



Galiano Island Local Trust Committee Record of Public Hearing Bylaws No. 265 & 266

Date: December 9, 2019
Location: South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

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

Staff Present: Robert Kojima, Regional Planning Manager
Brad Smith, Island Planner
Yasemin Schnorr Von Carolsfeld, Recorder

Others Present: There were approximately 72 members of the public.

3.1.1 Galiano Island Local Trust Committee Bylaws No. 265 & 266

Chair Rogers called the Public Hearing to order at 12:50 p.m. He read a statement outlining the content, purpose, and process of the Public Hearing.

Regional Planning Manager (RPM) Kojima provided a summary of the bylaw, the Public Hearing notice, agency responses and submissions received.

Chair Rogers invited submissions from the public:

Andrew Turner commented that he's supporting the application and that he'd like the Trustees to proceed.

Roger Pettit stated that the emergency access is truly needed.

Stephen Rybak asked the Local Trust Committee (LTC) to adopt third reading as quickly as possible, saying that emergency access is critical to the future well-being of Galiano. He asked the LTC to be cautious before prescribing business practices for industrial traffic without first having a proper assessment of the impacts.

Jennelle Cooper spoke to her work as emergency coordinator with first responders. She observed that there are limited road networks on Galiano Island and that emergency access is paramount. She asked decision makers to ensure that a second east access route is created.

Allan Doty spoke in favour of the bylaws. He congratulated the LTC for getting it this far.

Art Moses expressed support of a rezoning to legalize the residential and industrial uses. He did not support Bylaws 265 and 266 and the covenant, as he believes they are a significant departure from the Road Network Plan (RNP) and as such should not be approved.

Paul Leblond expressed satisfaction that the application is back on track and hopes for a successful conclusion.

Annette Shaw was pleased with the progress made and urged the LTC to conclude in a timely way.

Louise Decario commented that District Lot (DL) 37 is currently zoned as F1 and as such has no right to a dwelling. Yet, a dwelling was built there anyway. She does not agree with creating any more split zoned lots on Galiano, and suggested that the whole property should be rezoned or subdivided. She stated that there needs to be clear public connections to the east side road. She suggested that it is the LTC's role to make sure the Official Community Plan (OCP) is followed and that the community benefits are not forgotten.

Kiyo Okuda suggested that the Stevens application is about development in the forest zone and does not comply with the RNP. He stated that the proposal does not fit with the OCP, there is no forestry covenant, the road is not specified as to quality, the application was invented for the applicant, and the road can be moved by the applicant. He suggested that the LTC proceed no further with this application.

Colleen Doty submitted a petition signed by more than 400 Galiano Island residents and owners in support of the bylaws. She stated that the emergency access is required by the community to bring the excavation business into compliance.

Sheila Anderson indicated that she has provided two written submissions. She spoke to the covenants and split zoning as being against the OCP, Islands Trust Policy Statement and the RNP. She stated that as a resident in the neighbourhood she spoke to traffic and environmental impacts. She asked the LTC to not proceed until a proper assessment has been completed.

Heather Martin commented that she is grateful that the current Trustees have found ways for this to move forward. She asserted that now is the time to close this. If we want the other east side road owners to come into compliance, we need to show them that this process works.

Sandy Pottle expressed her opinion that the property should not be split zoned, that it is a subdivision, that the LTC needs more information from the public, and agencies should be contacted on this matter. The east side road needs to be respected but she was glad to see emergency access.

A **Member of the Public** supported the bylaws going forward. He suggested that it is a fallacy that split zoning is an issue on large lots like this, as it has happened in other instances on island.

Ben Miltner supported the proposal as it is. He felt it was overdue for the LTC to support the community. In the interest of compromise, let's do what we can to let these people get on with their lives.

Bill Russell suggested that the access road is essential. There is a solution, it just needs to proceed.

Doug Latta agreed with the previous two speakers. He stated that he's in favour of the rezoning and to move forward with it.

Steve Nemton stated the eastside road was well built and connections are important. He emphasized the importance of the OCP document, which needs to be followed before any decisions are made.

Connie Nordin encouraged the Trust to move ahead with the rezoning. She also relayed a message from **Sidney Massey** who is also in support of the rezoning.

Mary Elliot commented that she is in favour of the bylaws, as a house can be built on land without destroying the environment. She expressed favour for the proposed bylaw.

Elizabeth McLelland stated she has submitted written comments, and supported the rezoning.

Second time speakers:

Art Moses suggested that the RNP is not a guideline; it's part of the OCP. It was accepted by Ministry of Transportation and Infrastructure (MOTI). The east side road, once regularly used by the public, should be a public road in the future. A well established road bed will be lost by accepting these bylaws. He asked the LTC to require the applicant to replace the roadbed.

Don Robson stated that he fully supports the road and the Stevens application.

Kiyo Okuda stated that the application is diverging from the plan, the OCP is aimed at protection, there is no security for owners beyond, future road should be there now, it is piecemeal planning, and that he is against the application, not the applicants.

Steve Nemton stated the plan is long term and if the applicant followed the plan we wouldn't be here.

Annie Nicols supported the application.

Sheila Anderson explained that where she lives on Gustin Road, there are shallow aquifers and the wells are shallow. The more traffic, the more impact there is. When ownership of industrial land changes, they're required to get a permit from MoTI. The property must have public access on Georgia View. The cost of upgrading Betty Ann and Gustin would be more than Georgia View. The LTC does not have any data on the numbers of trucks.

Steven Rybak commented that he'd like to remind the LTC that in the RNP, the location of roads are approximate only. Emergency access locations are dependent on further investigation. RNP is not prescriptive.

Roger Petit supported the previous speaker's comments.

Sheila Anderson stated that the language included in the policies was written that way since the lines in the RNP were not surveyed. It identifies which routes are emergency and which are future public roads, as they have different standards.

Sandy Pottle suggested that all of our problems started with the split zoning. The land use regulations are said not to apply. She thinks it is a subdivision and the regulations need to apply. We would have had a sensible road.

Third time Speakers:

Art Moses suggested that the covenant be amended to delete the north to south section, but that the public road should be left at Georgia View. He commended the new Trustees for what they have done to get it right, to cross the creek at more level ground, but that the LTC inherited a badly conceived application. There are too many divergences from the OCP to make this application something that he could support.

Diana Buchsdruecker stated that she borders the applicant's lot and spoke to the potential for future industrial practices and the impact.

Matt Buchsdruecker stated that they want to make sure that things go ahead in a responsible way. There is a lot of different options that could alleviate some of their concerns to relieve the traffic from where the route is currently. There have been no investigations to see how traffic affects their neighbourhood.

Dianne Laronde commented that from her experience, engineers will come in when the road needs to be put in.

Sheila Anderson pointed out that Galiano Way and Georgia View Road were built to higher standards with wider, bigger shoulders. In mid-90's the east side road subdivision applications were accepted by MoTI, they existed in Preliminary Layout Approvals (PLA), where the east side road factored in all of them.

Chair Rogers asked for any more speakers.

Art Moses commented that he has little confidence in the statutory right of way, if the applicant can change it. He referred to Pg. 70 "Nothing prevents an owner from extracting gravel..." That is defective logic in the covenant and should be corrected. In conclusion, the Trustees could act to remove the left diagonal section from the covenant (on map).

Kiyo Okuda suggested that the plan is to encourage forestry; not subdivision. A rezoning may require no subdivision. If the only road is at the expense of some future owner, it is a shortcoming. Rezoning to Rural Residential or F3 is encouraged. The plan for the road was a cooperative arrangement.

Etzel spoke in favour of the proposal.

Kiyo Okuda stated that we are on the territory of the original inhabitants. Regardless of owner and applicant, we are required to follow the community plan.

Sheila Anderson commented that what we have seen is completely ignoring concerns and the OCP. Whatever road these trucks are using will require attention. The overall impact should be looked at and fairness considered.

Chair Rogers called three times for further speakers.

Chair Rogers stated that if there are any written submissions, this is the last opportunity to submit them to the LTC.

There being no further submissions, Chair Rogers closed the Public Hearing at 2:39 p.m.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD.

RECORDER

DATE