



# ADOPTED

## Galiano Island Local Trust Committee Minutes of Regular Meeting

**Date:** April 9, 2018  
**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  
Russ Hotsenpiller, Chief Administrative Officer  
Heather Martin, Recorder

**Public Present:** There were approximately 20 members of the public in attendance.

### 1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:34 p.m. 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** spoke in support of the petition on the agenda for turning DL. 64 into a park as part of the Gulf Islands National Park Reserve.

**Claude Latour** spoke in support of Bernard Mignault's application, and also expressed support for the Stevens application.

**Gord Palmberg** identified himself as a close neighbour of the Stevens and spoke in favour of their application. He noted the importance of the Stevens operation to island jobs and businesses and said that DL 37's size and removed location made it the ideal place for operating such a business.

**Sandy Moodie** gave Regional Planning Manager (RPM) Kojima a letter supporting the Mignault application. He also spoke in favour of the Stevens application and said he will be writing a letter of support.

**Bernard Mignault** spoke in favour of the Stevens application and will send in a letter of support.

**Leif Palmberg** spoke in favour of the Stevens application, noting that their operation provides an essential island service.

**Kiyo Okuda** expressed concerns about changes to the road network and access that have occurred since the sale of the forest lands which he said affected both the Stevens and the Mignault applications, and made the following points:

- ways of supporting and preserving the forest zone are evaporating, and trustees must take their mandate to preserve and protect it seriously,
- the support for the Stevens application seems to hinge on the services provided by the operators, but the rezoning will apply no matter who owns the property in future,
- only the east road (Sticks Allison) is designated for industrial capacity, and is essential for fire and industrial mitigation,
- he will support the Stevens application only when the east road is complete and back in service.

**Louise Decario** noted the GILTC referred the Stevens application to the APC at its last meeting and expressed her hope that the GILTC would wait for its recommendations before proceeding with this application.

**Art Moses** said he supports the attempt of the Stevens to legalize and regularize their zoning and noted the importance of their services in the community, but said zoning decisions would affect the land no matter who the future owners are. He expressed concerns about the way the application was being done, including:

- carving out an irregular piece in middle of the lot and declaring that forest industrial instead of rezoning the entire property,
- the silence of the last OCP review on the possibility of providing residential, opportunities in F1 zones by carving out and rezoning smaller pieces
- the extent to which the land that's to be covenanted for eventual use as road is consistent with the road network plan.

**Mike Hoebel** said he supported the Stevens application, and urged the LTC to accept the recommendations of the staff reports to regularize this property. He noted a staff report saying the proposed road would be "consistent with the road network plan," and said this proposal would not only not impede the process but would be useful to it.

**4. COMMUNITY INFORMATION MEETING**

None

**5. PUBLIC HEARING**

None

**6. MINUTES**

**6.1 Local Trust Committee Minutes Dated March 5, 2018**

The following amendments to the minutes of March 05, 2018 were presented for consideration:

--on p. 6 of 10 replace "application" with "subdivision" to read, "The Galiano Green subdivision is on hold pending removal from the ALR"

--on page 8 of 10 replace "on Galiano we have" with "The Islands Trust has" to read, "The Islands Trust has received a new study showing that our Douglas Fir...."

**By general consent** the minutes were adopted as amended.

**6.2 Section 26 Resolutions Without Meeting Report**

None

**6.3 Advisory Planning Commission Minutes Dated February 19 & March 12, 2018 (for Receipt)**

The minutes were received, and the APC was thanked for its continuing hard work and dedication.

**7. BUSINESS ARISING FROM MINUTES**

**7.1 Follow-up Action List Dated March 2018**

Information received as presented.

**8. DELEGATIONS**

None

**9. CORRESPONDENCE**

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

**9.1 CRD Regional Parks - March 15, 2018 Letter re: Gulf Islands Regional Trails Plan**

Received as presented.

**10. APPLICATIONS AND REFERRALS**

**10.1 GL-RZ-2017.1 (Stevens) - Staff Report**

RPM Kojima introduced the latest Staff report. He noted the referral deadline has passed and no problems have emerged, although no response has yet been received from the APC. He stated the next step would be to have a draft covenant prepared by

legal counsel to implement the road network plan policies related to that property to achieve the goal of the plan, and outlined options for proceeding.

Discussion ensued on the following questions:

- whether MoTI would be involved in how the road access plan is addressed
- whether the current staff report was done before the alternate plan by Mr. Stevens was received
- whether neighbours on the affected side of the property have been consulted
- whether the road in the new plan involves the creation of new roads, and whether it is consistent with the network road plan

The applicants stated the rationale for the new plan was that the existing road network plan travels right through the centre of the resources (the gravel pit) and would not be practical to use, as the gravel pit would disappear. That road has been partly absorbed by the gravel pit and no longer exists; when the pit is reclaimed it will be planted and returned to forest. The road picked up by highways aligns with the other logging road so they went with that.

The history of the original road network plan was discussed, and Sheila Anderson spoke through the chair to give background, explaining the involvement of the department of highways and its responsibility for the fact the road wasn't built as it should have been.

**GL-2018-024**

**It was MOVED and SECONDED,**

that the Galiano Island Local Trust Committee request staff to enter into a cost recovery agreement with the applicant for rezoning application GL-RZ-2017.1 (Stevens) for the purpose of preparing a draft covenant to reserve future road dedication consistent with the Road Network Plan and Transportation policies; and further, that the draft covenant be acceptable to the Ministry of Transportation; and further, that prior to completing the draft covenant, the adjacent property owners be consulted.

**CARRIED**

**GL-2018-025**

**It was MOVED and SECONDED,**

that the Galiano Island Local Trust Committee request staff to prepare a map showing both the present road network plan and the surveying being presented for DL 37.

**CARRIED**

Discussion moved to the possibility of traffic impact mitigation.

**GL-2018-026**

**It was MOVED and SECONDED,**

that the Galiano Island Local Trust Committee request staff to bring back information on options for mitigating traffic impacts on neighbouring roads through limiting hours of operation, consistent with the CRD noise bylaws and with appropriate exceptions for emergency needs.

**CARRIED**

**Louise Decario** asked for answers to the questions she'd sent by email to the Chair about this application, beginning with the rationale for split zones and where that came from, and Chair Busheikin summarized what she had learned about the origin of and rationale for the split zone proposal.

The meeting was recessed for a 15 minute break at 2.02 pm. Chair Busheikin thanked the Galiano Club for the sustenance it was once again providing.

The meeting was called back to order at 2.20 pm.

**11. LOCAL TRUST COMMITTEE PROJECTS**

None

**12. REPORTS**

**12.1 Work Program Reports**

**12.1.1 Top Priorities Report Dated March 2018 (p 33)**

1. Telecommunications strategy: The Local Planning Committee referred the matter to Trust Council and also to local trust committees; it should be discussed at the June Trust Council. Chair Busheikin will ask the Executive Committee to follow up.
2. Dock Review: Senior staff have continued working with the Penelakut, but there have been no new developments on identifying a possible resource to work with. Planner Kim Stockdill will work on this when she returns.

**12.1.2 Projects List Report Dated March 2018**

The report was received as presented.

**12.2 Applications Report Dated March 2018 (attached)**

--GL-ALR-2017.1 was discussed. Staff had requested that applicant Issac Kramer provide an agrologists' report as part of the proposed cattle ranch, which the applicant indicated he won't do, so planners need a recommendation on how to proceed. Without supporting documentation, it is unlikely the ALR would consider it. Chair Busheikin asked to defer the discussion until trustees can look at the application.

--Crystal Mountain has been asked for information, but it hasn't been received yet.

--GL-TUP-2018.1 Carolsfeld was discussed. RPM Kojima reported staff have been engaged with the applicant for over a year; the submission of an application for a short term vacation rental was the culmination of a long process. Fees were received a week after the moratorium on STVRs went into effect. It was agreed to allow the application to proceed since it was already in process, as per the understanding when the moratorium was put in place.

### **12.3 Trustee and Local Expense Report Dated January 2018**

The report was received as presented.

### **12.4 Adopted Policies and Standing Resolutions**

On the Short term vacation rental moratorium, RPM Kojima reported that a number of issues need clarification:

- what is considered an instream application; what are the parameters
- there is a requirement in the Local Governments Act that all application must be accepted; if the applicant insists, staff have to bring it forward to the LTC
- what is the alternative
- what about enforcement
- we might need to have a bylaw enforcement officer come to the next LTC meeting to tell us how many short term vacation rentals are the on books
- will enforcement continue to be by complaint only or do we want to change that

Discussion ensued.

#### **GL-2018-027**

**It was MOVED and SECONDED,**

That the Galiano Island Local Trust Committee request bylaw enforcement staff to give us a report on short term vacation rentals on Galiano Island.

**CARRIED**

### **12.5 Local Trust Committee Webpage**

No discussion

## 12.6 Chair's Report

Chair Busheikin reported that since Trust Council she has attended a financial committee meeting. The Trust Council chair and vice-chairs attended a Salish Sea Eco-Conference in Seattle where very important issues were discussed, and she is looking forward to their report. She is attending the Association of Vancouver Island Coast Communities Convention this coming weekend.

## 12.7 Trustee Report

Trustee Pottle reported on the recent session of Trust Council. She commented on the \$15 million fibre optic cable project to bring high-speed internet to 55 First nations. She reported short term vacation rentals concern a number of the islanders who contact her.

## 12.8 Trust Fund Board Report

None

## 13. NEW BUSINESS

### 13.1 Briefing - Land-use Planning Implications of Fisheries and Oceans Canada

*Integrated Geoduck Management Framework March 2018*

Information received as presented. Discussion ensued.

### 13.2 Gulf Island National Park Petition – Discussion

Trustee Pottle introduced the petition to turn DL 64 into a park as part of the Gulf Islands National Park Reserve. She asked for a copy of the petition, and Andrew Loveridge agreed to provide a copy. After some discussion, the following motion was agreed to:

#### **GL-2018-028**

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

That the Galiano Island Local Trust Committee refer to the Director of Trust Area Services the request from Shirlene Raines and Andrew Loveridge to write a letter of support for the inclusion of DL 64 in the Gulf Islands National Park Reserve, for comment.

**CARRIED**

## 14. UPCOMING MEETINGS

**14.1 The next Regular Meeting is scheduled for May 7, 2018, at the South Community Hall, Galiano Island**

**15. TOWN HALL**

**Sheila Anderson** thanked the Chair for allowing her to give the history of the Sticks Allison road dedication. She noted the road network plan was based on aerial maps as the surveying costs were prohibitive, and said it was important to focus on the details when planning future connectivity to avoid potential negative impacts.

As Chair of the APC she mentioned that the APC is still waiting for the CRD Housing Needs Assessment in order to complete its referral report on Affordable Housing, and asked if the terms of the referral should be changed to accommodate this delay. Chair Busheikin said the LTC would give serious thought to opening up the referral if the CRD report has not arrived by the next scheduled meeting.

**Louise Decario** asked whether there had been further communication on the Crystal Mountain application. RPM Kojima replied there has been communication with the board, but plans haven't yet been presented. Mike Hoebel stated he also has been in communication with the Society, and reported they've made a request to surveyors and are waiting for information. Trustee Harris said they need to find out whether it's possible for them to do what they are proposing, and the surveyor should be able to answer that question.

**Art Moses** spoke to two issues. On the DL 37 rezoning application, he said Chair Busheikin's explanation of how split zoning came up didn't make sense to him. RPM Kojima clarified that when people apply they don't always know the technical method for getting to what they want, and their approach is crystallized when they sit down with the planner and the various possible options are presented. He said the applicants have said on a number of occasions that this is approach they want. Art Moses argued this approach is not sanctioned by the OCP. RPM Kojima replied that other applications with split zones are in process, including one from the Galiano Conservancy. Chair Busheikin stated there had been a good discussion on the issue and that this was not the time to revisit a motion that had already been made.

**Akasha Forest** noted the APC of which she is a member is studying the DL 37 referral, and said she has struggled with the information provided, particularly on issues such as why some provisions re forest and riparian wet lands zone were marked not applicable on staff reports. She said more material would have helped the discussion, including a topographical map of the area in question, and more guidance on whether the APC has the authority to look at things like the shallowness of the aquifer on Gustin road or the design of internal haul roads and how they might affect internal wetlands.

Chair Busheikin thanked her for the feedback, noting APCs on other islands prefer less direction in order to leave them an open approach to referrals. On the issue of data she said staff could be asked for more data, and the APC can also arrange to have staff available by phone during meetings. She mentioned that the issue of staff report checklists, including those left blank in error, had already been discussed at a previous GILTC meeting.

RMP Kojima added it would be a distraction for the APC to start commenting on those levels of detail.

**Kiyo Okuda** said using split zones to move from one use to another that is dramatically different, such as forest land to forest industrial, would set a dangerous precedent, and argued such a divergence shouldn't be allowed in terms of the preserve and protect mandate of the Trust.

**CAO Russ Hotsenpiller** noted an impromptu meeting seemed to be taking place on this application, which was on the agenda earlier and had already been discussed, and said for the protection of the LTC and the applicants a legal opinion was required to establish whether continuing the discussion in the absence of the applicants was appropriate.

**Sheila Anderson** replied the public has the right to pass on information and bring up questions and issues.

Chair Busheikin said that trustees are not lawyers, and need to be informed if the discussion is not deemed appropriate or part of fair process.

**Bowie Keefer** spoke to the issue of highways. He noted recent shutdowns of the west road due to very large fallen trees and the importance of an alternate route for emergencies. He said the east road needs to be rebuilt by the provincial government because of fire issues, and suggested one way of doing that would be to allow F1 landowners to live on their properties in exchange for signing a letter giving the necessary road allowance, and asking the provincial government to match their financial contribution.

**Sheila Anderson** returned to the issue of a split zone on DL 37. She said she'd heard the applicant didn't want to go with a comprehensive zone because of possible tax implications, and thought the applicants might be interested in what she'd found while doing research on property taxes. According to the studies she consulted taxes are based on the uses occurring on the lands, so in the case of a comprehensive zone only the part of the lot where the industrial use was occurring would be taxed; the forestry side wouldn't be affected.

**Kiyo Okuda** said the creation, service and maintenance of the east road was the responsibility of the original land owners. He said forest lot owners should not expect fair market value for a road allowance contribution when previous owners had to give a significant gift to the island in exchange for the right to live on a forest lot, and that no application should be considered before the road is rebuilt to previous standards.

**Diane Laronde** brought a letter in support of the Mignault application.

The meeting was closed to go in-camera at 3.49 pm.

## **16. CLOSED MEETING (Distributed Under Separate Cover)**

### **16.1 Motion to Close the Meeting**

*That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) a, d & f for the purpose of considering:*

- *Adoption of In-Camera Meeting Minutes Dated March 5, 2018*
- *Appointment of APC Members*
- *Bylaw Enforcement Issue*

*AND that the recorder and staff attend the meeting.*

**16.2 Recall to Order**

The meeting was recalled to order at 4.39 pm.

**16.3 Rise and Report**

The chair rose and reported that the Galiano Island Local Trust Committee adopted in Camera meeting minutes and appointed Jenna Falk to the Advisory Planning Committee.

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 4.40 pm.

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Laura Busheikin, Chair

Certified Correct:

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Heather C. Martin, Recorder