



ADOPTED

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: September 11, 2017
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

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

Staff Present: Rob Milne, Island Planner
Colleen Doty, Recorder

Public Present: There were approximately 27 members of the public in attendance.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

For consideration as an addition under Item 13 New Business - 13.1 Addition to Bodega Ridge Park.

By general consent the agenda as amended was Approved.

3. TOWN HALL AND QUESTIONS

Chair Busheikin noted this Town Hall was an opportunity to speak to items on the agenda. Given the full agenda ahead, approximately three minutes would be given to each speaker.

Elizabeth Latta expressed concern about a possible duplication of effort with respect to a recent Local Planning Committee meeting in Ladysmith where a staff report recommended spending \$6000 on a telecommunications consultation protocol. She requested an update on the work being undertaken.

Chair Busheikin noted that draft minutes from the committee in Ladysmith were most likely unavailable until they were adopted, unless considered urgent or critical. Our local telecommunications Special Advisory Planning Commission (SAPC) created a “made-in-Galiano” process, so their work is not necessarily being duplicated.

Trustee Pottle added she is a member of the Local Planning Committee and has repeatedly mentioned the work undertaken by the Galiano SAPC however could not attend the last meeting nor has seen the draft minutes.

Karen Wilke requested follow-up about improved cell-phone reception. She was recently involved in a serious, potentially life-threatening incident on Galiano, where she was trapped on her property, with no cell-phone reception. She was of the impression that the recent telecommunications survey indicated that people overwhelmingly wanted better cell phone service on Galiano.

The LTC provided a brief history of the telecommunications SAPC and its mandate.

Mike Hoebel, a member of the former telecommunications SAPC, noted that their mandate was to clarify the consultation process. The next step was to have a Community Information Meeting (CIM).

Stephen Rybak, Chair of the telecommunications SAPC, noted useful outcomes of their work:

- a draft protocol outlining consultation requirements framework to evaluate new proposals,
- examination of telecommunications strategy within the context of worldwide developments,
- the SAPC contacted all service providers, who responded they had no capital or plans for developments on Galiano,
- the advocacy role for the LTC, in the future, was a matter that still needed to be decided.

Roger Pettit spoke in support of the Stevens application for rezoning. He noted the invaluable work -- terracing and delivery of sand -- provided by Stevens on Sunshine Farms. Mr. Pettit expressed concerns about the extent to which the newly constituted telecommunications SAPC, currently with three members, was balanced. He would like to see volunteer positions more broadly advertised.

Stephen Rybak noted frustration with the lack of progress made on the telecommunications protocol since June. The section on the public consultation process had been weakened. Section 4.6.6 (p. 28) of the SAPC report was more robust. The fact that consultation was a very important part of any protocol as underlined recently at a Local Planning Committee meeting when staff recommended spending \$6000 to direct a consultation process. Mr. Rybak noted that we could probably move to a CIM as long as we focused on the protocol drafted by staff. Weaknesses in the public consultation elements will come to light at that CIM. He requested that staff also be at the CIM as co-presenters of the protocol, because of their particular revisions. He felt the three remaining SAPC members could present the draft protocol as a package to the community as long as they focused on the protocol. He noted that there has been no resolution to any of the key unresolved issues (notably, BC Hydro's role and the relationship with the LTC with respect to telecommunications siting).

With respect to the Regional Trail Route, he noted general support of what they are proposing and thinks it will be of benefit to community to have a safe route. He asked whether the trail would be on one or both sides of the road, noting that the BC Motor Vehicle Act states that one has to walk facing traffic or else one is breaking the law. He expressed concern about mindless, petty, vandalism that has been repeatedly occurring to park signage, creating a safety issue; he referred to a recent incident of a disoriented woman hiking in Heritage Mountain. He supports the Stevens rezoning application.

Tom Hennessy expressed concern about the reference to “the Affordable Housing Project” (agenda package p. 150 Affordable Housing Strategy) being confused with Galiano Green. He indicated interest in being a member of that SAPC. With respect to telecommunications, he noted that there is great feeling on both sides of the issue with respect to electro-magnetic radiation (EMF), with many people in the middle. It takes a number of years to be affected by EMF. He urged the LTC to go no further on promoting cell phones.

Louise Decario noted her support for rezoning in the Stevens application. She asked whether staff had visited the site prior to preparing the recommendations in the staff report. She referred to Land Use Bylaw section 13.9 (prohibiting the creation of a lot lying within two or more zones), noting it had not been mentioned in the staff report despite its relevancy to the application.

With respect to application GL-DVP-2017.4 (McMillan), she also enquired about a site visit. It was noted that while there were three DPA’s on that property, the survey does not indicate the location of the DPA’s in relation to the proposed building. The proposed structure is only 16.5 metres approximately from the water course, yet the regulations specify needing 30 metres from a water course. The locations of the wells and septic field are unknown. It was noted that the upper floor of the proposed structure resembles a house. Ms. Decario referred to LUB sections 2.23 and 2.24, enforcement of siting regulations.

Planner Milne indicated that he had not yet visited the Stevens’ site, but would be soon. He confirmed that, with respect to the GL-DVP-2017.4 (McMillan), a site visit has been conducted.

Mike Hoebel supported going to a CIM on the telecommunications siting and consultation protocol as soon as possible and supported the rezoning of the Stevens’ property.

4. COMMUNITY INFORMATION MEETING
none

5. PUBLIC HEARING
none

6. MINUTES

6.1 Local Trust Committee Minutes Dated July 10, 2017 (for Adoption)

By general consent the Local Trust Committee meeting minutes of July 10, 2017 were adopted.

6.2 Section 26 Resolutions Without Meeting Report
none

6.3 Advisory Planning Commission Minutes
none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated August 2017

With the exception of inviting the CRD to provide a report prior to every LTC meeting - an invitation would go out later this week - all items were complete.

8. DELEGATIONS

8.1 A. Loveridge re: Seeking LTC Support for Transfer of Lands

Mr. Loveridge proposed that VIP61007 Lot 9, on the northern edge of Bodega Ridge Park, makes a natural addition to the Bodega Ridge Provincial Park Reserve but currently belongs to the Ministry of Finance. The LTC is in the process of rezoning two recent additions to "Nature Protection." He suggested that the LTC request the Ministry of Finance to transfer the land to Parks BC with a view to it being incorporated into the Park Reserve, to bring it into conformity with the terrain of Bodega Ridge.

He brought a resolution forward for consideration. It was noted this would be discussed under 13.1 later on in the agenda.

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 Bylaws No. 502 & 503 Referral (attached)

GL-2017-069

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee considers its interests unaffected by Salt Spring Island Bylaws No. 502 and 503.

CARRIED

10.2 Salt Spring Island Local Trust Committee Bylaws No. 500 & 501 Referral (attached)

GL-2017-070

It was MOVED and SECONDED

That the Galiano Island Local Trust Committee indicates that their interests are unaffected by Salt Spring Island Bylaws No. 500 and 501.

CARRIED

10.3 CRD - Gulf Islands Regional Trails Plan (attached)

The LTC thanked the commissioners for their hard work, and received the plan for information.

10.4 GL-DVP-2017.4 (McMillan) - Staff Report (attached)

Planner Milne provided a summary of the staff report noting the applicants were not involved with animal husbandry, they are in the process of developing an orchard and no cooking facilities show on the plan.

Louise Decario asked Planner Milne to look at DPA setbacks.

Trustees noted that neighbours had provided verbal reports of animal husbandry, specifically, the raising of pigs. Neighbours have expressed concern with increased activity happening in the general area. It was noted that marijuana was grown nearby, the effects of off-lighting having been satisfactorily mitigated. A concern had been expressed by neighbours about the potential for the proposed structure to become a retail outlet without a commercial permit.

Questions were noted with respect to:

- Whether there was a building permit for the mobile home;
- Where the septic field is located;
- Specific location of the water course;
- Specific location of the well(s).

GL-2017-071

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee defers application GL-DVP-2017.4 (McMillan) pending receipt of information with respect to: the septic field, wells, water course, and information on the Development Permit Area.

CARRIED

The LTC noted the importance of ensuring the owner is informed of setbacks with respect to animal husbandry.

A twenty minute break was called at 1:49 p.m.

The meeting reconvened at 2:11 p.m.

10.5 GL-RZ-2016.2 (Galiano Conservancy) - Staff Report (attached)

Planner Milne provided introductory comments.

Keith Erickson, Director of the Galiano Conservancy Association (GCA), referred to the Staff Report, p. 82 (agenda package), which itemizes several concerns from the Advisory Planning Commission (APC). The GCA was happy to comply with a number of the concerns. Clarification or further discussion was required on the following:

- Agricultural zoning: the GCA sought clarification of the APC's comments. Trustee Pottle thought that this was more of comment in support of the AG zoned land continuing to be used in that way, rather than a direction.

- Dedicated and secured public trail access to the foreshore: Mr. Erickson acknowledged the community desire for foreshore access, while noting the complications it would present to some of the GCA's programming requiring both privacy and security. The complexity arises in that it is about 2km, and would be potentially costly to secure in some sort of permanent, public way. Further conversations are anticipated with the Parks and Recreation Commission and the CRD, to explore ways of providing that security. The 2km trail would avoid the education areas. A permit might be held by Parks and Recreation, or, a statutory right-of-way might be possible.
- Full road allowance dedication: As Porlier Pass Road is a section 4 road, MOTI has the right to manage and maintain the surface of the road, but there is no formal road dedication. The APC identified an interest in having that actual dedication of the full 66 foot allowance. MOTI does not have that requirement themselves. GCA would prefer not to have to survey the property to have that dedication. The reason behind this recommendation is to allow for the potential to have some type of cycling path alongside the road. One possible solution is to put a statutory right-of-way in place, rather than surveyed out 33 feet on either side from centre then the CRD would have the right to develop alongside if needed in future, in a less costly solution than a legal survey.

It was noted that the Nature Conservancy of Canada had already approved the GCA management plan.

- That a site plan be attached to the bylaw for readers reference: Clarification was required on this request. Mr. Erickson was concerned this would add an inflexible layer to the bylaws.
- Sheila Anderson, Chair of the APC, clarified that their request arose because of confusion about the reference to two camping areas. A map, for reference, made it clear. A request was made for plain language in the bylaw.
- Fire safety: Noted as being at the top of the GCA's priority.
- Management of water and septic systems: GCA is in talks with Vancouver Island Health Authority to ensure compliance with building codes.

Further comments from the LTC:

- The work of the APC and GCA on this application was commended;
- Trustee Harris hoped that continued efforts would be made to address the road and beach access concerns;
- It was noted there were many beach accesses that were open all the time;
- Trustee Pottle felt the GCA addressed all the concerns she had;
- Chair Busheikin asked whether it would be possible to attach a site plan to the LUB that would be clearly indicated as illustrative or general, but not binding. She noted the difficulty of writing bylaws in plain, descriptive language. She supported not being overly restrictive.

- Planner Milne noted that, in general terms, people are not going to look at zoning bylaws for a site map. The property is being controlled by a management plan. A link to a management plan may help people to understand it all.
- Trustee Harris asked how to ensure that two points were being dealt with, without holding up the process.
- Planner Milne noted that the LTC needed to decide if they wanted an illustrative only map attached. What right-of-way would be required to have the trail? These items would need to be in place prior to a Public Hearing. The application could go to second reading.

GL-2017-072

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee Bylaw No. 263, cited as “Galiano Island Land Use Bylaw, 1999, Amendment No. 1, 2017” be amended by:

Amending item 11.2.1.2 by adding the words, “with accessory camping” to the end of the existing text;

Amending item 11.2.1.5 by inserting the word “accessory” at the beginning of the existing text;

Amending the fourth bullet in item 11.2.2.1 by inserting the text, “not to exceed 76 persons,” after the text, “program participants”;

Amending item 11.2.2 by the insertion of the word “accessory” after the text, “In association with”; and

Amending item 11.2.2 by the addition of a new point 11.2.2.3 which reads as follows:

“Campsites and tent platforms shall be sited in designated areas and shall not exceed a combined total of 36.”

CARRIED

GL-2017-073

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee Bylaw No. 263, cited as “Galiano Island Land Use Bylaw, 1999, Amendment No. 1, 2017,” be read a second time as amended.

CARRIED

The applicant questioned the extent to which items had to be completed before a public hearing.

Planner Milne noted there would be an expectation the GCA would be engaged with MOTI with respect to the road issue and with the CRD and Parks and Recreation with respect to the trail. It was noted that the residents of the area were entitled to see documentation on those issues.

The public hearing would not be scheduled until the matter was further along.

10.6 GL-RZ-2017.1 (Stevens) - Staff Report (attached)

The applicants were present. After introductory remarks, there was extensive discussion about section 13.9 of the LUB; Planner Milne noted that the split-zoning prohibition was in the context of subdivision regulations which he felt were not relevant to this application.

Trustee Pottle noted an interest in seeing planners explore, with the applicants, the possibility of rezoning to Forest Industrial (FI) zone. The approach of having two zones on one property was questioned. The following points were discussed:

- Having a home plate for residential and industrial use, with the rest of the property rezoned Forest Industrial;
- Zoning options related to potential for future subdivisions;
- The number of uses and activities on the property;
- Vehicle storage and traffic impacts;
- The extent to which the community would be sensitive about removing the Forest Zone;
- The importance of having staff visit the site;
- Timber production and harvesting not being permitted in Forest Industrial;
- The need for more analysis about options for rezoning.

Questions raised:

- Would putting the entire property into Forest Industrial impact the PMFL?
- Planner Milne said he would have to consider this further and have further discussions.
- When would it be appropriate to refer the application to the APC to analyse different approaches to rezoning?
- If, down the road, Stevens Excavating ceases to excavate, would the home, then, become legally non-conforming? Does the home become a permissible use related to the use of the property?

Fred Stevens noted that most of the services they perform, are done off-site. There is storage and loading of some product at their property. He questioned the benefit of putting the whole property into one zone and moving the Forest zone into Forest Industrial.

Planner Milne noted that under F1, the intent is to create value-added uses, which captures the work that is going on there, with the option of having the least impact on the land, and allowing the mechanical extraction. Whereas the Forest Industrial (FI) anticipates significantly smaller parcels.

GL-2017-074

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee request that staff, in cooperation with the applicant, submit to the Galiano Island Local Trust Committee, information regarding the possibility of rezoning the entire property to Forest Industrial, with a home-plate approach, with the area already identified as a Forest Industrial portion.

CARRIED

GL-2017-075

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee request staff to provide information about whether potential rezoning supports all current industrial uses of the property.

CARRIED

Trustee Harris opposed

Further discussion noted:

- Importance of rezoning to reflect the uses.
- Possibility of site-specific rezoning to a variant, since the FI zone does not allow the activities the applicants wish to undertake.
- A significant number of activities on the property are all covered under the *Mines Act* which does not require compliance with zoning.
- Timing for staff will be tight for next month's meeting of October 2nd.
- There appeared to be consensus that the LTC did not want to remove forestry as a permitted use.

A short recess at 3:43pm was called.

The meeting reconvened at 3:48pm.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Telecommunications Special APC Terms of Reference - Staff Report (attached)

Staff noted their intention to be present at the Community Information Meeting (CIM).

There was consideration as to whether the CIM would happen at the same time as the October LTC meeting or at another time. There was consensus that a Special Meeting of the LTC was preferable, possibly an afternoon event, and that the timing of this would be coordinated with SAPC members.

Stephen Rybak expressed concern about the lack of communication with the community. Only the siting protocol has been discussed at the LTC. Few have looked at the telecommunications strategy. Compounding this, very few people on this island have seen the report that came out. Only hard copies at LTC or on the Islands Trust website. It will be difficult to get the information out. It might be easier to hold a CIM on the protocol itself and to deal with feedback on the

protocol, as opposed to the larger strategy. Mr. Rybak noted his preference for having a tighter focus for the CIM. He would like to have the CIM on the protocol and public consultation process that staff prepared, based on SAPC recommendations. He requested the LTC and staff look at the larger strategy recommendations that the SAPC made, as well as the further items requiring follow-up.

GL-2017-076

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee confirm that the Community Information Meeting focus only on the siting and consultation protocol.

CARRIED

11.2 Affordable Housing Special APC - Staff Report (attached)

To date, only one person stepped forward (during Town Hall) to volunteer on the Affordable Housing SAPC. The LTC is awaiting the CRD housing report.

GL-2017-077

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee refers the Affordable Housing project to the regular Advisory Planning Commission.

CARRIED

Planner Milne advised that very clear direction be given to the Advisory Planning Commission.

GL-2017-078

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee amends the Terms of Reference for the Special Advisory Planning Commission reviewing affordable housing on Galiano and send it to the Advisory Planning Commission.

CARRIED

April 2018 is the desired due date for a written report.

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated August 2017

The dock review project has been challenging in light of recent notice given by the Penelakut Band Manager. The Penelakut were meeting today to discuss the implications for ongoing projects.

The consensus of the LTC was to leave priorities as is, pending further information from the Penelakut.

12.1.2 Projects List Report Dated August 2017
Information as provided.

12.2 Applications Report Dated August 2017 (attached)
Information as provided.

12.3 Trustee and Local Expense Report Dated June 2017 (attached)
Information as provided.

12.4 Adopted Policies and Standing Resolutions (attached)
Information as provided.

12.5 Local Trust Committee Webpage

Updated as directed.

12.6 Chair's Report

Chair Busheikin reported that Salt Spring Island residents voted against incorporation. This will lead to further conversation about concerns and improvements moving forward. For the upcoming Trust Council on Denman Island, there is a pertinent section on advocacy and a community presentation on marine protection and shellfish. Discussions about the Trust Committee structure are beginning. At the end of September all Executive Committee members are going to the Union of BC Municipalities convention and perhaps bringing forward a request to change the *Islands Trust Act*. The new government may be more receptive to some of the requests. More funding is available for small communities and even island communities.

12.7 Trustee Report

Trustee Harris went to a very short Financial Planning Committee meeting. He expressed relief that the Salt Spring Island (SSI) question had been resolved. He had been impressed with Gary Holman and his defence of the Islands Trust. He has met Member of the Legislative Assembly, Adam Olson, and was also impressed with him, thinking he will be an asset to Galiano. Trustee Harris' office hours have resumed Wednesdays at 4 p.m. He noted his interest in the Trust Fund Board's report on Crystal Mountain.

Trustee Pottle noted the SSI incorporation vote was occupying the minds of many trustees. She hoped there would be lots of public input for the upcoming Trust Council. She stressed the importance of engaging First Nations (FN). Provincial rules for engaging FN's are very clear. Once there is a land claim, the consultation process must be turned over to the province. She wants to undertake rezoning in a thorough and thoughtful fashion. She expressed to MLA Adam Olson her hope for the reintroduction of the forests' lands reserve. The PMFL Act was very industry friendly. She has met with Member of Parliament, Elizabeth May.

12.8 Trust Fund Board Report

12.8.1 Crystal Mountain Conservation Proposal - Memo & Staff Report (attached)

The Islands Trust Fund Memorandum and Staff Report were received for information. The applicant has asked to be on the agenda of the next Trust Fund Board meeting, which is soon.

13. NEW BUSINESS

13.1 Addition to Bodega Park

Planner Milne recommended a letter to the appropriate official at BC Parks explaining the latest suggestion as supported by LTC resolution. The consensus was not to send anything to the Ministry of Finance.

GL-2017-079

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee write a letter, signed by the Chair, contacting BC Parks and informing them that the LTC would be in favour of transferring VIP 61007 Lot 9 land from the Ministry of Finance to BC Parks.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for October 2, 2017, at the South Community Hall, Galiano Island

15. TOWN HALL

No speakers.

16. CLOSED MEETING

none

17. ADJOURNMENT

By general consent the meeting was adjourned at 4:44 p.m.

Laura Busheikin, Chair

Certified Correct:

Colleen Doty, Recorder