ADOPTED

Galiano Island Local Trust Committee

Minutes of Regular Meeting

Date:	**October 10, 2023**
Location:	**Galiano South Community Hall** **141 Sturdies Bay Road, Galiano Island, BC**
Members Present:	**Timothy Peterson, Chair** **Ben Mabberley, Local Trustee** **Lisa Gauvreau, Local Trustee**
Staff Present:	**Kim Stockdill, Island Planner** **Charly Caproff, Planner 1, by Zoom** **Bruce Belcher, Planner 1, by Zoom** **Carly Bilney, Recorder, by Zoom**
Others Present:	**Approximately twenty-four (24) members of the public were present.**

1. CALL TO ORDER

Chair Peterson called the meeting to order at 1:00 p.m. He acknowledged that the meeting was being held on the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Add First Nations Report as a standing item (Item 6).

By general consent, the agenda was adopted as amended.

GL-2023-54
It was Moved and Seconded,
that Galiano Island Local Trust Committee request staff to add to all future agendas a standing item: First Nations Report.

CARRIED

3. TRUSTEE REPORT

Trustee Gauvreau made the following comments in her report:

- While attending the in-person Trust Council meeting on Pender Island, Trustee Gauvreau used the Car Stops Program; she expressed interest in assessing the Car Stops Program for use on Galiano

- A long-term vision statement was not agreed upon at Trust Council and input from the Galiano Island community is encouraged
- Trustee Gauvreau attended a recently held Islands Trust Conservancy meeting

Trustee Mabberley made the following comments in his report:

- Trustee Mabberley attended the Trust Council meeting and noted a lot more work is to be done regarding the vision statement and engagement with First Nations
- It is good to look at ways to move ahead with common ground
- Trustee Mabberley recently took representatives from the Department of Fisheries and Oceans for a tour of the Southern Gulf Islands to view liveaboards
- In Ganges Harbour, there are about 175-200 liveaboards, and about 300 throughout the entire Gulf Islands (about ten in Montague Harbour, which is an increase over the previous two years) – this is due to an increasing lack of affordability

4. CHAIR'S REPORT

Chair Peterson made the following comments in his report:

- It was right to pause at Trust Council to allow for careful consideration of the vision statement, which is supposed to describe where the organization is going to go in the long-term
- Chair Peterson attended the Union of British Columbia Municipalities meeting in September in Vancouver where the Islands Trust was well received; the Minister of Transport expressed openness to establishing regular communication between the Ministry and the Islands Trust

5. ELECTORAL AREA DIRECTOR'S REPORT – none

6. FIRST NATIONS REPORT

- Appreciation was expressed by Ken Thomas, Penelakut Tribe Council Member for the communication and offerings from islanders – the communication now being established is a big step forward for the Nation
- The upcoming Penelakut Tribe Council meeting will include a motion related to updating the First Nation's legal team and a meeting with the LTC
- Appreciation was expressed for those wearing orange shirts

7. TOWN HALL AND QUESTIONS

Town hall was held and the following comments were made:

- While it is not on the current agenda, Development Permit Areas (DPA) and the groundwater project are still on staff's radar and a verbal update can be provided at a future meeting or in-person

- Concern was expressed that the rezoning of District Lot 14 (DL14) and changes to the easement to allow for emergency access will result in increased problems with trespassing such as camping, parked cars and litter
- The object of the Islands Trust is a mandate provided by the Province, not the long-term vision statement that Trust Council was recently considering
- It would set a negative precedent to develop bylaws that refer to a specific person or group of persons rather than to the land
- Ensuring an adequate supply of potable water for everybody into the future is essential

8. COMMUNITY INFORMATION MEETING – None

9. PUBLIC HEARING – None

10. MINUTES

10.1 Local Trust Committee Minutes Dated September 12, 2023 (for Adoption)

By general consent the Galiano Island Local Trust Committee meeting minutes of September 12, 2023 were adopted.

10.2 Section 26 Resolutions Without Meeting Report - None

10.3 Advisory Planning Commission Notes Dated September 7, 2023 (for Receipt)

11. BUSINESS ARISING FROM MINUTES

11.1 Follow-up Action List Dated Oct 2023

Island Planner Stockdill provided updates on the Follow-up Action List and made the following comments:

- It is a staff priority to send early engagement letters out to First Nations
- A summary of the legal advice regarding the potential of land transfer should be included in the letters

12. DELEGATIONS – None

13. CORRESPONDENCE

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

14. MEETING BREAK – COMMUNITY UPDATE – None

15. APPLICATIONS AND REFERRALS

15.1 GL-DVP-2023.2 (Koster) - Staff Report

Planner Caproff reviewed the Staff Report regarding GL-DVP-2023.2 (Koster). Discussion was held and the following comments were made:

- The applicant postponed the application to take the neighbour's concerns into consideration and make the application more amenable
- The building footprints would not increase

GL-2023-55
It was Moved and Seconded,
that Galiano Island Local Trust Committee approve issuance of draft Development Variance Permit application GL-DVP-2023.2 (Koster).

CARRIED

15.2 GL-DVP-2023.3 (McMillan) - Staff Report

Planner Belcher reviewed the Staff Report regarding GL-DVP-2023.3 (McMillan).

GL-2023-56
It was Moved and Seconded,
that Galiano Island Local Trust Committee approve issuance of Development Variance Permit application GL-DVP-2023.3 (McMillan).

CARRIED

A meeting break was held from 1:50 pm – 2:00 pm.

15.3 GL-RZ-2023.1 (Rockafella) - Staff Report

Island Planner Stockdill reviewed the Staff Report regarding GL-DVP-2023.1 (Rockafella) related to the rezoning of DL14. Discussion followed and the following comments were made:

- The Bylaw is in draft format
- The application would need to be sent to the fire department and the Parks and Recreation Commission for comment on the proposed emergency access
- It is not necessary for the applicant to provide land for affordable housing as other community benefits are being considered
- Support was expressed for allowing the application to proceed, including drafting the terms of the draft Bylaw, and sending referrals to First Nations, the Capital Regional District (CRD) and BC Hydro for comment

16. LOCAL TRUST COMMITTEE PROJECTS

17. REPORTS

17.1 Work Program Reports

16.1.1 Active Projects Report Dated Oct 2023

Received for information.

16.1.2 Future Projects Report Dated Oct 2023

Received for information.

Comments were made that some progress has been made on the issue of parking near the Spanish Hills Dock.

17.2 Applications Report Dated Oct 2023

Received for information.

17.3 Trustee and Local Expense Report Dated August 2023

Received for information.

17.4 Adopted Policies and Standing Resolutions

Received for information.

17.5 Local Trust Committee Webpage

17.6 Islands Trust Conservancy Report – None

18. NEW BUSINESS

18.1 DPA Exemption – Legal Opinion Summary

Island Planner Stockdill provided an overview on the summary of the legal opinion related to the DPA Exemption as included in the agenda. Discussion was held and the following comments were made:

- There is validity in keeping the exemption given the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the recognition of basic inherent rights
- Exemptions are generally based on land activities rather than land owners
- Support was expressed for hearing from all First Nations on the referral list, and gathering more information before going to Public Hearing
- After discussions are held with Penelakut Tribe, this project will come back to the LTC for consideration
- This exemption would recognize inherent rights prescribed by the Supreme Court
- The legal opinion concludes that the proposed exemption would likely be invalid, but adds potential rationale for it to be valid leaving the final determination to be a court case
- While the legal summary allows for either side, it is incumbent upon the LTC to do something to work towards Reconciliation
- There is need to consider what the Bylaw is supposed to be doing and what an exemption from that Bylaw might mean
- Support was expressed for sending the recommendation to First Nations for comment
- More data – related to, for example, water, land size and zoning – would help the LTC do its due diligence

18.2 Notice of Housing Agreement Bylaws – Staff Memo

Island Planner Stockdill summarized the Notice of Housing Agreement Bylaws that provides the LTC with an update on existing Housing Agreement Bylaws on Galiano.

19. UPCOMING MEETINGS

19.1 Next Regular Meeting Scheduled for November 14, 2023 at the South Community Hall, Galiano Island

20. TOWN HALL

Town hall was held and the following comments were made:

- Forwarding information related to the Islands Trust and LTC meetings to Penelakut Tribe should continue systematically beyond Trustee Mabberley's term
- The proposed Development Permit exemption could state an exemption applies only if the respective First Nation's Council agrees to the exemption
- Land use permits and related laws will not supersede the inherent rights of Indigenous Peoples that are enshrined in the laws of Canada – moving gently forward is the way to go
- The protection of water is not only for humans but for the natural environment
- The number of Short-term Vacation Rentals (STVR) is significant and affects water supplies all over the island
- Trustees are encouraged to restrict STVR in water sensitive areas
- Concern was expressed that misinformation related to recharge and DPA Bylaw areas is creating unnecessary polarization between people

21. CLOSED MEETING – None

22. ADJOURNMENT

By general consent the meeting was adjourned at 3:22 pm.

_____

Tim Peterson, Chair

Certified Correct:

_____

Carly Bilney, Recorder