

ADOPTED

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE MEETING
HELD ON MONDAY, FEBRUARY 13, 2012 AT 1:00 PM
AT THE SOUTH ISLAND COMMUNITY HALL,
GALIANO ISLAND, B.C.**

<u>PRESENT:</u>	Ken Hancock	Chair
	Sandy Pottle	Local Trustee
	Louise Decario	Local Trustee
	Robert Kojima	Regional Planning Manager
	Kaitlin Kazmierowski	Island Planner
	David Millership	Recording Secretary

There were approximately forty-two (42) members of the public present.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 1:05 p.m. Introductions were made and the meeting introduced.

2. APPROVAL OF AGENDA

Chair Hancock asked for any additions or changes to the agenda; amendments were as follows:

- *Added to Item 8.2* – Correspondence Package Regarding Dewinetz Proposal
- *Added Item 8.5* – R. Smith Correspondence Dated February 7, 2012 Re: Fine System For Bylaw Compliance
- *Added Item 11.3.4* – Potential Budget Amendment Request
- *Added Item 12.2* – Potential Meeting With Ministry of Forests, Lands and Natural Resource Operations Staff

The agenda was Approved as amended by consent.

2.1 Questions on Agenda Items

None

2.2 Town Hall Session

Chair Hancock invited the public to make comment.

Andrew Loveridge stated support for the concepts involved surrounding the Galiano Land and Community Housing Trust (GLCHT) application(s) and such being approved in a timely manner.

Barry New stated that he is a representative of GLCHT and read aloud a letter written by Tom Hennessy, Vice-President of GLCHT. Mr. New stated support for the GLCHT application(s) process being completed by April 30, 2012, in order for building to begin and asked that a resolution be approved today by the Local Trust Committee (LTC) to help process move forward regarding the agricultural zoned portion of the land.

Harry Lipetz stated that he does not support the Dewinetz Proposal for the reason that the proposal appears manipulative, offensive and for the purpose of monetary gain. Mr. Lipetz stated that if the proposal were approved then the community not Mr. Dewinetz should benefit to the amount of twenty-three (23) million dollars. Mr. Lipetz stated concern that Mr. Dewinetz did not participate in the past year and a half of Official Community Plan (OCP) review process and urged the LTC to remove consideration of the Dewinetz Proposal from the Work Program.

Sandy Martin stated that community process regarding Galiano's forestlands has been going on for fifteen (15) years. Ms. Martin stated that she does not support the comments made by Mr. Lipetz.

Rose Longini stated support for a letter that is being sent to the Ministry of Energy and Mines requesting a moratorium on the installation of BC Hydro smart meters. Ms. Longini stated that a petition opposing the installation of BC Hydro smart meters on Galiano has so far gathered one hundred and thirty-seven (137) signatures. Ms. Longini presented the petition to Chair Hancock.

Gwilym Smith stated that the Dewinetz Proposal should not be a matter for consideration by the LTC. Mr. Smith stated support for Mr. Dewinetz helping the community via a non-political process.

Gary Coward stated support for the LTC following process and OCP advisory committee recommendations with regards to Galiano's forestlands issue. Mr. Coward stated that the Dewinetz Proposal leans toward blanket rezoning rather than attempting to follow the rezoning process and guidelines currently in place.

Cathy Stephenson asked Regional Planning Manager (RPM) Kojima if a proposal such as the Dewinetz Proposal, which offers monies for community and self-benefit, is normal.

RPM Kojima responded that amenity rezoning is a provision in the legislature specifically the *Local Government Act* for such process and that it is not uncommon for a change in land use designation to be accompanied by some type of community benefit.

There was some discussion regarding appropriate use of land(s) for the whole community, blanket rezoning, forest policy advisory committee recommendations and circumstances.

Steve Nemtin stated that he has been a resident of Galiano for thirty (30) years and spoke with regards to the Dewinetz Proposal. Mr. Nemtin stated support for Trustee Decario and the idea of a landowner donating land(s) not monies for forest and community benefit. Mr. Nemtin stated that the Dewinetz Proposal does not but should respect Galiano's OCP and forest policy advisory committee recommendations. Mr. Nemtin raised a moral question by suggesting that if the Dewinetz Proposal is to be considered as is then so should the idea in general of an individual being capable of donating monies to stop such a proposal(s).

Gary Moore stated concern regarding the Dewinetz Proposal and drew parallels between the forestlands issue on Galiano and the peace dividend as it related to Europe and World War Two. Mr. Moore stated support for the Islands Trust mandate, respect for the LTC election process, tax equality and the LTC not succumbing to development pressure(s). Mr. Moore stated that owners of forestland(s) purchased from MacMillan Bloedel knew that they were buying forest-zoned land(s) and not residential-zoned land(s). Mr. Moore stated support for the rezoning process and guidelines currently in place.

Elizabeth Latta stated concern regarding the Dewinetz Proposal and the potential division it could cause within the community for the reason that the community needs money. Ms. Latta stated support for the work Rose Longini is doing regarding opposing BC Hydro smart meters. Ms. Latta stated that BC Hydro smart meters are a threat to human and environmental health and that the manner in which BC Hydro is handling the issue is an assault on democracy.

Mary Elliot stated that the LTC should govern with the whole community in mind.

Justin Stephenson stated support for comments made by Gwilym Smith regarding the Dewinetz Proposal. Mr. Stephenson stated support for forestland issues being addressed via a non-political solution focused forum.

Steve Nemtin stated in response to comments made by Justin Stephenson that the OCP review addressed the forestland(s) issue via a forest policy advisory committee. Mr. Nemtin stated that the forest policy advisory committee subsequently made recommendations to the LTC.

Chidakash stated that the Dewinetz Proposal is manipulative, creatively designed to fragment the community and ultimately an offer to protect a speculative investment. Chidakash stated that Mr. Dewinetz and other speculative forestland owners should accept the fact that the Galiano community wants to protect the forestland(s) and values the Islands Trust mandate. Chidakash stated support for Mr. Dewinetz submitting a proposal that offers new solutions and actual compromise.

Sandy Martin stated support for the Dewinetz Proposal.

Gwilym Smith stated that the LTC needs to follow process regarding the Dewinetz Proposal and that, bylaws and laws are not up for negotiation. Mr. Smith stated that if Mr. Dewinetz wants to give monies to help the community then he should do so non-politically.

Gary Coward stated support for comments made by Steve Nemtin in response to Justin Stephenson. Mr. Coward stated support for Galiano's OCP and commented that the Islands Trust should always support a community's OCP. Mr. Coward stated that Galiano is not a difficult community but rather a model community. Mr. Coward stated concern with always having to defend Galiano and the OCP.

Andrew Loveridge stated support for respecting the needs of the community and working together as a whole to find solutions.

Dora Fitzgerald stated that she has been representing some forest lot owners and that they have engaged the current application process for rezoning. Ms. Fitzgerald stated that all mechanisms are currently in place for a forest lot owner(s) to accomplish residential rights and status.

Chidakash stated that the focus behind the Dewintez Proposal is not a residential right but rather the business of development and profit for the reason that Mr. Dewinetz owns eighteen (18) forest lots. Chidakash stated support for owners who want a residence on their land and are willing to go through due process to obtain such but not outright development and profit.

There being no further comments from the public, Chair Hancock closed the Town Hall Meeting.

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes for Adoption

5.1.1 Minutes of December 12, 2011 Local Trust Committee Business Meeting

Amendments:

- *Page 1 Item 1 second paragraph* – replace “the land this meeting is taking place on” with “their stewardship and the traditional territory this meeting is taking place on”

The Minutes of December 12, 2011 Local Trust Committee Business Meeting were Adopted as amended by consent.

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

One (1) resolution was read.

5.4 Advisory Planning Commission

5.4.1 Advisory Planning Commission Meeting Minutes of January 12, 2012

Received by virtue of being on the agenda and provided for information purposes only.

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Kazmierowski provided information.

7. DELEGATIONS

7.1 Richard Dewinetz Re: Our Commitment to the Community

Mr. Dewinetz provided the LTC with written copies of his delegation dated February 13, 2012, (which he read aloud) that highlights his thanks to those who have supported his two (2) part proposal and also provides rebuttal to those who haven't. Mr. Dewinetz stated that from a monetary perspective if both parts of his proposal were considered and accepted then he would end up with a total loss of over one million four hundred thousand dollars (\$1,400,000.00). Mr. Dewinetz encouraged the community to work together for the betterment of all and urged the LTC to approve both Part 1 and Part 2 of his proposal.

Planner Kazmierowski stated that Part 1 of the Dewinetz Proposal application has been received.

Chair Hancock thanked Mr. Dewinetz for his delegation.

8. CORRESPONDENCE

Correspondence items are received by virtue of being on the agenda.

Correspondence received concerning applications and/or projects is considered with the application/project.

8.1 R. Longini correspondence dated December 12, 2011 re: Smart Meters

Received by virtue of being on the agenda.

Resolution GL-LTC-01-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to forward R. Longini correspondence dated December 12, 2011, regarding Smart Meters and related petition to the Islands Trust Executive Committee.

CARRIED

8.2 Correspondence Regarding Dewinetz Proposal

Received by virtue of being on the agenda.

Trustee Decario stated that it had been good to read the large amount of correspondence and that the Dewinetz Proposal would be further addressed under item 11.1.1.

8.3 P. LeBlond, Galiano Trails Society letter dated December 14, 2011 re: Financial support for information Kiosk

Received by virtue of being on the agenda.

Planner Kazmierowski stated that financial requests should reflect decisions to further the LTC planning mandate.

Chair Hancock stated that a policy has yet to be drafted regarding LTC funding of a community activity.

Chair Hancock stated that such a request would be better addressed to the Director of the Capital Regional District (CRD).

Resolution GL-LTC-02-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to respond to correspondence from P. LeBlond, Galiano Trails Society, dated December 14, 2011, regarding financial support for Information Kiosk.

CARRIED

Planner Kazmierowski stated that the response would include reasoning as to why the Local Trust Committee cannot accommodate such a request for financial support.

8.4 G. Gaylor letter dated January 28, 2012 re: PFML

Received by virtue of being on the agenda.

8.5 R. Smith Correspondence Dated February 7, 2012 Re: Fine System For Bylaw Compliance

Received by virtue of being on the agenda.

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 GL-ALR-2011.1 (Hennessy for GLCHT)

Planner Kazmierowski provided information from *Staff Report dated February 3, 2012 (File No.: GL-ALR-2011.1 (Hennessy)) Re: Application for Exclusion of Land from the Agricultural Land Reserve for Lot 1, District Lot 3, Galiano Island, Cowichan District, Plan 2919, PID: 001 416 987* and presented the LTC with a detail of possible “swap and exclusion” zoning options.

Doug Latta was in attendance and spoke on behalf of the application.

There was some discussion regarding policy, options, agrologist report, the Agricultural Land Commission (ALC), land swapping, OCP guidelines, process, variances, timeline, covenants, rezoning, mapping and community forest.

Note: there was a break at 2:45 p.m. and the meeting reconvened at 3:10 p.m.

Resolution GL-LTC-03-12

It was Moved and Seconded that the Galiano Island Local Trust Committee in regards to application GL-ALR-2011.1 supports the exclusion, but encourages the Agricultural Land Commission to consider potential inclusion of the northern Rural Residential zone of the land and to require buffering and a covenant as recommended by the agrologist report.

CARRIED

There was further discussion regarding policy, size of the northern Rural Residential (RR) zoned portion of land and buffering.

9.2 GL-RZ-2011.1 (GLCHT) - Update on Bylaw Referrals for Proposed Bylaws 233 & 234 – Memorandum

Planner Kazmierowski provided information from *Memorandum dated January 31, 2012 (File Number GL-RZ-2011.1 (GLCHT)) Re: Referral Responses for Proposed Bylaws No. 233 and 234.*

There was some discussion regarding received referral responses, bylaw revision(s), rezoning, process, permitted uses, housing agreements, abeyance, site plans, water, and application requirements versus requests, building permits, sewage and timeline.

Doug Latta stated concern with process and a possible approval timeline of eight (8) months.

RPM Kojima stated that it is not practical for the LTC to hold a public hearing until the GLCHT application to the ALC has been decided.

Resolution GL-LTC-04-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to revise Proposed Bylaw No. 234 and Proposed Bylaw No. 234, to reflect the Galiano Land and Community Housing Trust, Agricultural Land Commission application and to continue work on the Galiano Land and Community Housing Trust draft housing agreement.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Potential Amendments to Forest Designation and F1 Zone

RPM Kojima provided information from *Staff Report dated February 3, 2012 (File No.: 6500-20 (2012) Non-PMFL Forest Amendments) Re: Potential Amendments to Forest Designation and F1 Zone.*

There was some discussion regarding budget, process, policy, exemption from Section 21 of the *Private Managed Forest Land Act* (PMFLA), meeting with the Ministry of Forests, Lands and Natural Resource Operations, large lots versus small lots, lot size calculation, F3 Option, Non-PMFL versus PMFL lands, rezoning, Road Network Plan (RNP), statutory right of way, road dedication, accessibility, emergency access, PMFL entry/exit, amended PMFL legislation, subdivision(s), logistics, creating a new land use designation, OCP Draft 7, individual rezoning process via application versus LTC forest policy amendment(s), OCP guidelines, forest policy advisory committee recommendations, covenants, Advisory Planning Commission (APC), legal advice, viability, options and next steps.

Resolution GL-LTC-05-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to report back with two Draft Official Community Plan amendment bylaws – one with a Local Trust Committee initiated approach to rezoning and one with an application initiated approach to rezoning and both with accompanying analysis.

CARRIED

11. REPORTS

11.1 Work Program Reports

11.1.1 Galiano Island Local Trust Committee Work Program - Report dated February 2012

Provided for information purposes only.

Resolution GL-LTC-06-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to combine Item one (1) and Item five (5) of the Follow-up Action Report under a new heading called Provincial Advocacy and make such Item five (5) on the Work Program Projects list.

CARRIED

There was some discussion regarding the Dewinetz Proposal.

Resolution GL-LTC-07-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to remove Item one (1) Activity two (2) from the Work Program Top Priorities list.

CARRIED

There was some discussion regarding Land Use Bylaw (LUB) Update and related timeline priority.

11.1.2 2008-2011 Trust Council Strategic Plan – June 2011 Update

Will only be circulated quarterly, following Trust Council.

Provided for information purposes only.

11.2 Applications Report

11.2.1 Galiano Island Applications Report – February 2012

RPM Kojima and Planner Kazmierowski provided information and applications were discussed with regards to status and action.

11.3 Expense/Budget Reports

11.3.1 LTC Expense Report

Provided for information purposes only.

11.3.2 Adopted LTC Budget

None

11.3.3 Confirmation of 2012 – 2013 Budget Requirements

There was some discussion and the 2012 – 2013 Budget Requirements were confirmed.

11.3.4 Potential Budget Amendment Request

RPM Kojima provided information.

Resolution GL-LTC-08-12

It was Moved and Seconded that the Galiano Island Local Trust Committee requests the Financial Planning Committee to consider a budget amendment request recommending that the Official Community Plan review surplus of up to five thousand dollars (\$5,000.00) be carried forward to 2012/2013 in order to supplement the six thousand dollars (\$6,000.00) currently requested for the groundwater protection project.

CARRIED

11.4 Bylaw Enforcement

There was some discussion regarding recommendations put forth by Bylaw Enforcement Officer (BEO) Drew in *Staff Report (File No.: Bylaw Enforcement Notification Bylaw) dated December 1, 2011 Re: Bylaw Enforcement Notification Bylaw No. 228 Public Information Process and Staff Report dated September 13, 2011 (File No.: Bylaw Enforcement Notification Bylaw) Re: Adoption of Bylaw Enforcement Notification Bylaw.*

Sheila Anderson was in attendance and spoke on behalf of the Advisory Planning Commission.

There was some discussion regarding the desire for community education before final adoption.

Resolution GL-LTC-09-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to arrange a Community Information Meeting regarding Draft Bylaw No. 228 and prepare the bylaw for further consideration.

CARRIED

11.5 Policies and Standing Resolutions Report

Provided for information purposes only.

11.6 Galiano Island LTC Web Page for Review

Chair Hancock asked for any additions or changes to the LTC web page; no amendments were made.

11.7 Chair's Report

Chair Hancock stated that due to time constraints he had nothing to report.

11.8 Trustee Report

Trustee Decario stated that she has been busy attending to meetings, phone calls and drop-ins.

Trustee Pottle stated that she was active in discussions relating to the Trust Policy Statement and that she attended a Southern Planning Team meeting.

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 Local Trust Committee Business Meeting at 1:00 p.m. Monday, March 12, 2012, South Community Hall, Galiano Island

The meeting is scheduled as stated.

12.2 Potential Meeting With Ministry of Forests, Lands and Natural Resource Operations Staff

Resolution GL-LTC-10-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to finalize a February 29, 2012 meeting date with the Ministry of Forests, Lands and Natural Resource Operations staff and to arrange a Local Trust Committee Special Meeting relating to such.

CARRIED

13. TOWN HALL MEETING

Chair Hancock invited the public to make comment.

Brad Lockett stated support for an application-initiated approach to rezoning. Mr. Lockett stated that he does not support blanket-rezoning approaches. Mr. Lockett stated support for non-PMFL and PMFL lands being treated equally with regards to forest policy. Mr. Lockett stated support for LUB Updates being a Top Priority. Mr. Lockett stated support for initiatives related to increasing public awareness surrounding the Islands Trust Policy Statement and the Islands Trust in general.

Gary Coward stated that the OCP forest policy advisory committee made a distinction between large and small forest lots.

Andrew Loveridge stated support for conservation and the idea that if forest lot owners were permitted to reside on their land(s) then they would subsequently be incentivized not to harvest their land(s).

Sheila Anderson stated support for water, land and ecosystem protection. Ms. Anderson stated support for the continued challenges surrounding PMFL lands being addressed.

Michael Hoebel stated support for discussions continuing with regards to solutions to rezoning and specifically in the case of large versus small forest lots. Mr. Hoebel stated support for process to date.

There being no further comments from the public, Chair Hancock closed the Town Hall meeting.

14. MOTION TO CLOSE MEETING

Resolution GL-LTC-11-12

It was Moved and Seconded THAT, pursuant to Section 90(a) and (f) of the Community Charter, the Galiano Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting December 12, 2011 Galiano LTC In Camera Minutes and to consider Advisory Planning Commission appointments; and further that staff and Recording Secretary David Millership remain present.

CARRIED

Note: the public was asked to adjourn at 5:30 p.m.

See separate In Camera Meeting minutes dated February 13, 2012.

Note: the public reconvened at 5:35 p.m.

15. RECALL TO ORDER

15.1 Rise and Report from Closed Meeting

Chair Hancock stated that the minutes of December 12, 2011 Local Trust Committee In Camera Meeting were considered and adopted and that Jeffrey Patterson, Barry New and Tahirih Rockafella were appointed to the APC.

16. ADJOURNMENT

Resolution GL-LTC-14-12

It was Moved and Seconded that the Galiano Island Local Trust Committee meeting be adjourned at approximately 5:40 p.m.

CARRIED

RECORDER

CHAIR