.

GL-2023-38

It was Moved and Seconded,

that the Galiano Island Local Trust Committee direct staff to proceed with further information for application GL-RZ-2023.1 (Rockafella) and to prepare draft bylaws.

CARRIED

15. LOCAL TRUST COMMITTEE PROJECTS

15.1 DL 64, 68, 72, 87 RZ Project - Proposed Bylaws 231 and 232 - Consideration of Adoption - Staff Report

GL-2023-39

It was Moved and Seconded,

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

CARRIED

GL-2023-40

It was Moved and Seconded,

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

CARRIED

16. REPORTS

16.1 Work Program Reports

16.1.1 Active Projects Report Dated June 2023

GL-2023-41

It was Moved and Seconded,

that the Galiano Island Local Trust Committee remove the completed applications from the Active Projects List.

CARRIED

16.1.2 Future Projects Report Dated June 2023

Received for information.

16.2 Applications Report Dated June 2023

Received for information.

16.3 Trustee and Local Expense Report Dated June 2023

Received for information.

16.4 Adopted Policies and Standing Resolutions

Received for information.

16.5 Local Trust Committee Webpage - none

16.6 Islands Trust Conservancy Report – none

17. NEW BUSINESS

17.1 Galiano Island LTC Freedom of Information and Protection of Privacy Bylaw No. 290 - Consideration of Adoption

GL-2023-42

It was Moved and Seconded,

that Galiano Island Local Trust Committee Bylaw No. 290, cited as “Galiano Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 290, 2023”, be adopted.

CARRIED

17.2 Galiano Island Local Trust Committee Bylaw No. 289 - Bylaw Enforcement Notification Amendment - Staff Report

Bylaw Enforcement Manager Dingman summarized the amendments.

A Trustee noted that he had not received a report that would justify inclusion of amendments related to farm animal confinement as previously requested, and that the fines outlined in Schedule A require further consideration.

GL-2023-43

It was Moved and Seconded,

that Galiano Island Local Trust Committee Bylaw 289, cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 228, 2011, Amendment No. 1, 2023”, be read a first time.

CARRIED

For the record Trustee Mabblerley stated that he opposed the motion.

GL-2023-44

It was Moved and Seconded,

that Galiano Island Local Trust Committee Bylaw 289, cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 228, 2011, Amendment No. 1, 2023”, be read a second time.

CARRIED

For the record Trustee Mabblerley stated that he opposed the motion.

GL-2023-45

It was Moved and Seconded,

that Galiano Island Local Trust Committee Bylaw 289, cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 228, 2011, Amendment No. 1, 2023”, be read a third time.

CARRIED

For the record, Trustee Mabblerley stated that he opposed the motion.

GL-2023-46

It was Moved and Seconded,

that the Galiano Island Local Trust Committee Bylaw 289, cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2011, Amendment No. 1, 2023’, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

For the record, Trustee Mabblerley stated that he opposed the motion.

17.3 Groundwater Sustainability Project – Release of Legal Opinion

GL-2023-47

It was Moved and Seconded,

that the Galiano Island Local Trust Committee release a summary of the legal opinion on Section P Groundwater Sustainability Project.

CARRIED

18. UPCOMING MEETINGS

18.1 Next Regular Meeting Scheduled for July 11, 2023 at the Galiano North Hall, Galiano Island

19. TOWN HALL

A member of the public stated that both parties that are applying for rezoning on forestry designated lots should have to follow the same requirements for the creation of amenity lots, monetary donations, and number of allowed dwellings.

A member of the public stated that the fines outlined in the Bylaw Enforcement Notification allow for a fine to be levied if a horse goes through a protected lot but not a dog. If the law is meant to alleviate damage from animals it should be looked at in the context of all animals.

A member of the public stated that they would like to encourage the LTC to mitigate the bylaw enforcement issues on Wise Island.

A member of the public stated they would like the LTC to be sensitive to the use of solar energy, particularly in relation to climate change as well as the recent provincial government announcement which encourages use of solar energy. They further request that the LTC support Wise Island residents, who reside in an off-grid community, rather than allow them to be charged with bylaw infractions.

A member of the public requested a Wise Island project be moved up on the LTC priority list.

A member of the public noted that there is confusion about the options available when rezoning forestry lots, and that past LTC practice has been to allow a landowner to remove 25 percent of property from the forestry designation based on an exchange of land for conservation or affordable housing purposes.

20. CLOSED MEETING – None

21. ADJOURNMENT

By general consent, the meeting was adjourned at 4:02 p.m.

Tim Peterson, Chair

Certified Correct:

Lisa Millard, Recorder