



Galiano Island Local Trust Committee Regular Meeting Agenda

Date: December 4, 2017
Time: 12:30 pm
Location: North Community Hall
20925 Porlier Pass Road, Galiano Island, BC

	Pages
1. CALL TO ORDER	12:30 PM - 12:35 PM
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	12:35 PM - 12:50 PM
4. COMMUNITY INFORMATION MEETING	
none	
5. PUBLIC HEARING	
none	
6. MINUTES	12:50 PM - 1:00 PM
6.1 Local Trust Committee Minutes Dated November 6, 2017 (for Adoption)	4 - 11
6.2 Section 26 Resolutions Without Meeting Report	
none	
6.3 Advisory Planning Commission Minutes Dated September 25, October 16 & November 13 2017 (for Receipt)	12 - 24
7. BUSINESS ARISING FROM MINUTES	1:00 PM - 1:05 PM
7.1 Follow-up Action List Dated November 2017	25 - 26
8. DELEGATIONS	
none	
9. CORRESPONDENCE	
<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
none	

10.	APPLICATIONS AND REFERRALS	1:05 PM - 1:30 PM	
10.1	GL-RZ-2016.2 (Galiano Conservancy) - Staff Report (attached)		27 - 42
10.2	Executive Committee Briefing re: Japanese Canadian Historic Places Report (attached) (for information)		43 - 49
10.3	Salt Spring Island Local Trust Committee Bylaws No. 504 & 505 Referral (attached) (for response)		50 - 52
10.4	Salt Spring Island Local Trust Committee Bylaw 508 Referral (attached) (for Response)		53 - 55
11.	LOCAL TRUST COMMITTEE PROJECTS	1:30 PM - 2:00 PM	
11.1	Telecommunications Strategy Project		56 - 71
12.	REPORTS	2:00 PM - 2:30 PM	
12.1	Work Program Reports (attached)		
12.1.1	<u>Top Priorities Report Dated November 2017</u>		72 - 72
12.1.2	<u>Projects List Report Dated November 2017</u>		73 - 74
12.2	Applications Report Dated November 2017 (attached)		75 - 78
12.3	Trustee and Local Expense Report Dated October 2017		79 - 79
12.4	Adopted Policies and Standing Resolutions (attached)		80 - 81
12.5	Local Trust Committee Webpage		
12.6	Chair's Report		
12.7	Trustee Report		
12.8	Trust Fund Board Report		
	none		
13.	NEW BUSINESS		
	none		
14.	UPCOMING MEETINGS	2:30 PM - 2:35 PM	
14.1	Next Regular Meeting Scheduled for February 5, 2018, at the North Hall, Galiano Island		
15.	TOWN HALL	2:35 PM - 2:45 PM	

16. CLOSED MEETING (Distributed Under Separate Cover) 2:45 PM - 3:00 PM

16.1 Motion to Close the Meeting

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 October 2, 2017*
- *APC Membership Terms*

AND that the recorder and staff attend the meeting.

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT 3:00 PM - 3:05 PM



DRAFT

Local Trust Committee
Minutes Subject to Approval By
the Local Trust Committee

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: November 6, 2017
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

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

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

Public Present: Approximately 10 members of the public were in attendance.

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:30 p.m. and 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

Sheila Anderson expressed concerns about the Staff Report on the rezoning application for a portion of District Lot 37 (DL37). Her comments pertained to: traffic, route-planning, scale of operations of the business, details around contractors' yard(s), noise, dust, off-hours usage, and split-zoning. She urged the LTC to reject the current application and seek other options.

Louise Decario commented that the DL37 rezoning application was not ready to proceed to first reading. She stated that some relevant policies from the Official Community Plan (OCP) were not in the Staff Report. Referring to Land Transportation Policies, she noted the following needed to be addressed: sections c) ii), d), i), j), u), w) iv) and w) vi). She expressed concerns about split-zoning as it is right in the middle of a forest lot, and asked why we would allow through rezoning what is prohibited through subdivision? She would like to see further consultation with neighbours; she suggested a notation about burning and incineration and thought the draft bylaws, as presented, were confusing.

Trustee Pottle noted that one of the staff reports indicated a willingness to discuss trails.

Keith Erickson, Executive Director of the Galiano Conservancy Association (GCA), provided an update on their rezoning application. GCA has been working on securing legal public access across the property for a cycling path and shoreline access for foot

travellers. An agreement has been reached with the Capital Regional District (CRD) and the Parks and Recreation Commission, for a statutory right-of-way (ROW), with sign-off by the Minister of Transportation and Infrastructure (MOTI). The agreement is anticipated to be included on the agenda of the December meeting. The path to the water access has been identified, but it has not been fully constructed yet. GCA and Parks will jointly work on the trail. They will enter into an agreement outside of the statutory ROW. Mr. Erickson outlined further details.

Sheila Anderson added that she has spoken to both Trustees with respect to assessing the DL37 proposal in terms of greenhouse gas emissions. Having more direct routes will reduce distances and overall emissions.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated October 2 & 17 (for Adoption)

The following amendments to the minutes of October 2, 2017 were presented for consideration:

- p. 1, add to the end of Sheila Anderson's comments, "and requested the operation of an excavating company also be included in the bylaws."
- p. 6:

GL-2017-087

It was MOVED and SECONDED

That resolution **GL-2017-083** be amended to read "That the Galiano Island Local Trust Committee directs staff to prepare draft bylaws for the review and consideration of the Local Trust Committee based upon Forest Industrial zoning only, and the split-zoning approach."

CARRIED

- p. 8, after "...noted her experience with split-zoning," add "where it created some confusion" (period) and remove the whole clause following to the end of the sentence.

By general consent the minutes were adopted as amended.

By general consent the minutes of October 17, 2017 from the Special Meeting about the Telecommunications Consultation Protocol were adopted.

6.2 Section 26 Resolutions Without Meeting Report
none

6.3 Advisory Planning Commission Minutes Dated September 25 & October 16, 2017

Chair Busheikin commended the APC on all their hard work. She encouraged knowledge reuse, referring to work being done by Trust Council on housing agreements, and to the CRD Southern Gulf Islands Housing Needs Assessment.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated October 2017

Information as presented.

8. DELEGATIONS
none

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

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

Regional Planning Manager (RPM) Kojima stated that neither the Forest Industrial zone, nor the Forest zone, on its own, could be subdivided. Any subdivision proposal would require subsequent rezoning.

Comments were provided on the following:

- the locations of proposed highways and emergency evacuations;
- bicycle and pedestrian pathways;
- consulting neighbours and documenting those discussions;
- having a definition of contractor's work-yards include an excavating company;
- having building heights, combined floor space of buildings, and number of vehicles identified;
- amending the light industrial zone to include the amount of equipment;
- identifying how many contractors workshops would be allowed on the lot.

With respect to p. 53 Permitted Uses in 9.6(B), suggestions were made to add:

- excavating company;
- sale of materials not manufactured on the lot;
- stock-piling/storage of building materials;
- provision of space for contractors, their equipment and tools;

- storage of fuels
- providing more detail as to what the buildings are being used for;
- having a prohibition on the incineration and burning of materials;
- addressing ground vibration(s) related to the business;
- addressing early hours of operation outside of standard noise bylaws.

A break was called at 2:04 p.m.

The meeting reconvened at 2:21 p.m.

Trustee Harris asked about the timing required to work out the road and trail plan, to ensure access.

RPM Kojima noted that it should be determined prior to Public Hearing.

Staff explained that definitions become generally applicable; a new definition for contractors' yards will apply to all contractors' yards.

RPM Kojima noted discussions are planned with the CRD and MOTI.

Concern was expressed about the possible implications of permitting a residence that was accessory to a use.

RPM Kojima explained that the permitted principal uses were broad enough to include many activities.

Applicant Fred Stevens noted that they have been called out in the middle of night for emergencies related to hydro, fire department, highway issues, and snow-plowing.

In general, the following discussion points around the definition of contractor were heard:

- the excavation business is a form of contractor, so it falls under that definition; however, if listed as a separate use, it would suggest that excavation activities are not included under "contractor" activities;
- Trustees expressed discomfort in adding the sale of building materials and supplies not manufactured on the lot meaning a building supply business could be permitted;
- staff noted that if the sales of supplies or materials are for the Stevens' business, then the sale of such materials falls under the definition of contractor yards;
- from a planning and zoning perspective, the contractor yard definition seemed to encapsulate all potential activities.

GL-2017-088

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee requests staff to report back, with:

- suggested regulatory mechanisms for mitigation of traffic impacts; and
- proposed mechanisms to address the road network plan; and
- to undertake consultation with neighbours who live on or use Betty Ann Road and Gustin Road.

CARRIED

10.2 Islands Trust Fund 5-Year Plan - RFD & Referral

Kate Emmings, Ecosystem Protection Specialist, presented information about the plan.

GL-2017-089

It was MOVED and SECONDED

That the Galiano Island Local Trust Committee receive the draft Islands Trust Fund Five-Year Plan for information.

CARRIED

10.3 Islands Trust Fund Regional Conservation Plan (2018-2027) - Briefing & Referral

Information as presented.

10.4 Pender Island Local Trust Committee Bylaws No. 211 & 212 Referral

GL-2017-090

It was MOVED and SECONDED

That the Galiano Island Local Trust Committee affirms that its interest are unaffected by North Pender Island Local Trust Committee Bylaws Nos. 211 and No. 212.

CARRIED

10.5 North Pender Island Local Trust Committee Bylaws No. 214 & 215 Referral

GL-2017-091

It was MOVED and SECONDED

That the Galiano Island Local Trust Committee's interests are unaffected by North Pender Island Local Trust Committee Bylaws Nos. 214 and 215.

CARRIED

10.6 Salt Spring Island Local Trust Committee Bylaw No. 507 Referral

GL-2017-092

It was MOVED and SECONDED

That the Galiano Island Local Trust Committee's interests are unaffected by Salt Spring Island's Local Trust Committee Bylaw No. 507.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Galiano Island Local Trust Committee Meeting Procedures Bylaw No. 264

GL-2017-093

It was MOVED and SECONDED

That the Galiano Island Local Trust Committee Meeting Procedures Bylaw No. 264 be Adopted.

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated October 2017

Information as presented.

12.1.2 Projects List Report Dated October 2017

Information as presented.

12.2 Applications Report Dated October 2017

Information as presented.

12.3 Trustee and Local Expense Report Dated September 2017

Information as presented.

12.4 Adopted Policies and Standing Resolutions

Information as presented.

12.5 Local Trust Committee Webpage

none

12.6 Chair's Report

Chair Busheikin reported that the Executive Committee met last week. Preparations are underway for Trust Council in Victoria in December. There is an

upcoming workshop on possible amendments to the *Islands Trust Act*. Next year's budget preparations are in progress. Staffing requirements are also being evaluated.

12.7 Trustee Report

Trustee Harris noted ongoing concerns with Short Term Vacation Rentals (STVR's), Temporary Use Permits (TUP's), and the impacts of tourism. He is looking forward to the December Trust Council meeting, the first in a while that will not be dominated by Salt Spring Island incorporation vote.

Trustee Pottle noted her office hours have been quiet, and concurred that STVR's and TUP's are a concern for people. With respect to the SGI 2020 Listening Tour, she noted the different points of view on tourism and economic development. She will be attending, via webcam, a meeting of the local planning committee.

12.8 Trust Fund Board Report Dated October 2017

Information as provided.

13. NEW BUSINESS

none

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for December 4, 2017, at the North Community Hall, Galiano Island

14.2 Draft 2018 LTC Meeting Schedule - Memo

GL-2017-094

It was MOVED and SECONDED

That the Galiano Island Local Trust Committee adopt the Local Trust Committee Meeting Schedule for 2018.

CARRIED

RPM Kojima noted that the motion applied to the dates of the meetings; concern was noted about the locations, especially for the winter dates. He would see whether the South Hall was available for the upcoming December 4, 2017 meeting.

15. TOWN HALL

Louise Decario asked whether the LTC could put a stop on any future TUP's for areas that are overloaded with STVR's.

RPM Kojima indicated that the LTC could, by policy, decide to limit applications for TUP's, noting that it becomes an enforcement issue because most of the applications are for STVR's already operating.

Chair Busheikin noted the possibility of the Islands Trust Areas obtaining the ability to grant business licenses. She would like to see it on the top priorities list.

Sheila Anderson noted that the APC was considering making a resolution prompting review of STVR's sooner rather than later.

Trustee Pottle noted that a review was not done for those who are having STVR's as home occupations, so cumulative impacts are not considered.

Akasha Forest would like to see a monthly CRD budget report and CRD minutes beyond March. She noted that the Salt Spring Island (SSI) LTC receives CRD reports.

Louise Decario asked whether the LTC could write a letter on behalf of constituents requesting the CRD provide a budget report.

RPM Kojima noted that they have passed the request on to CRD staff and there was not support for it.

Chair Busheikin stated that SSI is the only island that receives such a report. It would be viewed as extraordinary if Galiano were to receive such a report. She recommended that interested citizens approach the CRD electoral area director and request it.

16. CLOSED MEETING
none

17. ADJOURNMENT

By general consent the meeting was adjourned at 4:24pm.

Laura Busheikin, Chair

Certified Correct:

Colleen Doty Recorder



ADOPTED

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**Galiano Island
Advisory Planning Commission
Record of Meeting**

Date: September 25, 2017
Location: Islands Trust Office
Madrona Drive, Galiano Island, BC
1 p.m.



Members Present: _____ Sheila Anderson
_____ Akasha Forest
_____ Karen Harris (delayed)
_____ Dave Koster
_____ Barry New

Members Absent: _____ Bowie Keefer (regrets)
_____ Judith Parrack (regrets)

Staff Present: Heather C. Martin, Recorder

Members of the Public: none

1. CALL TO ORDER

The meeting was called to order at 1:05 p.m.

2. APPROVAL OF THE AGENDA

By **general** consent the agenda was approved.

3. APPROVAL OF THE MINUTES

It was **moved** and **seconded** that the minutes of June 12, 2017 be adopted.

CARRIED

**4. REVIEWING THE DETAILS AND SCOPE OF THE NEW REFERRAL,
FILE NO. 6500-20 (AFFORDABLE HOUSING), AND EXPLORING STRATEGIES FOR
ACCOMPLISHING THE WORK IN A TIMELY FASHION**

The meeting began with preliminary discussion on the mandate of the referral, focusing on the general objectives (# 3) and on how to accomplish the specific tasks outlined

ADOPTED

(#4). It was acknowledged that the referral was large and daunting, but that beginning by searching for, assembling and reading the available literature on the subject would help.

The committee will need to go through an education process first, becoming comfortable with the scope of the referral and compiling a reading list. The material will then need to be examined, summarized and digested. It was suggested members could break up into smaller groups, working online or getting together to prepare material to report back to the group. Alternately, individual members might prefer to take on one study or aspect of the mandate, research it and bring back their findings. Reviewing the OCP and LUB bylaws will be part of this education process.

[Karen Harris arrived at 1.20 p.m.]

It was agreed to create a google document (googledocs) for the reading list, to be shared between members and added to, edited and commented on as needed (the document, entitled "Affordable Housing Links," was created and shared before the end of the meeting). Committee members will search the Trust website for studies and material on affordable housing and add all relevant links. It was noted that the Galiano Green file, including a report written by M. Thomson is likely relevant, but is no longer available on the website. **Sheila Anderson undertook** to ask trust staff to find the documents for us, or to send us the link.

Committee members will begin this month by studying the shared google document and adding documents as they find them, adding their own initials to any added links. These links will be reviewed at the next meeting, and any deemed outside our scope will be eliminated. Committee members should also begin to read and become familiar with these documents.

It was noted that the "emergent information" likely referred to the CRD housing needs assessment for the island currently being drafted and scheduled for December 2017, but also implied the need to look for any other such emergent information on the subject. There was some discussion of the forthcoming CRD report. **Sheila Anderson undertook** to find out who is responsible for the CRD Housing Needs Assessment report, and to determine through appropriate channels if we can be updated as they process, so that we don't have to wait until December to begin reviewing their findings.

There followed some discussion of the subsequent phases of this referral and what may be possible and appropriate, including meeting with individuals and groups who are working in this area or who are directly impacted by the need for affordable housing.

Dave Koster cautioned that, when looking at affordable housing, infrastructure is what kills such projects even more than building costs. He will be away for our next meeting, but agreed to work on infrastructure costs, identifying all those infrastructure costs that need to be in the budget, doing cost comparisons, identifying variables, things like hydro that can vary widely, and so on. The goal will be to take all these ideas and look at our zoning to see if there is room to make changes to some of these requirements to support affordable housing.

ADOPTED

It was suggested that affordable housing projects and solutions on other islands will have to be identified and examined, and that existing, nonconforming affordable housing solutions on our island will also have to be identified and included in our discussions. The reality that people camp and live in motor homes should be acknowledged, and recommendations/regulations suggested. Tiny houses are another such solution, and they are making inroads on Galiano; do we want to make this another one of the models?

5. ESTABLISHING A REGULAR MEETING SCHEDULE

It was noted that our six-month deadline begins today. The aim of the committee will be to meet monthly, with the suggestion that the first meeting be in three weeks' time. Smaller groups not requiring a quorum may also meet in between meetings. The following preliminary schedule was agreed to:

Monday, October 16 at 1.30 p.m.
Monday, November 13 at 1.30 p.m.
Monday, December 11 at 1.30 p.m.

6. THE NEXT MEETING will take place Monday October 16 at 1.30 p.m.

7. ADJOURNMENT

The meeting was adjourned at 2.35 p.m.


CHAIR


DATE

CERTIFIED CORRECT:


Heather C. Martin, Recording Secretary



ADOPTED

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**Galiano Island
Advisory Planning Commission
Record of Meeting**

Date: October 16, 2017
Location: Islands Trust Office
Madrona Drive, Galiano Island, BC
1.30 p.m.



Members Present: _____ Sheila Anderson
_____ Akasha Forest
_____ Bowie Keefer
_____ Judith Parrack
_____ Barry New

Members Absent: _____ Dave Koster (regrets)
_____ Karen Harris

Staff Present: Heather C. Martin, Recorder

Members of the Public: none

1. CALL TO ORDER

The meeting was called to order at 1:32 p.m.

2. APPROVAL OF THE AGENDA

By **general** consent the agenda was approved.

3. APPROVAL OF THE MINUTES

It was noted that the first circulated minutes of September 25, 2017 had reflected the informal and very preliminary discussion in Section 4 in too much detail, and had subsequently been substantially tightened and revised with input from the chair and recirculated as follows:

- paragraphs 7-10 beginning "Ideas included" were eliminated
- paragraph 11 and 12 were condensed into a new paragraph 7.

The minutes were amended to reflect a name correction in paragraph 3.

It was **moved** and **seconded** that the revised, amended minutes of September 25, 2017 be adopted.

ADOPTED

CARRIED

4. CONTINUING WORK ON THE AFFORDABLE HOUSING REFERRAL, FILE NO. 6500-20

The committee began by reviewing the tasks we have been requested to undertake on this referral:

a) Reviewing existing reports and studies. The group reported back on using googledocs for this purpose; the consensus was that is a good way of sharing information. It was acknowledged that accumulating information is only the first step towards identifying the larger problem on Galiano and coming up with solutions, but it is a good first step.

Sheila Anderson has now sent the group a copy of M. Thomson's "applicant driven" LTC report on Galiano Green. She has not yet found out who is responsible for the upcoming CRD report and needs assessment, and whether we can get a preview ahead of publication, but will follow up this week. The large-format island map she has requested from the Trust will arrive this week.

The question of compiling the report was raised. It was suggested to begin by creating an outline. Sheila Anderson undertook to begin the outline and put it on the shared googledocs document. Once the outline is in place, areas of research may be delegated to committee members. Members who are so inclined make executive summaries of reports, which contain a lot of repetition. The question was raised whether our report will be for use on other islands or just on Galiano. The assumption is that it is needed mainly for Galiano, but there is nothing to say we can't do both.

The problem of how to identify housing needs was discussed. It was reported that the 2016 Trust report on community (not affordable) housing mentions that there is a lack of proper data to work with. Currently several organizations are collecting data on the subject, but it seems needs assessments are undertaken in different ways, so they can't easily be tracked or collated and assessed trust-wide. In her report (p.9) Janis Gauthier notes the imperative to "identify what needs actually are versus perceived needs". Do people want rental, or senior affordable housing, or affordable housing for singles, or some form of ownership?

To identify real needs, Gauthier recommends getting community involvement at the first level of data collection. To produce a report that's Galiano-based, the committee will need data and then make sense of the data. It was suggested that the 2016 Galiano census might be a useful source of information on current housing needs. The committee could look at the census data, discover who is here, what the housing range is, and begin building a picture from the ground up of what housing needs are and what affordable housing would look like for current residents. Akasha Forest will track down the census report and research this further.

It was agreed the issue of defining affordability is an obstacle that needs addressing first. Definitions seem to vary trust wide. It was suggested affordability should be defined based on the specific needs of our community, and that could include rental housing-- should it be

ADOPTED

affordable specific to our own census data. The question was raised whether Galiano Green did a needs assessment. Barry New reported that M. Thomson, the Vancouver consultant for the project, "did a paper exercise" but no on-the-ground assessment.

b) Becoming Familiar with the authority and jurisdiction of the Local Trust Committee and CRD with respect to housing.

The Trust: The Islands Trust has produced two reports trust-wide on the subject so far. Janis Gauthier (J.G. Consulting) has been involved in several affordable housing projects in the Trust area, and may be a good resource for us.

The LTC: It seems that the local trust committee can do a certain amount, including administering housing agreements, as is now the case with Galiano Green. It was suggested that this is not necessarily the easiest tool to use, but that it currently appears to be the only tool that the LTC can use to make sure projects remains affordable housing for those who need it.

There ensued a general discussion about who should hold housing agreements. It was suggested the discussion should be broadened to include the question of rentals. It was noted that Galiano does not have is a rental agency, someone who would do the work of screening applicants, collecting rents, and overseeing properties.

The CRD: We will need to find out exactly what jurisdiction the CRD has, what its standards are, what its requirements are for becoming involved with local projects. It was pointed out that the CRD is charged with administering the building code. Current requirements are very restrictive, and a more progressive use might result in greater affordability. The AOB pilot project that ran for 5 years beginning in 1995 was cited as an example of what might be possible.

Province-wide: A recent meeting of the provincial association of municipalities was cited, in which housing was made top priority. This needs to be tracked down and studied. It was suggested that funding sources have changed and need to be identified and studied.

iii) review existing Galiano Official Community Plan polices and Land Use Bylaw regulations.

It was agreed to begin this part of the review at this meeting. The importance of using the OCP policy for guidance was stressed. The tendency of recent Trust staff reports to neglect to consult the OCP in applicant-driven reports was noted as a problem that needs to be counteracted.

The group looked at sections of the OCP community housing policy beginning at p. 10, which lay out the mechanisms currently in place, including the possibility of allowing duplexes. It was suggested studying this section and comparing it with policies on other islands to see if there are ways to adjust/tweak it to make stronger for our purposes. We may have been too restrictive in our requirements; when the OCP was put in place we were making assumptions that may no longer be possible, or out of reach without subsidies from other level of government.

A Salt Spring island 24-unit affordable housing project was cited as an example. Four of the units were to be rentals, but the planner request for a maximum income cap of \$60,000 for purchasers has been raised to \$75,000, pricing units out of reach of nearly half of island

ADOPTED

households, while rentals are to be capped at \$1400 a month. The executive director noted that in the current reality, "the concept of rent geared to income...is only practically applied in case of subsidized housing."

Other points raised:

--the OCP "community facilities policies" provision that "rezoning ...should not be considered in advance of demonstrated need" could be explored a bit more. What is the data that is required to meet the definition of "demonstrated need"?

--the subdivision policy on lot widths in the OCP could be changed to make it harder for people to have those long skinny waterfront lots. We could go further: if subdividing a large lot, could say one water-front, another road frontage without view to make more affordable.

--It was countered that the former would still be a lot that needs to be built on by one family; how affordable is that?

--could have smaller more affordable lots and allow two families to share. Make provision for some shared land, eg shared between an older couple and a younger family.

--to allow extra density would likely need to have a housing agreement, so property can't be flipped.

A very wide ranging discussion ensued on options for affordable housing, and what that might look like on Galiano. Topics included ways and means of enabling affordable housing, and types of housing which should be allowed/encouraged. Enabling "affordable, decent rentals" was cited as important. So was considering several approaches, from incremental changes to facilitate affordability including more rentals, to other small projects like Galiano Green, to pocket neighbourhoods or a major project. The forthcoming information on infrastructure costs and how to keep them down will be useful in this regard.

It was suggested there are so many ideas out there that we shouldn't limit ourselves; we need to brainstorm while remembering to keep solutions under the definition of "rural." It was suggested all this should be framed under the umbrella of community involvement; what kind of community we want. We need to see what is currently happening on the ground to avoid leading with older, unconfirmed biases. It was noted that school is booming, and properties are being sold to young families. It was suggested local realtors could be another useful information resource.

STVRs were cited as an issue affecting housing affordability. It was suggested the APC could make a recommendation in advance of our report to have the LTC study the issue of CVR's as they affect affordable housing issues. Suggestions included restricting this option to residents of Galiano only. Whistler was cited as an example of an empty community full of short-term rentals; permanent renters are necessary to a vibrant community.

Other possible recommendations:

--studying the possibility of a tax relief program for people willing to rent homes for long-term-rental, for a minimum term of 5 years or so, similar to the tax relief granted when people keep natural areas intact

--encouraging the LTC to request that the mandate of Islands Trust Fund Board be amended to enable it to hold land in trust for affordable housing, including seniors housing. New developments might be encouraged to provide serviced lots in exchange for density, and this could be married to a land trust board policy amendment.

ADOPTED

The discussion moved to housing options already being used on the island that are not currently sanctioned. It was pointed out that in their policies, Salt Spring Island addresses the issue of people living in mobile homes, recreational trailers and tiny houses on wheel. Our bylaws don't speak to that—this possibility is not mentioned, and yet that's likely what will increasingly happen. Should we be speaking to this issue, or continue to pretend it is not happening? There are liability issues: who is responsible if we all knew it was happening and ignored it.

It was agreed that the agenda for the next meeting will be to look at large-scale island maps to assess options for affordable housing on the island, seeing what's possible in different areas, what services, including school bus routes, are available, and taking restrictions like watershed areas into account. One possibility is to move our next meeting to the library meeting room, to make use of the larger table space for spreading maps out and brainstorming. The secretary will check room availability and report back.

5. **THE NEXT MEETING** will take place Monday, November 13 at 1.30 p.m.

6. **ADJOURNMENT**

The meeting was adjourned at 3.45 p.m.

CHAIR

DATE

CERTIFIED CORRECT:

Heather C. Martin, Recording Secretary

DRAFT



Galiano Island Advisory Planning Commission Record of Meeting

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Date: November 13, 2017
Location: Islands Trust Office
Madrona Drive, Galiano Island, BC
1.30 p.m.

Members Present:

- ☐ Sheila Anderson
- ☐ Akasha Forest
- ☐ Karen Harris (delayed)
- ☐ Bowie Keefer
- ☐ Dave Koster
- ☐ Judith Parrack
- ☐ Barry New



Members Absent:

Staff Present: Heather C. Martin, Recorder

Members of the Public: three

1. CALL TO ORDER

The meeting was called to order at 1:32 p.m.

2. APPROVAL OF THE AGENDA

By general consent the agenda was approved.

3. PREVIOUS MINUTES REVIEW AND CONSIDERATION OF APPROVAL

The issue of draft minutes being circulated to the Trust and being posted on the LTC agenda was raised. It was agreed that minutes should record discussion in far less detail going forward, listing only key points raised and whatever action was agreed on.

DRAFT

The draft minutes of October 16, 2017 were amended as follows:
In Section 4, a), paragraph 4, a sentence was removed
In Section 4, b) paragraphs 3 and 4 were shortened and amalgamated

It was **moved** and **seconded** that the amended minutes of October 16, 2017 be adopted.

CARRIED

4. UPDATE ON FOLLOW-UP ACTIONS FROM PREVIOUS MEETING, AND ON NEW INFORMATION AND REPORTS RECEIVED SINCE

The Chair reported that the commission now has its own set of full size OCP Schedule Maps for reference in any referral.

Two members reported on the recent *Southern Gulf Islands 2020 Listening Tour*, where they met briefly with Janis Gauthier, the author of The CRD Housing Needs Assessment in process. The draft report on its phase has been received and circulated to members. It appears the final phase and report of the Housing Needs Assessment will likely not be completed before February at the earliest, which may result in this referral being extended.

5. AFFORDABLE HOUSING REFERRAL WORK

5.1 Review of existing Galiano Official Community Plan policies and Land Use Bylaw regulations, including OCP Schedules and Maps in relation to affordable housing issues.

The committee continued the discussion begun on October 16.

Points raised:

- the OCP and the LUB are geared towards single dwellings, either houses or cottages, and set up significant stumbling blocks to other forms of housing that will need to be addressed
- the idea of limiting building coverage instead of the number of buildings could be revisited
- it will be useful to study what works on other islands

The example of Bowen Island was presented. One member requested a copy of its bylaws, and reported on what he's learned so far. After the last development

push in 2005-6, the island changed regulations and put mechanisms in place in advance of the next development push to ensure that some resources are set aside for affordable housing. These mechanisms will require future developers to set aside 15% of development for affordable housing; the developers will choose what that will consist of (eg. 2-plexes, 4-plexes built or lots donated). His understanding is that a covenant would then be set in place to allow new owners of these units to build up some equity in the time they own this housing, while not tying it to market values. He will circulate these bylaws when he receives them.

5.2 Draft Report Outline

The Chair handed out copies of a draft outline for the final report. There followed a discussion on how to add to this outline going forward. It was suggested the Introduction could be fleshed out to include what's currently in place in our bylaws and OCP, a description of the terms of this referral, and a context for what the APC will be addressing and recommending. The 2015 census findings might also be usefully included.

[Karen Harris arrived at 2 p.m.]

The discussion moved to the preliminary list of affordable housing needs in the outline. It was suggested the list could be fleshed out, prioritized, and recommendations made beginning with the perceptions of committee members, and branching out from there to poll community members.

Points raised:

- the affordable housing issue has escalated over in last 10 years and may get worse
- it is part of a larger crisis regionally, provincially, country-wide
- all the necessary data is still not available
- factors influencing housing availability on Galiano include the growing number of STVRs. More data is required on how STVRs are currently allowed, how many exist per neighbourhood, and how many are unreported. A review is needed, and a cap on the numbers granted may be necessary. Resources for enforcement would have to be found.
- more opportunities for entry level ownership need to be created
- pocket neighbourhoods, on a scale that would suit rural communities, would be a way of sharing infrastructure to reduce the costs of owning homes. Policy would have to be put in place to guide how they would be created.
- developers could be required to give a percentage of their land for affordable housing.

--tax incentives to encourage owners to rent long-term instead of short-term might be an option.

5.3 Public Information Gathering

The possibility of meeting with larger groups of people to identify these needs was discussed. It was agreed to begin early in the new year. Possible venues for public information gathering include events organized by the community food program.

Draft questions for community input would need to be prepared. The current online survey prepared as part of the 2nd phase of the CRD "Housing Needs Assessment" was mentioned. It was pointed out that the survey is rather limited, and that the questions being asked are not necessarily the right questions.

5.4 Guest comments

The Chair offered the attending public an opportunity to share with the members any thoughts or concerns they had on the issue of affordable housing. Comments heard included:

- the problem of how to manage rentals units on the island was raised
- the biggest piece of this is to decide how much of any housing created will truly be affordable, clean and secure
- new rentals units are required, as well as affordable homes for purchase
- it is important to understand that this conversation is taking place at every level all over the country
- should pocket neighbourhoods be planned, it is imperative to make sure ghettos are not created, intentionally hidden from their neighbours. Striving for diversity and inclusiveness within neighbourhoods would be better.
- a useful model might be Europe, where energy cooperatives are being put in place, where one can partner with others in the energy sector to help with infrastructure costs.

6. THE NEXT MEETING will take place Monday, December 11 at 1.30 p.m.

7. ADJOURNMENT

The meeting was adjourned at 3.40 p.m.

Follow Up Action Report

Galiano Island

02-May-2016

Activity	Responsibility	Target Date	Status
GL-TUP-2016.1 (Stettner) - Proposed covenant received. Staff waiting for confirmation of registration.	Phil Testemale	01-Jul-2016	On Going

11-Sep-2017

Activity	Responsibility	Target Date	Status
That application GL-RZ-2016.2 be read a second time amended as per recommendations 1 and 2 of the staff report (DONE) and that further actions wait until receipt of a draft right of way for Porlier Pass Road and a mechanism to provide public trail access to the satisfaction of Galiano Parks and Recreation and CRD Parks.	Sharon Lloyd-deRosario Rob Milne	20-Nov-2017	Done

02-Oct-2017

Activity	Responsibility	Target Date	Status
Staff to meet with representatives of MOTI; and BC Hydro, CRD Parks as necessary; to discuss upgrading of the road bed providing access to the northeast corner of DL 37.	Rob Milne	15-Dec-2017	On Going

06-Nov-2017

Activity	Responsibility	Target Date	Status
6.1 Minutes of October 2nd adopted as amended, October 17th adopted as presented	Lori Foster	13-Nov-2017	Done



Follow Up Action Report

10.1 - GL-RZ-2017.1 (Stevens) - Bylaws 265 and 266. Staff requested to report back with: - suggested regulatory mechanisms for mitigation of traffic impacts - proposed mechanisms to address the road network plan And undertake consultation with neighbours who live on or use Betty Ann and Gustin	Rob Milne	21-Dec-2017	On Going
10.2 Islands Trust Fund Five Year Plan received for information		13-Nov-2017	Done
10.4 NPILTC Bylaws 211 and 212 - interests unaffected	Sharon Lloyd-deRosario	10-Nov-2017	Done
10.5 - NPILTC bylaws 214 and 215 - interests unaffected	Sharon Lloyd-deRosario	10-Nov-2017	Done
10.6 SSILTC Bylaw 507 interests unaffected	Sharon Lloyd-deRosario	10-Nov-2017	Done
11.1 Bylaw 264 adopted- BL 162 consolidated	Sharon Lloyd-deRosario	10-Nov-2017	Done
14.2 Draft 2018 Annual meeting schedule adopted as presented	Lori Foster	10-Nov-2017	Done



File No.: RZ-GL-2016.2 (Galiano Conservancy)

DATE OF MEETING: December 4, 2017
TO: Galiano Island Local Trust Committee
FROM: Rob Milne, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
Applicant: Galiano Conservancy Association
Location: 10825 Porlier Pass Road

RECOMMENDATION

1. That staff be requested to schedule a public hearing for Bylaw Nos. 262 and 263.
2. That the public hearing be preceded by a short open house to allow for viewing and discussion of the right-of-way documentation.

REPORT SUMMARY

This report is intended to provide the Galiano Island Local Trust Committee (LTC) with an update on application GL-RZ-2016.1 (Galiano Conservancy).

BACKGROUND

At its regular meeting of September 11, 2017 the LTC gave consideration of a staff report dated August 21, 2017. The purpose of that report was to provide the LTC with an update on the outcomes and findings of the June 26, 2017 referral of proposed Bylaw Nos. 262 and 263.

Subject to that consideration the LTC passed resolution GL-2017-072 which directed that a number of amendments, which were largely based upon recommendations of the APC, be made to bylaw No. 263 (LUB) and subsequently passed resolution GL-2017-073:

That the Galiano Island Local Trust Committee Bylaw No. 263, cited as "Galiano Island Land Use Bylaw, 1999, Amendment No. 1, 2017," be read a second time as amended.

As part of the LTC consideration of that report, and the comments received, it was determined that the Galiano Conservancy Association (GCA) still needed to address issues related to the provision of rights-of-ways related to future trail development alongside Porlier Pass Road and a secured public trail access to the foreshore of the property, and that the application would not be proceeding to public hearing until such time as the documents were available for public review.

It is noted in the minutes of the September 11th meeting that it was the expectation that the GCA would engage with MOTI regarding the road side trail issue and with the CRD and Parks and Recreation with respect to the public access trail. On October 4th staff received an email from the applicants advising that, the Capital Regional District (CRD) had agreed to hold the rights-of-way for both areas. At the request of staff the GCA confirmed with

MOTI that the Ministry had no objections to the CRD holding a right-of-way along Porlier Pass Road and on October 23rd the Islands Trust was copied on an email message from Ryan Evanoff, MOTI Area Manager, to the GCA advising that, “*MOTI has no objections to a SRow in favor of the CRD for the described purpose*”, i.e.- a possible multi-model trail paralleling Porlier Pass Road.

Subsequently, on November 11, 2017 an email (Attachment 1) was received from Keith Erickson, Executive Director of the Galiano Conservancy Association, advising that draft statutory right-of-way agreements had been developed in cooperation between the Conservancy, the Galiano Island Parks and Recreation Commission and the Capital Regional District (CRD) for both the secured public trail access to the foreshore as well as future trail development along Porlier Pass Road. Copies of the two draft right-of-way agreements and a plan showing their location accompanied the email and are attached to this report. On November 12th an email (Attachment 2) from Ed Andrusiak, Chair of the Galiano Parks and Recreation Commission was received which confirmed that the Commission had reviewed the draft agreements and was prepared to accept the trail alignment and terms of the agreements.

The receipt of these items by the Islands Trust addresses the two expressed concerns of the LTC regarding trail rights-of way.

ANALYSIS

Proposed Bylaw No. 263 was referred out to local, municipal and provincial agencies for comment and subsequently amended at second reading following changes which addressed the comments received through that process. As was further discussed at the September 11th regular meeting of the LTC the applicants have also provided draft right-of-way agreements for a public access trail to the foreshore as well as for future trail development along Porlier Pass Road, and a plan showing their locations. Support for those documents by the Galiano Conservancy, the Galiano Island Parks and Recreation Commission and the CRD has also been verified. As well, the Ministry of Transportation and Infrastructure (MOTI) also confirmed in an email dated October 23rd that MOTI has no objections to a right-of-way in favour of the CRD for a future trail along Porlier Pass Road.

Given the foregoing, it is the view of staff that proposed Bylaw Nos. 262 and 263 are ready to proceed to a public hearing.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information be provided prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee request that the applicant submit to the Islands Trust [list information required].

2. Choose to proceed no further

The LTC may choose to proceed no further with the application. If this alternative is selected, the LTC should state the reasons for this choice. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee proceed no further with application GL-RZ-2016.2 for the following reasons [insert reasons].

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study or receipt of other information. If this alternative is selected, the LTC should state the reasons for this choice. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee hold application GL-RZ-2016.2 in abeyance until the following information has been received [list information required].

Submitted By:	Rob Milne M.A., RPP, MCIP Island Planner	November 14, 2017
Concurrence:	Robert Kojima Regional Planning Manager	November 15, 2017

ATTACHMENTS

1. Email from Galiano Conservancy Association
2. Email from Galiano Island Parks and Recreation Commission
3. Draft right-of-way agreement for public beach access trail
4. Draft right-of-way agreement for public multi-modal trail
5. Plan of proposed rights-of-way locations

Attachment 1

The Galiano Conservancy Association, Galiano Island Parks and Recreation Commission and Capital Regional District have developed Statutory Right of Way agreements (in favour of the Capital Regional District) that, when registered, will secure public pedestrian access accross DL57 from Porlier Pass Road to the foreshore and public multi-modal access (foot / bike trail) across the property along-side Porlier Pass Road.

Representatives of the Ministry of Transportation and Infrastructure have verified that the SRoW's are not in conflict with their interests. You were cc'd on this communication and should have it in your e-mail records.

The Statutory Rights of Way have been negotiated directly with the Galiano Island Parks and Recreation Commission and CRD staff (Stephen Henderson, Manager of Real Estate Services). They are in Draft Form and will undergo further review for clarity. The final SRoW documents and registered surveys will be substantially in the form of the attached.

Ed Andrusiak, Chair of the Galiano Island Parks and Recreation Commission will be forwarding a letter from the Commission verifying their acceptance of the Draft SRoW agreements.

The final agreements and survey will be completed prior to the completion of the rezoning.

We hope that our progress will be brought forward to the Local Trust Committee at their December 2017 meeting enabling the LTC to consider setting a Community Information Meeting and Public Hearing, ideally in late January (after January 19th) 2018.

Sincerely,

Keith Erickson

Executive Director

Galiano Conservancy Association

Attachment 2

Mr. Milne and Mr. Kojima,

The Galiano Island Parks and Recreation Commission has reviewed the proposed trail alignment and Statutory Right of Way draft agreements that are substantially in the form attached and the Commission is prepared to accept the trail alignment and terms of the agreements.

Regards,

Ed Andrusiak

Chair

Galiano Island Parks and Recreation Commission

Box 111

Galiano, BC

VON 1P0

TERMS OF INSTRUMENT - PART 2

W H E R E A S:

- A. The Grantor is the registered owner of the land set out in Item 2, Part 1 of this Instrument (the "**Grantor's Lands**");
- B. The Grantee is the Capital Regional District;
- C. The Grantee seeks the right to access, for itself and all members of the public: a single, continuous permeable surface recreational trail with a maximum width of two meters for pedestrian use (the "**Pedestrian Trail**") in perpetuity over the Grantor's Lands.
- D. It is necessary for the operation and maintenance of the Grantee's undertaking of the provision of the Pedestrian Trail for the enjoyment of the public that a right of way be established in accordance with this Agreement;
- E. The Grantor has agreed to grant a Statutory Right of Way on a portion of the Grantor's Lands in accordance with this Agreement.

NOW THEREFORE, in consideration of the sum of Ten (\$10.00) Dollars of lawful money of Canada, now paid by the Grantee to the Grantor (the receipt and sufficiency of which is hereby acknowledged by the Grantor), and in consideration of the covenants and conditions agreed to be observed and performed by the parties and for other valuable consideration:

1. PEDESTRIAN RIGHT OF WAY:

- 1.1 The Grantor hereby grants, conveys, confirms and transfers, in perpetuity, to the Grantee for itself, its successors and assigns, and all of its employees, agents, servants, licensees and all members of the public at all times between dusk and dawn the full, free and uninterrupted right, license, liberty, privilege, permission and right of way to enter, use, go, return, pass over and across those portions of the Grantor's Lands shown in outlined in bold and labelled "**_____**" on the Statutory Right of Way Plan registered in the Land Title Office under Plan number EPP_____, a reduced copy of which is attached as Schedule "A" to this Agreement (the "**Right of Way**") on foot and, in the case of the Grantee, its successors and assigns, and all of its employees, agents, servants, and licensees for the additional purpose of constructing, maintaining, repairing and replacing the Pedestrian Trail

2. THE GRANTOR:

- 2.1 Covenants and agrees to and with the Grantee that the Grantee shall for itself and its servants, agents, workers, contractors, and all other licensees of the Grantee; together with equipment, and materials; upon, over, under and across the Right of Way; as may be considered necessary, useful, or convenient by the Grantee for the purposes in section 1.1, and in connection with the operations of the Grantee in relation to the Right of Way; be entitled at all times to:
 - (a) enter, use, pass and repass, labour, construct, erect, install, dig, and carry away soil or other surface or subsurface materials from the Right of Way; and
 - (b) remove any growth, seedlings, trees, brush, buildings or obstructions now or

hereafter in existence on, over, across, or under the Pedestrian Trail.

- 2.2 Agrees that for the purposes of the rights granted under section 1.1, the Grantee may, but shall not be obliged to, erect, place, and maintain informational signs, and any improvements necessary to facilitate access across the Right of Way including but not limited to permeable walking surfaces, impermeable boardwalks and stairs, other surface or subsurface works, culverts to enclose drainage ditches, and similar improvements, within the Right of Way.
- 2.3 Agrees that the Grantee may, under the supervision of a registered professional forester, and upon receiving consent from the Grantor, such consent not to be unreasonably delayed or withheld, remove danger trees from the Right of Way.
- 2.4 Agrees that, notwithstanding section 2.3, the Grantee may, at any time under the supervision of a registered professional forester, remove danger trees from the Right of Way if the Grantee is of the reasonable opinion that such danger trees pose an immediate life-safety hazard to the Grantee, its servants, agents, workers, contractors, licensees, or any member of the public.

3. THE GRANTOR COVENANTS:

- 3.1 That the Grantor will not and will not permit any other person to erect, place, install or maintain any building, structure, addition to a building or structure, mobile home, concrete driveway or patio, pipe, wire or other conduit, or other obstacle on, over or under any portion of the Right of Way so that it in any way interferes with or damages or prevents access along or over the Right of Way.
- 3.2 That the Grantor will not do anything that in any way interferes with or damages or prevents access to or is likely to cause harm to the Pedestrian Trail authorized hereby to be constructed, maintained, repaired, and replaced upon, over, and across the Right of Way.
- 3.3 That the Grantor will not do or knowingly permit to be done any act or thing that will interfere with or injure the Pedestrian Trail and in particular will not carry out any blasting on or adjacent to the Right of Way without the consent in writing of the Grantee, and consent shall not be unreasonably withheld.
- 3.4 That the Grantor will, from time to time and at all times at the reasonable request and at the cost of the Grantee to do and execute or cause to be made, done, or executed any further and other lawful acts, deeds, things, devices, conveyances and assurances in law required to ensure the Grantee of its rights under this Agreement.

4. THE GRANTEE COVENANTS:

- 4.1 That the Grantee will thoroughly clean all portions of the Grantor's Lands to which it has had access hereunder of all rubbish and construction debris created or placed thereon by the Grantee.
- 4.2 That the Grantee will, insofar as it is practicable so to do, to exercise its rights hereunder in such a manner as to not to interfere unduly with the Grantor's use of the Grantor's Lands.
- 4.3 That the Grantee will erect and maintain directional signage on the Right of Way

advising all users to stay on the Pedestrian Trail and not to venture onto any other part of the Grantor's Lands.

- 4.4 To release and indemnify the Grantor and its successors in title from and against any claims, actions, causes of action, damages, losses, expenses, or costs of any kind that arise out of, or are connected with personal injury or property damage sustained by any party as a result of any negligent act or omission of the Grantee in connection with the exercise of its rights under this Agreement.

5. THE PARTIES COVENANT TO AND AGREE WITH EACH OTHER, as follows:

- 5.1 In spite of any rule of law or equity to the contrary, any improvements brought on to, set, constructed, laid, erected in, upon or under the Right of Way by the Grantee shall at all times remain the property of the Grantee, even if the improvements are annexed or affixed to the freehold, and shall at any time and from time to time be removable in whole or in part by the Grantee.
- 5.2 In the event that the Grantee abandons the Pedestrian Trail or any part thereof, the Grantee may, if it so elects, leave the whole or any part thereof in place and if so abandoned the Pedestrian Trail, or part thereof, will become the property of the Grantor.
- 5.3 Nothing in this Agreement may be interpreted as restricting the Grantee's right to make rules or impose restrictions or prohibitions regarding the public use of the Pedestrian Trail, or to temporarily close the Pedestrian Trail at its discretion.
- 5.4 No part of the title in fee simple to the Grantor's Lands will pass to or be vested in the Grantee under or by virtue of this Agreement and the Grantor may fully use and enjoy all of the Grantor's Lands subject only to the rights and restrictions in this Agreement.
- 5.5 The Grantor acknowledges that (a) these covenants are enforceable against the Grantor and its successors in title, but (b) the Grantor is not personally liable for breach of these covenants after the Grantor has ceased to be the owner of the Grantor's Lands.
- 5.6 If at the date hereof the Grantor is not the sole registered owner of the Grantor's Lands, this Agreement nevertheless binds the Grantor to the full extent of its interest therein, and if it acquires a greater of the entire interest in fee simple, this Agreement likewise extends to such after-acquired interests.
- 5.7 Where the expression "Grantor" includes more than one person, all covenants made by the Grantor are construed as being several as well as joint with respect to all persons constituting the Grantor.
- 5.8 If any part of this Agreement is found to be illegal or unenforceable because it creates a positive obligation for the Grantor or for any other reason, that part will be considered separate and severable and the remaining parts will not be affected thereby and will be enforceable to the fullest extent permitted by law.
- 5.9 This Agreement enures to the benefit of and is binding upon the parties hereto and their respective heirs, administrators, executors, successors and assigns as the case may be and wherever the singular or masculine is used, it must be construed as if the plural or the feminine or neuter, as the case may be, had been used, where the parties or the context hereto so require and the rest of the sentence must be construed as if the grammatical and terminological changes thereby rendered necessary had been made.

6. PRIORITY

- 6.1 The Nature Conservancy of Canada (the "**Chargeholder**"), the registered holder of a Charge by way of Mortgage CA2394335 registered against the Lands (the "**Charge**") in the Land Title Office at Victoria, British Columbia, for and in consideration of the sum of One (\$1.00) Dollar paid by the Transferee to the said Chargeholder (the receipt whereof is hereby acknowledged), agrees with the Transferee, its successors and assigns, that the within Right of Way shall be an encumbrance upon the Lands in priority to the Charge in the same manner and to the same effect as if it had been dated and registered prior to the Charge.

The Grantor and Grantee acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C and D (pages 1 and 2) attached hereto.

SCHEDULE “A”

RIGHT OF WAY

TERMS OF INSTRUMENT - PART 2

W H E R E A S:

- A. The Grantor is the registered owner of the land set out in Item 2, Part 1 of this Instrument (the "**Grantor's Lands**");
- B. The Grantee is the Capital Regional District;
- C. The Grantee seeks the right to access, for itself and all members of the public a single, continuous Multi-modal recreational trail (the "**Multi-Modal Trail**") in perpetuity over the Grantor's Lands.
- D. It is necessary for the operation and maintenance of the Grantee's undertaking of the provision of the Multi-Modal Trail for the enjoyment of the public that a right of way be established in accordance with this Agreement;
- E. The Grantor has agreed to grant a Statutory Right of Way on a portion of the Grantor's Lands in accordance with this Agreement.

NOW THEREFORE, in consideration of the sum of Ten (\$10.00) Dollars of lawful money of Canada, now paid by the Grantee to the Grantor (the receipt and sufficiency of which is hereby acknowledged by the Grantor), and in consideration of the covenants and conditions agreed to be observed and performed by the parties and for other valuable consideration:

1. MULTI-MODAL RIGHT OF WAY

- 1.1 The Grantor hereby grants, conveys, confirms and transfers, in perpetuity, to the Grantee for itself, its successors and assigns, and all of its employees, agents, servants, licensees and all members of the public at all times between dusk and dawn the full, free and uninterrupted right, license, liberty, privilege, permission and right of way to enter, use, go, return, pass over and across those portions of the Grantor's Lands shown outlined in bold and labelled "_____" on the Statutory Right of Way Plan registered in the Land Title Office under Plan number EPP_____, a reduced copy of which is attached as Schedule "A" to this Agreement (the "**Right of Way**") on foot, non-motorized bicycle, motorized or non-motorized wheel chair or scooter for persons with limited mobility and, in the case of the Grantee, its successors and assigns, and all of its employees, agents, servants, and licensees for the additional purpose of constructing, maintaining, repairing and replacing the Multi-Modal Trail

2. THE GRANTOR:

- 2.1 Covenants and agrees to and with the Grantee that the Grantee shall:
 - (a) for itself and its servants, agents, workers, contractors, and all other licensees of the Grantee;
 - (b) together with machinery, vehicles, equipment, and materials;
 - (c) upon, over, under and across the Right of Way;
 - (d) as may be considered necessary, useful, or convenient by the Grantee for the

purposes in section 1.1, and in connection with the operations of the Grantee in relation to the Right of Way;

be entitled at all times to enter, use, pass and repass, labour, construct, erect, install, dig, and carry away soil or other surface or subsurface materials, and remove any growth, seedlings, trees, brush, buildings or obstructions now or hereafter in existence.

- 2.2 Agrees that for the purposes of the rights granted under section 1.1, the Grantee may, but shall not be obliged to, erect, place, and maintain directional and informational signs, and any improvements necessary to facilitate access across the Right of Way including but not limited to paving, other surface or subsurface works, culverts to enclose drainage ditches, and similar improvements, within the Right of Way.

3. THE GRANTOR COVENANTS:

- 3.1 That the Grantor will not and will not permit any other person to erect, place, install or maintain any building, structure, addition to a building or structure, mobile home, concrete driveway or patio, pipe, wire or other conduit, or other obstacle on, over or under any portion of the Right of Way so that it in any way interferes with or damages or prevents access along or over the Right of Way.
- 3.2 That the Grantor will not do anything that in any way interferes with or damages or prevents access to or is likely to cause harm to the Multi-Modal Trail authorized hereby to be constructed, maintained, repaired, and replaced upon, over, and across the Right of Way.
- 3.3 That the Grantor will not do or knowingly permit to be done any act or thing that will interfere with or injure the Multi-Modal Trail and in particular will not carry out any blasting on or adjacent to the Right of Way without the consent in writing of the Grantee, and consent shall not be unreasonably withheld.
- 3.4 That the Grantor will, from time to time and at all times at the reasonable request and at the cost of the Grantee to do and execute or cause to be made, done, or executed any further and other lawful acts, deeds, things, devices, conveyances and assurances in law required to ensure the Grantee of its rights under this Agreement.

4. THE GRANTEE COVENANTS:

- 4.1 That the Grantee will thoroughly clean all portions of the Grantor's Lands to which it has had access hereunder of all rubbish and construction debris created or placed thereon by the Grantee.
- 4.2 That the Grantee will, insofar as it is practicable so to do, to exercise its rights hereunder in such a manner as to not to interfere unduly with the Grantor's use of the Grantor's Lands.
- 4.3 That the Grantee will erect and maintain directional signage on the Right of Way advising all users to stay on the Multi-Modal Trail and not to venture onto any other part of the Grantor's Land.
- 4.4 To release and indemnify the Grantor and its successors in title from and against any claims, actions, causes of action, damages, losses, expenses, or costs of any kind that arise out of, or are connected with personal injury or property damage sustained by any

party as a result of any negligent act or omission of the Grantee in connection with the exercise of its rights under this Agreement.

5. THE PARTIES COVENANT TO AND AGREE WITH EACH OTHER, as follows:

- 5.1 In spite of any rule of law or equity to the contrary, any improvements brought on to, set, constructed, laid, erected in, upon or under the Right of Way by the Grantee shall at all times remain the property of the Grantee, even if the improvements are annexed or affixed to the freehold, and shall at any time and from time to time be removable in whole or in part by the Grantee.
- 5.2 In the event that the Grantee abandons the Multi-Modal Trail or any part thereof, the Grantee may, if it so elects, leave the whole or any part thereof in place and if so abandoned the Multi-Modal Trail, or part thereof, will become the property of the Grantor.
- 5.3 Nothing in this Agreement may be interpreted as restricting the Grantee's right to make rules or impose restrictions or prohibitions regarding the public use of the Multi-Modal Trail, or to temporarily close the Multi-Modal Trail at its discretion.
- 5.4 No part of the title in fee simple to the Grantor's Lands will pass to or be vested in the Grantee under or by virtue of this Agreement and the Grantor may fully use and enjoy all of the Grantor's Lands subject only to the rights and restrictions in this Agreement.
- 5.5 The Grantor acknowledges that (a) these covenants are enforceable against the Grantor and its successors in title, but (b) the Grantor is not personally liable for breach of these covenants after the Grantor has ceased to be the owner of the Grantor's Lands.
- 5.6 If at the date hereof the Grantor is not the sole registered owner of the Grantor's Lands, this Agreement nevertheless binds the Grantor to the full extent of its interest therein, and if it acquires a greater or the entire interest in fee simple, this Agreement likewise extends to such after-acquired interests.
- 5.7 Where the expression "Grantor" includes more than one person, all covenants made by the Grantor are construed as being several as well as joint with respect to all persons constituting the Grantor.
- 5.8 If any part of this Agreement is found to be illegal or unenforceable because it creates a positive obligation for the Grantor or for any other reason, that part will be considered separate and severable and the remaining parts will not be affected thereby and will be enforceable to the fullest extent permitted by law.
- 5.9 This Agreement enures to the benefit of and is binding upon the parties hereto and their respective heirs, administrators, executors, successors and assigns as the case may be and wherever the singular or masculine is used, it must be construed as if the plural or the feminine or neuter, as the case may be, had been used, where the parties or the context hereto so require and the rest of the sentence must be construed as if the grammatical and terminological changes thereby rendered necessary had been made.

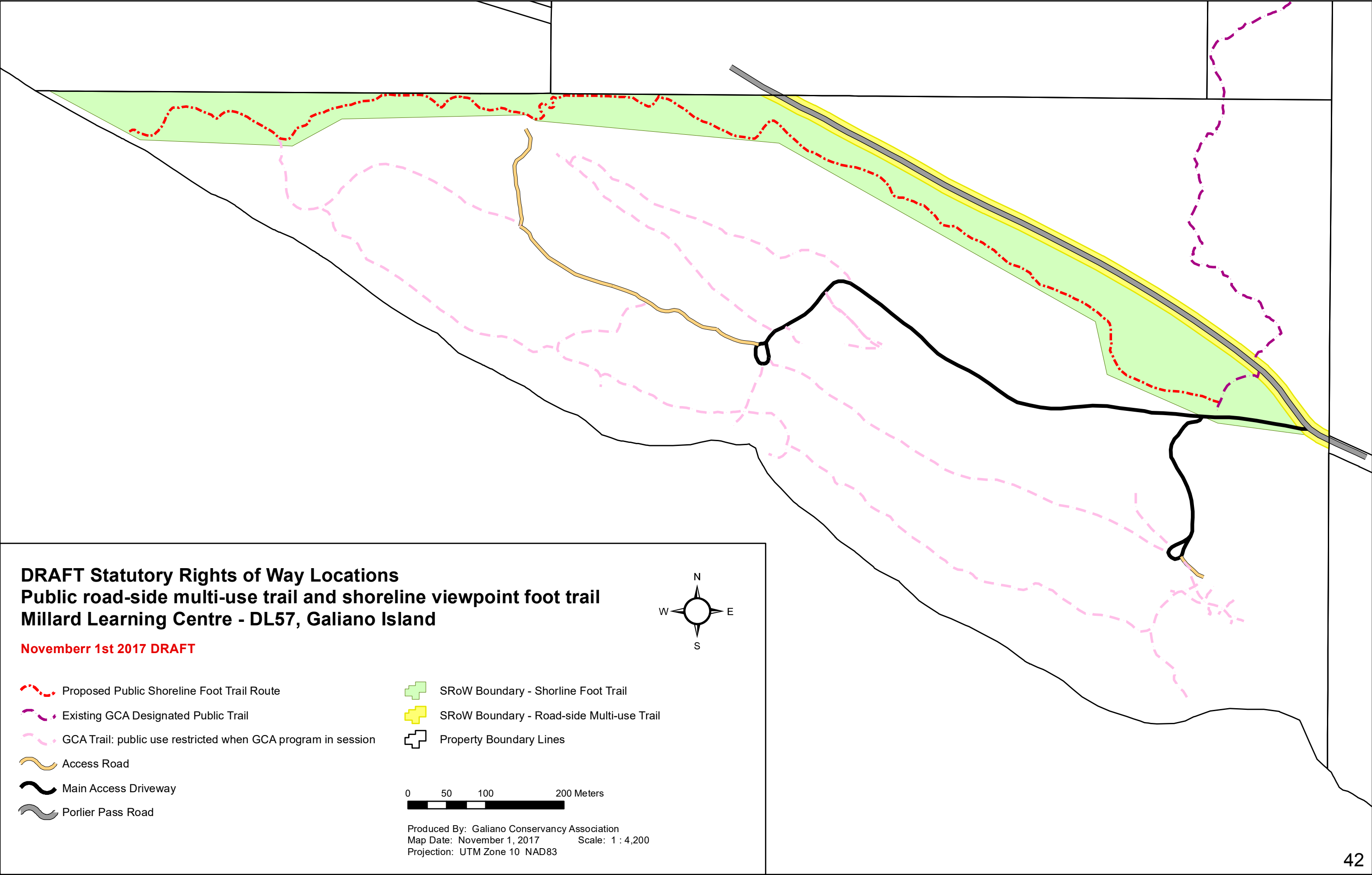
6. PRIORITY

- 6.1 The Nature Conservancy of Canada (the "**Chargeholder**"), the registered holder of a Charge by way of Mortgage CA2394335 registered against the Lands (the "**Charge**") in the Land Title Office at Victoria, British Columbia, for and in consideration of the sum of One (\$1.00) Dollar paid by the Transferee to the said Chargeholder (the receipt whereof is hereby acknowledged), agrees with the Transferee, its successors and assigns, that the within Right of Way shall be an encumbrance upon the Lands in priority to the Charge in the same manner and to the same effect as if it had been dated and registered prior to the Charge.

The Grantor and Grantee acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C and D (pages 1 and 2) attached hereto.

SCHEDULE “A”

RIGHT OF WAY



To: Galiano, Mayne, Salt Spring, and Saturna
Local Trust Committees

For the Meeting of: Nov/Dec, 2017

From: Executive Committee

Date prepared: October 27, 2017

File No.:

SUBJECT: Japanese Canadian Historic Places Project

DESCRIPTION OF ISSUE: The Executive Committee is referring for information correspondence from staff with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development describing the provincial Japanese Canadian Historic Places project. This is being forwarded to the LTC because heritage sites have been identified on your island

BACKGROUND:

On May 11, 2017, the Executive Committee received correspondence inviting local governments to consider using the heritage conservation tools found in Part 15 of the *Local Government Act* to formally recognize or protect Japanese Canadian historic places.

In 2018, the provincial government will be developing Statements of Significance that document the heritage values of these places, as part of the records that will be added to the BC and Canadian Registers of Historic Places. The Province may also be including some Gulf Islands designated areas in online maps.

Provincial staff advise that Japanese gardens, charcoal pit kilns, milling and fishing sites, geographical names, and community buildings are reminders of the culturally-diverse community life on the Gulf Islands before the dispossession, forced relocation and internment of Japanese residents in 1942.

The Executive Committee postponed sending this correspondence to local trust committees until final Statements of Significance and associated mapping were available but recently learned that this mapping is now not expected to be available until sometime in 2018.

ATTACHMENT(S):

1. March 31, 2017 e-mail from Berdine Jonker re Japanese Canadian Historic Places Project
2. April 3, 2017 letter from Richard Linzey re Japanese Canadian Historic Places Project results

FOLLOW-UP: Once the Executive Committee is provided with Japanese Canadian Historic Places Statements of Significance and associated mapping, the information will be forwarded to affected local trust committees. At that time, local trust committees will be encouraged to discuss the use of these tools to protect the listed places with their planner and Regional Planning Manager.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: October 23, 2017

From: Jonker, Berdine FLNR:EX [<mailto:Berdine.Jonker@gov.bc.ca>]
Sent: Friday, March 31, 2017 4:58 PM
Cc: Cook, Judith FLNR:EX
Subject: Japanese Canadian Historic Places in British Columbia

Email sent on behalf of Richard Linzey, Director, Heritage Branch:

Good morning,

I am writing to inform you of the results of the Japanese Canadian Historic Places Project, a heritage awareness and recognition project that was undertaken by the Ministry of Forests, Lands, and Natural Resource Operations, and the Ministry of International Trade and Multiculturalism over the past year.

Public nominations were sought from July 7 to November 30, 2016, resulting in 264 nominations for 176 places to be considered for recognition under s. 18 of the *Heritage Conservation Act* (Appendix A). Following a thorough evaluation by sector and community experts, 56 historic places were chosen to receive formal provincial recognition for their significance to the Japanese Canadian community in British Columbia (Appendix B).

Acknowledgement of the heritage values associated with these places strengthens our understanding and appreciation of the diversity of cultures that are part of British Columbia's heritage. Heritage values articulated by the Japanese Canadian community relate to several themes including immigration, fighting for equality and justice, service to community, and celebrating cultural diversity. Of particular importance was the profound impact of internment during World War II, and its lasting effects in the years following, on over 22,000 Japanese Canadians and Canadians of Japanese ancestry.

While not all of the places identified by the public are *provincially* significant, this project brings to light the fact that these places are important at a regional or local level. I am therefore inviting your local government to consider using the heritage conservation tools found in Part 15 of the *Local Government Act* to formally recognize or protect these places at the local level. Recognition of these historic places by all levels of government strengthens our collective understanding and appreciation of the many layers of heritage values that make British Columbia the place it is today

If your local government does not already have a Community Heritage Register or other heritage conservation tools in place, may I suggest contacting Heritage BC at www.heritagebc.ca, or at 604.428.7243 or 1.855.349.7243, to learn more about their resources and services for developing community heritage planning programs. Heritage BC is also the fund administrator for the Heritage Legacy Fund of British Columbia, which provides opportunities to interpret or celebrate aspects of community heritage through their Heritage Awareness Program.

If you would like more information on this project, or any of the places that were nominated or formally recognized, please contact Judith Cook, Heritage Planner, at judith.cook@gov.bc.ca, or at 250-356-1038. Information about each place will also be available on an online interactive map, hosted by Heritage BC. A follow-up letter with more detail about which historic places are in your municipality will arrive to your offices shortly.

I hope that you will join the Province of British Columbia in honouring this important part of our provincial heritage.

Sincerely,

Berdine Jonker

Berdine Jonker, MPA | Manager, Heritage Programs and Services
Heritage Branch | Ministry of Forests, Lands and Natural Resource Operations
Office: 250.356.1044 | Cell: 250.384.8489 | www.gov.bc.ca/bcheritage

Appendix A - Japanese Canadian Historic Places Project - List of nominated places

1	Protected Area	38	The Gulf Islands	78	Fraser Mills Japanese Language School
2	Lillooet/East Lillooet Self-Supporting Internment Camp	39	Sunrise Sawmill and Koyama's Fish Camp	79	Annieville Slough
3	McGillivray Falls	40	Galiano Island Charcoal Pit Kiln	80	Canoe Pass
4	Minto Mine	41	Galiano Island Cemetery	81	New Westminster Berth for Ocean Vessels
5	Miyazaki House	42	Galiano Island North End Hall	82	Douglas Road Cemetery
6	Bridge River Internment Site	43	Mayne Island Japanese Garden	83	New Westminster Japanese Language School
7	Taylor Lake	44	Kadonaga Bay	84	Japanese Teahouse, North Vancouver
8	Mount Manzo Nagano	45	Mayne Island	85	Seymour Valley (McKenzie Creek) Japanese Camp
9	Mine at Ikeda Bay on Moresby Island	46	Salt Spring Island Charcoal Pit Kilns	86	Britannia Shipyards National Historic Site
10	Ocean Falls	47	Ganges	87	Don and Lion Islands
11	North Pacific Cannery National Historic Site	48	Salt Spring Island	88	G.S. Mukai Boat Works
12	Port Essington	49	Mikuni Point	89	Garry Point Park Boatyard
13	Skeena Buddhist Temple	50	Saint Christopher's Church	90	Japanese Fishermen's Hospital
14	Cow Bay	51	Christina Lake & Japanese Language School	91	Kuno Garden
15	Kazu Maru Shinto Shrine	52	Greenwood	92	Murakami House and Boatworks
16	Morimoto Boat Shop & Claxton Cannery	53	Kaslo Internment Site	93	Nikkei Fishermen's Statue, Steveston
17	Prince Rupert Japanese Language School	54	Langham Cultural Centre	94	Steveston Buddhist Temple
18	St. Andrew's Anglican Church	55	St Andrew's United Church	95	Steveston Japanese Language School
19	Calhoun Farm	56	Midway	96	Steveston
20	Eagle Pass/Revelstoke-Sicamous Highway Road Camp	57	1505 Nasookin Road, Nelson	97	Woodfibre Japanese Language School
21	Nitobe's Rock	58	Rosebery Internment Camp	98	Strawberry Hill, Surrey
22	Rogers Pass Avalanche Memorial	59	Kohan Reflection Garden	99	Campbell Creek Hop Farm
23	Fraser Valley Buddhist Temple	60	New Denver and Area Internment Camps	100	Kamloops Japanese Canadian Association
24	Mount Lehman Japanese Language School	61	New Denver Church	101	Kamloops Jodo Shinshu Buddhist Temple
25	Hammond Buddhist Temple	62	New Denver Orchard	102	Kamloops Judo Club
26	Haney Japanese Kindergarten	63	Nikkei Internment Memorial Centre National Historic Site	103	Monte Lake
27	Haney Japanese Language School	64	Yasutaro Mitsunaga grave marker	104	North Kamloops Motors
28	Haney Nokai	65	Sandon Internment Camp	105	Kelowna Buddhist Temple
29	Haney, Maple Ridge	66	520 Springer Street, Slocan	106	Kelowna Japanese Language School
30	Whonnock Japanese Language School	67	Bay Farm Internment Camp	107	Summerland Japanese Language School
31	East Mission Japanese Language School	68	Lemon creek Internment Camp	108	Bella Vista Road & Old Kamloops Road
32	Mission Japanese Language School	69	Popoff Internment Camp	109	Vernon Japanese Hall/Buddhist Temple
33	Westminster Abbey, Mission	70	Slocan Extension Internment Camps	110	Westwold
34	Pitt Meadows Japanese Canadian Meeting Hall	71	Silvery Slocan Social Centre	111	Yellowhead-Blue River Highway Road Camp (Robson Park)
35	Fraser Valley	72	Slocan Cemetery Monument		
36	Tashme Internment Camp	73	Slocan City Internment Camp		
37	Hope-Princeton Highway Road Camp	74	Slocan Village Market		
		75	CPR Railway disaster		
		76	Nikkei National Museum & Cultural Centre		
		77	Ocean View Burial Park		

112	302 Alexander Street, Vancouver	134	Nippon Auto Supply, Vancouver	157	Saito House
113	40th Marpole Boy Scout Hall & Marpole Japanese Language School	135	Nitobe Memorial Garden, UBC	158	Cumberland
114	Celtic Cannery & Japanese Language School	136	Oppenheimer Park	159	Nanaimo Japanese Language School
115	Fairview Japanese Language School	137	Powell Street Historic Japanese Canadian Neighbourhood (Paueru-gai/ パウエル街)	160	Newcastle Island & Nanaimo Shipyards
116	Hastings Park	138	Showa Japanese Language School	161	McLean Mill National Historic Site
117	Hastings Park - PNE Forum	139	Tairiku Building, Cordova Street	162	Port Alberni Cemetery
118	Hastings Park - Rollerland	140	Tamura House/Building	163	Royston
119	Hastings Park Garden Auditorium	141	Tonari Gumi, Vancouver	164	Japanese Bazaar, 1013 Government Street, Victoria
120	Hastings Park Livestock Building	142	University of British Columbia	165	Japanese Methodist Mission Church
121	Hastings Park Momiji Garden	143	Vancouver Buddhist Temple	166	Osawa Hotel, Victoria
122	Historic Sites and Monuments Board of Canada Plaque, Hastings Park	144	Vancouver Japanese Language School & Japanese Hall	167	Ross Bay Cemetery - Kakehashi Project and Gravesites
123	Holy Cross Japanese Anglican Church	145	Wong's Market, Vancouver	168	Victoria Japanese Language School
124	Japanese Canadian real estate	146	Torii Gate	169	Victoria Port of Entry and William Head Quarantine Station
125	Japanese Canadian War Memorial	147	Chemainus Cemetery and Monument	170	Japanese Garden, Gorge Point Park
126	Japanese Catholic Mission	148	Comox Japantown and Japanese Language School	171	West Coast of Vancouver Island (Tofino and Ucluelet)
127	Japanese Church of the Ascension	149	Deep Bay Logging Company and Kyoritsu Gakko Language School	172	Clayoquot Island
128	Historic Joy Kogawa House	150	Hillcrest Japanese Language School	173	Tofino Japanese Language School
129	Kitsilano Japanese Language School	151	Duncan, Paldi, Chemainus	174	Japanese Dock, Ucluelet
130	Little Ginza, Vancouver	152	10 Maple Street, Cumberland	175	Port Albion (Shimizu Bay), Ucluelet
131	Maikawa Building and Store	153	Coal Mine No. 5 and No. 5 Japanese Town, Cumberland	176	Ucluelet
132	Mountain View Cemetery	154	Cumberland Japanese Cemetery		
133	Myowa Gakuen	155	Nikkei Mountain		
		156	No. 1 Japanese Town site, Cumberland		

Appendix B: Recognized places in numerical order

1. Tashme Internment Camp

2. Midway

3. Greenwood Internment Camp

4. Christina Lake

5. Kaslo Internment Site

6. Slocan City / Slocan Extension Internment Camps

7. Bay Farm Internment Camp

8. Popoff Internment Camp

9. Lemon Creek Internment Camp

10. Nikkei Internment Memorial Centre National Historic Site, New Denver

11. Kohan Reflection Garden, New Denver

12. New Denver Orchard

13. New Denver Church

14. Rosebery Internment Camp

15. Sandon Internment Camp

16. Lillooet/East Lillooet Self-Supporting Internment Camp
17. McGillivray Falls

18. Calhoun Farm, Tappen

19. Taylor Lake

20. Bridge River Internment Site

21. Minto Mine

22. Hope-Princeton Highway Road Camp

23. Eagle Pass (Revelstoke-Sicamous) Highway Road Camp

24. Yellowhead-Blue River Highway Road Camp (Robson Park)

25. Vancouver Japanese Language School and Japanese Hall

26. Mountain View Cemetery

27. Ocean Falls

28. Port Essington

29. Protected Area

30. The Gulf Islands

31. Nikkei National Museum & Cultural Centre

32. Annieville Slough
33. Don and Lion Islands

34. Fraser Valley / Fraser Valley Buddhist Temple

35. Haney, Maple Ridge

36. Westminster Abbey, Mission

37. Pitt Meadows Japanese Canadian Meeting Hall

38. Steveston

39. Strawberry Hill, Surrey

40. Kamloops Japanese Canadian Association

41. Kelowna Buddhist Temple

42. Bella Vista Road / Old Kamloops Road, Vernon

43. Seymour Valley (McKenzie Creek) Japanese Camp

44. 40th Marpole Boy Scout Hall & Marpole Japanese Language School

45. Hastings Park

46. Powell Street Historic Japanese Canadian Neighbourhood (Paueru-gai/パウエル街)

47. Stanley Park Japanese Canadian War Memorial

48. Tonari Gumi Japanese Canadian Volunteer Association

49. Duncan, Paldi and Chemainus
50. Cumberland and Royston

51. University of British Columbia

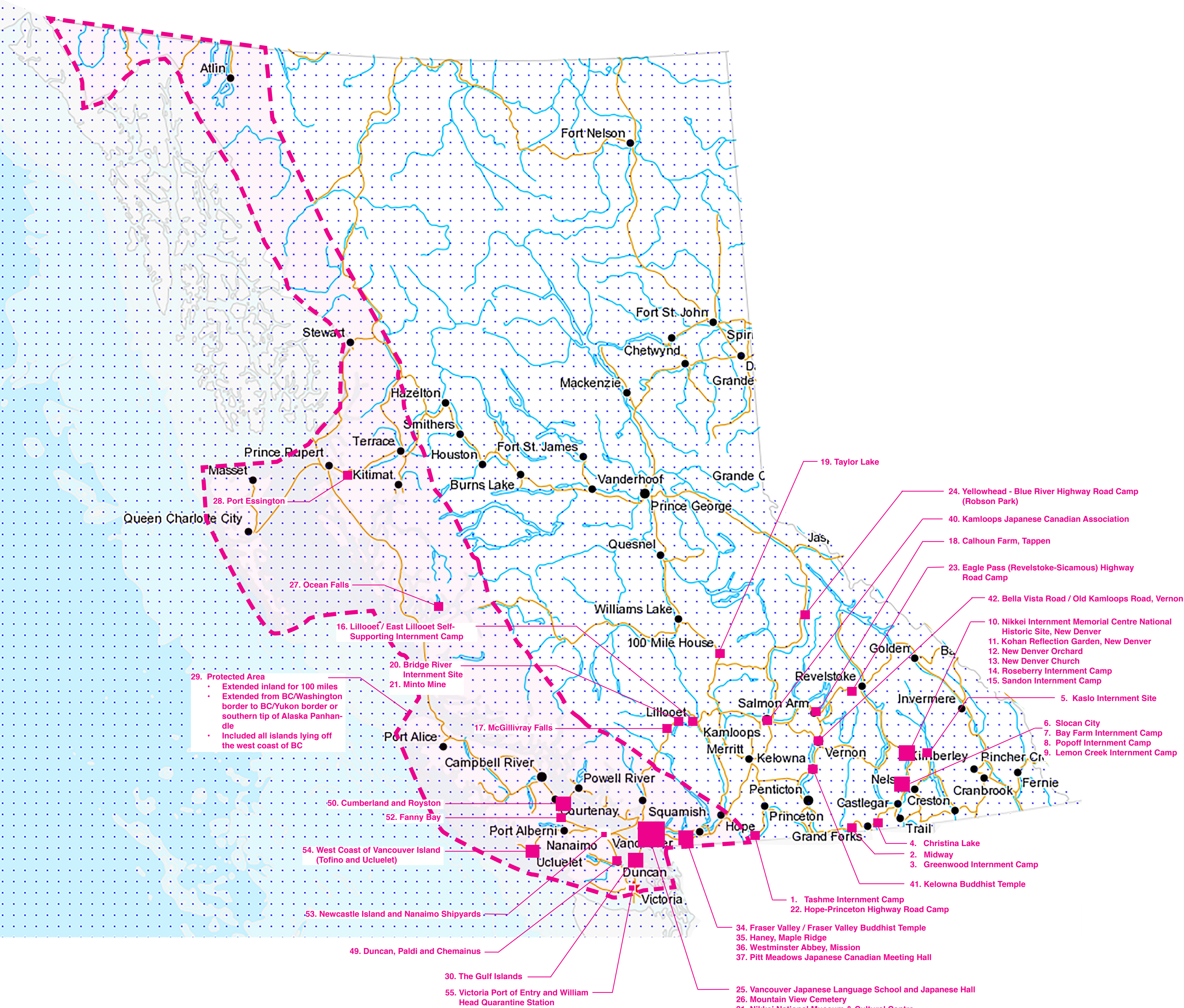
52. Fanny Bay

53. Newcastle Island and Nanaimo Shipyards

54. West Coast of Vancouver Island (Tofino and Ucluelet)

55. Victoria Port of Entry and William Head Quarantine Station

56. Vancouver Buddhist Temple





April 3, 2017

Board of Directors
Islands Trust
200 - 1627 Fort Street
Victoria, BC V8R 1H8

Dear Board of Directors:

I am writing to inform you of the results of the Japanese Canadian Historic Places Project, a heritage awareness and recognition project that was undertaken by the Ministry of Forests, Lands, and Natural Resource Operations, and the Ministry of International Trade and Multiculturalism over the past year.

Public nominations were sought from July 7 to November 30, 2016, resulting in 264 nominations for 176 places to be considered for recognition under s. 18 of the *Heritage Conservation Act* (Appendix A). Following a thorough evaluation by sector and community experts, 56 historic places were chosen to receive formal provincial recognition for their significance to the Japanese Canadian community in British Columbia (Appendix B).

Acknowledgement of the heritage values associated with these places strengthens our understanding and appreciation of the diversity of cultures that are part of British Columbia's heritage. Heritage values articulated by the Japanese Canadian community relate to several themes including immigration, fighting for equality and justice, service to community, and celebrating cultural diversity. Of particular importance was the profound impact of internment during World War II, and its lasting effects in the years following, on over 22,000 Japanese Canadians and Canadians of Japanese ancestry.

Sites chosen for formal recognition will be included on the BC Register of Historic Places, and will be put forward for inclusion on the Canadian Register of Historic Places. The promotion of heritage values under this piece of legislation is purely commemorative, and does not confer any form of legal protection nor does it register any interest in land. Property rights and title are also not affected by this formal acknowledgment of heritage values.

The 176 nominated places are located in 60 local governments and regional districts throughout B.C., including in your municipality. The historic places within your jurisdiction are listed below. Provincially recognized places are indicated with an asterisk (*).

148. Protected Area*
149. The Gulf Islands*

150. Sunrise Sawmill and
Koyama's Fish Camp

- 151. Galiano Island Charcoal Pit
Kiln
- 152. Galiano Island Cemetery
- 153. Galiano Island North End
Hall
- 154. Mayne Island
- 155. Mayne Island Japanese
Garden

- 156. Kadonaga Bay
- 157. Salt Spring Island Charcoal
Pit Kilns
- 158. Salt Spring Island
- 159. Ganges
- 160. Mikuni Point
- 161. Saint Christopher's Church,
Saturna Island

While not all of the places identified by the public are *provincially* significant, this project brings to light the fact that these places are important at a regional or local level. I am therefore inviting your local government to consider using the heritage conservation tools found in Part 15 of the *Local Government Act* to formally recognize or protect these places at the local level. Recognition of these historic places by all levels of government strengthens our collective understanding and appreciation of the many layers of heritage values that make British Columbia the place it is today

If your local government does not already have a Community Heritage Register or other heritage conservation tools in place, may I suggest contacting Heritage BC at www.heritagebc.ca, or at 604.428.7243 or 1.855.349.7243, to learn more about their resources and services for developing community heritage planning programs. Heritage BC is also the fund administrator for the Heritage Legacy Fund of British Columbia, which provides opportunities to interpret or celebrate aspects of community heritage through their Heritage Awareness Program.

If you would like more information on this project, or any of the places that were nominated or formally recognized, please contact Judith Cook, Heritage Planner, at judith.cook@gov.bc.ca, or at 250-356-1038. Information about each place will also be available on an online interactive map, hosted by Heritage BC.

I hope that you will join the Province of British Columbia in honouring this important part of our provincial heritage.

Yours truly,

Richard Linzey
Director, BC Heritage Branch
Ministry of Forests, Lands and Natural Resource Operations



Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island:	Salt Spring Island Trust Area	Bylaw Nos:	504 and 505	Date:	November 9, 2017
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You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response by January 2, 2017. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Fernando and Tammy Dos Santos, 416 Old Scott Road, Salt Spring Island, BC, V8K 2L7, f.dos.santos111@gmail.com

PURPOSE OF BYLAW:

The purpose of OCP proposed bylaw amendment No. 504 is to re-designate the property from rural neighbourhood (RL) to a residential neighbourhood (RN) variant which would allow for medium density of approximately 7 lots/hectare or 3 lots/acre.

The purpose of LUB proposed bylaw amendment No. 505 is to rezone the property from its Rural(R) designation to a Residential (R4) variant to allow for the development of up to 30 lots on the subject property.

GENERAL LOCATION:

221 Drake Road, Salt Spring Island

LEGAL DESCRIPTION:

LOT A, SECTION 20, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 28650 – PID 001-751-581

SIZE OF PROPERTY AFFECTED:

4.26 Hectares

ALR STATUS:

None

OFFICIAL COMMUNITY PLAN DESIGNATION:

Presently Rural Neighbourhood

OTHER INFORMATION:

Salt Spring Island Local Trust Committee Rezoning Application SS-RZ-2017.2

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Name: Rob Milne

Title: Island Planner

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation

Pauquachin First Nation
Tsartlip First Nation
Tsawout First Nation
Tseycum First Nation

Semiahmoo First Nation
Tsawwassen First Nation

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only)

Regional Agencies

CRD – All Referrals & K. Campbell
CRD – SSI Economic Development Commission
CRD – SSI Parks and Recreation
CRD – SSI Senior Manager
CRD – Housing Secretariat
CRD – Ganges Water & Sewer Commission
Vancouver Island Health Authority

Non-Agency Referrals

North Salt Spring Waterworks District
School District No. 64
SSI Chamber of Commerce
SSI Fire Protection District
SSI Water Preservation Society
SSI Water council Society

Provincial Agencies

BC Assessment Authority
Ministry of Municipal Affairs and Housing
Ministry of Transportation & Infrastructure
Ministry of Natural Resource Operations – Archaeology Branch
Ministry of Forest Lands & Natural Resource Operations – Environment
Ministry of Forest Lands & Natural Resource Operations – Front Counter BC
Ministry of Jobs, Tourism & Skills

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

504 and 505
(Bylaw Number)

(Title)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area **Bylaw No.:** 508 **Date:** October 19, 2017

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response by November 30, 2017. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Robert Irving, Irving Pitchers Architects Ltd., 613 Horton Bay Rd., Mayne Island, BC – 250-539-5225 –
irvingpitcherarchitects@gmail.com

PURPOSE OF BYLAW:

Rezoning application to permit 13 additional commercial accommodation units, as well as three dwelling units for the exclusive use of hotel staff for a total of 55 units to the property.

GENERAL LOCATION:

Harbour House Hotel, 121 Upper Ganges Road, Salt Spring Island, BC

LEGAL DESCRIPTION:

Lot 1 Section 3 Range 3 East North Salt Spring Island Cowichan District Plan 11914 Except Parts In Plans VIP56622 and VIP59981 – PID 004-909-721

SIZE OF PROPERTY AFFECTED:

2.97 acres

ALR STATUS:

None

OFFICIAL COMMUNITY PLAN DESIGNATION:

Development Permit Area 1 – Island Villages

OTHER INFORMATION:

Recorded archaeological site in the area and close proximity to the shoreline.

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Name: Jason Youmans

Title: Island Planner

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation

Malahat First Nation
Pauquachin First Nation
Tsartlip First Nation
Tsawout First Nation
Tseycum First Nation

Semiahmoo First Nation
Tsawwassen First Nation

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only)

Regional Agencies

CRD – All Referrals & K. Campbell
CRD – SSI Economic Development Commission
CRD – SSI Parks and Recreation
CRD – SSI Senior Manager
CRD – SSI Transportation Commission
CRD – Ganges Water & Sewer Commission

Non-Agency Referrals

North Salt Spring Waterworks District
SSI Chamber of Commerce
SSI Fire-Rescue
Partners Creating Pathways

Provincial Agencies

BC Assessment Authority
Ministry of Transportation & Infrastructure
Ministry of Natural Resource Operations – Archaeology Branch
Ministry of Forest Lands & Natural Resource Operations – Front Counter BC

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

BYLAW REFERRAL FORM

RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

508
(Bylaw Number)

(Title)

(Agency)

STAFF REPORT

File No.: 6500-20-
Telecommunications
Strategy

DATE OF MEETING: December 4, 2017
TO: Galiano Island Local Trust Committee
FROM: Rob Milne, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Telecommunications Strategy Project

Recommendation

1. That the Galiano Island Local Trust Committee adopt the draft Antenna System Siting & Consultation Policy presented at the September 11, 2017 regular meeting of the Galiano Island Local Trust Committee as the tool for the review and consideration of antenna system siting proposals within the Galiano Island Local Trust Area.

Problem/Issue

At the September 11, 2017 regular meeting of the Galiano Island Local Trust Committee (LTC) consideration was given to a staff report dated August 22, 2017 regarding the LTC's Telecommunications Strategy project. The staff report reviewed the timing and focus of the proposed Community Information Meeting (CIM). Subsequent to that consideration the LTC adopted the following motion.

GL-2017-076

That the Galiano Island Local Trust Committee confirm that the Community Information Meeting focus only on the siting and consultation protocol.

Subsequently, on October 17, 2017 a CIM was conducted to facilitate public review and discussion regarding the Draft Antenna System & Consultation Policy. This report is intended to review the findings of that meeting.

Analysis

The LTC Community Information Meeting was scheduled for October 17, 2017. The meeting began with an open house session from 1-1:30 p.m. followed by the commencement of formal CIM proceedings at 1:30 p.m.

A quorum of the LTC, as well as two representatives of the SAPC for this project, were in attendance and constituted the head table for this meeting. LTC chair Laura Busheikin listened to the meeting by speaker phone. As many as 25 individuals were in attendance at the meeting and verbal comments were received from eleven individuals, a number of whom addressed the meeting several times. A copy of the draft minutes is attached to this report as Attachment 2.

The purpose of the meeting was to review and discuss the Draft Antenna System & Consultation Policy (Attachment 1) and to seek out any recommendations or suggestions for changes or amendments to the

draft policy. However, as may be seen in the minutes, although there was lengthy discussion and various opinions expressed regarding the regulation of cell towers and the potential dangers and harm to human health no suggestions for changes to the policy itself were voiced from those attending the meeting aside from one suggestion that the “precautionary principal” be put back in the staff report.

In response to a question from the floor, addressed to the members of the SAPC sitting at the table regarding possible changes that they would like to see made to the draft policy, Kiyo Akuda expressed disappointment that the “Preserve and Protect” mandate of the Islands Trust mandate is not shown in the LTC’s version of the policy.

In his response Stephen Rybak suggested that “system resiliency in the face of natural disasters and recovery,” could be added as a bullet to page 9 of the policy. As well, he noted that he would like to see addition of language regarding public consultation contained in the SAPC report.

No discussion followed regarding the suggestions from the SAPC members.

Summary

Both the SAPC final report, upon which the Draft Antenna System & Consultation Policy is based, and the draft policy have been previously reviewed by the LTC and direction given to proceed with a CIM based upon the Draft Antenna System & Consultation Policy presented to the LTC in a staff report dated August 22, 2017 which was presented at the September 11, 2017 regular meeting. The purpose of the CIM was to facilitate public review and discussion regarding the draft policy.

As may be seen from the minutes of the CIM as many as 25 individuals attended that meeting and the only clear suggestions for amendments to the draft policy received were from the members of the SAPC, which did not attract further comment from the attendees at the meeting. As such, no clear consensus amongst the attendees on those suggestions can be identified.

It is the observation of staff that the requested CIM did not identify any recommendations for change which could be described as representing any form of consensus for amendments to the draft policy.

Submitted By:	Rob Milne, Island Planner	November 7, 2017
Concurrence:	Robert Kojima, Regional Planning Manager	November 7, 2017

ATTACHMENTS

1. A1- Draft Antenna System Siting & Consultation Policy
2. October 17, 2017 CIM minutes

ANTENNA SYSTEM SITING & CONSULTATION PROTOCOL

OBJECTIVES

The objectives of this Protocol are to:

1. Establish a siting and consultation process for reviewing land use issues associated with antenna siting proposals that is harmonized with Industry Canada's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* and *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols*.
2. Set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of antenna siting proposals that:
 - a. minimizes the number of new antenna sites by encouraging Co-location;
 - b. encourages designs that integrate with the surrounding land use;
 - c. establishes when local public consultation is required; and
 - d. encourages Proponents to identify and resolve any potential land use, siting or design concerns with the Galiano Island Local Trust Committee (GILTC) at an early stage in the process.
3. Provide an expeditious review process for Antenna System Siting Proposals.
4. Establish a local land use consultation framework that ensures the GILTC and members of the public contribute local knowledge that facilitates and influences the siting, location development and design (including aesthetics) of Antenna Systems within the Galiano Island Local Trust Area (GILTA).
5. Contribute to the orderly development and efficient operation of a reliable, effective radio communication network in the GILTA.
6. Provide the GILTC with the information required to satisfy the requirements of Industry Canada regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the GILTC to Industry Canada and the Proponent at the end of the process.

JURISDICTION

Industry Canada: Under the *Radiocommunication Act* the Minister of Innovation, Science, and Economic Development has the sole jurisdiction over telecommunication facilities. The final authority to approve and license the location of Antenna Systems rests only with Industry Canada.

Galiano Island Local Trust Committee: The ultimate role of the GILTC is to issue a statement of concurrence, concurrence with conditions, or non-concurrence to the Proponent and Industry Canada. The statement will consider the land-use compatibility of the proposed Antenna System with reference to the OCP, responses from affected residents, and the Proponent's adherence to this Protocol. The Local Trust Committee also helps guide and facilitate the siting process by advising Proponents of particular sensitivities, community amenities, planning priorities, other relevant concerns and community consultation expectations. The Local Trust Committee cannot assess any proposal for an Antenna System with respect to any non-placement or non-design related issues or radiofrequency exposure issues and human health, but it can demand attestation of compliance with Health Canada's Safety Code 6. The GILTC can also assess and comment upon environmental impacts.

Proponent: Industry Canada may require that a Proponent intending to install or modify an Antenna System notify and consult with the local land use authority and, if necessary, the local community; and as appropriate

determine local requirements, undertake public notification and address relevant concerns. Proponents must investigate sharing or using existing structures.

Proponents must comply with applicable federal legislation and regulations such as Health Canada's Safety Code 6, Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range From 3 kHz to 300 GHz, the Canadian Environmental Assessment Act, and Transport Canada and NAV CANADA'S painting and lighting requirements for aeronautical safety.

It is recognized that Proponents need to strategically locate Antenna Systems to satisfy technical criteria and operational requirements.

DEFINITIONS

Antenna System: a device, or group of devices, used to receive and/or transmit radio frequency (RF) signals or other federally-licensed communications energy transmitted from or to be received by other antennas. Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter.

This protocol most commonly refers to the following three types of Antenna Systems:

1. **Freestanding Antenna System:** a structure (e.g. tower or mast) built from the ground for the expressed purpose of hosting an antenna or antennas.
2. **Building/Structure-Mounted Antenna System:** an Antenna System mounted on an existing structure such as a building wall or rooftop, a light standard, water tower or utility pole.
3. **Tree-mounted Antenna System:** An Antenna System mounted on a free-standing tree.

Co-location: the placement of antennas and equipment operated by one or more Proponents on a telecommunication Antenna System operated by a different Proponent, thereby creating a shared facility.

Prescribed Distance: distance measured horizontally from the base of the proposed freestanding or building/structure mounted Antenna System.

Proponent: a company or organization proposing to site an Antenna System (including contractors undertaking work for telecommunications carriers) for the purpose of providing commercial or private telecommunications services, exclusive of personal or household users.

Residential Area: lands used or zoned to permit residential uses, including mixed uses.

EXEMPTIONS

The Galiano Island Local Trust Committee exempts Proponents of the following Antenna Systems from its requirements of proposal submission and consultation:

1. Freestanding and Structure-Mounted Antenna Systems with a height not greater than 15 metres above ground level for:
 - a. reception of over-the-air radiofrequency transmissions such as radio and television broadcasts;
 - b. reception of transmissions from satellites including, but not limited to broadcast television;
 - c. wireless internet provision and access in compliance with Industry Canada power and frequency regulations;
 - d. use by the holder of a Certificate of Proficiency in Radio (Amateur Radio) in compliance with Industry Canada regulations;

- e. use by a person or entity for one or two-way voice or data communications in compliance with Industry Canada regulations and license requirements;
 - f. signal boosters to enhance local use, such as for wifi and cellular telephones; and
 - g. installation of an Antenna System that is used for a special event or to support emergency operations and is removed within three months after the emergency or event.
2. Tree-mounted Antenna Systems, without height restriction, for the applications stated in 1) above.
 3. Nonetheless, it may be prudent for a Proponent to consult with the GILTC and the public, if local circumstances warrant. The GILTC should be informed of all federally licensed new Antenna System installations so it can:
 - be prepared to respond to public inquiries;
 - be aware of site Co-location potential on Galiano;
 - maintain records to refer to in the event of future modifications and additions; and
 - engage in meaningful dialogue with the Proponent with regard to appearance and design.

Notwithstanding Industry Canada requirements for proposal submission and consultation, the GILTC may, by resolution, exempt a Proponent's proposal from any or all aspects of public consultation on a case-by-case basis. Informing the GILTC is still required of Proponents.

PRELIMINARY CONSULTATION (SITE INVESTIGATION MEETING)

Proponents are strongly encouraged to consult with the GILTC as early as possible in the antenna siting process. Proponents should notify the GILTC that a location(s) is being physically assessed for a potential Antenna System site. Prior to submitting an Antenna System Siting Proposal, the Proponent should initiate a site investigation meeting with the Islands Trust to:

- identify preliminary issues of concern;
- identify requirements for public notification and consultation; and
- affirm the content of the proposed submission

The Proponent will provide the following information at the site investigation meeting:

- location requirements and locations under consideration;
- preferred location(s), if any; and
- type and height of the proposed Antenna System.

If there is an existing Antenna System in proximity of the proposed site, information concerning the investigation of Co-location possibilities will be provided by the Proponent. The Islands Trust will provide the Proponent with an information package, which includes:

- the GILTC Antenna System Siting & Consultation Protocol;
- information on the GILTC concurrence process;
- information on the known local radio frequency environment
- public notification and consultation expectations;
- a map of Development Permit Areas and Nature Protection Zones; and
- notice of any fees, if applicable.

CONSULTATION PROCESS

Several parameters will determine the steps that a Proponent planning to install a transmitting Antenna System is required to take, including the following categories of Proponents: commercial or non-commercial telecommunications service providers or broadcasters, government agencies, private businesses, and private individuals.

In addition to the category of the Proponent, other parameters are: the height of the Antenna System (less than 15 metres, or equal to and greater than 15 metres), and distance of the Antenna System from the closest residence or other location where groups of people may regularly gather (less than 500 metres, or equal to and greater than 500 metres). All types of antennas are included.

The actions required are one or more of the following steps as indicated in the table below for each category of Proponent:

1. Contact the Islands Trust prior to installation to set up a Site Investigation Meeting and provide information as to the specific location and specifications of the proposed Antenna System (size and power, height of supporting structure) – see ‘Preliminary Consultation’ section.
2. Consult with the Islands Trust regarding any factors to be considered in siting the Antenna System, e.g. location in an environmentally sensitive area, proximity to neighbours, or visibility and appearance.
3. Provide a calculation of the maximum cumulative power density of the proposed Antenna System in relation to distance from the system, taking into account any pre-existing Antenna Systems at the same site.
4. Inform, in writing, the neighbours who live within 1000 metres of the Antenna System location about the proposed installation.
5. Organize, advertise, and host a public information meeting about the proposed installation.
6. Seek the written concurrence of the GILTC for the proposed installation.

NOTIFICATION AND CONSULTATION REQUIREMENTS BY PROPONENT TYPE

Proponent Category #1: Wireless Telecommunications Service Providers and Broadcasters

This category of Proponents includes cellular telephone service providers, wireless internet service providers, and radio and shortwave broadcasters, regardless of whether they are commercial or non-commercial entities.

	Height less than 15 metres		Height 15 metres or greater	
	Distance less than 500 m from neighbour	Distance 500 m or greater from neighbour	Distance less than 500m from neighbour	Distance 500m or greater from neighbour
Inform LTC of location and specifications	X	X	X	X
Consult LTC regarding location	X	X	X	X
Provide power density calculation	X	X	X	X
Inform neighbours within 1 km	X		X	X
Host public information meeting	X		X	X
Seek LTC Letter of Concurrence for Industry Canada	X		X	X

Proponent Category #2: Government Agencies

A second category of Proponents includes government agencies such as police, fire protection, ambulance, other emergency services, BC Ferries, and BC Hydro who maintain their own two-way telecommunication networks using Antenna Systems that comply with Industry Canada regulations and license requirements. Although not required to do so, government agencies are strongly encouraged to inform the LTC about the location and specifications of their antennas under 15 metres in height.

	Height less than 15 metres		Height 15 metres or greater	
	Distance less than 500 m from neighbour	Distance 500 m or greater from neighbour	Distance less than 500m from neighbour	Distance 500m or greater from neighbour
Inform LTC of location and specifications			X	X
Consult LTC regarding location			X	X
Provide power density calculation			X	X
Inform neighbours within 1 km			X	X
Host public information meeting			X	X
Seek LTC "letter of concurrence" for Industry. Canada			X	X

Proponent Category #3: Private Businesses

This category of Proponent includes businesses on commercially zoned property, such as a marina, which may use a fixed antenna for marine radio telecommunications.

	Height less than 15 metres		Height 15 metres or greater	
	Distance less than 500 m from neighbour	Distance 500 m or greater from neighbour	Distance less than 500m from neighbour	Distance 500m or greater from neighbour
Inform LTC of location and specifications			X	X
Consult LTC regarding location			X	X
Provide power density calculation			X	X
Inform neighbours within 1 km			X	X
Host public information meeting			X	X
Seek LTC "letter of concurrence" for Industry. Canada			X	X

Proponent Category #4: Private individuals

Although not required to do so, private individuals are strongly encouraged to inform the LTC about the location and specifications of external send-receive Antenna Systems for wireless connection to the Internet, for locally boosting a weak cellular signal, or for amateur radio operations ("ham radio") that are licensed by Industry Canada and are greater than 15 metres in height.

PROPOSAL SUBMISSION

The Proponent will submit to the Islands Trust an Antenna System Siting Proposal which must include, as applicable, the following information:

1. A letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, the nature and coverage of existing Antenna Systems in the general area, and a summary of opportunities for Co-location on existing or proposed Antenna Systems within 500 metres of the subject proposal.
2. Location including legal description, street address and latitude and longitude of the proposed Antenna System.
3. Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent or other person(s) having legal or equitable interest in the land.
4. A map showing the horizontal distance between the base of the proposed Antenna System and the nearest property in residential use.
5. For Antenna Systems requiring public consultation, a map showing all properties located within 1000 metres of the proposed Antenna System.
6. An attestation that the Antenna System will operate in compliance with Health Canada's Safety Code 6 which sets radiofrequency emission levels.
7. Details of the proposed system including: frequency bands and power of transmitter(s); elevation of the site and height of the antenna(s) above ground level; and, gain, azimuths and vertical and horizontal beam widths of antennas.
8. Calculation of RF density levels including distance to the Safety Code 6 compliance level (Reference Level Power Density) in the main beam of the antenna(s); and, distances to fractions of the compliance level (e.g. 50, 10, 1 percent), or fractions of the compliance level at distances (e.g., 10, 100, 250, 500 metres) from the base of the proposed Antenna Structure.
9. Cumulative power density levels within antenna beam directions from multiple transmitters or transmission on more than one frequency band, including an assessment of co-located third-party equipment and other Antenna Systems within 100 m of the proposed antenna.
10. A description (or map) of the area of coverage or point or points to which transmissions will be directed.
11. A description of the benefits of the Antenna System to Galiano Island residents, businesses and visitors.
12. A description of the backup power system including energy source, duration of operation and level of automation.
13. Graphic portrayals including plan and elevation drawings showing tower, guy wires, buildings, fencing, etc. as applicable, and location of the development on the property.
14. Transport Canada marking requirements including painting and lighting details.
15. A review of visibility from residences and public transportation corridors within 1000 metres of the installation (photos with proposed structures superimposed may be appropriate).
16. Details of access for construction and ongoing operation, and the location of utility corridors, and assessment of environmental impacts and planned mitigation measures.
17. Details of planned security including fencing, gates and alarms.
18. Accessibility for the fire department and emergency vehicles.

PUBLIC CONSULTATION PROCESS & TIMEFRAME

If required, and based on the results of the Proponent's public information and consultation process, the community's reaction to the Antenna System Siting Proposal and a staff assessment, the GILTC will proceed to affirm its concurrence, concurrence with conditions or non-concurrence with the proposal within 60 days of receiving the consultation package, if no further information or community consultation is deemed necessary, at one of its monthly business meetings. If, however, it is deemed that additional community consultation is necessary, the GILTC will convene a community information meeting. The Proponent must cover the cost of the additional community information meeting (advertisement, mailing, and administration cost) by a cost recovery agreement with the Islands Trust. The Proponent is expected to fully participate in the community meeting to address any outstanding issues or concerns.

The GILTC will keep the regional Industry Canada office apprised of its decision-making process and timeframes.

STATEMENT OF CONCURRENCE OR NON-CONCURRENCE

The GILTC, upon completion of its decision-making process, may:

- provide a letter of concurrence to Industry Canada (copying the Proponent) where the proposal addresses, to the satisfaction of the GILTC, the requirements set out in this protocol and will include conditions of concurrence, if required; or
- provide a letter on non-concurrence to Industry Canada (copying the Proponent) if the proposal does not conform to the GILTC's requirements as set out in this Protocol. The GILTC will also communicate any comments on outstanding issues, including those raised in the public consultation process, to Industry Canada.

The letter of concurrence/non-concurrence will be issued with 120 days of the completion of the Proponent's community public information/consultation process.

The GILTC may rescind its concurrence if it is determined by the GILTC that the proposal contains a misrepresentation or a failure to disclose all of the pertinent information regarding the proposal, plans or conditions on which the concurrence was issued have not been complied with and a resolution cannot be reached to correct the issue. In such cases, the GILTC will provide notification in writing to the Proponent and to Industry Canada and will include the reason(s) for the rescinding of its concurrence.

A concurrence remains in effect for a maximum period of 3 years from the date it was issued by the GILTC. If construction has not commenced within this time period the concurrence expires and a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

In addition, if construction has not commenced after 2 years from the date of concurrence was issued, the GILTC requests that the Proponent send written notification of an intent to construct to the GILTC 60 days prior to start of any work to erect the structure.

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent without the need for further consultation, provided that:

- all information gathered by the original Proponent is transferred to the new Proponent;
- the structure and Antenna System for which the concurrence was issued to the original Proponent is what the new Proponent builds; and
- construction of the structure is begun within the duration of the concurrence period.

LETTER OF UNDERTAKING

The Proponent may be required by the GILTC to provide a Letter of Undertaking which may include the following requirements:

- posting of a security for the construction of any proposed fencing, screening or landscaping or building permit requirements determined by the regulations of the Capital Regional District;
- a commitment to accommodate other communications providers on the Antenna System, where feasible, subject to the usual commercial terms and Industry Canada Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements (CPC-2-0-17); or
- all conditions identified in the letter of concurrence.

PREFERRED LOCATIONS & DEVELOPMENT GUIDELINES

Antenna Systems should be sited and designed to respect local sensitivities and preferences in the area administered by the GILTC in accordance with the Official Community Plan.

A Proponent should review the guidelines identified below as early as possible and should attempt to identify and resolve any outstanding issues prior to submitting its Antenna System Siting Proposal and undertaking public consultation.

Proponents are also required to obtain all applicable building permits for additions and/or modifications to existing facilities.

1. Co-location

Before submitting a proposal for an Antenna System on a new site, a Proponent should explore the following options:

- consider sharing an existing antenna site, modifying or replacing a structure, if necessary;
- locate, analyze and review potential use of any feasible existing infrastructure.

Where Co-location on an existing antenna site or structure is not possible, a new Antenna System should be designed with Co-location capacity.

The GILTC recognizes that the objective of promoting Co-location and the objective of making Antenna Systems less noticeable may sometimes come into conflict. Nonetheless, the GILTC will review each submission on its merits with a view to promoting both objectives and, where necessary, determine an appropriate balance between them.

2. Preferred Locations

When new Antenna Systems must be constructed, where feasible, the following locations are preferred:

- 500 metres from residences or buildings that are occupied or are in use on a regular basis;
- outside Nature Protection Zones; and
- on BC Hydro Right-of-Ways.

3. Discouraged Locations

New Antenna Systems, including service corridors, should avoid land zoned as Nature Protection and environmentally sensitive ecosystems, as defined in the Galiano Island Official Community Plan.

4. Development Design Guidelines

Antenna Systems should be designed in terms of minimizing impacts on the natural environment, appearance and aesthetics, to respect their immediate surroundings including being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features and reducing the need for future facilities in the same area.

In preparing its proposal, the factors which the Proponent should consider, but not be limited to, include:

- colour scheme;
- buffering and screening;
- structure;
- height;
- yards and parking;
- service corridors;
- a map depicting the projected useable service area;
- a description of associated microwave link, if applicable;
- a calculation of cumulative power density of the proposed Antenna System and any co-located antennas out to a distance of 500 metres from base of the antenna;
- access roads;
- ancillary buildings and equipment cabinets;
- signage and lighting;
- site security;
- rooftop equipment;
- power sources;
- environmental impacts and mitigation measures;
- seismic risk and design;
- adherence to Safety Code 6 or other health safety standards;
- expected drainage patterns; and
- provision for future Co-location on the structure.

The GILTC encourages Proponents to also outline proposed public consultation activities and be prepared to discuss its proposal at the site investigation meeting.



DRAFT

Galiano Island Local Trust Committee Minutes of Special Meeting

Date: October 17, 2017
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present: Laura Busheikin, Chair (via phone)
Sandy Pottle, Local Trustee (Acting Chair)
George Harris, Local Trustee

Staff Present: Rob Milne, Islands Planner
Colleen Doty, Recorder

Special Advisory Planning Commission Members Present: Kiyo Okuda, Member
Stephen Rybak, Chair

1. OPEN HOUSE

Approximately 25 members of the public attended.

2. CALL TO ORDER

The Community Information Meeting was called to order at 1:30 p.m. Due to weather conditions Chair Busheikin could only join by phone. Trustee Pottle chaired the meeting in her absence. Acting Chair Pottle acknowledged the meeting was held on un-ceded territory of Coast Salish First Nations. Introductions were made.

3. APPROVAL OF AGENDA

By **general consent** the agenda was approved as presented.

4. COMMUNITY INFORMATION MEETING

4.1 Telecommunications Tower Protocol

The LTC received correspondence from **Joan Robertson** and **Rose Longini**.

Stephen Rybak, Chair of the Special Advisory Planning Commission (SAPC), provided a summary of the reference materials and work of the SAPC.

Planner Robert Milne provided a presentation entitled "Galiano Island Antenna System Siting and Consultation Protocol" (the "Protocol"). He noted that documents such as the draft Protocol are not adopted by Bylaw; thus, there would not be a Public Hearing on the matter.

Paul Leblond congratulated members of the SAPC for producing an informative report. He referenced a 2016 Supreme Court of Canada judgment in favour of Rogers Communications Inc., which had sued the Quebec city of Châteauguay for trying to block its efforts to erect a cell tower [Rogers Communications Inc. v. Châteauguay (City), 2016 SCC 23, [2016] 1 S.C.R. 467.] Mr. Leblond was surprised this case was not referenced in any of the Protocol materials, for the judgment seemed at odds with the notion of local government concurrence.

Kiyo Okuda noted the SAPC were unaware of this judgment. The SAPC had specific instructions. Mr. Okuda noted that the Islands Trusts preserve and protect mandate has been defended and supported by the courts.

Stephen Rybak noted that courts have also upheld the decision of some jurisdictions, using similar protocols, to not concur.

Sheila Anderson asked whether, with the Protocol in place, it were possible for a cell tower to be built closer than 500 metres to a residence.

Stephen Rybak stated it would be up to the LTC to judge each application by its merits, but that the Protocol supports having 500m as a buffer for Wireless Telecommunications Service Providers and Broadcasters for towers under and over 15 metres in height. The 500 metres was selected because it had been used in the past. Different measures have been used in different jurisdictions.

Planner Milne noted that Industry Canada (IC) has provided a tool for local governments to craft their own consultation protocol. Through this process, local governments have the ability to have some say.

Sheila Anderson would like to see a clear direction to LTC to not have any towers within 500 metres of any residence.

A/Chair Pottle noted that the SAPC had recommended that no tower be placed within 500 metres of any residence.

Stephan Rybak noted that the Protocol was designed to be technology-neutral. Whatever the proposal, it would have to be judged on its own particular merits.

Kiyo Okuda referred to an epidemiological study of exposure limits at 500m.

Francis Moyle asked whether a proponent would have to demonstrate the anticipated coverage of their proposal.

Kiyo Okuda noted the topography of Galiano and resulting challenges with reception. Because the process is proponent driven, he hoped the LTC could have some authority to make decisions on the strength of proponents' applications based on the principle of prioritizing who receives the benefits: 1) Islanders first, 2) visitors second, 3) rest of BC last.

Stephen Rybak noted that the Protocol underlines that they would like to see evidence of the benefits anticipated.

A member of the public asked whether tower height would be a consideration given by the LTC in weighing a possible application.

Stephen Rybak noted that tower height could be among the conditions.

Tom Hennessy indicated that he himself has been affected by microwave radiation. He urged the LTC to use the Precautionary Principle when evaluating future antennae proposals. He referred to a number of scientific studies showing harmful impacts of microwave radiation, and provided some of his research to the LTC. Among those studies is the Bio-Initiative Report of 2012, which cites numerous health risks associated with chronic exposure to electromagnetic fields and radiofrequency radiation.

Paul Leblond requested a clarification with respect to Proponent Category #4, Private Individuals.

Kiyo Okuda provided clarification.

Discussion followed with respect to third party installers.

Stephen Rybak wanted to see precise language on public participation and consultation to ensure community expectations are clear. He also recommended that proponents be required to advise on the environmental impacts of the particular proposal, noting that the LTC had a better chance of saying non-concurrence because of flora and fauna rather than health concerns for people. Lastly, he noted that proponents need to demonstrate, in their proposal, the benefits to this island.

Kiyo Okuda referred to the chain of authority and noted that consultation guidelines were developed within that framework. While IC has the ultimate authority, he was disappointed that the "Preserve and Protect" Islands Trust mandate was not shown in the staff version of the Protocol. Local land use authorities may develop protocols, but public consultation is not required for installations under 15 metres. He referred to a proliferation of installations under 15 metres because there is no requirement for public consultation. Mr. Okuda acknowledged that his position, with respect to BC Hydro's Smart Metres being defined as telecommunications and made to comply with IC standards, is contrary to the SAPC majority view. Proponents are supposed to consider the local radio-environment. He was concerned that IC likely does not have a record of installations and would like to see the LTC keep a record, to inform residents.

Sheila Anderson would like to see the Precautionary Principle put back into the Staff Report.

There was discussion about Health Canada's Safety Code 6 (SC6) and Smart Metres.

Stephen Rybak recommended people read a recent study by the Centre for Disease Control (2016) referencing Smart Metres.

Peter Midgley, former SAPC Commissioner, clarified that IC have regulations in effect for Smart Metres and that they do comply. He noted that Parker Island, Phillimore Point and other islands, will never have land lines. His further comments:

- 1) With respect to the draft Protocol recommendation to add BC Hydro Right of Ways as preferred locations: There are only three (3) towers with base elevations over 200 metres. Their locations are not optimal, nor is their road access, or power supply. Even though power is being sent over to Vancouver Island, it does not mean there is power available at the site. Solar sites have stiff regulations.
- 2) With respect to the recommendation to have the LTC provide information on the local radio-environment, he thought this would be onerous for staff, who have indicated they did not have the ability to provide that information.
- 3) Requirements to have antenna beam lengths and widths might be too much.
- 4) Requirements to have SC 6 compliance levels sounds confusing in the Protocol, but is not, in reality.
- 5) He claimed responsibility for having drafted complex details in the consultation protocol, and emphasized that it would be helpful to see that information in a proponent's application.

He reminded the LTC of a petition of 480 names requesting improved cellular service and connectivity. He also referenced the SAPC survey where a high percentage of people supported improved telecommunications. He noted the market is small, and not attractive to proponents. To justify any improvements to Galiano, we may have to accept improved service to others, as well.

A/Chair Pottle asked whether there was any device that could measure EMF.

Mr. Midgley responded there were several receivers that could add up all EMF's; however, the challenges inherent with such an approach were noted.

Dawn Lybarger expressed concern about the demographic present at the CIM. With the timing of the meeting falling within business hours, many working people were unable to attend. She thought after-hours meeting times were better and would like to see a wider sampling of public consultation.

Ed Andrusiak echoed thanks to the SAPC. He was concerned about disaster-resilience and would like to see resilience factors worked into the Protocol to account for high winds, fires, earthquakes.

Trustee Harris, while acknowledging the point, noted it was the job of engineers of proponent technology to consider resilience factors.

Kiyo Okuda referred to the last page of the SAPC Final Report, showing geographic correlations from mail survey respondents (not online survey respondents) and satisfaction levels. The most unsatisfied group (75%) were

located in zone 9. Also, many respondents were satisfied without internet. He noted the potential for fibre-optic; Galiano already has fibre-optic cable across it.

There was discussion about SC6 and its latest revision in 2015.

A member of the public noted that cell phones should be 5cm away from the body.

Stephen Rybak would like to see the public consultation section in the staff version of the Protocol strengthened. He thought that section 4.6.6 (p. 28) of the SAPC report was more robust.

Planner Milne noted that the Islands Trust cannot charge a proponent a fee.

Ed Andrusiak agreed with past comments about fibre-optic potential, commenting, however, that it was not resilient on its own. To make a system robust, he supported having a combination of various technologies.

Stephen Rybak proposed a bullet, "system resiliency in the face of natural disasters and recovery," could be added to page 9 of the Protocol.

Kiyo Okuda commented on the influence of slow levels of microwave radiation. He was of the view that SC6 should be reconsidered further.

A/Chair Pottle read questions from emails sent to her. One person had asked: How many towers would it take to give everyone cell coverage? The consensus was that this was a complex question given island topography, among other issues. **Another member of the public had asked:** If a neighbourhood within 1km of a cell tower proposal were majority-opposed to it, would it go ahead?

Stephen Rybak noted that the LTC response would depend on the nature of the objections. Some objections might carry more weight.

There was a brief discussion about environmental impacts on wildlife and trees.

5. ADJOURNMENT

There not being any further questions, **by general consent**, the Community Information Meeting was adjourned at 3:30pm, thereby adjourning the Special Local Trust Committee meeting at the same time.

Laura Busheikin, Chair

Certified Correct:

Colleen Doty, Recorder

Top Priorities

Galiano Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Telecommunication Strategy	Review telecommunication options, including policies for telecommunication towers, on Galiano Island.	01-Feb-2016	Rob Milne	01-Dec-2017
2	Affordable Housing Strategy	Special APC to review options	07-Mar-2016	Rob Milne	31-Oct-2018
3	Dock Review	Review issues regarding docks and new shoreline information and whether changes are required to the LUB.	07-Mar-2016	Rob Milne	31-Oct-2018

**Projects****Galiano Island**

Description	Activity	R/Initiated
Soil Removal and Deposit Bylaw	Review need and options for implementation of soil removal and deposit bylaw	12-Sep-2011
Comprehensive Watershed Planning	?	01-Oct-2016
Commercial Vacation Rental (TUP) Review	Review the Temporary Use Permit (TUP) guidelines in the Official Community Plan in relation to commercial vacation rentals.	05-Dec-2016
Amendments to Forest designation and F1 zone -	Consider options for amendments to Forest Land Designation and policies and F1 zoning for lands without Managed Forest Status. Draft bylaws have been prepared, project deferred at meeting of April/12	16-Apr-2012
Parking Issues	Issue for discussion with MoTI and public parking issues generated from associated islands. (see correspondence from P. Midgely on agenda of Apr/12)	23-Jul-2012
Bike Trails and Camping	Letter dated July 8, 2013 received from Galiano Parks and Recreation Commission regarding bike safety on Galiano roads (See Transportation policy U of Section 1.1) and for the allowance of non-commercial camping on private lots.	15-Jul-2013
Ocean Based Geo-Exchange Systems	Review of regulations for geo-thermal exchange use.	18-Nov-2013
Information Note Addition	Add in Information Note on Archeological Sites under General Regulations	18-Nov-2013
Light Industrial Zoning	A review and inventory assessment of existing and potential light industrial zones.	18-Nov-2013
Land Use Bylaw Amendments	To review LUB for: any technical/administrative bylaw amendments (e.g. definition references and numbering), shoreline zoning wording, crown lot rezonings, and review park zoning (specifically to allow stairs in setbacks).	07-Jul-2014

Projects

Galiano Island

Description	Activity	R/Initiated
Community Benefit Review for Forest Lands	Staff to prepare preliminary report for new LTC	08-Sep-2014
Consider amendments to re-designate and rezone crown owned Forest lots.- Bylaws 231, 232 at First Reading	re-refer to FLNRO for comment	



Islands Trust

Print Date: November 27, 2017

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GL-DP-2017.3	Ellen & Dan Walker Planner: Phil Testemale	27-Sep-2017	Combo DP/DVP application - see xref GL-DVP-2017.6
Planning Status			
Status Date: 18-Oct-2017 Contacted applicant to assess timing with submission of required biologist's report.			
Status Date: 03-Oct-2017 \$55.00 received			
Status Date: 27-Sep-2017 opened DP file for permit generation. See xref GL-DVP-2016.6			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2017.6	Daniel & Ellen Walker Planner: Phil Testemale	20-Sep-2017	Vary the 6m setback from the exterior side lot line on the westerly edge of the property to accommodate tanks and dispersal system.
Planning Status			
Status Date: 18-Oct-2017 Awaiting complete information for DP file to bring forward together.			
Status Date: 27-Sep-2017 now a combo application will open DP file.			
Status Date: 26-Sep-2017 opened file, processed fee, notified LTC, gave to RPM for planner assignment			

Rezoning

File Number	Applicant Name	Date Received	Purpose
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Applications

GL-RZ-2014.1

Crystal Mountain
Society

28-Oct-2014

20300 PORLIER PASS RD

To allow for year round use of the Forest Retreat Centre

Planner: Rob Milne**Planning Status****Status Date:** 30-Oct-2017

Waiting for further information and documentation from applicants.

Status Date: 28-Nov-2016

Waiting for final community benefit document, proposal, and community consultation review from applicant.

Status Date: 22-Sep-2016

Applicant finalizing community benefit document for November LTC meeting.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2016.2	GALIANO CONSERVANCY ASSOCIATION	08-Aug-2016	DL 57 10825 Porlier Pass Rd Rezoning from Rural to Environmental Education use and Nature Protection.
Planner: Rob Milne			

Planning Status**Status Date:** 10-Nov-2017

Confirmation received from applicants that the CRD and the Parks and Recreation Commission had reviewed and approved the draft covenant agreements.

Status Date: 30-Oct-2017

Waiting for detailed information regarding trail and roadway rights-of-way from applicants. Report to be provided to the LTC once materials received and reviewed.

Status Date: 23-Oct-2017

Confirmation received from MOTI that there were no objections to the CRD holding trail and roadside covenants.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2017.1	DL37 Holdings, F. Stevens & I. Stevens	02-Aug-2017	Rezone DL37 from F1 to FLR
Planner: Rob Milne			

Planning Status

Applications

Status Date: 22-Nov-2017

Draft questionnaire/flyer sent to chair for review prior to distribution.

Status Date: 14-Nov-2017

Legal services request for information on approaches and tools to address road network and trail plans as well as traffic concerns sent out.

Status Date: 30-Oct-2017

Staff report prepared for Nov/2017 LTC meeting.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2017.2	BERNARD MIGNAULT Planner: Rob Milne	02-Nov-2017	Rezone from F1 to RR2
Planning Status			

Status Date: 21-Nov-2017

Fees short 100.00, contacted applicant. Planner working on file, notified LTC.

Status Date: 07-Nov-2017

PTA awaiting full fees before passing file to planner

Subdivision

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2017.1	Glen Mitchell, Land Surveying Inc. Planner: Rob Milne	16-Jun-2017	Boundary adjustment between two parcels.
Planning Status			

Status Date: 21-Jun-2017

Review response sent to MOTI, agent and LTC.

Status Date: 20-Jun-2017

Staff review of referral and response sent to MOTI. No concerns with proposed subdivision as referred. No conditions precedent of PLA recommended.

Status Date: 20-Jun-2017

Staff review/report completed.

**Temporary and Industrial Use Permit**

File Number	Applicant Name	Date Received	Purpose
GL-TUP-2016.1	Jon & Connie Stettner	07-Mar-2016	2625 E. BEEKMAN PL Requesting a permit to use property as a STVR.

Planner: Phil Testemale**Planning Status****Status Date:** 25-Sep-2017

Covenant completed waiting for confirmation that it has been executed and registered with LTO

Status Date: 26-Jul-2017

Lawyer has indicated that Covenant is close to being finalized

Status Date: 29-May-2017

Lawyer for applicant has requested extension as he has been unable to get a response to drafted Covenant from SSWW

File Number	Applicant Name	Date Received	Purpose
GL-TUP-2017.4	GARY M SIMPSON LORI J MCHATTIE	13-Oct-2017	To permit the home as an STVR.

Planner: Rob Milne**Planning Status****Status Date:** 23-Nov-2017

Returned applicant phone call to discuss requested information.

Status Date: 22-Nov-2017

Initial review and processing commence. Two emails sent to applicant requesting information not included in the application submission

Status Date: 24-Oct-2017

opened file, notified bylaws, LTC, processed fee, gave to planner

Islands Trust
 LTC EXP SUMMARY REPORT F2018
 Invoices posted to Month ending October 2017

625 Galiano	Invoices posted to Month ending October 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-625	LTC "Trustee Expenses"	750.00	197.16	552.84
LTC Local				
65200-625	LTC - Local Exp - LTC Meeting Expenses	5,500.00	2,217.10	3,282.90
65210-625	LTC - Local Exp - APC Meeting Expenses	500.00	731.28	-231.28
65220-625	LTC - Local Exp - Communications	500.00	591.05	-91.05
65230-625	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>7,000.00</u>	<u>3,539.43</u>	<u>3,460.57</u>
Projects				
73001-625-2002	Galiano OCP/LUB	5,000.00	481.33	4,518.67
73001-625-4065	Galiano Dock Review	4,500.00	0.00	4,500.00
73001-625-4081	Galiano Telecommunications Strategy	5,000.00	640.57	4,359.43
TOTAL Project Expenses		<u>14,500.00</u>	<u>1,121.90</u>	<u>13,378.10</u>

Galiano Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: December 5, 2016

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 11, 2009 / Amended February 3, 2014	GL-LTC-85-09 Amended:	Parks Commission Referral	That staff refer all applications adjacent to a park or ocean access to the Galiano Island Parks and Recreation Commission for comment
2.	October 18, 2010	GL-LTC-115-10	Publishing Notices beyond legal requirements	THAT the Galiano Island Local Trust Committee will advertise Public Hearing Notices in either the Active Page Magazine or Islands Tides Newspaper in addition to the legally required advertising in the Driftwood Newspaper.
3.	October 17, 2011	GL-LTC-205-11	Special Occasion Liquor Licenses	THAT where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property on which Galiano Island Land Use Bylaw No. 127, 1999 permits public assembly uses, such as restaurants or community halls, and where there have been no issues related to parking or past complaints for the preceding three years , staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.
4.	February 3, 2014		Applications with Open Bylaw Enforcement files	On properties where there is an open bylaw enforcement file, planning staff should refer planning applications to the Bylaw Enforcement Manager for comment where one or more of the following circumstances exist: 1. There have been significant delays or longer than typical timelines in the enforcement process 2. The LTC is considering on-going, relevant policy or regulatory changes that could impact enforcement 3. Litigation has been recommended 4. Legal counsel has been involved (beyond providing a basic interpretation) 5. There has been enforcement action beyond seeking voluntary compliance (e.g. a BEN warning or ticket, adjudication, a compliance agreement negotiated, etc.) 6. There has been, or is an expectation of, joint enforcement with other jurisdictions 7. There is potential for impact on other related enforcement files.

No	Meeting Date	Resolution No.	Issue	Policy
5.	April 7, 2014	GL-2014-029	Community Wells as a Community Benefit	That the Galiano Island Local Trust Committee will consider as a community benefit for all rezoning applications where there is an increase in density, the establishment of an instrumented observation well.
6.	December 5, 2016	By consent	TUP for Commercial Vacation Rentals	Without fettering its discretion, the LTC provided the following guidance with respect to its consideration of TUP applications for Commercial Vacation Rentals: 1. A Commercial Vacation Rental use should only be considered in one dwelling per lot 2. Permits being considered in Water Management Areas should include conditions requiring cisterns with a minimum capacity of 16,000 litres and a water meter. 3. In order to assist in assessing cumulative impacts, staff are requested to continue to provide an updated map showing the location, status, and maximum number of guests of all Commercial Vacation Rental TUP applications.

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