

ADOPTED



Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: September 17, 2018
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

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

Staff Present: Robert Kojima, Regional Planning Manager
Colleen Doty, Minute-taker

Public Present: There were approximately 35 members of the public present.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The following items were proposed to be added to the agenda:

- An email, received by Mr. Paul Kopas, would be added as item 10.1.
- Street lights in the village, added as 14.5 under New Business, Advocacy.

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Chair Busheikin noted that this Town Hall would address items on the agenda; she explained that members of the public would have an opportunity to ask questions and present their views with respect to the Mignault application at the Community Information Meeting and at the Public Hearing.

Andrew Loveridge congratulated the society that had recently formed to undertake the latest initiative for affordable housing. He supported having options available to people. He presented two letters in support of the Mignault application.

In response to a question from Sheila Anderson, Chair Busheikin explained the legislation around post public hearings protocol.

A recess was called at 12:38 p.m.

The meeting reconvened at 12:40 p.m.

Roger Pettit asked for greater clarification and background on the Staff Report with respect to the proposed regulation of cannabis retail sales.

Regional Planning Manager Robert Kojima explained that the initiative did not come from the Local Trust Committee, but was mandated by the Province. He explained that in BC, the wholesale distribution of non-medical cannabis will be solely through the Liquor Distribution Branch (LDB). The LDB will be the operator of government-run retail stores and the Liquor and Cannabis Regulation Branch (LCRB) will be responsible for licensing and monitoring the retail sector using a mixed public/private model. Local governments are required, by the referral process, to comment on licensing applications, and to obtain community input by local consultation. The fees are an attempt to recoup some of these costs. Some applications can be quite complex because of potential impacts on neighbours.

Diana Lilly wanted to thank Sandy Pottle for her work as Trustee.

Trustee Pottle thanked the community for their appreciation.

Don Robson requested the Trustees to make enquiries with respect to two street lights that had been decommissioned on Sturdies Bay Road at the village. He expressed concerns about the darkness and associated hazards.

Chair Busheikin noted this topic would be discussed as new business.

Claude Latour asked what jurisdiction the LTC has on the north end of Galiano, on the Penelakut Reserve.

RPM Kojima noted that the reserve falls under federal jurisdiction.

4. GL-RZ-2018.2 (Mignault)

4.1 GL-RZ-2017.2 (Mignault) Donation Information - Staff Report (attached)

A review of the Staff Report was provided.

5. COMMUNITY INFORMATION MEETING

5.1 Galiano Island Local Trust Committee Bylaws No. 267 & 268 (Mignault)

Chair Busheikin noted that the Community Information Meeting (CIM) was an opportunity for the public to ask questions with respect to the application. A summary of the bylaws was provided.

Sheila Anderson asked about the Regional Conservation Plan, and noted the area's importance in protecting forest values. She didn't see the aforementioned plan referenced in the staff reports and wondered if consideration were given to it. She asked why it doesn't have a higher profile when an application comes in dealing with an area that is significant.

RPM Kojima noted that there is a section in the Staff Report that addresses conservation plans, and recalled it being discussed at the LTC table. The Regional Conservation Plan would be discussed in further detail under 14.1.

Keith Carlson asked about the Home Occupation regulations, with respect to bylaw enforcement on the Mignault property.

RPM Kojima explained that the owner-manager must live on the property in order to have a home occupation of running a Short Term Vacation Rental. Regulations are in the Land Use Bylaw.

Trustee Pottle noted there were events taking place on the Mignault property.

Claude Latour asked what the exact definition of Home Occupations was. Kojima noted that under the Land Use Bylaw one has to be resident while running the home occupation.

A break was called at 1:09 p.m.

The meeting reconvened at 1:31 p.m.

Item 9.1 was addressed, given that the meeting was ahead of schedule.

The meeting was recessed at 2:06 p.m. for the Public Hearing.

6. PUBLIC HEARING

6.1 Recess for Public Hearing

6.1.1 Galiano Island Local Trust Committee Bylaws No. 267 & 268 (Mignault)

Please refer to Public Hearing Record of September 17, 2018.

6.2 Recall to order

The Regular Business meeting was recalled to order at 2:37 p.m.

7. MINUTES

7.1 Local Trust Committee Minutes Dated July 9, 2018 (for Adoption)

By general consent the Local Trust Committee meeting minutes of July 9, 2018 were adopted.

7.2 Public Hearing Record Dated July 9, 2018 (for Receipt)

The Public Hearing Record of July 9, 2018, was received.

7.3 Section 26 Resolutions Without Meeting Report

None

7.4 Advisory Planning Commission Minutes

None

8. BUSINESS ARISING FROM MINUTES

8.1 Follow-up Action List Dated September 2018

The Follow-up Action List will be distributed by email later, as it was not included in the agenda package.

9. DELEGATIONS

9.1 Richard Dewinetz – Affordable Housing Project

Richard Dewinetz provided a brief presentation, including architectural sketches, on the latest affordable housing project. Along with other members of the community, including Jane Wolverton and Mike Hoebel, Mr. Dewinetz has formed the non-profit Gulf Islands Affordable Housing Society. The Galiano Club is donating five acres for the project. Mr. Dewinetz reported they have received confirmation of available water on site. Partial funding is available from BC Housing. The project also has the support of the Galiano Club, Chamber of Commerce, Galiano Green, and MLA Adam Olson.

The project entails building a six-plex containing one, two, and three-bedroom units for rent. Rental rates are dependent upon receiving funding and would be set according to the income of applicants.

Two costly issues were identified: getting power to the site and building an access road to the Ministry of Transportation and Infrastructure (MOTI) standards.

Diana Lilly asked about a possibility of solar, and if the roof were south-facing.

Mr. Dewinetz reported that the architect has looked at it. Solar is a consideration, just not at this first go-round.

Keith Carlson enquired about storage space for prospective residents.

Mr. Dewinetz said they would consider suggestions with respect to storage. The existing concept for the community building included space for recycling and garbage collection.

Mr. Dewinetz stated that their long term plan was to build 10 buildings around the island, with a minimum of 90 units for Galiano. This current project is a proto-type.

In response to a question from **Avis Seeds**, Mr. Dewinetz clarified the location is coming out of Heritage Forest.

Jane Wolverton clarified that there was a zone set aside of approximately 17 acres, of which 5 would be reserved for community housing.

It was also clarified that the project will be owned by the affordable housing society, managed by the society, and would be not-for-profit.

The project would provide long-term, secure housing. There will be a rezoning process.

10. CORRESPONDENCE

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

10.1 The LTC received email correspondence from Paul Kopas.

11. APPLICATIONS AND REFERRALS

11.1 GL-RZ-2018.2 (Mignault) - Staff Report & Bylaws No.267 & 268

GL-2018-58

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, 2017”, be read a second time.

CARRIED

GL-2018-59

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, 2017”, be read a second time.

CARRIED

GL-2018-60

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, 2017”, be read a third time.

CARRIED

GL-2018-61

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, 2017”, be read a third time.

CARRIED

GL-2018-62

It was Moved and Seconded,

that Galiano Island Local Trust Committee proposed Bylaws No. 267 and 268 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

CARRIED

GL-2018-63

It was Moved and Seconded,

that Galiano Island Local Trust Committee proposed Bylaw No. 267 be forwarded to the Minister of Municipal Affairs and Housing for approval.

CARRIED

11.2 GL-RZ-2017.1 (Stevens) s. 219 covenant - Staff Report (attached)

Trustee Pottle said she could not support the covenant. She noted several concerns, including:

- The scales of the maps provided, which made it difficult to determine if there was connectivity between emergency access routes;
- Whether the owners of DL 38 were aware of the proposed emergency access routes;
- Lack of certainty about the timing of securing emergency accesses across the lots;
- Potential undermining of the Road Network Plan;
- Not having a standalone Community Information Meeting to discuss the proposed covenant;
- The extent to which the Islands Trust Policy Statement Section 5.3.5 is being upheld.

RPM Kojima provided the following comments:

- Surveyor Peter Thomson had explained (July 9, 2018) that the proposed emergency access route followed existing logging roads, connecting to DL 38, which is the intervening lot to the old access road. Both routes would connect.
- The covenant will be registered and will require that, at any time, the Ministry of Transportation and Infrastructure (MOTI) can take all or some of those reservations for highway and any that they don't take, will be reserved for emergency access and trails. If and when MOTI take the highway dedication, we will get the emergency access.

Chair Busheikin noted that, through this covenant, the LTC do not have the power to force an organization to take on the creation of an emergency access road.

Trustee Harris acknowledged the frustration that this dedication will exist on paper but not in reality. He noted that we don't have the mechanisms to have that road built.

Trustee Pottle stated that, in return for the rezoning, the applicant could have the road built. She stated the covenant should be redone so that it complies with the Road Network Plan. She would like staff to do further analysis on the covenant to enable the community to have an emergency access road. She stated that Islands Trust Policy Statement section 5.3.5 was left blank when it went to Executive Committee.

Chair Busheikin reported that section 5.3.5 was discussed at E.C.

Chair Busheikin referred to the map and asked RPM Kojima, whether the covenant could be easily altered to create the connection, seeing how it connects on the RNP on DL 37.

RPM Kojima explained that the covenant could be altered with the agreement of the land owner, but given what the surveyor said, the creek intervenes, and there are

steeper grades to consider. The surveyor thought the better connection would be on DL 38.

Trustee Harris enquired, whether it were possible, if the community could build an emergency access route, once dedicated. RPM Kojima noted that once a statutory right of way is registered an organization could build an emergency access route. If Highways doesn't take some sort of dedication, permission of the owner could be sought in order to build an access route.

GL-2018-64

It was Moved and Seconded,

that the Galiano Island Local Trust Committee accept the draft covenant, attached to the staff report in the agenda of the September 17, 2018 LTC meeting, under section 219 of the Land Title Act from the registered owners of District Lot 37, Galiano Island, Cowichan District that would reserve future highway dedication and statutory rights-of-way in the locations shown on the plans prepared by Peter Thomson, BCLS, prohibit future subdivision of the lot, and restrict hours of operation, and designate the Chair of the Local Trust Committee to sign the covenant.

CARRIED

Trustee Pottle Opposed

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 Telecommunication Strategy Project - Staff Report (attached)

Chair Busheikin thanked the Special Advisory Planning Commission on Telecommunications and staff for their work on this project.

GL-2018-65

It was Moved and Seconded,

that the Galiano Island Local Trust Committee adopt the Galiano Island Antenna System Siting & Consultation Protocol as the tool for the review and consideration of antenna system proposals within the Galiano Island Local Trust Area.

CARRIED

13. REPORTS

13.1 Work Program Reports (attached)

13.1.1 Top Priorities Report Dated September 2018

Information as provided.

13.1.2 Projects List Report Dated September 2018

Information as provided.

13.2 Applications Report Dated September 2018 (attached)

It was reported that a response from the Province with respect to GL-RZ-2016.2 was anticipated within the next month.

13.3 Trustee and Local Expense Report Dated June 2018 (attached)

Information as provided.

13.4 Adopted Policies and Standing Resolutions (attached)

Information as provided.

13.5 Local Trust Committee Webpage

n/a

13.6 Chair's Report

Trust Council was scheduled for Keats Island, September 18th. Information will be coming out soon as to updates with respect to the Union of BC Municipalities' meetings. Chair Busheikin reported that the Minister of Municipal Affairs is taking longer to review OCP amendments, as they wish to ensure due diligence with respect to FN consultation. Trust staff have been commended for the high level of FN consultation.

Akasha Forest asked about the hydrologist report and wondered if there could be coordination of BC Water Regulations. There is interest in obtaining a copy of the presentation. It was noted there is a possibility of bringing the hydrologist back again.

13.7 Trustee Report

Trustee Harris reported that he did not get many visitors this summer. He is running again for Trustee. He referred to emerging case law on FN consultations.

Trustee Pottle reported that, on Aug. 23, she had a tele-meeting where the Coastal Douglas Fir strategy was discussed, with 10 strategies discussed, and they signed on to the Coastal Douglas Fir Conservation Partnership. She noted the importance of working with this organization. Of particular interest, the LTC agenda model is being looked at, with the proposal that the Town Hall sessions be optional, and that they take place at the end, not at the beginning of the regular business meeting. She is concerned about the public voice. She has been diligently reviewing the Road Network Plan and Transportation policies. Islands Trust Amendment Acts are coming forward and she noted interest in these as well.

Chair Busheikin noted that the agenda publication practice of seven (7) calendar days prior to the meeting is the same throughout the Trust area.

Trustee Pottle wondered if it were possible to get Staff Reports on issues earlier.

The Chair responded that this would require staff to report back on the feasibility of having an earlier release of staff reports.

13.8 Electoral Area Director's Report

n/a

13.9 Islands Trust Conservancy Board Report Dated July 2018 (attached)

The board vacancy has been filled by Linda Adams.

14. NEW BUSINESS

14.1 Islands Trust Conservancy, Incorporating the Regional Conservation Plan into Land Use Planning - Staff Briefing (attached)

Information as provided.

14.2 Retail Cannabis Licensing - Staff Report (attached)

RPM Kojima noted that Canada doesn't distinguish between cannabis retail versus other retail use. Of the southern LTC's, one island deferred, another island chose to increase the fees.

Trustee Harris proposed deferring it or sending it to the APC to get their opinion.

GL-2018-66

It was Moved and Seconded,

that the Galiano Island Local Trust Committee send the Regulation of Cannabis Production and Retail Sales and Non-Medical Cannabis Retail License Application Fees Staff Report to the APC for their analysis, and that the APC focus on:

- The draft standing resolution in recommendation #1.
- The fee for referrals, in recommendation #2.
- Whether the LTC should consider amending its zoning to prohibit cannabis retail sales and thus require proponents to also apply to rezone.

CARRIED

Staff could be available by phone for the APC.

14.3 Housing Needs Assessment Report - Staff Report (attached)

GL-2018-67

It was Moved and Seconded,

that the Galiano Island Local Trust Committee receive the "Southern Gulf Islands Housing Needs Assessment", report by JG Consulting Services Ltd dated February 2018.

CARRIED

GL-2018-68

It was Moved and Seconded,

that the Galiano Island Local Trust Committee request Staff to publish the "Southern Gulf Islands Housing Needs Assessment , report by JG Consulting Services Ltd dated February 2018 on the Islands Trust website.

CARRIED

14.4 Trust Programs Committee, Service Integration - Staff Briefing (attached)

Received for information.

14.5 Advocacy

There was consensus that further information was required with respect to which particular street lights were no longer active, and why. Trustee Harris would follow up Don Robson, who brought the issue forward. Enquires would be made with Mainroad Contracting and then with Sean Hayley.

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for October 15, 2018, at the North Community Hall, Galiano Island

GL-2018-69

It was Moved and Seconded,

that the Galiano Island Local Trust Committee cancel the November 5, 2018 Galiano LTC meeting.

CARRIED

16. TOWN HALL

Rose Marie Umana submitted a letter dated September 17, 2018 to the Chair.

17. CLOSED MEETING

None

18. ADJOURNMENT

By general consent the meeting was adjourned at 4:15 pm.

Laura Busheikin, Chair

Certified Correct:

Colleen Doty, Recorder