

# Reprint **Island Tides**

Visit [www.islandtides.com](http://www.islandtides.com) for more interesting articles on other BC, national & international topics

Reprint from Volume 19 Number 4

February 22, 2007

Commentary ~ Margaret Griffiths

## ***The Voice of the People and the Right to Know***

The Islands Trust is charged by statute with the protection of one of the most beautiful archipelagos in the world. But the Trust Islands is facing difficult times and the voice of the people and their right to know is becoming increasingly important. The Trust is facing the fact that over 450 islands and islets, nearly all dependent on a diminishing groundwater resource, must have their watersheds protected.

The Tust Area Islands, particularly Galiano are also threatened by the *Private Managed Forest Land Act*, which is a 'swing door' for forest land to exit, at residential land prices, directly into the real estate market.

The resulting increase in population could well outstrip ferry service capacity. So bridges from Vancouver Island to the Gulf Islands may be closer than we think. A likely routes would see a chain of bridges south from Naniamo to Gabriola, over Valdes to Galiano. Pressure to build them could be immense. The clock is ticking. The Islands must be meticulously planned in the limited lead time we have.

### **Official Community Plans**

The pillars of the Islands Trust mandate are the Official Community Plans for each Island. They incorporate the voice of the Islanders, and express their vision of the future. It is now the turn of Galiano Island, geographically vulnerable to development pressure, to update its OCP.

But there is to be no voice of the people heard in a OCP Review for Galiano. The problem seems to lie in the Island's history.

### **Fifteen Years of Conflict**

It is over fifteen years now since Macmillan Bloedel discarded onto the real estate market the half of Galiano that the company held in Tree Farm License #19. Unplanned and unexpected, this action immediately resulted in tensions between vested interests of the purchasers of the discarded forest and the public interest and common good.

The Local Trust Committee immediately adopted bylaws which it defended in court. These protective bylaws permit residential use of the forest designated lands only on rezoning. They guide development away from sensitive areas and water recharge areas, and most importantly, recognise the voice of the people in development and roadbuilding on their doorstep.

With a decision of the Appeal Court pending, the provincial government seems to have entered into an informal deal with developers in which they would gain finalized subdivisions along a new road. The road would also serve a park which had been purchased by the government without any road access.

But no houses could be built on the subdivided lots unless the Local Trust Committee lost the court case. When the LTC won in the Court of Appeal, the three subdivisions had their lot lines registered, but the developments did not comply with the bylaws that had been thus confirmed. These bylaws required that the lots could not be built upon without rezoning. The landowners were not in favour.

When the current OCP was in the process of amendment to offer development options, the Minister was warned by his staff (as shown in available documentation) that the amended bylaw would not result in road access to the park. The Ministry had no money for expropriation. However, the Minister could not intervene in the OCP process because the benefit to the government would be too obvious.

So might there be a possibility of intervention later?

### **OCP Review Needed Now**

Now that it is time for a desperately needed review of the complete OCP, Galiano is told by the government that no funding is available. Three subdivisions, totaling 1,000 acres, including the one giving the partially completed road to the park, have now been put in 'Managed Forest' with the management plan written by another forest owner on Galiano. If this 'Managed Forest' comes under the *Private Managed Forest Land Act* it will permit the three subdivisions a minimum of 100 houses to manage their forest lots. In this the people of Galiano would have no voice.

The whole Trust mandate area is now threatened by the *PMFL Act*. If any bylaw is adopted that would impact 'Managed Forest', it must comply with the *Act*. A letter from Minister Bell states that the *Act* does not provide for the intrusion of local government, so the *Islands Trust Act* and its protections will be overridden. The government seems sure of this; however case law does not support their conviction.

The community is now told to review only the forest policies of the OCP. If any bylaw results, forest landowners will be able to implement the *PMFL Act* on Galiano Island. The non-conforming subdivision and its two hangers-on will have more density than they started with and the government will no longer be pressured for compensation.

### **Phase One**

The community members, beavering away on Phase One of the Forest Policies review, believed they could achieve commendable results without waking the elephant in the room (the *PMFL Act*) at every meeting. But the *Act* could give the three subdivisions, including the road to the park, their 100

houses.

The Minister of Community Services granted money for a facilitator, and the community worked in meetings of 100 or so all summer, with energy flowing, to review Forest Policies. There are examples now of successful efforts by local governments of bringing development of forest land, conservation, and community needs together in mutual benefit.

It has also become usual now, where a change of land use will result in considerable profit, to offer an amenity. The City of Vancouver suggests the amenity should be in proportion to the profit to be made.

### **Phase Two Cancelled**

Suddenly the process was halted. The Manager of Regional Planning announced there was no money for the continuation of the Forest policies review, and there would be no money, time or staff for a full OCP review within the foreseeable future. Instead, the LTC was advised to hold two marathon meetings with organised exercise breaks!

The single issue chosen by the LTC for community input is an LTC resolution that forest owners should be permitted a residence to a parcel. This will give the developers the density they want, let the government off the hook, and give the

community no benefit whatsoever. But there is no mention of such development in the information given out, and no maps.

A discerning reader might think there is something wrong with all this.

Galiano residents also know nothing of another deal with the provincial Parks Ministry, apparently in the making: to transfer forest land to Parks for a staging area for Bodega Ridge Park. A parking lot for 100 cars, apparently in the watershed, will be served by the narrow main road. Only a disclosure of the Park Management Plan will satisfy the people's right to know.

### **Need: Truth and Transparency**

Galiano should be permitted a full OCP review with all the information needed. The Minister of Community Services might apply unused grant money to employing an environmental planner for a short term to assemble the people's ideas (including those of vested interests) in an environmental design the Trust can be proud of. And if the owner of the subdivision providing the built portion of the road to the Park could modify its sprawling size with green space while enjoying his profit, everyone would benefit.

Galiano needs an OCP review based on Truth and Transparency. And the people's right to know. ☞

---

© Island Tides Publishing Ltd. This article may be reproduced with this attribution, in its entirety, with notification to Island Tides Publishing Ltd.

*'This article was published (February 22, 2007) in 'Gulf Islands, Island Tides'. 'Island Tides' is an independent, regional newspaper distributing 15,000-20,000 copies in the Southern Strait of Georgia from Tsawwassen to Victoria, BC.'*

Island Tides, Box 55, Pender Island, BC, Canada. Phone: 250-629-3660. Fax: 250-629-3838.  
Email: [islandtides@islandtides.com](mailto:islandtides@islandtides.com). Website: <http://www.islandtides.com>

---