



Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: May 2, 2016
Location: North Community Hall
20925 Porlier Pass 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 Stockdill, Acting Planner 2
David Millership, Recorder

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:32 pm. Introductions were made and she acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. There were approximately 40 members of the public present and no media.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Added to item 10.5 – April 21, 2016 Letter from Michael Sharp, President, Section Seven Water Works Ltd re GL-TUP-2016.1 (Stettner)

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Chair Busheikin outlined the Town Hall (TH) rules and guidelines, which included a two minute per speaker time limit.

Debbie Holmes read and submitted her comments in writing. She spoke to GL-RZ-2014.1 (Crystal Mountain Society) and stated: support for the Official Community Plan (OCP), lands being preserved for forestry use in perpetuity, and affordable housing; and opposition to community benefit being achieved via covenant(s).

Stephen Rybak spoke to GL-RZ-2014.1 (Crystal Mountain Society) and asked the Local Trust Committee (LTC) to suspend action until a community benefit review, that includes public input, has been done. He commented that a covenant(s) is not a community benefit and stated support for penalties when/if covenants are broken.

Tom Hennessy stated support for GL-RZ-2014.1 (Crystal Mountain Society) but concern regarding the community benefit portion. He stated opposition to community benefit being achieved via covenant(s).

Bill Russell spoke to the minutes of April 4, 2016 and stated concern that a brief dissolution of the meeting was not reflected. He stated that the opinions of the Trustees should hold more weight than passionate voices.

Anna Keefer stated support for GL-RZ-2014.1 (Crystal Mountain Society). She commented that the calming/healing nature of the Crystal Mountain Society (CMS) is, in itself, a community benefit.

Bowie Keefer stated that CMS is, in itself, a community benefit. He stated that CMS provides harmony and a culture of peace and that he is confident CMS would care for its land(s) better than a third party would.

Paul LeBlond stated support for GL-RZ-2014.1 (Crystal Mountain Society) and community benefit being achieved via covenant(s). He wondered what the actual definition of community benefit is.

Andrew Loveridge stated support for affordable housing and Galiano Green (GG). He submitted a Housing Petition, which had garnered 21 signatures.

Art Moses spoke on behalf of Suzanne Fournier and requested a change to her Page 8 comments in the minutes of April 4, 2016. He stated support for GL-RZ-2014.1 (Crystal Mountain Society) but concern regarding the community benefit portion. He referenced staff comments regarding Private Managed Forest Land Act (PMFL) implications and stated support for further discussion.

Elizabeth Latta stated support for GL-RZ-2014.1 (Crystal Mountain Society) and for applications, in general, being considered on a case by case merit basis. She commented that CMS is not for profit, offers people the ability to connect with nature, builds compassion for all life and is the type of application that should be embraced.

Kiyo Okuda spoke to the minutes of April 4, 2016 and stated support for the brief dissolution of the meeting to be reflected. He also requested that the cause of the dissolution (i.e. procedural changes not voted on by the LTC or public) be mentioned.

Gary Coward spoke to GL-RZ-2014.1 (Crystal Mountain Society). He stated: the word "exchange" not "donate" should be used when speaking/writing about land transfer(s) associated with community benefit; opposition to community benefit being achieved via covenant(s); CMS land value would increase significantly if its rezoning is achieved via covenant(s); and concern with process.

Harry Lipetz spoke to GL-RZ-2014.1 (Crystal Mountain Society). He stated: who the applicant is, is irrelevant; concern regarding PMFL implications; support for new zoning; opposition to forestlands being rezoned for alternate use(s); and that decisions surrounding CMS are/will be precedent setting.

Louise Decario spoke to GL-RZ-2014.1 (Crystal Mountain Society). She stated: support for the word "exchange" being used instead of "donate" when speaking/writing about land transfer(s) associated with community benefit; support for CMS uses and them being achieved via community benefit land transfer/exchange in accordance with OCP guidelines; concern regarding the applicant being referred to as not for profit, as though such should

make a difference; support for further discussion regarding specific zone(s) naming (i.e. Spiritual Retreat Zone) and designation; and support for a Community Information Meeting (CIM) taking place prior to draft bylaws being written. She commented that CMS has owned their land(s) for 30 years and asked how much forest restoration/management they have done during that time.

Acting Planner 2 (A/Planner 2) Stockdill responded that not for profit makes a difference, in that it means not for commercial use.

A member of the public (Terry) stated opposition to all forestlands development in British Columbia (BC).

Olaf Knezevic stated support for GL-RZ-2014.1 (Crystal Mountain Society) and commented that more than two outhouses would be needed to serve 30 huts/people.

Gary Coward stated that it is irrelevant whether or not an applicant is not for profit.

Kiyo Okuda spoke to the Chairs opening statement that this meeting is being held in traditional territory of the Coast Salish First Nations and commented that, keeping forestlands intact, is a benefit to Coast Salish First Nations. He stated support for forestry in perpetuity, and for forestry being stipulated/enforced by a third party.

Ben Miltner spoke to GL-RZ-2014.1 (Crystal Mountain Society). He stated support for community negotiations and suggested a solution in which community benefit is achieved via CMS land transfer/exchange but with the land that is transferred/exchanged then being subject to a covenant(s), which CMS has agreed to and is a holder.

Helen Foster spoke to GL-RZ-2014.1 (Crystal Mountain Society). She asked what is a forest and stated that just because the land(s) in question is designated/zoned as forest it doesn't necessarily mean that a forest actually exists there. She commented that the land in question isn't suited to active forestry but could, under covenant, be a proper forest in perpetuity.

Bill Russell commented that humanity and nature are at loggerheads.

Stephen Rybak commented that his last name is spelled "Rybak" and requested a change to his Page 9 comments in the minutes of April 4, 2016.

Debbie Holmes read and submitted her comments in writing. She spoke to GL-RZ-2014.1 (Crystal Mountain Society) and the forestlands and stated concern with process, staff comments/opinions regarding PMFL and PMFL implications. She quoted Margaret Griffiths by saying "the past has been a struggle, the present is our legacy and the future is our judge".

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated April 4, 2016

The following amendments to the minutes were presented for consideration:

- Page 2, between the second and third paragraphs – insert “Chair Busheikin recessed the meeting for a short break and then the meeting was reconvened.”
- Page 8, first paragraph (Suzanne Fournier cont’d) – delete the last sentence
- Page 9, under Stephen Ryback – replace “Ryback” with “Rybak” and replace “LTC” with “staff”

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions Without Meeting Report Dated April 2016

Provided for information.

6.3 Advisory Planning Commission Minutes

none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated April 2016

A/Planner 2 Stockdill summarized the report.

8. DELEGATIONS

none

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10.1 Salt Spring Island Local Trust Committee Bylaw No. 491 Referral

Chair Busheikin provided information.

GL-2016-023

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee considered Salt Spring Island Local Trust Committee Bylaw No. 491 and decided Interests Unaffected by Bylaw.

CARRIED

10.2 Salt Spring Island Local Trust Committee Bylaw No. 492 Referral

Chair Busheikin provided information.

GL-2016-024

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee considered Salt Spring Island Local Trust Committee Bylaw No. 492 and decided Interests Unaffected by Bylaw.

CARRIED

10.3 Salt Spring Island Local Trust Committee Bylaw No. 493 Referral

Chair Busheikin provided information.

GL-2016-025

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee considered Salt Spring Island Local Trust Committee Bylaw No. 493 and decided Interests Unaffected by Bylaw.

CARRIED

10.4 Thetis Island Local Trust Committee Bylaw No. 98 Referral

Chair Busheikin provided information.

There was some discussion regarding:

- First Nations wanting to continue to mine stone (i.e. granite);
- This being IR3 zoned land;
- People being concerned about noise;
- Not wanting to overstep the Thetis LTC;
- Support for First Nations engagement to find solutions (i.e. the use of less noisy drills);
- Maybe having a different approach if such were an issue on Galiano.

GL-2016-026

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee considered Thetis Island Local Trust Committee Bylaw No. 98 and decided Interests Unaffected by Bylaw.

CARRIED

Note: there was a break at 1:40 pm and the meeting reconvened at 2:00 pm.

10.5 GL-TUP-2016.1 (Stettner) - Staff Report

Chair Busheikin provided information from April 21, 2016 Letter from Michael Sharp, President, Section Seven Water Works Ltd re GL-TUP-2016.1 (Stettner).

A/Planner 2 Stockdill provided information from Staff Report dated April 21, 2016 (File No.: GL-TUP-2016.1). She noted that this is one of the first Temporary Use Permit (TUP) applications to be considered for a Commercial Vacation Rental and referenced the TUP Checklist.

Applicant(s) Stettner was not in attendance.

There was some discussion regarding:

- LTC and Section Seven Water Works (SSWW) authority;
- Restricted covenant being between the applicant and SSWW;
- SSWW indicating a willingness to negotiate with the applicant;
- LTC deferment providing incentive for the applicant to negotiate with SSWW.

GL-2016-027

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Temporary Use Permit GL-TUP-2016.1 (Stettner) be deferred until a covenant, endorsed by Section Seven Water Works and agreed to by the applicant, has been drafted.

CARRIED

10.6 GL-TUP-2016.2 (Axmann) - Staff Report

A/Planner 2 Stockdill provided information from Staff Report dated April 21, 2016 (File No.: GL-TUP-2016.2 (Axmann)).

Applicant(s) Axmann was in attendance and spoke to the application.

There was some discussion regarding:

- The history of the property;
- The Local Government Act and Galiano's bylaws;
- Advertisement of TUP applications being a legislative requirement;
- Applicant contacting staff with specific questions/concerns;
- Applicant declining the option to withdraw the application.

GL-2016-028

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Temporary Use Permit GL-TUP-2016.2 (Axmann) be approved.

CARRIED

10.7 GL-TUP-2016.3 (Coleman) - Staff Report

A/Planner 2 Stockdill provided information from Staff Report dated April 21, 2016 (File No.: GL-TUP-2016.3 (Coleman)).

Applicant(s) Coleman was in attendance and spoke to the application.

There was some discussion regarding:

- m) being applicable and it being a mistake that it's crossed out;
- Water catchment being supplementary to the existing well;
- There being no salt water intrusion;
- All water being treated;
- Water Management Areas having different requirements;

- A neighbour, who wants to remain anonymous, being opposed to Short Term Vacation Rentals (STVRs);
- LTC having the authority to determine TUP restrictions.

GL-2016-029

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Temporary Use Permit GL-TUP-2016.3 (Coleman) be approved.

CARRIED

10.8 GL-RZ-2016.1 (Wolstenholme) - Staff Report

A/Planner 2 Stockdill provided information from Staff Report dated April 19, 2016 (File No.: RZ-GL-2016.1 (Wolstenholme)).

Applicant(s) Wolstenholme was in attendance and spoke to the application.

There was some discussion regarding:

- This property once being the Woodstone Inn;
- Applicant wanting to revert back to the same zoning the Woodstone Inn had;
- Guest Services maybe being increased;
- Applicant and A/Planner 2 Stockdill working together.

GL-2016-030

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee requests staff to proceed with application GL-RZ-2016.1 (Wolstenholme) and to prepare draft bylaws.

CARRIED

There was some discussion regarding whether or not emergency preparedness is considered when dealing with TUP applications. Regional Planning Manager (RPM) Kojima commented no, because STVRs are permitted.

10.9 GL-RZ-2014.1 (Crystal Mountain) - Staff Report

A/Planner 2 Stockdill provided information from Staff Report dated April 22, 2016 (File No.: GL-RZ-2014.1 (Crystal Mountain)).

Applicant(s) Foster were in attendance and spoke to the application.

There was some discussion regarding:

- Private Managed Forest Land (PMFL) Act implications and that based on staff's review and understanding of the legal opinions, the bylaw amendments regarding the Crystal Mountain Society (CMS) application could not contravene Section 21 of the PMFL Act as the potential bylaws would not directly or indirectly restrict a forest management activity on land that is classified as PMFL;
- Health and Wellness Facilities and Community Facilities designations;
- Lot lines and zoning;
- Community benefit being important;

- Working forests, Nature Protection (NP) and protecting the land in perpetuity;
- Trustees doing a site visit;
- This being the first application that would permit the owner(s) to keep their land;
- Community benefit intent and options;
- Setting precedent and/or expectation(s) and resulting potential impact(s);
- Past process and OCP guidelines;
- Land transfer/exchange being the highest level of protection;
- Treating all applicants equally, regardless of their not for profit or commercial status;
- Case law and rezoning law and covenant/contract law being different;
- Creating a new zone, instead of amending forest policy, will not contravene Section 21 of the PMFL Act;
- Heritage Forest, the Galiano Club and the Trust Fund Board (TFB);
- Applicant being confused/concerned about the wide range of options being discussed (i.e. active forestry and land transfer/exchange);
- Applicant priority being to protect people in retreat from certain types of activities;
- Applicant being open to options but resistant to surrendering control of their land(s);
- Density and what's permitted on Rural Residential (RR) lots;
- Diversity of the land in question;
- Road Network Plan (RNP) emergency access as a community benefit;
- Community benefit via covenant(s) versus via land transfer/exchange;
- Zoning being about uses not owners and conditions/restrictions being possible via covenant(s);
- Possibility of a CIM taking place prior to draft bylaws being written;
- LTC being satisfied with staff reporting pertaining to PMFL implications;
- Not fettering process and the original nine requests;
- Other considerations such as number of sleeping huts, water and septic;
- Next steps.

GL-2016-031

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee requests the applicant explore additional community benefit options.

There was some discussion regarding:

- Timing and process;
- The original nine requests;
- Preservation of forestlands being of great value to the community.

The question on the motion was then called,

CARRIED

There was some discussion regarding:

- Process;
- Applicant direction and it being possible for CMS to draft a conservation covenant with the TFB, separate from their dealings with the LTC.

GL-2016-032

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee amends the Official Community Plan by re-designating the portion of the land to protected by conservation covenant to Nature Protection and by amending the existing Health and Wellness Facilities designation for 25 percent of the land where the retreat activities would occur.

CARRIED

Trustee Pottle OPPOSED

11. LOCAL TRUST COMMITTEE PROJECTS

none

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated April 2016

Provided for information.

12.1.2 Projects List Report Dated April 2016

Provided for information.

RPM Kojima commented that the Projects List is an identification of what the LTC might like to do, and that just because an item is on the list it doesn't mean it is being worked on.

12.2 Applications Report Dated April 2016

Provided for information.

RPM Kojima summarized the report.

Regarding GL-RZ-2011.1 (Galiano Green), the first phase of cost recovery has been identified and legal work will hopefully be completed by the next meeting.

Regarding GL-RZ-2013.1 (Landworks), the sustainable covenant is being finalised between the Galiano Conservancy Association (GCA) and the applicant.

A/Planner 2 Stockdill stated that TUP applications are being received for commercial vacation rentals.

12.3 Trustee and Local Expense Report Dated March 2016

Provided for information.

12.4 Adopted Policies and Standing Resolutions

Provided for information.

12.5 Local Trust Committee Webpage

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

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

12.6 Chair's Report

Chair Busheikin reported that: she attended the Association of Vancouver Island Coastal Communities (AVICC) convention where there was support for motions regarding the full protection of old growth forest(s) in BC and the Port of Vancouver addressing shipping tanker issues in the Salish Sea; she attended the Salish Sea Ecosystem Conference (SSEC), which had a great First Nations presence; a Species at Risk Act presentation was made to the Executive Committee (EC); and advocacy is happening, at the EC and senior staff level, regarding marine shipping and safety issues in the Salish Sea.

12.7 Trustee Report

Trustee Harris reported that: he's been busy during his office hours; he's heard many opinions regarding CMS; he's going to a housing event in June regarding what Galiano can do to address its shortages; he's thrilled with progress regarding Landworks; and he's thrilled with progress regarding Galiano Green.

Trustee Pottle reported that: she wished she could have attended SSEC; she's had many interactions regarding CMS; she'll be attending a Local Planning Committee (LPC) meeting in June; and she's reviewing affordable housing toolkit information.

Trustee Harris reported the passing of Margaret Griffiths and raised the idea of renaming the Heritage Forest to the Margaret Griffiths Heritage Forest.

Debbie Holmes shared that Margaret Griffiths wouldn't want the Heritage Forest to be renamed but would want her name and thoughts to live on in association with the Heritage Forest – also, that Ms. Griffiths wishes were to have a dogwood tree planted, in her memory, in the Heritage Forest.

12.8 Trust Fund Board Report

none

13. NEW BUSINESS

13.1 2015-2016 Annual Report - Galiano Island Local Trust Committee Section

Chair Busheikin provided information.

Regarding Page 3, last paragraph – replace “ increased ” with “ to increase ”, replace “ regulations ” with “ regulations, ” and replace “ contractors ” with “ contractors’ ”.

GL-2016-033

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee approves the attached text, as amended, for inclusion in the 2015-2016 Annual Report for approval by Trust Council and submission to the Minister of Community, Sport and Cultural Development.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for June 6, 2016, 12:30 pm, at the Galiano Island South Community Hall

The meeting is scheduled as stated.

14.2 Consideration to Reschedule the October 3, 2016 LTC Meeting to October 1, 2016.

GL-2016-034

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee reschedules its Monday, October 3, 2016 Regular Meeting to Saturday, October 1, 2016.

CARRIED

15. TOWN HALL

Debbie Holmes spoke to TUP applications and asked that the LTC please keep a record of STVRs numbers. She commented that she estimates there to be approximately 175 Galiano STVRs currently advertised on Airbnb. She wondered if GL-RZ-2016.1 (Wolstenholme) might be impacted by GL-RZ-2014.1 (Crystal Mountain) amendments. She spoke to GL-RZ-2014.1 (Crystal Mountain) and stated support for the bylaws to focus on scale and siting.

Roger Pettit stated support for GL-RZ-2014.1 (Crystal Mountain) and asked where exactly it says that they must give up 75% of their land.

Kiyo Okuda stated support for all correspondence to be included in the agenda package.

There was some discussion regarding:

- Current procedure being that correspondence associated with applications is first distributed to the LTC and then posted to the LTC webpage;
- Correspondence, in the email age, being a challenge;
- Treating all correspondence fairly;
- The agenda might include a representation of what correspondence was received between meetings.

Louise Decario commented that there is no OCP policies to follow regarding GL-RZ-2014.1 (Crystal Mountain), only what has happened in the past. She stated concern regarding the idea that CMS itself is a community benefit.

Elizabeth McClelland stated that the CMS Charter says that CMS is to be a community benefit.

16. CLOSED MEETING

16.1 Motion to Close Meeting

GL-2016-035

It was **MOVED** and **SECONDED**,

THAT, the Galiano Island Local Trust Committee meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90 (1) (a & d) for the purpose of considering:

- Adoption of In-Camera Minutes Dated February 1, 2016
- Appointment of Minute Taker

AND that the recorder and staff attend the meeting.

CARRIED

Note: the public was asked to adjourn at 4:45 pm.

See separate In Camera Meeting Minutes dated May 2, 2016.

16.2 Recall to Order

The meeting was recalled to order at 4:55 pm.

16.3 Rise and Report

Chair Busheikin reported that the In-Camera Minutes of February 1, 2016 were adopted and that Colleen Doty was appointed Minute Taker.

17. ADJOURNMENT

By general consent the meeting was adjourned at 4:56 pm.

Laura Busheikin, Chair

Certified Correct:

David Millership, Recorder