

ADOPTED



Galiano Island Local Trust Committee

Minutes of Regular Meeting

Date: April 4, 2022
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present: Dan Rogers, Chair
Jane Wolverton, Trustee
Tahirih Rockafella, Trustee

Staff Present: Narissa Chadwick, Island Planner
Brad Smith, Island Planner
Phil Testemale, Planner 2
Carly Bilney, Recorder

Public Present: There were approximately 15 members of the public present.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 12:30 pm. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. He noted that the meeting was being recorded and broadcast.

2. APPROVAL OF AGENDA

The following amendments to the agenda were presented for consideration:

- Under 15.2 Applications – Question about the water report related to GL-RZ-2014.1 (Crystal Mountain) – to be considered under applications report (15.2); and
- Item 10 – No delegations would be presenting at the meeting – item removed.

By general consent the agenda was approved as amended.

3. TRUSTEE REPORT

Trustee Rockafella reported that representatives will be at the Daystar Market on Tuesday, April 12, 2022 to seek feedback as part of the Trust Policy Statement engagement process and comments can be submitted via brochures available at the market.

Trustee Wolverton provided a report and made the following comments:

- The replacement of a cable in Active Pass is delayed because of a slide near Matthew's Point;
- The Southern Gulf Islands (SGI) Forum recently met with representatives of the federal government to discuss anchorages;
- The Galiano Conservancy Association's Ecological Footprint project will be showcased at the Yellowhouse Art Centre on June 5; and
- The nomination deadline for Community Stewardship Awards is April 18.

4. CHAIR'S REPORT

Chair Rogers reported on the recently held Trust Council at which the Governance Report was received, a presentation related to the Islands Trust 2050 Policy Statement was made, and the 2022/23 budget was adopted.

Comments were made about how the Town Hall portion of the LTC agenda is not a specific requirement of Trust Committee processes, but rather a tradition of providing opportunity for community members to speak to their Trustees about issues, and that it will be more carefully managed from now on to ensure civility and time limits are maintained.

5. TOWN HALL AND QUESTIONS

Town hall was held and the following comments were made:

- It was asked whether a master document exists listing all of the Trust Council resolutions that have been passed and how Trustees have voted;
- The whole island suffers if we do not respect others and work to collaborate effectively; and
- A Community Information Meeting (CIM) allows an applicant to present their application and it is followed by a Public Hearing either on the same or a separate day, depending on the nature of the application.

Trustee Wolverton recused herself from the meeting at 1:00 pm due to conflict of interest with GL-RZ-2019.1 (GIGARHS). The following comments were made:

- It would be up to the applicant to decide how to structure the rent within the language of the agreement;
- Median income rates of Galiano Island should be tied to the rent structure of the proposed affordable housing development, rather than that of the SGI region;
- Water problems in the area have been detailed in correspondence to the LTC and they have not been satisfactorily addressed;
- Support was expressed for the GIGARHS proposal; and

- Concern was expressed about the project’s septic system and it was recommended that the housing agreement or covenant specify a contingency plan should adjacent properties incur contamination problems.

Trustee Wolverton returned to the meeting at 1:13 pm.

6. COMMUNITY INFORMATION MEETING

None

7. PUBLIC HEARING

None

8. MINUTES

8.1 Local Trust Committee Minutes Dated March 7, 2022 (for Adoption)

By general consent the Local Trust Committee meeting minutes of March 7, 2022 were adopted.

8.2 Section 26 Resolutions Without Meeting Report – None

8.3 Advisory Planning Commission Minutes – None

9. BUSINESS ARISING FROM MINUTES

9.1 Follow-up Action List Dated March 2022

Received for information.

10. DELEGATIONS – None

11. CORRESPONDENCE

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

11.1 BC Electoral Boundaries Commission – March 3, 2022

Received for information.

12. MEETING BREAK – COMMUNITY UPDATE – None

13. APPLICATIONS AND REFERRALS

13.1 GL-DVP-2021.11 (Mommsen-Smith & Palmberg) - Staff Report

Planner Testemale summarized the staff report related to GL-DVP-2021.11 (Mommsen-Smith & Palmberg).

GL-2022-36

It was Moved and Seconded,

that the Galiano Island Local Trust Committee approve issuance of Development Variance Permit application GL-DVP-2021.11 (Mommensen-Smith).

CARRIED

13.2 GL-RZ-2019.1 (GIGARHS) – Staff Report

Trustee Wolverton recused herself from the meeting at 1:24 pm due to conflict of interest with GL-RZ-2019.1 (GIGARHS).

Planner Smith reviewed the Staff Report and noted the proposed rent structure includes a two-tiered approach that limits rental rates to the median income of the SGI and includes upper income limits; it was noted that legal counsel has deemed the current wording to be consistent as a whole with the affordable housing policies of the Official Community Plan (OCP).

Discussion was held and the following comments were made:

- The applicant is of the view that any funding formula they are seeking would fit the proposed rental structure;
- Data regarding median income levels for the SGI is the closest scale that can be reliably attained census upon census for Galiano and is reasonable indicator to measure affordability;
- Advice from legal counsel suggests that even if not all the rental units were subsidized, the intent of the OCP is being met by the proposed rent structure because of the mix of units that allows for affordability to occur;
- Nobody knows what the next funding call from BC Housing will look like or when it will happen;
- The funding call is quite flexible and the risk is low that the affordability structure of the proposed housing agreement would not fit with a future funding agreement;
- The proposed rent structure allows for market rental rates to be offset by lower rental rates to achieve a set average rate if needed; and
- Funding for affordable housing is challenging because the demand vastly outweighs the supply.

GL-2022-37

It was Moved and Seconded,

that the Galiano Island Local Trust Committee direct staff and legal counsel to draft a Housing Agreement based on the proposed “rent structure” as described in the April 4, 2022 staff report for application GL-RZ-2019.1 (GIGARHS) including renter eligibility income limits based on low to moderate income limits as determined periodically by BC Housing.

CARRIED

Discussion continued and the following comments were made:

- A number of professional reports related to water issues, including the Province's water license review and issuance, indicate that the well has sufficient water capacity;
- LTC considers all information submitted including correspondence from the public as part of their deliberations, not only staff reports;
- The Province has primary responsibility for water;
- Due diligence has been completed with regards to septic management including a perk test and recommendations received from engineers; and
- A septic system requires approval from Islands Health and the Capital Regional District to ensure local and provincial regulatory standards are met.

Discussion continued about what would happen if funding for the project does not come through. The following comments were made:

- The proposed development not only requires zoning, but also approval for subdivision;
- There is potential benefit to having some kind of covenant restriction where the subdivision is not registered until funding is granted;
- If there are no restrictions in place and funding is not received, the project could be ready to proceed with, and at the discretion of, a future LTC;
- One of the conditions of subdivision approval is approved rezoning; and
- A portion of the land was earmarked for affordable community housing in the past and this could be viewed as further realization of this desired land use regardless of whether funding is in place.

Trustee Wolverton returned to the meeting at 2:15 pm.

A break was held from 2:15 pm to 2:25 pm.

13.3 Salt Spring Island Local Trust Committee Referral for Proposed Bylaw No. 526 (for response)

GL-2022-38

It was Moved and Seconded,

that the Galiano Island Local Trust Committee respond that its interests are unaffected.

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 DL 64, 72, 78, 87 Rezoning Project – Staff Report

Planner Smith reviewed the staff report related to the rezoning project and a brief discussion followed.

GL-2022-39

It was Moved and Seconded,

that the Galiano Island Local Trust Committee rescind First Reading of Bylaw No. 231 "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 14, 2011."

CARRIED

GL-2022-40

It was Moved and Seconded,

that the Galiano Island Local Trust Committee rescind First Reading of Bylaw No. 232 "Galiano Island Land Use Bylaw 127, 1999 Amendment No. 3, 2011."

CARRIED

GL-2022-41

It was Moved and Seconded,

that the Galiano Island Local Trust Committee Bylaw No. 231, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 14, 2011," be given First Reading, as amended.

CARRIED

GL-2022-42

It was Moved and Seconded,

that the Galiano Island Local Trust Committee Bylaw No. 232, cited as "Galiano Island Land Use Bylaw 127, 1999 Amendment No. 3, 2011," be given First Reading, as amended.

CARRIED

GL-2022-43

It was Moved and Seconded,

that the Galiano Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directive Policies Checklist and determined that proposed Bylaw No. 231 and 232 are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

14.2 Galiano Island Local Trust Committee Proposed Fees Bylaw No. 281 – Consideration of Adoption – Staff Report

Comments were made that Proposed Fees Bylaw No. 281 represents the work of the Regional Planning Committee and the effort to bring fees closer to actual costs.

GL-2022-44

It was Moved and Seconded,

that the Galiano Island Local Trust Committee Bylaw No. 281, cited as “Galiano Island Local Trust Committee Fees Bylaw, 2021,” be adopted.

CARRIED

14.3 Groundwater Implementation – Update

Planner Chadwick provided a summary of the Groundwater Implementation project, and identified three main aspects to the project including: changes to the OCP, broad changes to the land-use bylaw and site-specific zonings in critical areas. The following comments were made:

- Proposed land-use bylaw changes will include adding a cistern requirement for all new-builds of a size that would allow for garden use throughout the year;
- The two most critical groundwater regions were identified as south Galiano and the Cain peninsula, where site-specific zonings may be useful;
- More options, such as potential restrictions and density transfers, will be identified in more detail in the coming months;
- The data highlights where the focus ought to be;
- A presentation is being developed to explain the data; and
- It would be helpful to have Planner Chadwick or Senior Freshwater Specialist Shulba visit the Galiano community in person to share their work.

15. REPORTS

15.1 Work Program Reports (attached)

15.1.1 Top Priorities Report Dated March 2022

Received for information.

15.1.2 Projects List Report Dated March 2022

Received for information.

15.2 Applications Report Dated March 2022

Received for information.

It was noted that additional comments on the draft water management plan related to GL-RZ-2014.1 (Crystal Mountain) are forthcoming, and that the Executive Committee sponsored the variance fee application for a shed to be built at the South Community Hall.

15.3 Trustee and Local Expense Report Dated Jan 2022

Received for information.

15.4 Adopted Policies and Standing Resolutions

Received for information.

15.5 Local Trust Committee Webpage

15.6 Islands Trust Conservancy Report Dated January 2022

Received for information.

16. NEW BUSINESS

The following comments were made:

- Recommendations were made to read the recently released University of British Columbia's *Indigenous Peoples: Language Guidelines* and the *Declaration on the Rights of Indigenous Peoples Act Action Plan*; and
- Senior Intergovernmental Policy Advisory Lisa Wilcox is leaving the Islands Trust and the expertise and dedication she brought to the role will be difficult to replace.

17. UPCOMING MEETINGS

17.1 Next Regular Meeting Scheduled for May 2, 2022 at the South Community Hall, Galiano Island

18. TOWN HALL

Trustee Wolverton recused herself from the meeting at 3:15 pm due to conflict of interest with GL-RZ-2019.1 (GIGARHS). The following comments were made:

- Since the definition of affordable housing in the OCP specifies affordable housing is for families that live on Galiano, the rent structure should be tied to Galiano rather than to the SGI;
- The census defines income levels differently than the OCP;
- Legal counsel has deemed the use of income criteria for the SGI as meeting the requirements of the OCP with respect to affordability;
- None of the water reports for the proposed affordable housing development have addressed water problems occurring in the area; and
- Home occupation short-term vacation rentals require commercial water licenses.

Trustee Wolverton returned to the meeting at 3:30 pm.

19. CLOSED MEETING (Distributed Under Separate Cover)

19.1 Motion to Close Meeting

That the 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 Meeting Minutes Dated February 7, 2022
- Appointment of Board of Variance Members
- Appointment of Advisory Planning Commission Members

AND that the recorder and staff attend the meeting.

CARRIED

19.2 Recall to Order

19.3 Rise and Report

20. ADJOURNMENT

By general consent the meeting was adjourned at 3:33 pm.

Dan Rogers, Chair

Certified Correct:

Carly Bilney, Recorder