



ADOPTED

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: July 9, 2018
Location: North Galiano Community Hall
22790 Porlier Pass Road, Galiano Island BC

Members Present: Laura Busheikin, Chair
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Kim Stockdill, Island Planner
Colleen Doty, Recorder

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:30 p.m. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- The Mignault application, GL-RZ-2017.2 was added as Item 11.4.

By general consent the agenda was approved as amended. Agreement was made to deal with Item 11.4 immediately.

A brief recess was called at 12:35pm.
The meeting reconvened at 12:40pm.

11.4 GL-RZ-2017.2 (Mignault)

Applicants Line-Marie St. Jacques and Bernard Mignault provided a copy of an unsigned Tax Receipt to the Local Trust Committee (LTC).

Planner Stockdill noted it was up to the LTC to decide if the information provided satisfies LTC's requirements. One option was to accept the information; the other option was to decide whether to schedule a Public Hearing (PH) for this application.

The applicants were asked whether they knew the exact amount of land donated and whether the information provided reflected a sale and a donation. Mr. Mignault indicated that the donation part is approximately 4.5 acres and that the Tax Receipt shows both a sale and a donation. He stated that the land appears on Islands Trust maps as Lot B. The applicant indicated they had donated another part of the property as a public right-of-way and also dedicated a right-of-way for the trail that goes in and out of

the property on the way to the park, as a walking trail, as well as a full right-of-way for the public.

It was noted the word “donation” appears several times on the Tax Receipt provided. Trustee Pottle requested more information and asked for a staff report. She did not feel ready to proceed to a Community Information Meeting (CIM) and PH.

Mr. Mignault noted that the Ministry of Water, Land, and Air Protection bought the property. He stated he also has a receipt of him declaring it on his income tax for the year (2003). Mr. Mignault was not aware of any other information available.

Trustee Harris noted that the LTC needs to hear from the public what they think of this rezoning. He would support a PH and CIM in September; staff and the applicants would have another 8 weeks, until then, to find more information.

Chair Busheikin noted the following pieces of information were needed: total size of land, information about Lot B, values of Lot B, details about the transaction(s), and role of Water, Land, and Air Protection. She asked whether staff could flesh out the required information and then schedule a CIM and PH via Resolution-without-Meeting (RWM).

Planners agreed they could do that, noting the challenge with RWMs is that there is no discussion.

Louise Decario noted that, during her term as a Trustee, she had to step aside a number of times because of conflicts of interest. She asked whether Trustee Harris had a conflict of interest on the Mignault file, whether he still owned things with Mignault and if he needed to obtain legal advice.

Trustee Harris responded that, in 1993, nine of them bought a saw-mill together. Those who are still living are able to use the saw-mill, if they can find it.

Trustee Pottle enquired whether the paperwork provided by the applicant is acceptable proof of land donation and whether it satisfies the resolution of the LTC (GL-2018-37); considering other F2 properties that might wish to rezone, does the Mignault arrangement constitute a land donation?

Regional Planning Manager (RPM) Kojima noted that the rezoning application is not predicated on the land donation, it came up later in the process.

Chair Busheikin noted it would be up to the LTC to render that decision as to whether this constitutes a land donation. She asked whether this information is important enough to delay the process.

GL-2018-43

It was Moved and Seconded,

that the Galiano Island Local Trust Committee schedule a Community Information Meeting and Public Hearing for application GL-RZ-2017.2 (Mignault).

CARRIED

GL-2018-44

It was Moved and Seconded,

that the Galiano Island Local Trust Committee request that staff outline specifics of the land donation related to application GL-RZ-2017.2 (Mignault).

CARRIED

3. COVENANT

3.1 GL-RZ-2017.1 (Stevens) Covenant - Staff Report

Staff summarized the information provided in the agenda package.

Discussion included the following:

- Applicant Fred Stevens was asked how important it was to have hours of operation on weekends and statutory holidays. What was the real need?
- Mr. Stevens noted that a lot of people come from off-island on the weekend. While he tries to avoid weekend work, other companies on island are not restricted in their hours of operation; he felt that to have their hours restricted would put them at a competitive disadvantage.
- In response to the question of whether a delivery (ie: gravel and sand) could be arranged for a weekday, the applicant noted they try to arrange that, but, they also receive many calls through the weekend.

4. COMMUNITY INFORMATION MEETING

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

Chair Busheikin called the meeting to order at 1:25pm. She stated that a Community Information Meeting (CIM) gives the public an opportunity to ask questions.

Staff provided an overview of the information in the agenda package.

Sheila Anderson, referring to the proposed draft covenant, asked why there are two separate segments identified, when the routes in question are all needed? Article 6 has been drafted such that, when one option is taken, the transportation part of it is discharged. Ms. Anderson expressed concern that what the community needs may be eliminated once Ministry of Transportation and Infrastructure (MOTI) acts on one option.

RPM Kojima said it is a one-time option when MOTI takes what it needs. Whatever is not needed may be taken by another body as a Statutory Right of Way. MOTI can take both segments or a portion.

Trustee Pottle asked what happens if the province takes transportation option 1? RPM Kojima stated that Segment 2 then becomes a trail. Someone has to want to take it on. They cannot force an agency to take something on.

Trustee Pottle asked whether, in order to achieve access across DL 37, it may have been better to have a dedication?

Louise Decario asked whether the LTC could recommend that both segments be accepted by MOTI as dedications for emergency access or highway.

RPM Kojima indicated that the covenant could do this.

Louise Decario asked if, in most major rezoning applications, the LTC did site visits. In this case, were the dwelling site and road dedication sites visited?

Trustee Harris noted he had visited the site with the former planner. Trustee Pottle and Chair Busheikin had not.

Akasha Forest thanked staff for the larger maps. She asked whether the covenant could be changed after the Public Hearing and if that would be a public process.

RPM Kojima noted that after the Public Hearing, the LTC and staff can discuss matters, but not receive more public information.

Akasha Forest asked if it were possible to remove the discharge mechanism to make it clear that the main concern about emergency relief be protected. We don't want to lose emergency accesses.

RPM Kojima thought it was possible.

Diana Lilly asked why Trustee Pottle and Chair Busheikin did not conduct site visits.

Chair Busheikin noted that, the day they went to Galiano, they did not have advance permission from the owner. There is a cost to site visits and she does not do site visits for every rezoning on all the islands. She also felt she had enough information.

Trustee Pottle indicated she did not ask to do a site visit and would have been uncomfortable visiting the property.

Kiyo Okuda asked why the proponent is not using Georgia View Road.

Fred Stevens noted that Georgia View Road is not constructed. There is lots of liability related to it. It is not useable as no one maintains it.

Kiyo Okuda asked whether the applicants were servicing the roads they are using now? In Local bylaw 266, section 9.6 (B)(1), why is the export of gravel not mentioned in

permitted uses? Mr. Okuda clarified that by “exporting” he meant transporting the resources off the property.

RPM Kojima explained that zoning does not regulate how people travel on highways.

Sheila Anderson enquired about the details of the land shown in Segment 1.

Peter Thompson, BCLS had surveyed the area and noted that Segment 1 is overgrown but is quite practical as a route. He confirmed that Segment 1 lines up practically with what’s shown there.

Sheila Anderson asked that if Segment 1 were taken as an emergency lane, and Segment 2 as a road dedication, who would make that go through?

RPM Kojima responded that depends on the intervening lots and would be part of their rezoning process.

Sheila Anderson asked if there had been consideration of asking the applicant to open up Segment 2 as a driveway. She stated that the LTC agreed to let the applicants move the driveway down.

Louise Decario asked if the LTC were familiar with the rationale of the Road Network Plan and if they had read the report written by Richard James & Associates about the RNP? She referred to recommendations about the Gustin Road route.

Trustee Harris noted that the RNP is a regular discussion at his home. Emergency access and lack of continuous routing is a main concern. He noted that mistakes have been made.

Trustee Pottle noted that she has read it and brought a copy to the meeting. She noted that the RNP is something they are trying to achieve long term.

Chair Busheikin noted she has also read it.

Louise Decario enquired why there wasn’t a separate Community Information Meeting scheduled for this application.

Chair Busheikin, although she was not present at the last LTC meeting when the timing of a CIM was discussed, referred to the upcoming elections as part of the reason.

Trustee Pottle stated she had not been of the understanding from the last LTC that a Public Hearing would be scheduled for today. She was unprepared for that news and had been upset to learn that it had been scheduled for the same date as the LTC meeting of today’s date, July 9th.

Chair Busheikin closed the Community Information Meeting at 2:13pm.

A break was called at 2:14pm.

5. PUBLIC HEARING

5.1 Recess for Public Hearing

The Public Hearing was called to order at 2:24pm.

See separate Public Hearing Record dated July 9, 2018.

5.2 Recall to order

Chair Busheikin recalled the regular meeting to order at 3:21pm.

6. TOWN HALL AND QUESTIONS

Kiyo Okuda referred to the Mignault application, asking how or if the amenities were provided (by donation or sale). He is in favour of the application and disposition of his land, stating that the total potential allowable housing has been reduced significantly.

Sheila Anderson asked when the community would know what covenant the LTC will go forward with on DL 37. She wants transparency.

It was noted by the LTC that all decisions of LTC are public. The outcome will be public. Chair Busheikin indicated a mail-out could be considered.

Tom Hennessy would like the LTC to give the Mignault application extra consideration, stating that Mr. Mignault was one of the forest lot owners that were not treated respectfully. After he bought the property the LTC decided to eliminate the residency right.

Stephen Rybak noted his preference, as Chair of the former Special Advisory Planning Commission on telecommunications, that staff take the template that has been vetted by industry, as the base template, and, looking at what was done by our LTC, "Galiano-ize" the template.

Dave Cochran, 2445 Montague Road spoke in support of the Mignault application.

A **member of the public** expressed support for the Mignault application.

7. MINUTES

7.1 Local Trust Committee Minutes Dated June 11, 2018 (for Adoption)

By general consent the Local Trust Committee meeting minutes of June 11, 2018 were adopted.

7.2 Section 26 Resolutions Without Meeting Report

None

7.3 Advisory Planning Commission Draft Minutes dated June 12, 2018

Received for information.

8. BUSINESS ARISING FROM MINUTES

8.1 Follow-up Action List Dated July 2018

Received for information.

9. DELEGATIONS

None

10. CORRESPONDENCE

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

11. APPLICATIONS AND REFERRALS

11.1 GL-RZ-2017.1 (Stevens) - Staff Memo & Bylaws No. 265 & 266

See report under Item 4.1

As several written submissions had been provided to the LTC, Chair Busheikin called a recess so that staff and Trustees could review the submissions.

A recess was called at 3:35 p.m.

At 3:42 p.m. the meeting was reconvened.

Staff were asked whether they had further comments based on what they heard. The following was discussed:

- RPM Kojima indicated that recommendation 5 (in the Staff Report prepared and submitted June 28, 2018) was agreeable to the applicant.
- Staff suggested the covenant be changed such that if any one segment is taken as a highway, the remaining segments could be both trail and emergency access statutory right-of-way.
- Having a transportation advisory committee work with MOTI; staff noted that would be a project beyond the scope of the rezoning application.
- Sending the covenant to the Advisory Planning Commission for comment.

GL-2018-45

It was Moved and Seconded,

that the Galiano Island Local Trust Committee refer the covenant to the Galiano Island Advisory Planning Commission.

MOTION FAILS
(Pottle in Favour)

Trustee Harris noted that sending the covenant to the APC would delay the application into the next session; thus, he could not support the motion.

GL-2018-46

It was Moved and Seconded,

that the Galiano Island Local Trust Committee amend the covenant so that Segment 2 be included as a future emergency access if not dedicated as a highway.

CARRIED

RPM Kojima noted that the statutory right-of-way is 20 meters wide and has to allow for emergency access.

GL-2018-47

It was Moved and Seconded,

that the draft covenant be revised to include Segment 1 as a potential future statutory right-of-way for trail purposes in additional to Segment 2.

CARRIED

Chair Busheikin asked staff if it were technically feasible to request the applicant to maintain those future dedications (reservations).

RPM Kojima indicated that the covenant now states there are to be no structures on the reservation areas: Section 2.2, page 25 of agenda package, states "No building" or encumbrances on the Reservation Area.

Chair Busheikin noted that the hours of operation are fairly liberal. Industrial activities, as noted in OCP, need to have frontage on a major road. Although many of the current neighbours do not have issues, it is still a major concern.

GL-2018-48

It was Moved and Seconded,

that the Galiano Island Local Trust Committee amend the covenant to limit Sunday usage to emergencies only.

CARRIED

GL-2018-49

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 third time.

CARRIED

GL-2018-50

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 third time.

CARRIED

GL-2018-51

It was Moved and Seconded,

that the Galiano Island Local Committee proposed Bylaws No. 265 and 266 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

CARRIED

GL-2018-52

It was Moved and Seconded,

that the Galiano Island Local Trust Committee proposed Bylaw No. 265 be forwarded to the Minister of Municipal Affairs and Housing for approval.

CARRIED

With respect to recommendation #6 in the Staff Report prepared and submitted June 28, 2018, the Local Trust Committee would like to see a further revised covenant.

GL-2018-53

It was Moved and Seconded,

that staff bring back an amended draft covenant to the Local Trust Committee.

CARRIED

11.2 GL-TUP-2018.1 (Carolsfeld) - Staff Report

GL-2018-54

It was Moved and Seconded,

that the Galiano Island Local Trust Committee approve issuance of Temporary Use Permit GL-TUP-2018.1 as drafted with conditions.

CARRIED

11.3 GL-ALR-2017.1 (Kramer) - Staff Memo

Received for information.

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 Telecommunications Strategy - Staff Report

GL-2018-55

It was Moved and Seconded,

that the Galiano Island Local Trust Committee request staff to compare the Galiano Island Draft Antenna System Siting & Consultation Protocol with the LPC Model Antenna Strategy and report back to the LTC with recommendations to customize the LPC Antenna Strategy accordingly.

CARRIED

13. REPORTS

13.1 Work Program Reports

13.1.1 Top Priorities Report Dated July 2018

More information on dock review will be provided at the next meeting.

13.1.2 Projects List Report Dated July 2018

Information as provided.

13.2 Applications Report Dated July 2018

Information as provided.

13.3 Trustee and Local Expense Report

None

13.4 Adopted Policies and Standing Resolutions

Information as provided.

13.5 Local Trust Committee Webpage

None

13.6 Chair's Report

Chair Busheikin reported that she attended Trust Council.

13.7 Trustee Report

Trustee Pottle reported she has been extremely busy reading the Road Network Plan and has been impressed with the amount of work that went into that. She attended Trust Council on Saturna. She has been talking to community members about affordable housing and affordable rental housing.

Trustee Harris noted that they received news that the Agricultural Land Commission has excluded the Galiano Green property and the covenant has been registered. They are

moving ahead with subdivision. After September 4, there is a strict protocol about not initiating new projects. He is not running again for Trustee. He requested the minutes reflect that it has been an honour, a privilege, and a pleasure, to work with Islands Trust staff, co-Trustees and community for his term.

13.8 Electoral Area Director's Report

None

13.9 Trust Fund Board Report Dated May 2018

Information as provided.

14. NEW BUSINESS

14.1 Galiano Green Community Management Committee Members - Staff Memo

GL-2018-56

It was Moved and Seconded,

that the Galiano Island Local Trust Committee consents to the appointment of the following individuals to the Galiano Green Community Management Committee: Dave Ages, Lorelei Allen, Ed Andrusiak, Carol Guin and Mike Hoebel.

CARRIED

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for September 17, 2018, at the South Hall, Galiano Island

16. TOWN HALL

Tom Hennessy commended Islands Trust staff and Trustees with their patience in dealing with the applications.

17. CLOSED MEETING (Distributed Under Separate Cover)

17.1 Motion to Close the Meeting

GL-2018-57

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) (a & d) for the purpose of considering:

-Adoption of In-Camera Meeting Minutes Dated June 11, 2018;

-BOV Memberships;

AND that the recorder and staff attend the meeting.

CARRIED

17.2 Recall to Order

The meeting was recalled to order at 4:48 p.m.

17.3 Rise and Report

Chair Busheikin rose and reported that the Trustees adopted in-camera meeting minutes of June 11, 2018 and received information with respect to BOV memberships.

18. ADJOURNMENT

By general consent the meeting was adjourned at 4:49 p.m.

Laura Busheikin, Chair

Certified Correct:

Colleen Doty, Recorder