



ADOPTED

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: June 11, 2018
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present: George Grams, Alternate Chair
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Colleen Doty, Recorder

Public Present There were approximately 20 members of the public present.

1. CALL TO ORDER

Chair Grams called the meeting to order at 12:31 p.m. He acknowledged that the meeting was being held in 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, referring to the Kramer application, noted that agriculturally-zoned land isn't always suited to agriculture.

Art Moses noted that he was misquoted in the minutes of May 7, 2018. Page 5 of the package should have read "District Lot 57" instead of "DL37" (line 3), and "DL57" should appear where it reads "DL 56" (line 4). He expressed disappointment with the Staff Reports concerning both the Stevens and the Mignault rezoning applications as he felt the work of the Advisory Planning Commission (APC) should have been given greater consideration.

Roger Pettit spoke in support of the planner's advice on both the Stevens application and the Mignault application.

Sam Maberly, a local farmer, referred to the Kramer application and noted that the land is suitable to farming, grazing in particular. He noted that Galiano used to be extensively farmed generations ago. The upper lands of this island are suitable for all kinds of farming and he didn't want to minimize the significance of the possibilities of the land.

Paul Leblond spoke in favour of the Mignault application. He supported the planner's Staff Report. He noted that the APC, while it does good work, operates in an advisory capacity only. He encouraged the Trustees to support the application.

Kiyo Okuda spoke about both the Stevens and Mignault applications, agreeing with previous comments by Art Moses. He stated that most of the current forest land is attributable to “benign neglect,” and felt that switching from Forestry to Residential zones was inappropriate. He was on the past Forest advisory committee. He spoke to the importance of access and service roads. He questioned the lack of fire mitigation efforts. He thinks the Stevens’ application should be rejected until there is a road. With respect to the Mignault application, he was concerned about setting a precedent.

A letter prepared by **Adriana Briand** was submitted in support of the Mignault application.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated May 7, 2018

The following amendments to the minutes were presented for consideration:

- On page 5 of the agenda package, the reference to DL37 (line 3) should appear as “DL 57.” On line 4, “DL 56” should also appear as “DL57.”

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 April 23 & 30 and May 8, 14 & 28, 2018

APC referral response dated May 8, 2018 re Mignault Rezoning application.

The APC minutes were received by the LTC.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated June 2018

For information as presented.

8. DELEGATIONS

None

9. CORRESPONDENCE

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

9.1 B. Troniak & C. O'Tool Letter Dated May 8, 2018 re: Discharge of Section 219 Covenant

For information as presented.

10. APPLICATIONS AND REFERRALS

10.1 GL-ALR-2017.1 (Kramer) - Staff Report

The applicant was not present. Regional Planning Manager Robert Kojima summarized the staff report, noting that the applicant has not provided any supporting information, specifically, a Professional Agrologist report.

GL-2018-031

It was moved and seconded that the Galiano Island Local Trust Committee not authorize Agricultural Land Reserve inclusion application GL-ALR-2017.1 (Kramer) to proceed to Agricultural Land Commission.

CARRIED

It was noted that the LTC's decision could be revisited if further information were provided to the LTC.

10.2 Capital Regional District - Matthews Point Regional Park Draft Management Plan - Staff Memo & Attachments

The public may provide comments on the Draft Management Plan until midnight of June 24, 2018.

The LTC received the draft plan for information, as community consultation is still ongoing.

10.3 GL-RZ-2017.1 (Stevens) - Staff Report

The applicants were present. There was discussion with respect to possibly amending "Permitted Uses" 9.6 (B) 1.1 and 1.2 of the proposed Forest Industrial (FI (a)) zone.

Regional Planning Manager (RPM) Kojima noted the merits of containing the "sawmilling, planing and manufacturing of wood products" to the FI(a) zone, since that proposed zone is in the middle of the property and impacts from those activities would thus be buffered. Staff did not recommend changes to the proposed bylaw, favouring instead a concentration of siting of uses.

The applicants noted their preference for the wording of the proposed bylaws, as opposed to amending the uses of the proposed FI(a) zone to just excavation-related services.

Trustee Pottle noted the purpose of the bylaw amendment as bringing the property into compliance. Sawmilling and planing are not existing uses. In a Forest Industrial area, one is allowed to bring logs in from elsewhere to be milled. She noted it was not contemplated that new uses would be added. A new use would increase traffic on the road. It was suggested the neighbours might have to be consulted again, given that the new uses were not initially contemplated.

GL-2018-32

It was moved and seconded that the Galiano Island Local Trust Committee Bylaw No. 266 be amended by replacing the words “contractors’ workshops and yards” with the words “excavation contractors’ workshops and yards,” deleting the words “sawmilling, planing and manufacturing of wood products” under the heading “Permitted Uses,” and re-numbering accordingly.

CARRIED

GL-2018-33

It was moved and seconded that the Galiano Island Local Trust Committee Bylaw No. 266, cited as “Galiano Island Land Use Bylaw, 1999, Amendment No. 2, 2017,” be read a second time as amended.

CARRIED

It was noted by RPM Kojima that the draft covenant could be revised at any time in the process. Trustee Pottle expressed concerns with the proposed covenant. Chair Grams noted he was uncomfortable with making changes to a legal document without consultation. It was suggested a resolution be made, getting consultation and advice from staff so that the applicant has an opportunity for comment.

GL-2018-34

It was moved and seconded that the Galiano Island Local Trust Committee request staff to provide advice on a list of proposed amendments to the covenant to be provided by trustees, and that the applicant be consulted on those changes prior to returning the application to the next LTC meeting.

CARRIED

Proposed changes were to be provided in writing, by the trustees, to planning staff, hopefully within a week.

Staff noted that changes to the covenant could happen after a Public Hearing.

The following specific points with respect to the covenant were discussed:

- The importance of having safe egress and access for the major parts of the road network, and not just for non-motorized vehicles;
- The covenant could include the option of having a dedicated emergency access, if the LTC wished;
- The Road Network Plan showing a highway, not an emergency access;
- A second connection could be made if the applicant were amenable;
The assumption being made that MOTI will want to extend Georgia View Road.

GL-2018-35

It was moved and seconded that the Galiano Island Local Trust Committee request staff to schedule a Public Hearing for Bylaws No. 265 and 266 and the time of the hearing be subsequent to the return to the LTC of the report dealing with potential changes to the covenant.

CARRIED

Trustee Pottle noted that she would respond to the report.

GL-2018-36

It was moved and seconded that the Galiano Island Local Trust Committee Bylaw No. 265, cited as "Galiano island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2017", be read a second time.

CARRIED

10.4 GL-RZ-2017.2 (Mignault) - Staff Report

The applicant was not present.

The following concerns were identified with respect to APC recommendations:

- OCP forest policies would need to be amended to include an additional residential use. Doing so goes beyond what is normally considered for a rezoning application.
- Staff disagree that the F2 zone allows for protection of forestry zone. F2 zoning does not establish a maximum lot coverage.
- Existing Development Permit Areas already protect mapped conservation values.
- If the applicants' property were kept in F2, the buildings would have to be accessory to timber production and harvesting.

Staff are recommending the LTC consider whether or not to proceed with rezoning to R2. The property would not be sub-dividable. It was noted that letters of support for the application are based on the understanding that a donation has been made to BC Parks.

GL-2018-37

It was moved and seconded that the Galiano Island Local Trust Committee request the applicant, in support of his application, to submit to the LTC documentation confirming the land transfer to BC Parks with respect to the size, location and other relevant information about that donation.

CARRIED

GL-2018-38

It was moved and seconded that the Galiano Island Local Trust Committee Bylaw No. 267, cited as "Galiano island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2018," be read a first time.

CARRIED

GL-2018-39

It was moved and seconded that the Galiano Island Local Trust Committee Bylaw No. 268, cited as “Galiano Island Land use Bylaw, 1999, Amendment No. 1, 2018”, be read a first time.

CARRIED

GL-2018-40

It was moved and seconded that the Galiano Island Local Trust Committee has reviewed the Directives Only Policy Checklist and determined that proposed draft Bylaw Nos. 267 and 268 are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GL-2018-41

It was moved and seconded that the Galiano Island Local Trust Committee directs staff to refer Bylaw Nos. 267 and 268 as per attached Attachment 4.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

None

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated June 2018
Information as presented.

12.1.2 Projects List Report Dated June 2018
Information as presented.

12.2 Applications Report Dated June 2018

Information as presented.

12.3 Trustee and Local Expense Report Dated March 2018

Information as presented.

12.4 Adopted Policies and Standing Resolutions

Information as presented.

12.5 Local Trust Committee Webpage

Information as presented.

12.6 Chair's Report

Alternate Chair Grams did not give a report.

12.7 Trustee Report

Trustee Harris reported on the last financial planning committee, which decided to put \$100,000 into a special reserve fund. They approved a 2% tax increase for next year. A special committee considered moving service to some of the islands but it was decided it was not practical to move services out of Victoria. The status quo was felt to be best. The landlord has agreed to upgrade the office and renovations will be starting immediately. Staffing is an ongoing struggle, and that's partly why there's a surplus. First Nations (FN) specialist Fiona Macraill is finished her contract at the end of June. Direct outreach to FN's will happen. There is an upcoming Trust Council meeting on Saturna. The final meeting will be on Keats Island in September. Trustee Harris indicated he would not run again as Trustee. It has been an honour to serve. Trust Staff have reported that the Agricultural Land Commission (ALC) finally has been able to review the letter that has been delaying the registration of the Galiano Community Housing Association covenant; the ALC determined that the appeal period had expired.

Trustee Pottle intends to meet with people about affordable housing. She has been lobbied to rescind the bylaws but she will not. Trust Council will be meeting to discuss housing. On the agenda is how the Islands Trust deals with the ALC. The Solar Energy Co-op will be there too.

12.8 Trust Fund Board Report

None

13. NEW BUSINESS

13.1 George Loepky Request re: Crown Land/Provincially Managed Land on Gossip Island - Discussion

RPM Kojima noted there is a lot in the middle of Gossip Island which ended up as Crown Land, instead of Park. At some point, the CRD, who had been providing park service, realized this was not park land. Mr. Loepky would like to see it protected. Islands Trust Conservancy advice is that it is highly unlikely any crown land would be transferred to another agency, as crown lands are potentially treaty settlement lands.

With respect to how much protection that land has as Crown land, RPM Kojima noted the Crown provides some limited protection, and is "frozen" as potential treaty settlement lands. From a legal point of view, the Crown is immune from zoning. Any non-crown individual is subject to zoning. Logging is not regulated by zoning.

Residents are advised to be alert to any proposals by the crown, and participate in any notification or consultation process.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for July 9, 2018, at the North Community Hall, Galiano Island

15. TOWN HALL

Doug Latta, representing Galiano Community Housing Association, has received notification that their covenant has been accepted by the ALC for taking 8 acres out of Agricultural Land Reserve and into the Community Housing zoning. The covenant is in the process of being registered as they speak. The Association will request the LTC approve recommendations for the community management committee. RPM Kojima asked Mr. Latta to send him the information for the agenda.

Tom Hennessy reported the Galiano Community Housing Association has more people than they need for the community housing committee. With respect to the Mignault's application, he doesn't have strong feelings about how it should be determined. He noted that Mr. Mignault was one of the first to buy one of the forestry lots, and he believed the Mignault's were the only ones with a right to build a house on their land, whereas the other Forestry lot owners did not have that right. This right was later removed.

Steven Rybak, chair of the former Telecommunications APC, recommended that the pending report be sent to the APC, and that the APC call upon members of the former Special APC to make recommendations to expedite review back to the LTC. The LTC acknowledged this was a good idea.

Tom Hennessy voiced opposition to any new towers because of new technology called millimeter wave technology, which he stated was dangerous to human health, and for which research was lacking. He noted that the LTC has no jurisdiction to limit these towers. Trustee Pottle noted that the LTC have the right to shape a consultation process.

Dave Cochrane spoke in favour of Mignault's application.

Kiyo Okudo, a former member of the Telecommunications APC, noted that Industry Canada is responsible for the health of wildlife, not of humans. The mandate of the Islands Trust to preserve and protect speaks directly to the mandate of Industry Canada.

Tom Hennessy noted that Lloyds of London Insurance is no longer insuring for health impacts from millimeter wave technology.

Kiyo Okuda noted concerns about the Road Network Plan and the proposed covenant. He was concerned with the haste of the process with respect to the Stevens' application.

The meeting was closed to go In-Camera at 3:03 p.m.

16. CLOSED MEETING (Distributed Under Separate Cover)

16.1 Motion to Close the Meeting

GL-2018-42

It was moved and seconded that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (d, f, i) for the purpose of considering:

- Adoption of In-Camera Meeting Minutes Dated May 7, 2018
- Appointment of LTC Back Up Minute Taker & APC Secretary

AND that the recorder and staff attend the meeting.

CARRIED

16.2 Recall to Order

The meeting was recalled to order at 3:08 pm.

16.3 Rise and Report

Chair Grams rose and reported that the trustees adopted in-camera meeting minutes of May 7, 2018 and that the LTC back-up minute-taker and APC secretary was appointed.

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:10 p.m.

George Grams, Alternate Chair

Certified Correct:

Colleen Doty, Recorder