



**GALIANO ISLAND
LOCAL TRUST COMMITTEE
BUSINESS MEETING AGENDA
TO COMMENCE AT 1:00 PM, MARCH 11, 2013
AT THE SOUTH COMMUNITY HALL
141 STURDIES BAY ROAD, GALIANO ISLAND, B.C**

***Approximate** time is provided for the convenience of the public only and is subject change without notice.

	Page #	*Approx. Time*
1. CALL TO ORDER		1:00 pm
2. APPROVAL OF AGENDA		1:05 pm
2.1 Questions on Agenda Items		
2.2 Town Hall Session		
3. COMMUNITY INFORMATION MEETING		
3.1 Proposed Galiano Island Bylaw 239 (LUB Amendments)		1:20 pm
4. PUBLIC HEARING		
4.1 Proposed Galiano Island Bylaw 239 (LUB Amendments)		1:45 pm
5. PREVIOUS MEETINGS		2:15 pm
5.1 Local Trust Committee Minutes for Adoption (attached)		
5.1.1 Minutes of February 18, 2013 Local Trust Committee Business Meeting	1	
5.1.2 Minutes of February 23, 2013 Special Meeting	16	
5.2 Public Hearing Records and Community Information Meeting (attached)		
5.2.1 Notes of February 18, 2013 Community Information Meeting	19	
5.2.2 Record of February 18, 2013 Public Hearing Record	24	
5.3 Section 26 Resolutions-without-meeting - none		
5.4 Advisory Planning Commission - none		
6. BUSINESS ARISING FROM THE MINUTES		
6.1 Follow-up Action Report (attached)	26	

7. DELEGATIONS

7.1 Arnie Bell re: OCP/LUB Size of Guest cabins

----- BREAK (15 minutes) -----

3:00 pm

8. CORRESPONDENCE (attached)

[correspondence received concerning applications and/or projects is considered with the application/project]

- 8.1 G. Kappel letter dated February 17, 2013 re: Light Industrial Land owned by B. Gaylor 29**
- 8.2 K. Lenglet email dated February 24, 2013 re: Guest Cottage 30**

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

3:20

- 9.1 GL-RZ-2011.1 (Dewinetz) Update on BC Parks – Guest Speaker: Sharon Erickson, Section Head, Planning, BC Parks, West Coast Region,(attached) 31**
- 9.2 Report for Gaylor Covenant on Noise Abatement Options (attached) 33**

10. LOCAL TRUST COMMITTEE PROJECTS

- 10.1 Proposed Bylaw No. 239 (Land Use Amendment) – for further consideration (attached) 46**
- 10.2 Proposed Bylaw No. 240 (Land Use Amendment) (attached) 50**
- 10.3 Proposed Bylaw No. 238 (Land Use Amendment) (Chegwidden) (attached) 63**
- 10.4 Development Permit Area Implementation (attached) 64**

11. REPORTS

4:30 pm

- 11.1 Work Program Reports - for Information**
 - 11.1.1 Galiano Island Local Trust Committee Work Program - Report dated March 2013 (attached) 81**
- 11.2 Applications Report - for information**
 - 11.2.1 Galiano Island Applications Report dated March 2013 (attached) 84**
- 11.3 Expense/Budget Reports - for information**
 - 11.3.1 LTC Expense Report (attached) 88**
 - 11.3.2 LTC Budget 2012-2013 (attached) 89**
- 11.4 Bylaw Enforcement - none**
- 11.5 Policies and Standing Resolutions Report (attached) – for information 90**
- 11.6 Galiano Island LTC Web Page for Review (attached) – for information 92**

11.7	Chair's Report	
11.8	Trustee Report	
12.	OTHER BUSINESS	
12.1	Upcoming Meetings	
12.1.1	Local Trust Committee Business Meeting at 1:00 p.m. Monday, April 8, 2013, South Community Hall, Galiano Island	
12.2	Natural Marine Conservation Area Exclusion Zones (attached)	94
12.3	Laughlin Lake Addition – Lot 5 Acquisition (attached)	98
12.4	Statement of Cooperation for the Coastal Douglas Fir and Associated Ecosystems Conservation Partnership (CDFCP) (SP) (attached)	101
13.	TOWN HALL MEETING	
14.	ADJOURNMENT	5:00 pm

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE MEETING
HELD ON MONDAY, FEBRUARY 18, 2013 AT 1:00 PM
AT THE SOUTH ISLAND COMMUNITY HALL,
GALIANO ISLAND, B.C.**

<u>PRESENT:</u>	Ken Hancock	Chair
	Louise Decario	Local Trustee
	Sandy Pottle	Local Trustee
	Kris Nichols	Island Planner
	David Millership	Recording Secretary

There were approximately thirty-five (35) members of the public present.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 1:05 p.m. Introductions were made and the meeting introduced.

Chair Hancock stated appreciation and acknowledgment that today's meeting is taking place on the traditional territories of the Coast Salish people.

2. APPROVAL OF AGENDA

Chair Hancock asked for any additions or changes to the agenda; no amendments were made.

The agenda was Approved by consent.

2.1 Questions on Agenda Items

None

2.2 Town Hall Session

Chair Hancock invited the public to make comment.

Avis Seeds stated that she is one of three Galiano Water District Trustees. Ms. Seeds stated concern that Galiano Land And Community Housing Trust (GLCHT) *Table 1. Summary of Water Wells in Vicinity of Proposed Development* is not taking into account water usage data of all wells in proximity.

Andrew Loveridge stated support for the GLCHT moving forward. Mr. Loveridge stated that GLCHT data relating to wells for water is for legal purposes only and should not pose any problems because in reality GLCHT plans on using rainwater catchment methods instead of wells.

Roger Pettit asked the LTC if Proposed Bylaw No. 237 is being considered at today's meeting.

Chair Hancock responded that Proposed Bylaw No. 237 is being considered at today's meeting under agenda items 3.2 (Community Information Meeting (CIM)) and 10.1 (LTC Projects).

Olaf Knezevic stated concern that the well on the Elliot property is not reflected in GLCHT water data.

Chair Hancock responded that GLCHT water data would be reviewed and updated as needed via LTC processes.

Doug Latta stated that he is Chair of GLCHT and that hydrologist data shows that the Galiano Seniors Housing well, which is closest in proximity to GLCHT, would only be 0.29% affected by GLCHT water usage based on calculations relating to 40 people showering and doing laundry every day.

Mike Hoebel stated that column number one of GLCHT *Table 1. Summary of Water Wells in Vicinity of Proposed Development* identifies wells by number rather than by owners name and such information, upon further consideration, might alleviate some raised concerns.

Ron Taylor stated that names and well numbers listed in GLCHT *Table 1. Summary of Water Wells in Vicinity of Proposed Development* do not coincide.

Chair Hancock re-stated that GLCHT water data would be reviewed and updated as needed via LTC processes.

There being no further comments from the public, Chair Hancock closed the Town Hall meeting.

3. COMMUNITY INFORMATION MEETING

3.1 GL-RZ-2011.2 (Dewinetz)

See separate Community Information Meeting notes dated February 18, 2013.

3.2 Proposed Bylaw No. 237 (LUB Amendments)

See separate Community Information Meeting notes dated February 18, 2013.

4. PUBLIC HEARING

4.1 Proposed Bylaw No. 237 (LUB Amendments)

See separate Public Hearing (PH) Record dated February 18, 2013.

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes for Information

5.1.1 Adopted Minutes of December 3, 2012 Local Trust Committee Business Meeting

Provided for information purposes only.

5.2 Public Hearing Records and Community Information Meeting

None

5.3 Section 26 Resolutions-without-meeting

Two resolutions were referenced.

5.4 Advisory Planning Commission

5.4.1 Minutes of January 4, 2013 Advisory Planning Commission Meeting

Received by virtue of being on the agenda.

Provided for information purposes only.

5.4.2 Minutes of January 11, 2013 Advisory Planning Commission Meeting

Received by virtue of being on the agenda.

Provided for information purposes only.

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Nichols provided information and items were discussed with regards to status and action.

Trustee Decario asked Planner Nichols if the Ministry of Transportation and Infrastructure (MoTI) has hired a new manager yet.

Planner Nichols responded that MoTI has not yet hired a new manager.

Trustee Pottle stated that Dora Fitzgerald communicated to her that applicant Romagnoli is ready to proceed.

7. DELEGATIONS

None

8. CORRESPONDENCE

Note: Correspondence items are received by virtue of being on the agenda.

Note: Correspondence received concerning applications and/or projects is considered with the application/project.

8.1 P. LeBlond letter dated January 26, 2013 re: Gaylor Covenant

Received by virtue of being on the agenda.

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 Covenant ET016476 (DL 48)

Planner Nichols provided information and stated that the applicant is requesting to amend a covenant on a Forest Industrial (FI) zoned lot (Lot 1) and to remove a covenant from an adjacent lot (Rem. D.L. 48).

Planner Nichols stated that the LTC was recently provided the Public Hearing record that resulted in covenant ET016476.

Brett Gaylor was in attendance and spoke on behalf of the application.

Trustee Decario stated that the LTC has agreed to remove the covenant from the adjacent lot (Rem. D.L. 48) and that such will be going to Public Hearing. Trustee Decario stated that with regards to the covenant on the Forest Industrial (FI) zoned lot (Lot 1), the LTC needs to decide any potential changes as well as next steps.

There was some discussion regarding the main concerns of the Public Hearing record that resulted in covenant ET016476 being related to noise and possible contamination and whether or not the covenant is too restrictive.

There was some discussion regarding noise decibels being difficult to judge and enforce, the possibility of activities taking place inside a

closed building, buffering, defined hours of operation and acknowledgement that some noise is to be expected on land(s) zoned FI.

Brett Gaylor stated that some neighbours are supportive of his application and that defined hours of operation seem reasonable. Mr. Gaylor opposed the idea of noise decibel limits being included in the covenant.

Chair Hancock stated that the LTC would like to be provided the proposed amended covenant for review at the March 2013 meeting with a Public Hearing subsequently being scheduled for April 2013.

Brett Gaylor opposed the idea of activities taking place inside a closed building for the reason that such requires investment and is generally not good for a person's health.

There was some discussion regarding possible alternative solutions and the application having been submitted because Mr. Gaylor would like to sell the property.

Planner Nichols stated that alternative solutions were not being offered by staff at this time.

Brett Gaylor stated that he wants to ensure that sawmilling can take place on the property.

Trustee Decario asked Mr. Gaylor if it is clause one that he would like removed.

Brett Gaylor responded that he would like clause one removed and that he would like further discussion regarding the rest.

Resolution GL-LTC-01-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to bring back a draft amended Covenant ET016476 (District Lot 48) including noise abatement measures but deleting reference to decibel readings.

CARRIED

Note: there was a break at 2:40 p.m. and the meeting reconvened at 3:05 p.m.

9.2 GL-RZ-2011.1 (GLCHT) Progress Report

Planner Nichols provided information from *Staff Report dated February 8, 2013 (File No.: GL-RZ-2011.1 (GLCHT)) Re: Galiano Land and Community Housing Trust Application Progress Report.*

Doug Latta was in attendance and spoke on behalf of the application.

Planner Nichols stated that staff needs to meet with GLCHT regarding the housing agreement and become clear on how this project is affordable in perpetuity.

Planner Nichols stated that the GLCHT well/rainwater collection report was not the final version and that the Vancouver Island Health Authority (VIHA) will be required to waive community water requirements in order to proceed.

Planner Nichols stated that 20 units are proposed by GLCHT and that rainwater catchment solutions could be costly.

Planner Nichols recommended that a CIM take place and that GLCHT meet with the Capital Regional District (CRD) to review project costs and project development plans prior to the CIM.

Planner Nichols stated that the affordable housing, self-build housing and green technology project goals are admirable, that the project needs to be well thought out, that all costs associated with the project need to be known ahead of time and that a project demand/needs assessment study should be done.

Trustee Decario thanked Planner Nichols for his comprehensive report and stated that she feels more information is needed from GLCHT. Trustee Decario stated that a final not preliminary water report is needed and stated concern regarding potential GLCHT liabilities relating to the housing agreement.

Trustee Pottle stated that eco-flow septic systems might need to be reconsidered.

Doug Latta responded that eco-flow septic systems need to be cleaned every five to seven years and hence other septic systems are now being considered.

Doug Latta stated that: the hydrologist has finished; GLCHT lined the current well prior to testing in order to prevent further leakage and contamination; the current well pumped four gallons per minute and barely affected the Seniors Housing well which is closest in proximity; GLCHT wants to implement rainwater catchment solutions in order to prevent drilling 20 wells.

Doug Latta stated that there is a lot of work ahead still but that GLCHT intends to do it and achieve their goal of helping people to attain home ownership. Mr. Latta thanked Planner Nichols for his insights and

stated that GLCHT will address any outstanding issues including those to do with liability. Mr. Latta stated that sometimes a leap of faith is needed for the betterment of society.

Chair Hancock stated concern that GLCHT may be relying on the LTC to explain and/or “sell” the project to the community via an LTC CIM and encouraged GLCHT to plan a community information meeting of their own.

Chair Hancock stated concern that GLCHT is not following a proven affordable housing model and commented that combining different concepts is legally and logistically challenging.

Chair Hancock stated that GLCHT must prove to the LTC that the project is affordable and address any issues relating to the water report.

Planner Nichols stated that all concerns need to be addressed and that many different scenarios need to be reported on and considered. Planner Nichols stated that VIHA, CRD and community concerns need to be addressed.

There was some discussion regarding Canada Mortgage and Housing Corporation (CMHC) and CRD grants and the need for a project demand/needs assessment study to be completed.

Doug Latta stated that a need assessment will determine what type of affordable housing is best for Galiano. Mr. Latta acknowledged that the best type of affordable housing for Galiano might not be what GLCHT is currently proposing.

Chair Hancock stated concern that the current GLCHT application model appears prone to risk and stated support for mitigating such risk(s).

Trustee Decario stated that the LTC needs some assurances and further information regarding VIHA, water supply, septic solutions and affordability before scheduling a CIM.

Chair Hancock invited the public to make comment.

Carolyn Jerome stated support for GLCHT and their proposed model of affordable housing.

Roger Pettit stated that he is involved with the affordable housing committee and that many needs assessments have been done and are available.

Chair Hancock stated that the LTC knows GLCHT has good intentions but that the LTC needs to have supporting documents, not just faith, in order for the project to move forward.

Trustee Pottle stated support for GLCHT having a needs assessment study done.

Resolution GL-LTC-02-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to schedule a community information meeting pending additional information from the applicant as referred to in *Staff Report dated February 8, 2013 (File No.: GL-RZ-2011.1 (GLCHT)) Re: Galiano Land and Community Housing Trust Application Progress Report* and in addition that the applicant has met with Capital Regional District Building.

CARRIED

9.3 GL-DVP-2012.5 (Bird)

Planner Nichols provided information from *Staff Report dated January 24, 2013 (File No.: GL-DVP-2012.5) Re: Development Variance Permit for 18715 Porlier Passage Drive* and stated that the applicant(s) seek to vary Article 6.3.6.2 (interior side lot line setback) in the Galiano Island Land Use Bylaw 127, 1999 in order to legalize the siting of a hot tub and surrounding deck.

Katherine and George Bird were in attendance and spoke on behalf of the application.

Neighbours Gwen and Hart Will were in attendance and spoke in opposition of the application.

Planner Nichols stated that two letters received supported the application and two letters received opposed the application.

George Bird stated that he recently installed a new pump and computerized control panel and such has significantly reduced any noise associated with the hot tub.

Trustee Decario asked Mr. Bird if he has addressed their neighbours privacy concerns.

George Bird responded that he does not understand the neighbours concern(s) regarding privacy but is willing to put up a cedar fence panel if needed. Mr. Bird stated that his wife needs the hot tub in order to relieve her back pain and remain productive.

Trustee Pottle asked Mr. Bird if guests of their lodge use the hot tub.

Mr. Bird responded that guests rarely use the hot tub and that their ocean loft guests are the only ones permitted to do so.

There was some discussion regarding possible variance conditions and restricting those who are permitted to use the hot tub.

Hart Will stated concern regarding Islands Trust staff and LTC due diligence. Mr. Will stated that the hot tub is noisy, obtrusive and invades their privacy. Mr. Will stated that the deck that surrounds the hot tub is more like a viewing platform. Mr. Will stated that the applicant(s) cleared trees and built the hot tub platform at the highest point possible in order to view Trincomali Channel which has resulted in them being under constant observation. Mr. Will stated that the applicant(s) built the hot tub platform without permission and re-stated that such is noisy, disturbing and obtrusive and that he and his wife are severely affected by it. Mr. Will stated concern that a hand drawn survey submitted by the applicant(s) was accepted by the Islands Trust as valid and asked the LTC to consider their point of view.

Chair Hancock stated that a site visit was done.

Trustee Decario asked Mr. Will if he asked the applicant(s) not to build the hot tub platform.

Mr. Will responded that the applicant(s) cleared the trees and made no attempt to consult them.

Katherine Bird stated that only two trees were removed and that they chose the location in question because it was level, made sense in relation to their other buildings and provided a view of the ocean. Ms. Bird stated that the Will's have since planted trees in an attempt to create privacy.

Trustee Pottle asked if it might be possible for the applicant(s) and neighbour(s) to work with Planner Nichols in an effort implement privacy solutions. Trustee Pottle stated concern that the applicant(s) built the hot tub and surrounding deck without a permit.

There was some discussion regarding next steps.

Chair Hancock stated concern with possible increased usage of the hot tub if the applicant(s) sold their commercial property.

Trustee Decario stated concern that the hot tub/surrounding deck is very visible and open and supported any type of screening to alleviate

the issue. Trustee Decario stated concern with possible increased usage of the hot tub if the applicant(s) sold their commercial property.

There was some discussion regarding the hot tub/surrounding deck being illegally built/sited within the six metre lot line setback area and whether or not the applicants should be made to move the hot tub/surrounding deck instead of implementing privacy solutions.

Mr. Will stated that they do not agree with any proposed privacy solutions as the hot tub/surrounding deck was built illegally and is too close to the lot line. Mr. Will stated that the applicant(s) has another hot tub on the upper deck of their house.

George Bird stated that the hot tub on the upper deck of their house is not functional and that he and his wife are willing to do anything reasonable to rectify the situation. Mr. Bird stated opposition to moving the hot tub/surrounding deck.

There was further discussion regarding the hot tub/surrounding deck being wide open, having been built illegally within the lot line setback area and the applicant(s) property being commercial in nature.

Resolution GL-LTC-03-13

It was Moved and Seconded that Galiano Island Local Trust Committee development variance permit GL-DVP-2012.5 (Bird) not be approved.

CARRIED

9.4 Salt Spring Island Bylaw No. 465 Referral

Resolution GL-LTC-04-13

It was Moved and Seconded that the Galiano Island Local Trust Committee considered Proposed Salt Spring Island Local Trust Area Bylaw No. 465 referral and decided *Interests Unaffected by Bylaw* and directs staff to respond appropriately.

CARRIED

9.5 Salt Spring Island Bylaw No. 466 Referral

Resolution GL-LTC-05-13

It was Moved and Seconded that the Galiano Island Local Trust Committee considered Proposed Salt Spring Island Local Trust Area Bylaw No. 466 referral and decided *Interests Unaffected by Bylaw* and directs staff to respond appropriately.

CARRIED

9.6 Planner Direction Regarding BC Parks

Resolution GL-LTC-06-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to seek further information from BC Parks and confirmation regarding a management plan and potential covenant holders pertaining to GL-RZ-2011.2 (Dewinetz).

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Proposed Bylaw No. 237 (Land Use Bylaw Amendment)

Resolution GL-LTC-07-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to make the following changes to Proposed Bylaw No. 237 in order to accommodate the concerns of the Minister of Agriculture;

g) By amending Subsection 6.1.1 by adding Article 6.1.1.6 “ agri-tourist accommodation as an accessory use, subject to Subsections 6.1.9 – 6.1.13, and as permitted by the Agricultural Land Commission.”

h) By amending Section 6.1 by adding the following after Subsection 6.1.8:

“Agri-Tourism Accommodation

6.1.9 agri-tourist accommodation must be accessory to a working farm operation as classified as farm under the Assessment Act.;

CARRIED

Resolution GL-LTC-08-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend sections 1. o) and p) of Proposed Bylaw No. 237 by deleting the words “and those used for timber production and harvesting”.

CARRIED

Resolution GL-LTC-09-13

It was Moved and Seconded that Galiano Island Local Trust Committee Proposed Bylaw No. 237, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2012” as amended be given Third Reading.

CARRIED

Resolution GL-LTC-10-13

It was Moved and Seconded that Galiano Island Local Trust Committee Proposed Bylaw No. 237, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2012” be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

10.2 Proposed Bylaw No. 238 (Land Use Bylaw Amendment) – for consideration of second reading

Planner Nichols provided information from *Staff Report dated February 8, 2013 (File No.: GL 6500-20 (LUB Review)) Re: Galiano Bylaw No. 238, Amendment No. 3, 2012 A Bylaw to Amend Galiano Island Land Use Bylaw No. 127, 1999.*

Planner Nichols stated that: the proposed amendment would permit the owner of Lot 46 to be able to construct a dwelling on their lot; the zoning permits the construction of a dwelling, but only if it is accessible by a dedicated highway; the proposed amendment would remove the requirement for a dedicated highway.

There was some discussion regarding this application being initiated by the LTC.

Chair Hancock invited the public to make comment.

Ron Taylor stated that the lot was zoned F2 before being zoned Forest Land Reserve (FLR) and the owner did not request the lot to be zoned FLR.

There was some discussion regarding the Road Network Plan (RNP), the need for an accurate survey, the rezoning application process, budget and next steps.

Resolution GL-LTC-11-13

It was Moved and Seconded that Galiano Island Local Trust Committee Proposed Bylaw No. 238 be deferred pending further discussion with the landowner.

CARRIED

10.3 Proposed Bylaw No. 239 (Land Use Bylaw Amendment) – for consideration of second reading

Planner Nichols provided information from *Staff Report dated February 8, 2013 (File No.: GL 6500-20 (LUB Review)) Re: Galiano Bylaw No. 239, Amendment No. 4, 2012 A Bylaw to Amend Galiano Island Land Use Bylaw No. 127, 1999.*

There was some discussion regarding permitted lot coverage percentages and the possibility of using a uniform percentage for all zones or using percentages specific to each zone, commercial greenhouses, the Pender Island model and next steps.

Resolution GL-LTC-12-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to schedule a public hearing for Proposed Bylaw No. 239.

CARRIED

10.4 Proposed Bylaw No. 240 (Land Use Bylaw Amendment)

Deferred to March 11, 2013 LTC Business Meeting.

10.5 Development Permit Area Implementation Update

Deferred to March 11, 2013 LTC Business Meeting.

11. REPORTS

11.1 Work Program Reports

11.1.1 Galiano Island Local Trust Committee Work Program - Report dated February 2013

The LTC will contact Planner Nichols as needed.

11.2 Applications Report

11.2.1 Galiano Island Applications Report dated February 2013

The LTC will contact Planner Nichols as needed.

11.3 Expense/Budget Reports

11.3.1 LTC Expense Report

The LTC will contact Planner Nichols as needed.

11.3.2 LTC Budget 2012-2013

The LTC will contact Planner Nichols as needed.

11.4 Bylaw Enforcement

None

11.5 Policies and Standing Resolutions Report

The LTC will contact Planner Nichols as needed.

11.6 Galiano Island LTC Web Page for Review

The LTC will contact Planner Nichols as needed.

Note: Chair Hancock and Planner Nichols left the meeting in order to catch a ferry.

11.7 Chair's Report

Deferred to March 11, 2013 LTC Business Meeting.

11.8 Trustee Report

Deferred to March 11, 2013 LTC Business Meeting.

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 "Greening our Shores" Shoreline Stewardship Event – 1:00-4:30 pm, Saturday, February 23, 2013, South Community Hall, Galiano Island

The meeting is scheduled as stated.

12.1.2 Local Trust Committee Business Meeting at 1:00 p.m. Monday, March 11, 2013, South Community Hall, Galiano Island

The meeting is scheduled as stated.

12.2 Natural Marine Conservation Area Exclusion Zones

Deferred to March 11, 2013 LTC Business Meeting.

12.3 Laughlin Lake Addition – Lot 5 Acquisition

Deferred to March 11, 2013 LTC Business Meeting.

12.4 Statement of Cooperation for the Coastal Douglas Fir and Associated Ecosystems Conservation Partnership (CDFCP)

Deferred to March 11, 2013 LTC Business Meeting.

13. TOWN HALL MEETING

Deferred to March 11, 2013 LTC Business Meeting.

14. MOTION TO CLOSE MEETING

Resolution GL-LTC-13-13

It was Moved and Seconded THAT, pursuant to Section 90(a) and (f) of the Community Charter, the Galiano Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting July 9, 2012 Galiano LTC In Camera Minutes and to consider Advisory Planning Commission appointment; and further that staff and Recording Secretary remain present.

CARRIED

15. RECALL TO ORDER

15.1. Rise and Report from Closed Meeting

Trustee Decario stated that the LTC appointed Elizabeth Olson to the Galiano Island Advisory Planning Commission for a two-year term.

16. ADJOURNMENT

Resolution GL-LTC-16-13

It was Moved and Seconded that the Galiano Island Local Trust Committee meeting be adjourned at approximately 5:30 p.m.

CARRIED

RECORDER

CHAIR

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE SPECIAL MEETING
HELD ON SATURDAY, February 23, 2013 AT 1:00 PM
AT THE SOUTH ISLAND COMMUNITY HALL,
GALIANO ISLAND, B.C.**

<u>PRESENT:</u>	Ken Hancock	Chair
	Sandy Pottle	Local Trustee
	Louise Decario	Local Trustee
	Robert Kojima	Regional Planning Manager
	Kris Nichols	Island Planner

There were approximately sixteen (16) members of the public present.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 1:10 p.m. Welcomed the audience, made introductions and introduced the meeting.

2. APPROVAL OF AGENDA

Chair Hancock asked for any additions or changes to the agenda; the agenda was amended by:

- Adding item 2.1 – Trust Fund Board News - Laughlin Lake Nature Reserve Update

The agenda was approved as amended by consent.

2.1 Trust Fund Board News - Louise Decario

Trustee Decario made an announcement that a property has been added to the Laughlin Lake Nature Reserve using Section 99 of the *Local Government Act* (new ecological lot).

3. GREEN SHORES FOR HOMES PROGRAM AND INTREGRATED WATERSHED AND SHORELINE MAPPING WORKSHOP

3.1 Overview - Robert Kojima

Regional Planning Manager Kojima gave the context and overview of the Shoreline Workshop. He spoke of the need to protect the shorelines, gave examples of development that occurs along the shoreline and stated that Galiano has a Shoreline Development Permit Area. He introduced the workshop presenters.

3.2 Integrated Shoreline Mapping – Paul De Greeff

Mr. De Greeff discussed the mapping used in the Shoreline project. He gave an overview of the 6 different types of shoreline classes used: sea cliff, low rock/boulder, bluff, boulder cobble, pebble sand and marsh and fine sediments. He also gave an overview of what makes shorelines vulnerable: sediment transportation system, slope instability, removal of riparian vegetation, pollution, climate change and aesthetic and recreational values. He presented the Galiano Shoreline Map.

3.3 Green Shores – Brian Emmett

Mr. Emmett gave an overview of Green Shores and Green Shores for Homes. He stated that Green Shores was based on 4 principles: connectivity of the coastal processes, maintains or enhances habitat diversity and functions, minimizes or reduces pollutants to marine environment and cumulative impacts to the coastal environment. He stated that the near shore zones are very vital for marine species. He also explained the rating system utilized in Green Shores for Homes.

Break (2:30 pm)

3.4 Eelgrass and forage fish mapping – Kate Emmings

Ms. Emmings gave a brief overview of the Islands Trust Fund Board and its programs. She explained why it is important to map biologic features of the shoreline. She also explained the two areas that they are mapping: forage fish habitat and eelgrass beds and their importance.

3.5 Eelgrass and the Importance of Mapping – Nikki Wright

Ms. Wright of SeaChange Marine Conservation Society described the importance of eelgrass habitat and of the need for improved shoreline data. She stated the importance to consider shoreline areas as “beach sheds” illustrating the connectivity along the shoreline.

3.6 Rockfish and their habitat – Lia Chalifour

Ms. Chalifour of the Galiano Conservancy Association gave an overview of the natural history of the rockfish, the conservation areas near Galiano and how their survival also depends on a healthy shoreline and eelgrass and kelp beds.

3.7 Discussion

A specific question was raised regarding a property owner who lives in a bay and what could be done to protect their property. A few options were presented regarding a beach nourishment approach (i.e. replacing sand and gravel) and that the owner should contact a geomorphology expert.

4. ADJOURNMENT

Resolution GL-LTC-18-13

It was Moved and Seconded that the Galiano Island Local Trust Committee meeting be adjourned at approximately 4:39 p.m.

CARRIED

RECORDER

CHAIR

MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE
COMMUNITY INFORMATION MEETING
HELD ON MONDAY, FEBRUARY 18, 2013 AT 1:20 PM
AT THE SOUTH ISLAND COMMUNITY HALL,
GALIANO ISLAND, B.C.

<u>PRESENT:</u>	Ken Hancock	Chair
	Louise Decario	Local Trustee
	Sandy Pottle	Local Trustee
	Kris Nichols	Island Planner
	David Millership	Recording Secretary

There were approximately thirty-five (35) members of the public present.

Chair Hancock called the meeting to order at 1:20 p.m. Introductions were made and the meeting introduced.

Chair Hancock stated that a Community Information Meeting (CIM) gives the public an opportunity to ask questions.

3.1 GL-RZ-2011.2 (Dewinetz)

Planner Nichols provided information and stated that the application proposed the rezoning of six Bodega Beach Drive lots from Forest 1 (F1) to Nature Protection (NP) and Rural Residential (RR). The application also proposed to rezone the fronting water portion of Lots 20 and 21 from Marine (M) to Marine Protection (MP).

Planner Nichols stated that the total subject area is 89.59 hectares; 72.8% (65.24 hectares) of which is proposed to be rezoned to NP and transferred to BC Parks, thus expanding Bodega Ridge Provincial Marine Heritage Park; and 27.2% (24.34 hectares) of which is proposed for rezoning to RR for future subdivision into 12 residential lots.

Planner Nichols stated that the Official Community Plan (OCP) amendment (Bylaw No. 235) and the rezoning (Bylaw 236) portions of the application have been given first reading.

Planner Nichols stated that a BC Parks representative(s) was invited to today's CIM but none could attend due to staffing and travel restrictions.

Planner Nichols stated that he spoke with Sharon Erickson at BC Parks and that she stated that BC Parks has no plans for the portion of land being given. Planner Nichols stated that Sharon Erickson

indicated that the public would become involved once any planning occurs.

Planner Nichols stated that the applicant has provided a full well water report.

Planner Nichols stated that the following requirements remain: Legal Agreement with Galiano Housing Society for funds from the sale of proposed lot 12; Wetland Protection covenant to protect the identified wetlands that were not included in the DPA mapping; Section 219 Covenant.

Richard Dewinetz was in attendance and spoke on behalf of the application. Mr. Dewinetz stated that as per the request of the Local Trust Committee (LTC), all easements have been removed.

Chair Hancock invited the Trustees to ask questions.

Chair Hancock invited the public to make comment.

Gary Coward (address not stated) referenced his February 14, 2013 letter of correspondence to the LTC Re GI-RZ-2011.2. Mr. Coward stated concern with BC Parks lack of community involvement and expressed disappointment that BC Parks could not attend today's meeting. Mr. Coward asked the LTC if BC Parks - like local organizations and the Trust Fund would - would accept a covenant, restore the land, and provide a management plan.

Planner Nichols responded that the plan is to designate the land NP.

Trustee Decario responded that a conversation with BC Parks is needed.

Trustee Pottle responded that the LTC would like to work something out with BC Parks and that the land in question may not meet Trust Fund criteria. Trustee Pottle stated that the LTC had a good meeting with BC Parks not so long ago and that BC Parks appeared open to putting a covenant on the land and providing a management plan.

Richard Dewinetz stated that the land in question would simply be being added to current parkland. Mr. Dewinetz stated support for Planner Nichols contacting BC Parks and obtaining written confirmation that they are willing to enter into a covenant/management plan.

Chair Hancock amended today's LTC Business Meeting agenda by adding item 9.6 Planner Direction Regarding BC Parks.

Elizabeth Latta (address not stated) stated concern that a BC Parks covenant might not be binding and referenced development taking place in Strathcona Provincial Park as an example. Ms. Latta stated support for the Trust Fund being the covenant holder.

Risa Smith (address not stated) stated support for assured covenants in order to guarantee community benefit. Ms. Smith stated support for the Trust Fund being the covenant holder, not BC Parks.

Chair Hancock stated that the Trust Fund doesn't usually become involved in rezoning scenarios.

Trustee Pottle asked Mr. Dewinetz if the Galiano Conservancy could be the covenant holder.

Richard Dewinetz responded that he has not asked the Galiano Conservancy about being the covenant holder.

Bowie Keefer (address not stated) stated support for BC Parks and the proposed increase in size of Bodega Ridge Provincial Park.

Andrew Loveridge (address not stated) stated concern regarding BC Parks and referenced the backside of Montague Heights as being an example of BC Parks incompetence.

Gary Coward (address not stated) stated support for finding out what BC Parks would be allowed to do without a covenant (i.e. cabins, campsites etc.) on the proposed land. Mr. Coward stated that the current Bodega Ridge Provincial Park is not being managed at all and questioned how BC Parks would be in a position to potentially take on increased land management responsibilities.

Trustee Pottle stated support for Planner Nichols looking into a Section 219 covenant.

Richard Dewinetz stated that he is donating the land and that issues relating to BC Parks and the community are not relevant to him and his application. Mr. Dewinetz re-stated his support for Planner Nichols contacting BC Parks and obtaining written confirmation that they are willing to enter into a covenant/management plan.

Trustee Decario asked Planner Nichols if the rezoning could happen without a BC Parks covenant/management plan commitment.

Planner Nichols responded that any potential covenants/management plans should happen upon land transfer from Mr. Dewinetz to BC Parks.

There being no further comments from the public, Chair Hancock closed the CIM.

3.2 Proposed Bylaw No. 237 (LUB Amendments)

Planner Nichols provided information and stated that in general terms, the purpose of Proposed Bylaw No. 237 is to amend Galiano Island Land Use Bylaw No. 127, 1999. Planner Nichols stated that the proposed amendments would: make the Land Use Bylaw consistent with the adopted changes to the OCP; provide improved clarity and/or correct minor errors that may have made it confusing to those using the bylaw; correct many numeric cross referencing errors. Planner Nichols stated that the substantive amendments include: permitting “Agri-Tourist Accommodations” in the Agricultural zone; adding farmers’ markets, community orchards and community nurseries to the Community Facility Zone as permitted uses; adding farmers’ markets and community hall to the Public Recreation Zone as permitted uses; clarifying accessory building height throughout the bylaw; restricting the creation of split zoned lots; permitting a self-contained accessory dwelling unit for owner, employee or operator in the Light Industrial Zone; adding some definitions.

Chair Hancock invited the Trustees to ask questions.

Chair Hancock invited the public to make comment.

Roger Pettit (address not stated) stated that the changes to the accessory building height do not appear logical.

Planner Nichols responded that the proposed amendments do not change anything but rather clarify the accessory building height throughout the bylaw.

Geoff Paterson (address not stated) stated support for clarifying the accessory building height throughout the bylaw.

Planner Nichols stated that general regulations do apply to each zone and that the proposed amendments make them explicit.

Olaf Knezevic (address not stated) stated opposition to building height restrictions in general.

There was some discussion regarding o) and p) and the need to correct wording related to timber harvesting.

Roger Pettit (address not stated) stated concern that amendments proposed for the Community Facility Zone might result in the North

Galiano Fire Hall building and water storage tank being deemed legal non-conforming.

Planner Nichols responded that Community Facility Zone water storage tanks are exempt from height limits.

Mary Elliot (address not stated) asked what the five-metre height restriction relates to.

Planner Nichols responded the accessory building height restriction would be five metres.

Chair Hancock stated that the LTC is trying to bring the Community Facility Zone into compliance.

Roger Pettit (address not stated) stated concern with limiting Community Facility Zone height restrictions.

Chair Hancock responded that it is of benefit to have a starting point for height restrictions and that such restrictions are there to protect neighbours to some degree.

Roger Pettit (address not stated) stated concern with any potential delays to the building of the new North Galiano Fire Hall.

Chair Hancock responded that Mr. Pettit would be best to discuss his concerns with the Capital Regional District (CRD).

There being no further comments from the public, Chair Hancock closed the CIM.

Chair Hancock declared the meeting adjourned at approximately 2:05 p.m.

RECORDER

CHAIR

**RECORD OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE PUBLIC HEARING
HELD ON MONDAY, FEBRUARY 18, 2013 AT 2:05 PM
AT THE NORTH ISLAND COMMUNITY HALL,
GALIANO ISLAND, B.C.**

<u>PRESENT:</u>	Ken Hancock	Chair
	Louise Decario	Local Trustee
	Sandy Pottle	Local Trustee
	Kris Nichols	Island Planner
	David Millership	Recording Secretary

There were approximately thirty-five (35) members of the public present.

Chair Hancock called the meeting to order at 2:05 p.m. Introductions were made.

Chair Hancock gave notice and stated the meeting rules and guidelines.

4.1 Proposed Bylaw No. 237 (LUB Amendments)

Planner Nichols provided information and stated that in general terms, the purpose of Proposed Bylaw No. 237 is to amend Galiano Island Land Use Bylaw No. 127, 1999. Planner Nichols stated that the proposed amendments would: make the Land Use Bylaw consistent with the adopted changes to the OCP; provide improved clarity and/or correct minor errors that may have made it confusing to those using the bylaw; correct many numeric cross referencing errors. Planner Nichols stated that the substantive amendments include: permitting "Agri-Tourist Accommodations" in the Agricultural zone; adding farmers' markets, community orchards and community nurseries to the Community Facility Zone as permitted uses; adding farmers' markets and community hall to the Public Recreation Zone as permitted uses; clarifying accessory building height throughout the bylaw; restricting the creation of split zoned lots; permitting a self-contained accessory dwelling unit for owner, employee or operator in the Light Industrial Zone; adding some definitions.

Planner Nichols outlined meeting procedures regarding public submissions – all written submissions are welcomed and must be received before the public hearing is closed.

Planner Nichols stated that it is standard procedure for written referral comments and written submissions from the public, if received, to be stored in a public submissions binder that is available for the public to read at anytime upon request.

Planner Nichols stated that upon referral the following agency responses were received: Mayne Island Local Trust Committee (LTC) interests unaffected; Salt Spring Island LTC interests unaffected; Minister of Agriculture opposed to approval; Galiano Island Advisory Planning Commission recommended approval.

Chair Hancock invited the public to make comment.

Geoff Gaylor (address not stated) stated support for a nine metre height restriction for accessory buildings related to forestry and harvesting.

There being no further comments from the public, Chair Hancock closed the Public Hearing for Proposed Bylaw No. 237 (LUB Amendments).

Chair Hancock declared the meeting adjourned at approximately 2:15 p.m.

RECORDER

CHAIR



Islands Trust

Follow Up Action Report w / Target Date

Galiano Island

Jun-11-2012

No.	Activity	Responsibility	Target Date	Status
1	Chair Hancock designated to sign and execute the S. 219 covenant, the S. 218 SRW and the sustainable forestry covenant for GL-RZ-2005.2 (Romagnoli-Smith). Sept 21/12 - email to applicants Oct 15/12 - trustees report that applicants out of country Dec 12, Jan 13 and Jan 29- applicants contacted and requested to provide changes to covenant	Robert Kojima Gary Richardson	Nov-01-2012	On Going

Jul-09-2012

No.	Activity	Responsibility	Target Date	Status
2	GL-RZ-2011.1 (GLCHT) Staff directed to schedule a CIM upon receipt of: confirmation of ALC covenant on title, comprehensive site plan, housing agreement and land lease, and professional assessment of the availability of sustainable long-term groundwater and rainwater catchment (Sept amendments).	Kris Nichols	Feb-18-2013	On Going
3	GL-RZ-2011.2 (Dewinetz): -Staff to invite representatives from BC Parks to attend a future CIM for this application. (CIM completed February 18, BC Parks to attend March 11 meeting) - Staff to enter into cost recovery with the applicant for a legal review of the agreement between the applicant and the Galiano Island Housing Society - DONE -Staff to work with the applicant to obtain the required	Kris Nichols	Feb-18-2013	On Going

groundwater assessment as per OCP policy 2e)
(done)

-Staff to schedule a CIM and Public Hearing (CIM
February 18 , PH April 8?)

-Staff to work with the applicant to draft a S. 219
covenant and enter into cost recovery with the
application for associated legal work

Sep-17-2012

No.	Activity	Responsibility	Target Date	Status
4	9.1 GLCHT - applicants to provide corrected site plan and accompanying tables Resolution to amend GL-LTC-75-12 to require professional assessment of rainwater catchment proposal	Kris Nichols	Feb-18-2013	On Going
5	Staff to arrange meeting between LTC and MoTI staff to discuss Galiano issues. Note: deferred pending hiring of new manager in MoTI Saanich office.	Robert Kojima Kris Nichols	Mar-31-2013	On Going

Nov-19-2012

No.	Activity	Responsibility	Target Date	Status
6	Draft amending bylaws (Draft Bylaw 240) for signage, home occupations and small animal husbandry in residential zones.	Kris Nichols	Feb-18-2013	Done

Dec-03-2012

No.	Activity	Responsibility	Target Date	Status
7	Gaylor Forest Industry Lot and Remnant 1. To bring to the March meeting suggestions for noise abatement for use in the covenant (FI lot). 2. Establish a cost recovery agreement with the owner for covenant amendment and removal. Awaiting PH decision to proceed.	Kris Nichols	Apr-15-2013	On Going
8	9.3 (Retreat Cove Farms)To change the wording in the covenant to comply with current LUB regulations. To establish a cost recovery agreement with the applicant	Kris Nichols	Mar-11-2013	On Going

Feb-18-2013

No.	Activity	Responsibility	Target Date	Status
9	December 3, 2012 Minutes to be adopted	Sharon Lloyd-deRosario	Feb-11-2013	Done
10	Send out notification for Public Hearing on Proposed Bylaw No. 239 to be held at the March 11, 2013 LTC meeting.	Kathy Jones Kris Nichols	Feb-20-2013	Done
11	9.2 GLCHT 1. Work with applicant to receive information mentioned in the Feb. 18, 2013 staff report from the applicant prior to planning an CIM. Applicant also to meet with CRD Building prior to CIM.	Kris Nichols	Apr-15-2013	On Going
12	9.4 and 9.5 SSI referrals - to send out notice 'Interests unaffected' for bylaw referrals	Kathy Jones Kris Nichols	Feb-28-2013	Done
13	9.6 (Dewinetz) Contact BC Parks to discuss management plans and possible covenants on donated land. BC Parks staff to attend March 11, 2013 meeting	Kris Nichols	Mar-11-2013	On Going
14	10.1 Bylaw 237 Send bylaw as adopted to EC for consideration.	Kris Nichols	Mar-11-2013	On Going
15	10.2 Proposed Bylaw 238 Contact land owner to ensure understanding of the process considered in the bylaw.	Kris Nichols	Mar-11-2013	Done

Feb 17/13

To the Galiano local trust committee

Re: light industrial land owned by Brett Gaylor + Family

Not having attended the Dec LTC meeting, I am not fully versed on the restrictions attached to above property.

As I understand it, noise emanating from this site, if used for its potential, can not exceed 85 dBS. This restriction, in my opinion, removes any possible activity generated by said zoning. Please lighten up on this restriction to allow reasonable use, as there is little land available for a value adding / employment generating Business on the island. Situated as it is, I can't see it ~~being~~ having much of an Impact on the neighborhood with regards to excess noise.

Sincerely
Gordon Kappel

Kathy Jones

From: Kris Nichols
Sent: February-27-13 8:20 AM
To: Kathy Jones
Subject: FW: Galiano Island Local Trust Committee

Follow Up Flag: Follow Up
Flag Status: Flagged

For the LTC meeting

From: Sharon Lloyd-deRosario **On Behalf Of** glitcwebmail
Sent: Wednesday, February 27, 2013 7:42 AM
To: Kris Nichols
Subject: FW: Galiano Island Local Trust Committee

LTC webmail below
 Thanx

Sharon Lloyd-deRosario

Planning Secretary

Islands Trust

Tele: 250-405-5167

Email: slloydderosario@islandstrust.bc.ca

Web: www.islandstrust.bc.ca

"Preserving Island Communities Culture and Environment"



Please consider the environment before printing this email

From: kimlenglet@gmail.com [<mailto:kimlenglet@gmail.com>]

Sent: February-24-13 10:55 AM

To: glitcwebmail

Cc: kimlenglet@gmail.com

Subject: Galiano Island Local Trust Committee



Islands Trust

Preserving island communities, culture and environment.

February 24, 2013

From: Kim Lenglet
Email: kimlenglet@gmail.com

Subject: Galiano Island Local Trust Committee

Dear Trustees,

I understand you are considering increasing the guest cottage size on Galiano Island. I hope you will factor in the changes to building codes that call for a 9" exterior wall. As a residential builder and homeowner on Galiano, I consider the most cost effective and functional size of guest cottage to be not less than 1000 sq ft or 93 sq m.

Thank you for your consideration.

Kim Lenglet



Memorandum

200 - 1627 Fort Street Victoria BC V8R 1H8

Telephone **(250) 405-5151** FAX: (250) 405-5155

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

information@islandstrust.bc.ca www.islandstrust.bc.ca

Date February 28, 2012 File Number GL-RZ-2011.2

To Galiano Island Local Trust Committee
For the March 11, 2012 meeting

From Kris Nichols
Island Planner
Local Planning Services

Re **BC Parks – Management Plans and Covenants**

Purpose:

To provide the LTC with information after discussions with BC Parks staff regarding management plans and potential covenant holders for lands being donated to BC Parks. The discussion around creating assurances for the community on the use of BC Parks lands or those lands being donated will not delay the development applications from proceeding.

Background:

At the February 18, 2013 meeting the LTC passed the following resolution:

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to seek further information from BC Parks and confirmation regarding a management plan and potential covenant holders pertaining to GL-RZ-2011.2(Dewinetz).

The resolution was made after members of the community expressed concern as part of a Community Information Meeting (CIM) over not knowing the direction that BC Parks is planning to take the lands being donated through the rezoning application. There were also wider questions regarding BC Parks in general and its plans for lands such as Bodega Ridge Park. Two themes emerged as a result of the discussions: 1) the development of management plans for the parklands existing and being donated (i.e. Zizzy/Brown and Dewinetz) and 2) whether there is ability for another group to be potential covenant holders on the land. Both of these issues relate to the community wanting some assurance as to how the lands will be used by BC Parks in the future.

BC Parks

Staff spoke with Sharon Erickson West Coast Region, Section Head, Planning, regarding the discussions that occurred at the CIM. She provided staff with the general approach by BC Parks to managing or developing management plans for lands donated to them.

In terms of the Bodega Ridge Park and the associated lands to be donated as a result of nearby development applications, there are no immediate plans. As expected, any planning for these lands have to consider a

C:\Users\knichols\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\7LTD1YBY\Dewinetz Application (BC Parks).doc

number of factors such as the capacity of BC Parks and their efforts elsewhere in the region and that in this instance they are waiting for the full extent of the lands be donated to be concluded. It does not make practical sense to initiate a management plan when all the pieces are not being considered together. Once the Zizzy/Brown and Dewinetz applications are concluded that will permit BC Parks to consider initiating a management plan. Also, prior to a plan being researched the donated lands have to first be designated formal provincial parks through legislation. Generally, BC Parks does not do anything in a Park without a management plan unless there is a hazardous situation that has to be addressed.

Ms. Erickson did acknowledge the need to permit public participation into the decision making around management plans for BC Parks. A similar situation is occurring on Salt Spring Island where a technical advisory group was set up to assist BC Parks in its management plan process.

Ms. Erickson stated that she will explore the drafting of a letter of understanding with the Islands Trust to create a level of assurance with the community as to what BC Park's plans are.

BC Parks Attendance at the March 11, 2013 LTC Meeting: As a result of the discussions with BC Parks over the past couple of weeks, Sharon Erickson will be in attendance at the March 11, 2013 Local Trust Committee meeting to speak to BC Parks standard practices and to answer questions.

Potential Covenant Holders

It is understood from BC Parks staff that covenants held by others have and are used in certain circumstances throughout BC. There are questions around the types of covenants and whether they can fetter the authority that BC Parks has on its land.

Islands Trust Fund:

As some of the discussion at the February 18, 2013 meeting centered around who might be able to hold a covenant that would provide some assurance to the community, staff contacted the Islands Trust Fund.

Islands Trust Fund generally in order to be considered by them an ecological assessment would have to be done of the entire property which would include an assessment of the natural values of the land (i.e. creation of a baseline report). The costs of an assessment (baseline report) and registering a covenant along with a possible endowment to manage the property would be the responsibility of the applicant. The covenant would have to have some value to the Islands Trust Fund Board and be enforceable. While it is something that they would consider, it would involve a great deal of upfront work on the part of the landowner and an understanding with BC Parks about the kind of restrictions and enforcement options in the covenant. Currently, the Islands Trust Fund is working on a covenant on BC Parks land on Denman Island.

Local Trust Committee:

Another possible option might be to have a simple covenant in favor of the Local Trust Committee. As it appears that many of the concerns expressed around assurances for the property relate to making sure there is no major infrastructure projects (e.g. campgrounds, resorts, lodges, cabins, etc.) and no resource extraction (e.g. forestry for the purposes of sale) occur on the land until a management plan is developed. Staff understands that while the ecology of the land is important it was the bigger possibilities of land use that are a concern. Ecological damage would occur if these other land uses were permitted. The use/development of the land would not require an ecological baseline report and would be relatively easy to monitor.

At this point, staff are uncertain as to whether a covenant in favor of another body would be permissible by BC Parks. It is hoped that through discussions with Sharon Erickson on March 11, 2013 that some direction can be achieved to develop an approach to alleviate some of the community's concerns.



Memorandum

200 - 1627 Fort Street Victoria BC V8R 1H8

Telephone **(250) 405-5151** FAX: (250) 405-5155

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

information@islandstrust.bc.ca www.islandstrust.bc.ca

Date February 28, 2012

File Number GL2455-20

To Galiano Island Local Trust Committee
For the March 11, 2012 meeting

From Kris Nichols
Island Planner
Local Planning Services

Re **Addressing Noise Issues - Amending Covenant ET016476 (Gaylor Property)**

Purpose:

This memo is in response to the LTC's request that staff bring back suggestions to address noise issues through a covenant. This is as a result of permitted uses in the Forest Industry Zone. The LTC has agreed in principle that an amendment to the covenant (Please see Attachment 1) on a lot (Lot 1) should be made and by resolution to remove the covenant from an adjacent lot (rem. D.L. 48). See Figure 1 for Lot configuration. The Galiano Island Local Trust Committee is a signatory to the covenant and therefore to change the covenant requires the LTC's agreement.

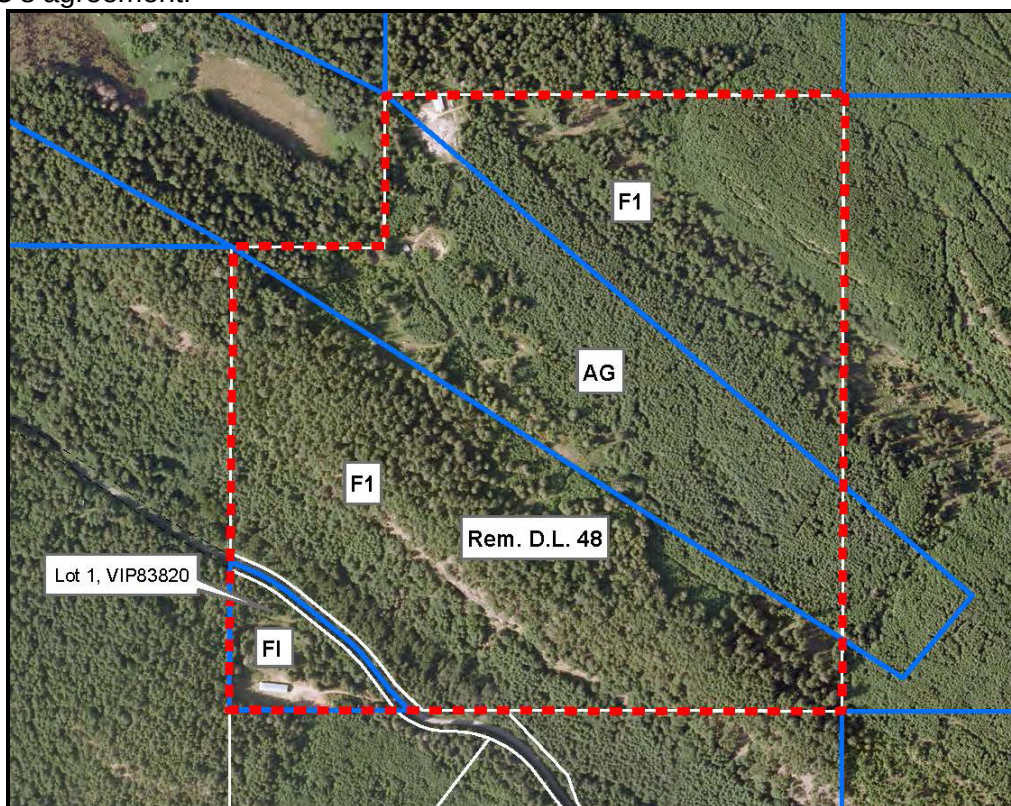


Figure 1 – Zoning and Lots

Background:

In the fall of 2012, staff received a request from the owner of District Lot 48 (Lot 1 and Rem. D.L. 48) to amend the covenant (ET016476) that was registered as part of a rezoning to Forest Industrial Lot (FI). The properties are located on Porlier Pass Road. The covenant was registered in 2002 on DL 48 which was split zoned Forest Industrial (FI) and across the street, Forest 1 and Agriculture Zone. Due to a subsequent subdivision creating two lots (Lot 1 and Rem. D.L. 48), the covenant intended exclusively for the Forest Industrial use remained registered on the remnant District Lot 48. The covenant has no relation to the remnant District Lot 48's zoning use. The covenant was registered to regulate the uses on the Forest Industrial portion (Lot 1) of the property beyond the zoning regulations.

The owners in their October letter requested that the covenant be removed in its entirety from the remnant D.L. 48 and that the covenant be amended to remove Paragraph 1 which relates to a decibel level and 3 which relates to hours of operation as it relates to the Forest Industry portion – Lot 1. The LTC initially consider the request by the owners at the December 3rd, 2012 meeting. At that time they passed resolutions that requested a copy of the previous Public Hearing minutes, that a cost recovery agreement is entered into with the owner and that the covenant be removed from Remnant D.L. 48.

The LTC at its February meeting requested that staff review the covenant and propose amendments to address noise concerns. In order to address the issue of noise the covenant currently has a decibel limit of 85 at the source or the exterior surface of the building which houses the source of the noise and it limits the hours of operation on the property for sawmilling, planing, mechanical repair or gravel processing from 8 am – 6 pm Monday to Friday.

Staff Summary:

Staff have reviewed the LUB and the OCP in relation to this property and any requirements that might help to mitigate the noise concern. The Forest Industry zone does require screening (Section 9.6(A).9)) at least 2 metres in height and also makes reference to Section 15 – Screening and Landscaping Standards of the LUB. The OCP contains Development Permit Area (DPA) 6 – Commercial and Industrial Form and Character which applies to this lot and requires a landscape plan and screening for the various uses. This would be for any future development. The DPA 6 does state that buildings should be designed and sited to avoid creating visual and noise impacts from industrial operations. Any new development of the property will require a development permit application through which visual and noise mitigation can be addressed in the permit. Most of the bylaw requirements do not make reference to noise abatement specifically however; the establishment of fences and/or screens is known to provide some mitigation to noise.

Staff are in support of amending the covenant on Lot 1 and removing the covenant from Rem. D.L. 48. At the December 3rd, 2012 meeting, the LTC agreed by resolution to remove the covenant from the Remnant D.L. 48 portion.

Staff recognize that paragraphs 1, 2 (relates to 1) and 3 place restrictions on the intended use and that the covenant should be amended. Staff do not recommend the removal of Paragraph 3 which limits the hours of operation. This should be kept as it is one way to limit the noise from the property as was the original intent of the covenant. Staff are also recommending that screening be put in place as part of the covenant. Proposed amendments (See Attachment 2) to the covenant will include the following:

1. The requirement that prior to any building being constructed or used that screening be in place in particular the lot lines (south and west) directly adjacent to the existing building and use. See Figure 2 for approximate location for landscaping and or screening to be implemented as an amendment to the covenant to address noise.
2. Types of screening that should be used and that this will not remove any other bylaw requirements that pertain to this property.

3. To move part of paragraph 2 to paragraph 3 to define “mechanical repairs”.



Figure 2 – Approximate Location of landscaping and or screening on Lot 1

The reality is that this property is industrial zoned (Forest Industry) and industry by its nature creates noise, especially those uses permitted in this zone such as sawmilling, planing, gravel processing, etc. The issue at hand is how to mitigate that noise that is created, not eliminate it. Staff are proposing changes through maintaining hours of operation and landscaping and screening. Location also plays a part. The current building location is on top of a hill which will permit the noise to be heard better than if it were on a flat or a depression. The nearest residential properties are on Ganner Road just over a kilometer away, but directly adjacent are large forest lots. Staff have received two letters from residents on Ganner Road who do not see this lot as creating a noise impact and support the idea of an area to do value added businesses.

Next Steps:

As the covenant was originally a requirement of a rezoning, it is necessary that a proposed change to the covenant go through a process similar to a public hearing. What this means is that there is a requirement for a notice to be placed in the local paper along with the neighbours being written directly identifying the proposed change as per the *Local Government Act* requirements for a hearing. There is also a requirement to emulate a public hearing which could be held at the same time as the LTC meeting to afford people an opportunity to speak to the proposed amendments.

There is no application process or fee for covenant amendments or removal. As stated the LTC has already passed a resolution requesting that this be established. Staff have been waiting until the amendment and public hearing are set prior to establishing a cost recovery agreement with the owner. Therefore, it is necessary to enter into a cost recovery agreement with the owner to cover the costs of the advertisement and mailout as well as the proposed amendments to the covenants and any legal costs associated with the discharge of the covenant from Rem. DL 48 and its re-registration on the FI lot. It is estimated that these costs will be approximately \$2000.00. The exact cost recovery agreement will be established with the owner once the public hearing date is set and prior to any further work being done.

Staff is recommending that:

1. The LTC direct staff to schedule a public hearing for the April 8, 2013 LTC meeting.
2. The LTC direct staff to proceed with the process of amending the covenant by amending Paragraph 1 and 2 and 3 from the Forest Industry lot (Lot1) and to remove the covenant in its entirety from Rem. D.L. 48.

Attachment 1 – Original Covenant ET016476

Attachment 2- Proposed Covenant Amendments

10-18

ET016476

12 FEB 2002 10 18

ET016475

LAND TITLE ACT**FORM C**

(Section 233)

Province of British Columbia

GENERAL INSTRUMENT-PART 1 (This area for Land Title Office use)

Page 1 of 9 Pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

William Buholzer

LIDSTONE, YOUNG, ANDERSON

1616 - 808 Nelson Street

Vancouver, BC V6Z 2H2

(604) 689-7400



10104

William Buholzer

Applicant's Solicitor

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*

(PID)

009-081-780

(LEGAL DESCRIPTION)

District Lot 48 Cowichan District Galiano Island

3. NATURE OF INTEREST:*

Description

Document Reference
(page and paragraph)

Person Entitled to Interest

Section 219 Covenant

Entire Instrument

Transferee

01 02/02/12 10:18:34 01 01

361269

Priority Agreement granting Section Page 7

219 Covenant ET 16475 priority

over Mortgages EK22768,

EK103387 and EP60092

Transferee

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms

D.F. No.

(b) Express Charge Terms

☒

Annexed as Part 2

(c) Release

☐

There is no Part 2 of this Instrument.

A selection of (a) include any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S):*

LAWRENCE KENNETH GAYLOR (as to Section 219 Covenant), **ISLAND SAVINGS CREDIT UNION**
(as to Priority Agreement)

6. TRANSFEREE(S): (including postal address(es) and postal code(s))*

GALIANO ISLAND LOCAL TRUST COMMITTEE, incorporated under the *Islands Trust Act*, R.S.B.C.
1996, c.239 and having its office at Suite 200 - 1627 Fort Street, Victoria BC V8R 1H8

LAND TITLE ACT**FORM C**

(Section 233)

Province of British Columbia

GENERAL INSTRUMENT-PART 1

Page 2

7. ADDITIONAL OR MODIFIED TERMS:*

N/A

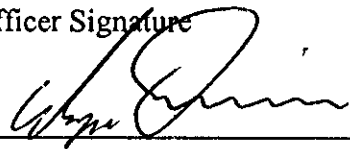
8. EXECUTION(S):**This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature

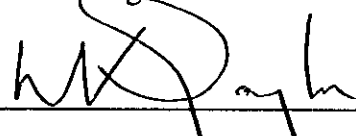
Execution Date

Y M D

Transferor Signature


 Director of Planning
 Islands Trust
 200-1627 Fort Street
 Victoria, B.C.
 V8R 1H8
 A Commissioner for taking
 Affidavits for British Columbia
 Wilhelmina Charlotte Hill

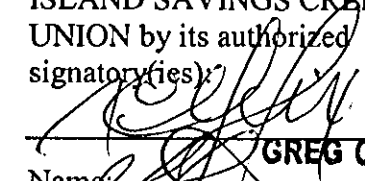
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 LAWRENCE KENNETH
 GAYLOR

WILHELMINA CHARLOTTE HILL
 Commissioner for taking Affidavits
 for British Columbia
 Island Savings Credit Union
 300 - 499 Canada Avenue
 Duncan, BC V9L 1T7

2002 02 06

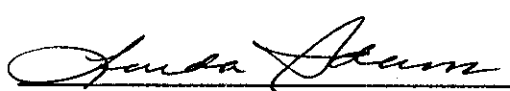
ISLAND SAVINGS CREDIT
 UNION by its authorized
 signatory(ies):


 Name: GREG CLIFFORD


 Name: JAMES N.S. SINNERUD

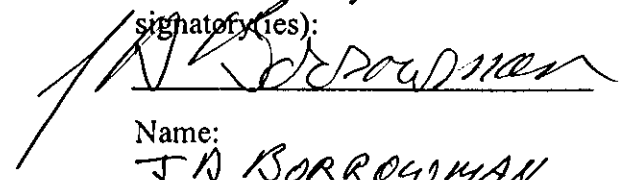
(as to both signatures)

Transferee Signature


 LINDA JOAN ADAMS
 Commissioner for Taking Affidavits
 for British Columbia
 #1206 - 115 Fulford-Ganges Road
 Salt Spring Island, British Columbia
 V8K 2T9 Ph (250) 537-9144

2002 02 01

GALIANO LOCAL TRUST
 COMMITTEE by its authorized
 signatory(ies):


 Name: J. DAVID BORROWMAN

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

- * If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.
- ** If space insufficient, continue executions on additional page(s) in Form D.

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TERMS OF INSTRUMENT – PART 2**SECTION 219 COVENANT**

THIS AGREEMENT dated for reference _____ is

BETWEEN:

LAWRENCE KENNETH GAYLOR, Businessman
R.R. #2
Galiano Island, BC V0N 1P0

(the "Owner")

AND:

GALIANO ISLAND LOCAL TRUST COMMITTEE, incorporated under the
Islands Trust Act, R.S.B.C. 1996, c.239 and having its office at Suite 200 - 1627
Fort Street, Victoria BC V8R 1H8

(the "Trust Committee")

WHEREAS the Owner is the registered owner in fee simple of lands on Galiano Island legally described as Parcel Identifier: 009-081-780, District Lot 48 Cowichan District Galiano Island (the "Lands"); and

WHEREAS the Owner has made application to the Trust Committee to rezone the Lands such that a portion of the Lands as designated in the Galiano Island Land Use Bylaw will be zoned Forest Industrial (the "Forest Industrial Lands") and a portion will be zoned Forest 1 (the "Forest Lands"); and

WHEREAS the parties have agreed to certain restrictions on the use of the Lands that are required in order that the zoning requested by the Owner will be in the public interest;

THIS AGREEMENT is evidence that in consideration of payment of \$1.00 by the Trust Committee to the Owner (the receipt of which is acknowledged by the Owner), and in consideration of the promises exchanged below, the Owner covenants and agrees with the Trust Committee in accordance with s.219 of the *Land Title Act* as follows:

1. No building or structure shall be constructed, erected or used on the Forest Industrial Lands for, and the Forest Industrial Lands shall not be used for, any sawmilling, planing, mechanical repair or gravel processing use, unless the Owner has first provided to the Trust Committee a report of a member of the Association of Professional Engineers and Geoscientists of British Columbia with experience in acoustical engineering, certifying that the use will not generate noise above 85 dbA measured at the source of the noise or, in the case of a use within an enclosed building, at the point on the outer surface of the

exterior wall of the building that is nearest the source of the noise. The report shall identify and describe the equipment specifications, operating conditions and operating procedures that are required to ensure that the specified noise level will not be exceeded. The Owner acknowledges and agrees that, despite any bylaw of the Trust Committee or the Capital Regional District, the Owner shall not be entitled to any permit or licence authorizing such use until the Owner has complied with this paragraph. For the purposes of this paragraph and paragraph 3, "mechanical repair" does not include the repair or maintenance of machinery or equipment that is being used on the Lands for a permitted use under the Galiano Island Land Use Bylaw.

2. The Owner shall not, having complied with paragraph 1, use the Forest Industrial Lands or any building or structure on the Industrial Lands except in accordance with the equipment specifications, operating conditions and operating procedures identified and prescribed by the acoustical engineer.
3. No sawmilling, planing, mechanical repair or gravel processing use shall occur on the Forest Industrial Lands or on any building or structure on the Forest Industrial Lands outside the hours of 8 a.m. to 6 p.m. Monday to Friday.
4. The Forest Industrial Lands shall not be used for any rock crushing, sorting or mixing.
5. The Owner shall manage all contaminants on the Forest Industrial Lands in accordance with Schedule A attached to and forming part of this Agreement.
6. The groundwater monitoring wells on the Forest Industrial Lands shall be provided with casing grouted into bedrock to prevent direct access of surface waters into the wells, and the Owner shall take groundwater samples from the wells at least annually, have the samples analyzed in an appropriate laboratory for potential contaminants related to the Owner's use of the Forest Industrial Lands, and provide a copy of the laboratory's report on the analysis of the samples to the Trust Committee.
7. Not more than 2000 square feet of floor area of any building or structure or combination of buildings and structures on the Forest Industrial Lands shall be used for any mechanical repair or boat building use.
8. Any opinion, decision, act or expression of satisfaction provided for in this Agreement may be taken or made by the Trust Committee or its delegate authorized as such in writing.
9. The Owner releases, and must indemnify and save harmless, the Trust Committee, its elected and appointed officials and employees, from and against all liability, actions, causes of action, claims, damages, expenses, costs, debts, demands or losses suffered or incurred by the Owner, or anyone else, arising from the granting or existence of this Agreement, from the performance by the Owner of this Agreement, or any default of the Owner under or in respect of this Agreement.

10. The parties agree that this Agreement creates only contractual obligations and obligations arising out of the nature of this document as a covenant under seal. The parties agree that no tort obligations or liabilities of any kind exist between the parties in connection with the performance of, or any default under or in respect of, this Agreement. The intent of this section is to exclude tort liability of any kind and to limit the parties to their rights and remedies under the law of contract and under the law pertaining to covenants under seal.
11. The rights given to the Trust Committee by this Agreement are permissive only and nothing in this Agreement imposes any legal duty of any kind on the Trust Committee to anyone, or obliges the Trust Committee to enforce this Agreement, to perform any act or to incur any expense in respect of this Agreement.
12. Where the Trust Committee is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the Owner agrees that the Trust Committee is entitled to do so solely in accordance with the terms of this Agreement.
13. This Agreement does not:
 - (a) affect or limit the discretion, rights or powers of the Trust Committee under any enactment (as defined in the *Interpretation Act*, on the reference date of this Agreement) or at common law, including in relation to the use of the Lands,
 - (b) affect or limit any enactment related to the use of the Lands, or
 - (c) relieve the Owner from complying with any enactment, including in relation to the use of the Lands.
14. Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted under s.219 of the *Land Title Act* in respect of the Lands and this Agreement burdens the Lands and runs with it and binds the successors in title to the Lands. This Agreement burdens and charges all of the Lands and any parcel into which it is subdivided by any means and any parcel into which the Lands are consolidated. The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands.
15. The Owner agrees to do everything reasonably necessary, at the Owner's expense, to ensure that this Agreement is registered against title to the Lands with priority over all financial charges, liens and encumbrances registered, or the registration of which is pending, at the time of application for registration of this Agreement.
16. An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach in respect of which the waiver is asserted. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.

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17. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
18. This Agreement is the entire agreement between the parties regarding its subject.
19. This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.
20. The Owner must do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instrument.
21. By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Office Form C which is attached hereto and forms part of this Agreement.

SCHEDULE "A"

Contaminant	Eliminate	Maximum Storage	Contain	Cover	Notes
Fuels		1 week	C	T	Any spills to be cleaned up immediately
Lubricants		1 week	C	T	Any spills to be cleaned up immediately
Miscellaneous Materials related to machined Maintenance		1 week	C	T	Any spills to be cleaned up immediately
Paints, wood preservatives		1 week	C	T	Any spills to be cleaned up immediately
Derelict Equipment	E				
Metal Scrap	E				
Sawdust				T	Weekly removal

Eliminate (E): the contaminant is not permitted to be present on the Lands in any quantity.

Maximum Storage: Quantities of the contaminant on the Lands must not exceed requirements for consumption within the stipulated time period.

Contain (C): Any area of the Lands in which the contaminant is applied, used or stored must be protected by an impermeable ground cover and perimeter barrier to prevent any migration or seepage of the contaminant.

Cover (T): Any area of the Lands in which the contaminant is applied, used or stored must be covered to prevent the entry of precipitation.

PRIORITY AGREEMENT

BETWEEN:

ISLANDS SAVINGS CREDIT UNION

(the "Subsequent Chargee")

AND:

GALIANO ISLAND LOCAL TRUST COMMITTEE, incorporated under the
Islands Trust Act, R.S.B.C. 1996, c.323 and having its office at Suite 200 – 1627
Fort Street, Victoria, BC V8R 1H8

(the "Prior Chargee")

WHEREAS:

A. Lawrence Keith Gaylor (the "Owner") is the owner of that parcel of land and premises located on Galiano Island and legally described as Parcel Identifier: 009-081-780, District Lot 48, Galiano Island, Cowichan District (the "Land");

B. The Owner (or his predecessor in title) granted the Prior Chargee three mortgages which are registered against the title to the Land in the Victoria Land Title Office under numbers EK22768, EK103387 and EP60092 (the "Prior Charges");

C. On the 12TH day of FEBRUARY, 2002 the Owner granted the Subsequent Chargee a Section 219 Covenant which is registered against the title to the Land in the Victoria Land Title Office under number ET 16475 or which will be registered concurrently with this Agreement (the "Subsequent Charge");

NOW THEREFORE in consideration of the sum of One (\$1.00) Dollar now paid by the Subsequent Chargee to the Prior Chargee, the receipt and sufficiency of which are hereby acknowledged, the Prior Chargee does hereby grant to the Subsequent Chargee priority over the Prior Charge and the Prior Chargee hereby covenants and agrees to subordinate and postpone all its right, title and interest in and to the Land with the intent and with the effect that the interest of the Subsequent Chargee shall rank ahead of the Prior Charge as though the Subsequent Charge had been executed, delivered and registered in time prior to the registration of the Prior Charge.

As evidence of its agreement to be bound by the terms of this instrument, the Prior Chargee hereto has executed the Land Title Office Form C which is attached hereto and forms part of this Agreement.

END OF DOCUMENT

Existing and Proposed Covenant wording for Paragraphs 1,2 and 3:

1. No building or structure shall be constructed, erected or used on the Forestry Industrial Lands for, and the Forest Industrial Lands shall not be used for, any sawmilling, planing, mechanical repair or gravel processing use, unless the Owner has first provided to the Trust Committee proof that screening has been provided in accordance with the following:
- a. Screening must be placed on the Forest Industrial lot, specifically along the south and west property lines where the use is closest to the adjoining properties. This does not remove the responsibility of the Owner to meet the requirements in the Galiano Land Use Bylaw and Official Community Plans.
1. a report of the member of the Association of Professional Engineers and Geoscientists of British Columbia with experience in acoustical engineering, certifying that the use will not generate noise above 85 dbA measured at the source of the noise or, in the case of a use within an enclosed building, at the point on the outer surface of the exterior wall of the building that is nearest to the source of the noise. The report shall identify and describe the equipment specifications, operating conditions and operating procedures that are required to ensure that the specified noise level will not be exceeded. The Owner acknowledges and agrees that, despite any bylaw of the Trust Committee or the Capital Regional District, the Owner shall not be entitled to any permit or licence authorizing such use until the Owner has complied with this paragraph. For the purposes of this paragraph and paragraph 3, "mechanical repair" does not include the repair or maintenance of machinery or equipment that is being used on the Lands for a permitted use under the Galiano Island Land Use Bylaw.
2. The Owner shall not, having complied with paragraph 1, use the Forest Industrial Lands or any building or structure on the Industrial Lands except in accordance with the equipment specifications, operating conditions and operating procedures identified and prescribed by the acoustical engineer. All uses must be screened by landscaping or fencing that must not be less than 2 metres in height and provided in the form of:
1. existing vegetation of the required height of 2 metres that provides a complete and permanent visual screen between the uses being separated;
 2. a row of drought-tolerant evergreen plants that will attain the required height, planted and maintained continuously so as to provide a complete and permanent visual screen between the uses being separated; or
 3. a solid wood fence or brick or stone wall broken only for access drives or walks.
2. _____
3. No sawmilling, planing, mechanical repair or gravel processing use shall occur on the Forest Industrial Lands or on any building or structure on the Forest Industrial Lands outside of the hours of 8 a.m. to 6 p.m. Monday to Friday. For the purposes of this paragraph, "mechanical repair" does not include the repair or maintenance of machinery or equipment that is being used on the Lands for a permitted use under the Galiano Island Land Use Bylaw.

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Memorandum

Date February 28, 2013 File Number GL-6500-20 (LUB Review)

To Galiano Island Local Trust Committee
For the meeting of March 11, 2013

From Kris Nichols
Island Planner

Re **Post Public Hearing Procedures - Proposed Bylaw No. 239**

The Local Trust Committee is considering a bylaw to amend the Galiano Island Land Use Bylaw. A public hearing is scheduled for Monday March 11, 2013. A public hearing is a quasi-judicial process and specific procedures must be followed within and following the hearing.

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Third Reading (this may include amendments to alter a bylaw).
2. Forwarding of the bylaws to Executive Committee for approval.
3. Reconsideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Executive Committee approves the bylaw, the next step for the LTC would be to adopt the bylaw.

Attached to this memo is Bylaw 239 (LUB) (See Attachment 1) as it stands at Second Reading. Consideration of any amendments to the proposed bylaw based on information or comments received at the Public Hearing can be discussed at the March 11, 2013 LTC meeting.

RECOMMENDATIONS:

1. THAT Galiano Island Local Trust Committee proposed Bylaw No. 239, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 4, 2012" be read a Second time.
2. THAT Galiano Island Local Trust Committee proposed Bylaw No. 239, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 4, 2012" be read a Third time.
3. THAT the Galiano Island Local Trust Committee proposed Bylaw No. 239 cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 4, 2012" be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

Attachment 1 – Proposed Bylaw 239 at Second Reading

pc Robert Kojima, Regional Planning Manager

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 239

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

The Galiano Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Galiano Island Trust Committee Area under the *Islands Trust Act*, enacts as follows:

1. Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999” is amended as follows:
 - a) By rescinding Section 2.8.
 - b) By amending Section 2.14 by adding the sentence, “The setback to the sea does not apply to public bodies constructing public accesses on public land owned or operated by that body on a dedicated highway or other public access.” after the first sentence.
 - c) By amending Section 2.20 by adding the words, “only if they meet the minimum parcel size for that zone” after the word “lots”.
 - d) By amending Section 5.4 by adding under Permitted Density “Subsection 5.4.4 Lot coverage must not exceed 25% of any lot.” with subsequent renumbering.
 - e) By amending Section 5.5 by adding under Permitted Density “Subsection 5.5.4 Lot coverage must not exceed 25% of any lot.” with subsequent renumbering.
 - f) By amending Section 5.6 by adding under Permitted Density “Subsection 5.6.4 Lot coverage must not exceed 25% of any lot.” with subsequent renumbering.
 - g) By amending Section 6.1 by adding under Permitted Density “Subsection 6.1.4 Lot coverage must not exceed 35% of any lot plus an additional 40% for commercial greenhouses only.” with subsequent renumbering.
 - h) By amending Subsection 10.1.1 by adding the following Articles:
“10.1.1.4 Community Hall” and “10.1.1.5 Accessory Second Hand Commercial Retail”
 - i) By amending Subsection 10.1.4 by adding the sentence, “Walkways are permitted to be within 1.5 metres (5ft) from the side lot lines.”
 - j) By amending Section 17.1 by adding the following definition in alphabetical order with subsequent renumbering:
“Environmentally Friendly Building” means a building that is designed with construction standards using alternative building materials, such as straw bale or cob, that are categorized as Special Unusual Structures in the B.C. Building Code, or buildings that use increased wall thickness in order to obtain an energy efficient value of R-40 or more.”
 - k) By amending Article 17.1.11 by adding the words, “unless it is an *Environmentally Friendly Building* which is measured to the inner surface of the exterior walls,” after the first instance of the words “exterior walls,”.
 - l) By amending Article 17.1.35a by adding the words, “for the sole use of the lot owner on the lot on which the sawmilling takes place” after the word “lumber”.

PROPOSED

- B. This bylaw may be cited for all purposes as the “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 4, 2012”.

READ A FIRST TIME THIS 19th DAY OF November 2012

PUBLIC HEARING HELD THIS DAY OF 201x

READ A SECOND TIME THIS DAY OF 201x

READ A THIRD TIME THIS DAY OF 201x

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF 201x

ADOPTED THIS DAY OF 201x

DEPUTY SECRETARY

CHAIR



STAFF REPORT

File No.: GL 6500-20 (LUB Review)

To: Galiano Local Trust Committee
For the meeting of February 18, 2013

From: Kris Nichols
Island Planner

CC: Robert Kojima
Regional Planning Manager

Re: Galiano Bylaw No. 240, Amendment No. 5, 2012
A Bylaw to Amend Galiano Island Land Use Bylaw No. 127, 1999

BACKGROUND:

Land Use Bylaw Amendments

The Galiano Island Local Trust Committee (LTC) at their November 19, 2012 meeting passed the following resolution:

"It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to bring back a draft bylaw pertaining to signs, home occupation and small animal husbandry in residential zones."

The report provides background on the three areas requested for bylaw amendments and recommends specific bylaw amendments. See Attachment 1 for proposed amending draft BylawNo. 240.

1. Sign Regulation Amendments

The LTC directed staff specifically to bring back the following four items for review:

1. Sandwich board signs must be on the lot where the business is being conducted.
2. Signage recommendations for home based businesses.
3. Potential sizes of building mounted signs.
4. Adding signage regulations for Community Facility and in accordance with Commercial signage regulations.

Section 16 in the Land Use Bylaw (LUB) outlines the current regulations for commercial and non-commercial zones. Since the inclusion of Section 16 in the LUB, Section 6 Development Permit Area 6 – Commercial and Industrial Form and Character has been added to the OCP and applies to zones C1, C3, C4, C5, C5A, C6, C7, L1, MCW and MCL. The OCP's Subsection 6.6 7 contains development permit guidelines for signs that should be adhered to in these zones if requiring a building permit.

The bylaw currently states commercial zones listed (C1, C2, C3, C4, C5, C5A, C6, C7, LI, FI, MS, MC) can only have one building-mounted sign and one sandwich-board sign per highway frontage, each not exceeding a total sign area of 1.2 sq. metres, identifying a business carried out at those premises or the principal service or product sold at those premises.

Bylaw Revisions:

The amendments staff are proposing (See Attachment 2) are to address specifically the four items mentioned above. In addition, staff have added wording on the provision of commercial free-standing signs and signs for political parties or government agencies.

2. Home Occupation and Retail Sales

The LTC directed staff to proceed according to the recommendations in the November 19, 2013 report.

Previously, staff recommended that the home occupation guidelines and definition be made more explicit to describe the use to include bed and breakfast and cottage use and any profession, trade, business, artistic endeavor, where such activities are clearly accessory to the principal residential use. -The LTC expressed that being more explicit in the description would help in defining home occupation and related retail sales. The proposed amendments regarding retail sales will now limit them to the retail sale of goods produced, processed or repaired as part of a home occupation, and retail sale of articles directly related to a personal service provided as a home occupation. This does not include retail or wholesale selling of any product or material not produced on the premise or incidental to the service, or the serving of food or drink other than for a bed and breakfast.

Staff have proposed four new sections to the Home Occupation Regulations (See Attachment 3) and reworded one section which should improve the clarity, understanding and implementation of the home occupation regulations. Staff have also revised the definition of home occupation.

3. Small Scale Husbandry (Residential Zones)

The Local Trust Committee directed staff to recommended limitations that should be implemented within the definition of small scale animal husbandry (residential zones) in terms of numbers and types of animals and possible lot size restrictions.

Background:

The intent of permitting small scale husbandry or the keeping of farm animals is to enable people in residential zoned areas where agriculture is not permitted outright to conduct animal husbandry (raising of animals) for their own use (e.g. domestic fowl (chickens, ducks, geese, and turkeys), livestock, etc.). Food security is important to many islanders and this is another way to permit residents to meet their own food demands.

Many municipalities deal with the issue of small scale husbandry by limiting the variety of animals (e.g. livestock, poultry (domestic fowl), bees, etc.) permitted to the size of the lot as well as identifying special setbacks, structures and requiring a certain level of upkeep and management (e.g. structure conditions, manure storage, etc.).

In the Land Use Bylaw Subsection 2.13 of Part 2 General Regulations – Uses Permitted in all Zones, it currently states “... agricultural and horticultural uses that by their nature are accessory to and compatible with residential uses...”. As well, all the residential zones (i.e. VR1, VR2, SLR, RR) already include building and structure setbacks to address the keeping of farm animals including poultry. This would indicate that small scale husbandry or the accommodation of farm animals is permitted. The location of the structures would be restricted by the setbacks of 30m (100 ft) from the rear and interior side lot lines as already indicated in the bylaw.

The residential zoned lots vary in lot size from 0.01 to 23.88 hectares in size (see table below). It would appear that the best way to regulate small farm husbandry/ accommodation of farm animals on residential lots is through the setback regulations and types of animals permitted. The intent would not be to make the bylaw amendments too onerous for the land owner or for enforcement.

The following table outlines the number of lots of each zone and the lot sizes:

Galiano Residential Lot sizes:

Zone	Number of Lots	Average Size (ha)	Range (ha)
VR1	11	0.28 (0.69 acres)	0.06-0.42
VR2	163	0.55 (1.3 acres)	0.01-6.14
SLR	627	0.71 (1.7 acres)	0.03-2.86
RR	189	2.19 (5.4 acres)	0.02-23.88

Often the concern around the accommodation of farm animals in residential areas is related to lot size and setbacks. The bylaw currently does not define farm animals. Given that the term farm animals is used but not defined this bylaw amendment will define the term for the use in residential zones.

Given the rural nature of Galiano Island, it might be feasible to permit small scale husbandry/accommodation of farm animals outright in residential zones as long as the properties have a principal residence and that the structures used to house the animals meet the current setbacks for structures. Given the variation in lot sizes it would seem appropriate that the minimum lot size be 0.4ha (1.0 acre) and structures and buildings would be regulated through the existing setbacks. This would not include intensive agriculture uses.

All keeping of farm animals must conform to the *Public Health Act, Integrated Pest Management Act, and Environmental Management Act*, the regulations under those Acts or any land use regulation.

In general, it is recommended that the accommodation of farm animals be defined and permitted in all residential zones (i.e. VR1, VR2, SLR, RR) providing it is an accessory use to the principal residential dwelling and that all buildings and structures used for the keeping of the farm animals meet the established setback requirements.

Staff are proposing a definition for the accommodation of farm animals to be added to Definitions Section 17.1as follows:

“Accommodation of farm animals – means the keeping of 4 or more domesticated animals such as goats, sheep, rabbits, chickens, ducks, turkeys and similar fowl which are kept primarily for personal use and not for sale on residential zoned lots.0.4 ha or greater. The keeping of these farm animals is accessory to the principal residential use.”

Given that the building and structure setbacks for this use (i.e. accommodation of farm animals) is already within the bylaw for residential zones, this amendment states the types of animals permitted and states that the property has to have a minimum lot size of 0.4 ha.

Additional OCP and LUB Amendments

There were additional bylaw amendments discussed at previous meetings. Two of the topics would involve amendments to the LUB and the OCP: Eagle Nests Identification and Protection, and Marine Geo-Thermal. These will require amendments to development permit areas to provide additional guidelines. In addition to these amendments staff will also address the proposed subdivision servicing requirements that deal with such topics as water quality, desalinization, bike parking, etc. These will be presented at subsequent meeting.

STAFF COMMENTS:

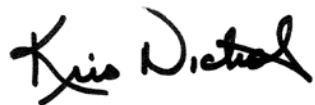
The amendments addressed in the draft Bylaw No. 240 further brings the LUB into conformity with the OCP and improves clarity and/or resolves issues around permitted uses. The amendments build on the discussion and resolutions passed by the LTC at the November 19, 2012 meeting.

Staff are recommending that the Amending Bylaw No. 240 be given first reading and that it be forwarded to the Galiano APC for review and comment. The bylaw will also be referred to agencies for comment. However, if there are significant amendments recommended by the APC or by agencies, then staff would bring the bylaw back to the LTC for consideration of amendments at Second Reading, prior to holding a public hearing. At this time, the LTC can also give staff direction to schedule a public hearing or wait until all LUB related amendments are presented and schedule a public hearing to address all of the amendments at one time. Alternately, the LTC could defer consideration of this bylaw until bylaws on the additional topics are drafted.

RECOMMENDATIONS:

1. **THAT** the Galiano Island Local Trust Committee give Bylaw No. 240 First Reading.
2. **THAT** the Galiano Local Trust Committee forward proposed Bylaw No. 240 to the Galiano APC for review and comment.

Prepared and Submitted by:



Kris Nichols

February 12, 2013

Date

Concurred in by:



February 13, 2013

Date

Attachments:

1. Draft Bylaw No. 240
2. Sign Bylaw section revisions

3. Home Occupation section revisions

DRAFT**GALIANO ISLAND LOCAL TRUST COMMITTEE****BYLAW NO. 240**

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

The Galiano Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Galiano Island Trust Committee Area under the *Islands Trust Act*, enacts as follows:

1. Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999” is amended as follows:
 - a) By amending Section 3.3. by replacing the words “A home occupation other than one involving agriculture or horticulture must be conducted entirely within the operator's dwelling unit or within buildings or structures accessory to that dwelling unit” with the words, “Home occupations must be conducted entirely within the operator's dwelling or permitted accessory building except that this restriction does not apply to the use of the land for outdoor activities associated with a kindergarten, nursery school, daycare, agriculture or horticulture”
 - b) By amending Section 3.4 by removing the words “except that an unilluminated business sign not exceeding 0.2 square metres in area may be placed on the premises”.
 - c) By adding Section 3.5 “Except for one unilluminated nameplate not exceeding 0.6 square metres in area in respect of each home occupation, no sign or other advertising matter may be exhibited or displayed on the premises where a home occupation is conducted, and no exterior artificial lighting may be installed or operated on the premises for a purpose associated with the home occupation.”
 - d) By amending the numbering of Sections 3.5 to 3.6, 3.6 to 3.8, 3.7 to 3.9, 3.8 to 3.10 and Subsections 3.8.1 to 3.10.1 and 3.8.2 to 3.10.2.
 - e) By adding Section 3.7 “Except for the retail sale of goods produced, processed or repaired as part of a home occupation, and retail sale of articles directly related to a personal service provided as a home occupation, the following activities are not permitted:
 1. Retail or wholesale selling of any product or material
 2. The serving of food or drink products on the premises as part of a home occupation except for bed and breakfast home occupation in which case a morning meal may be served to paying guests.”;
 - f) By adding Section 3.11 “The operator of every home occupation must comply with all licensing, health and other applicable regulations of British Columbia and the Capital; Regional District, including building, public health, noise, air quality, and water quality regulations.”
 - g) By adding Section 3.12 “No vehicle or equipment used by, or in the conduct of, a home business shall be stored in a required front yard setback or in a required side yard setback without being screened from view.”

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- h) By adding an information note after Section 3.12 as follows:
Information Note: On properties located within the Agricultural Land Reserve (ALR), some provincial regulations apply to home-based businesses, unless variances are applied for and approved in writing by the Provincial Land Reserve Commission. No retail sales of goods or products are permitted in the ALR unless they are produced or repaired as part of the home-based business
- i) By amending Section 16.1 by adding the sentence “Sandwich board signs must be located on the lot where the business is located and not within the highway right-of-way.” at the end of the first paragraph.
- j) By removing Sub-sections 16.1.1 to 16.1.7.inclusive and replacing with the following:
 - “16.1.1 Economic Activity Zones:
 - Retail Commercial – C1
 - Visitor Accommodation (inn) Zone – C3
 - Visitor Accommodation (Resort) Zone – C4
 - Visitor Accommodation (Rural Resort) Zone – C5
 - Galiano Inn (Comprehensive Resort) Zone – CR5
 - Public House Commercial Land Zone – C6
 - Commercial Private Film School Zone – C7
 - Light Industrial Zone – L1
 - Forest Industrial Zone – FI
 - 16.1.2.Marine Zones:
 - Marine Service - MS
 - Marine Commercial Water Zones - MCW
 - Marine Commercial Land Zones - MCL
 - 16.1.3 Community Facility Zones
 - Senior Citizen Residential Zone – SCR
 - Community Facility Zone – CF
 - Emergency and Health Services Zone – EHS
 - Health and Wellness Zone – HW”
- k) By adding “Section16.3 For those zones that permit more than one commercial use one free standing sign listing all businesses is permitted in accordance with Development Permit Area 6 – Commercial and Industrial Form and Character.”
- l) By adding “Section 16.4 Signs must be located on the lot occupied by the use to which they refer.”
- m) By replacing Sections 16.3 and 16.4 with 16.5 and 16.6 consecutively.
- n) By adding “Section 16.7 Nothing in this Bylaw prohibits the erection of a sign by an agency of government for purposes of public health or safety, or by a candidate in a municipal, provincial or federal election during the period prior to the election.”
- o) By replacing in its entirety the definition Article 17.1.18 Home Occupation with “Home Occupation means an accessory commercial use conducted on a residential lot and includes: bed and breakfast and cottage uses and any profession, trade, business, artistic endeavour, where such activities are clearly

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accessory to a principal residential use, but for certainty does not include sawmilling.”

- p) By amending Section 17.1 (Definition) by adding the following definition in alphabetical order and subsequently changing all definition numbering:
 “Accommodation of farm animals – means the keeping of 4 or more domesticated animals such as goats, sheep, rabbits, chickens, ducks, turkeys and similar fowl which are kept primarily for personal use and not for sale on residential zoned lots 0.4 ha or greater. The keeping of these farm animals is accessory to the principal residential use.”

B. This bylaw may be cited for all purposes as the “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 5, 2013”.

READ A FIRST TIME THIS	DAY OF	2013
PUBLIC HEARING HELD THIS	DAY OF	201x
READ A SECOND TIME THIS	DAY OF	201x
READ A THIRD TIME THIS	DAY OF	201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	DAY OF	201x
ADOPTED THIS	DAY OF	201x

 DEPUTY SECRETARY

 CHAIR

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1. SIGN REGULATIONS

Permitted Signs - Commercial Zones

- 1.0 No sign may be erected or placed on any premises in any of the zones listed in this section, except one building-mounted sign and one sandwich-board sign per highway frontage, each not exceeding a total sign area of 1.2 square metres, identifying a business carried on at those premises or the principal service or product sold at those premises. Sandwich board signs must be located on the lot where the business is located and not within the highway right-of-way. :

16.1.1 Economic Activity Zones:

Retail Commercial – C1
Visitor Accommodation (inn) Zone – C3
Visitor Accommodation (Resort) Zone – C4
Visitor Accommodation (Rural Resort) Zone – C5
Galiano Inn (Comprehensive Resort) Zone – CR5
Public House Commercial Land Zone – C6
Commercial Private Film School Zone – C7
Light Industrial Zone – LI
Forest Industrial Zone – FI

16.1.2 Marine Zones:

Marine Service - MS
Marine Commercial Water Zones - MCW
Marine Commercial Land Zones - MCL

16.1.3 Community Facility Zones

Senior Citizen Residential Zone – SCR
Community Facility Zone – CF
Emergency and Health Services Zone – EHS
Health and Wellness Zone - HW

16.1.1	Retail Commercial	C1
16.1.2	Public House Commercial	C6
16.1.3	Visitor Accommodation	C2, C3, C4, C5, C5A
16.1.4	Light Industry	LI, FI
16.1.5	Marine Service	MS
16.1.6	Marine Commercial	MC
16.1.7	Commercial Private Film School	C&

- 1.2 For the purposes of this section, a sign displaying a message or information on each of two sides constitutes a single sign.

16.3 For those zones that permit more than one commercial use one free standing sign listing all businesses is permitted in accordance with Development Permit Area 6 – Commercial and Industrial Form and Character.

16.4 Signs must be located on the lot occupied by the use to which they refer.

Permitted Signs - Non-Commercial Zones

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- | 1.53 Except as provided by section 3.4, no sign may be erected or placed on any premises in any other zones established by this bylaw except one sign not exceeding a total sign area of 1.2 square metres pertaining to the offering for lease or sale of the lot on which the sign is located, and one sign identifying the owner or address of the premises.
- | 1.64 Despite sections 16.1 and 16.3, the following types of signs are prohibited throughout the Galiano Island Local Trust Area:
 - | 1.46.1 any permanent sign that projects over a highway or other public property;
 - | 1.64.2 flashing or blinking illuminated signs;
 - | 1.64.3 signs that make any noise calculated to attract attention to the sign;
 - | 1.46.4 signs that are illuminated by a floodlight or spotlight such that the light from the floodlight or spotlight shines directly into the path of oncoming motor vehicle traffic or onto adjoining property; and
 - | 1.46.5 any sign which advertises or pertains to a business, service, or activity which has been discontinued for 30 days or more.
- | 16.7 Nothing in this Bylaw prohibits the erection of a sign by an agency of government for purposes of public health or safety, or by a candidate in a municipal, provincial or federal election during the period prior to the election.

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1. HOME OCCUPATIONS REGULATIONS

- 1.1 The purpose of the regulations set out in this Part is to ensure that the conduct of home occupations including bed and breakfast home occupations does not give a non-residential appearance to premises on which they are conducted.
- 1.2 A home occupation is not permitted unless the premises on which it is conducted are concurrently occupied as a dwelling.
- 1.3 ~~Home occupations must be conducted entirely within the operator's dwelling or permitted accessory building except that this restriction does not apply to the use of the land for outdoor activities associated with a kindergarten, nursery school, daycare, agriculture or horticulture. A home occupation other than one involving agriculture or horticulture must be conducted entirely within the operator's dwelling unit or within buildings or structures accessory to that dwelling unit, and no exterior storage of materials, products or equipment is permitted.~~
- 1.4 No dwelling unit may be constructed or altered to accommodate a home occupation such that the external appearance of the dwelling unit in which it is conducted plainly indicates the presence of a home occupation use.
- ~~3.5 Except for one unilluminated nameplate not exceeding 0.6 square metres in area in respect of each home occupation, no sign or other advertising matter may be exhibited or displayed on the premises where a home occupation is conducted, and no exterior artificial lighting may be installed or operated on the premises for a purpose associated with the home occupation, except that an unilluminated business sign not exceeding 0.2 square metres in area may be placed on the premises.~~
- 1.56 No more than three persons may be employed in any home occupation, at least one of whom must reside permanently on the premises on which the home occupation is conducted.
- ~~3.7 Except for the retail sale of goods produced, processed or repaired as part of a home occupation, and retail sale of articles directly related to a personal service provided as a home occupation, the following activities are not permitted:~~
- ~~1. Retail or wholesale selling of any product or material~~
 - ~~2. The serving of food or drink products on the premises as part of a home occupation except for bed and breakfast home occupation in which case a morning meal may be served to paying guests.~~
- 1.86 No restaurant, cafe, commercial water bottling enterprise, boarding kennel, fur farm, feed lot or manure-based mushroom growing enterprise is permitted as a home occupation.
- 1.79 No home occupation may generate waste, noise, vibration, glare, fumes, odours, illumination or electrical interference ordinarily detectable off the lot on which the home occupation is conducted or consume more groundwater than would normally be consumed by a residential use of land.
- 1.810 The number of bedrooms used to accommodate paying guests in a bed and breakfast home occupation including any accommodation in a cottage must not exceed:
- 1.810.1 two if the lot is in the VR1 or VR2 zone; and
 - 1.810.2 three if the lot is in any other zone permitting home occupations.
- ~~3.11 The operator of every home occupation must comply with all licensing, health and other applicable regulations of British Columbia and the Capital Regional District, including building, public health, noise, air quality, and water quality regulations.~~

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3.12. No vehicle or equipment used by, or in the conduct of, a home business shall be stored in a required front yard setback or in a required side yard setback without being screened from view.

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Information Note: On properties located within the Agricultural Land Reserve (ALR), some provincial regulations apply to home-based businesses, unless variances are applied for and approved in writing by the Provincial Land Reserve Commission. No retail sales of goods or products are permitted in the ALR unless they are produced or repaired as part of the home-based business.

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PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 238

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

The Galiano Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Galiano Island Trust Committee Area under the *Islands Trust Act*, enacts as follows:

1. Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999” is amended as follows:
 - a) By amending Subsection 7.5.3 by inserting the words “where there is access to the lot providing continuous road access to the Sturdies Bay Ferry Terminal by any combination of dedicated highway, statutory right of way and private easement identified on Schedule C of the Galiano Island Official Community Plan as Proposed Highway or Proposed Emergency Access” after the word “uses” and deleting the words “and having highway access as defined in sub-section 17.1.16” and by replacing the words “Section 2.7” with “Sections 2.8 – 2.13”
- B. This bylaw may be cited for all purposes as the “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 3, 2012”.

READ A FIRST TIME THIS	19th	DAY OF	November	2012
PUBLIC HEARING HELD THIS		DAY OF		201x
READ A SECOND TIME THIS		DAY OF		201x
READ A THIRD TIME THIS		DAY OF		201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS		DAY OF		201x
ADOPTED THIS		DAY OF		201x

DEPUTY SECRETARY

CHAIR

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Memorandum

Date February 7, 2013 File Number GL-6500-20

To Galiano Island Local Trust Committee

From Robert Kojima
Regional Planning Manager

Re Galiano Development Permit Area Implementation

The purpose of this memo is to update the LTC on the status of the DPA implementation project. This is a Work Program Top Priority; however as it is primarily a series of administrative initiatives the LTC has not been directly involved in much of the work. The following table summarizes each work item and its current status:

Item	Description	Status
DAI Bylaw	Draft and forward to TC a Development Approval Information Bylaw that would authorize staff to require the specific professional reports necessary to assess the impacts of proposed development within DPA	Completed DAI Bylaw adopted Oct 2012
DPA compilation map	Prepare a map delineating all DPAs on single sheet. This is not an official schedule but a compilation for convenience. Copies for staff use, posted to website, Building Inspection and in on-island office	Completed
Meetings with affected agencies	Meet with CRD Building Inspection and MOTI development technicians to provide update on new DPA	Completed
Create DPA guideline Checklists	Create checklists for each DPA, for internal use in application review. Checklist is completed by planner for each application, confirming compliance with each relevant DPA guideline, and is attached to staff report for LTC review.	Completed
DAI Checklists	Create checklists for each DAI section, for use by applicants' professional consultants. If used, this will ensure that the consultants address each information requirement, or address why specific information may not be relevant. To be distributed with application or in pre-application meeting with planner, post to website	Completed
Community stewardship education	Shoreline stewardship workshop – February 23 rd Follow-up workshop on eel grass mapping and forage fish habitat to be scheduled	On-going
Fact Sheets	Create fact sheets for landowner/professional/public use, 1 brochure generally explaining DPAs and individual fact sheets for each DPA	On-going
DP tracking	Track issued DPs internally, for follow-up to monitor compliance	On-going

	with DP conditions. Initially tracking in a spreadsheet, to be incorporated in TAPIS upgrade later in 2013	
New application package	Develop new package for applicants, incorporating revised application form, DAI checklist, and information sheets	Pending
Review fees bylaw	LTC could consider amending fee bylaw to reduce fees for ecosystem DPA applications. Work require inclusion in work program	Pending

The expectation is that staff will substantially complete the remaining work by March 31st (end of the fiscal year)

For the LTC's information I have attached a copy of the DAI checklist and a draft of a DPA brochure currently under development.

pc Kris Nichols, Island Planner

Attachments: DAI Checklist
DPA brochure (Draft)

Galiano Island Local Trust Committee

Development Approval Information Checklist

Development Permit Area Applications

The attached checklists are intended to assist consulting professionals in submitting complete and relevant reports. A completed checklist(s) for each relevant Development Permit Area should be submitted to the Islands Trust along with all professional reports.

Instructions

Landowners/applicants should ensure that:

1. The relevant checklist(s) is provided to all their consulting professionals
2. A completed checklist is submitted with the professional reports
3. If not all information is provided in the report or with the application, that the professional has consulted with, and obtained prior approval, of the Islands Trust.

Consulting Professionals:

1. Complete and attach the relevant checklist(s) to your professional report indicating that the report has addressed all relevant development approval information requirements.
2. Where the professional is of the opinion that because of the nature of the site or the development proposal specific information is not relevant, the professional should:
 - a. Contact the planner as early as possible and consult on the need for the particular information;
 - b. Describe clearly in the report why the particular information is not relevant; and
 - c. Indicate on the checklist that the information is not applicable (N/A)
3. Where a site is designated within two or more DPAs, all relevant checklists should be completed.

Note: it is at the determination of the Islands Trust planner whether or not specific information is required. Failure to provide complete information without prior consultation with and the approval of the Islands Trust may result in delays in processing an application or requirements for additional information.

Pursuant to Galiano Island Local Trust Committee Development Approval Information Bylaw No 148, 2012, the applicant shall provide, as part of a development permit application, a report prepared by a qualified professional with relevant experience containing the following information. Where a professional is of the opinion that any of the following information requirements are not relevant for the proposal in question, the professional shall indicate the rationale for such an opinion, either in the body of the report or in a separate certification. The determination of whether and what extent that development approval information is required is at the discretion of the Islands Trust official.

OFFICE USE ONLY

File No: _____

RIPARIAN AREAS DEVELOPMENT PERMIT AREA (DPA 1)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	The proposed development and associated features		
	The development permit area boundary		
	Existing buildings and structures		
	Roads and driveways		
	Topographic features		
	The locations of the top of bank		
	The high water mark		
	SPEA widths and the width of any zones of sensitivity		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
Site Inventory	A site inventory providing a description and evaluation of the riparian values, including species of fish that frequent the waterbody, and riparian features and habitat present		
Development Proposal	A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, alterations affecting the watercourse, septic field installation, landscaping, or other land alteration during or after the development phase. Alternative development options.		
Impact Assessment	An assessment of the nature and extent of the impact of the proposed development consisting of the following:		
	For a stream: the results of the riparian assessment, using a detailed or simple assessment as indicated in the Riparian Areas Regulation, and establishing the Streamside Protection and Enhancement Area (SPEA) width for the subject parcel.		
	For other watercourses: an assessment of anticipated impacts on riparian habitat and features, the watercourse, and site hydrology.		
	The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development		
Measures	For a stream: a description of all measures that will be taken to maintain and protect the SPEA from development, including, where appropriate, assessment and treatment of danger trees, windthrow, slope stability, tree protection during construction, encroachment and sediment and erosion control.		
	For other watercourses: recommended measures to limit, mitigate and manage the impacts of the proposed development on riparian habit and features, the watercourse, and site hydrology.		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		

RIPARIAN AREAS DEVELOPMENT PERMIT AREA (DPA 1)			Office Use only
	Information and Documentation Required	✓	
Restoration	Recommended actions to restore or enhance riparian functions or habitat that have been degraded prior to development or that would be impacted by the proposed development		
Certification	For a stream, professional certification by the Qualified Environmental Professional(s) preparing the report that he or she is qualified to carry out the assessment, that the assessment methods have been followed, and providing his or her professional opinion that:		
	i. If the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area, or		
	i. If the streamside protection and enhancement areas identified in the report are protected from the development and the measures identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.		

File No: _____

SHORELINE AND MARINES AREAS DEVELOPMENT PERMIT AREA (DPA 2)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	▪ The proposed development and associated features		
	▪ The natural boundary of the sea		
	▪ The development permit area boundary		
	▪ Existing buildings and structures		
	▪ Roads and driveways		
	▪ Significant features identified in the site inventory		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
Site Inventory	A site inventory providing information on existing plant communities, marine and terrestrial habitats, current on-site and adjacent land uses, slope stability, erosional processes, hydrology, topography and marine sediment transport.		
Development Proposal	A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, alterations affecting the marine foreshore, septic field installation, landscaping, or other land alteration during or after the development phase. Alternative development options.		
Impact Assessment	An assessment of the nature and extent of the impact of the proposed development consisting of anticipated impacts on the following:		
	▪ Marine and terrestrial habitat		
	▪ Site hydrology		
	▪ Marine sediment transport		
	▪ Public access to and along the foreshore		
	The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area, including on adjacent and proximate sites		
Measures	A description of all measures to limit, mitigate and manage the impacts of the development on:		
	▪ terrestrial and marine habitat		
	▪ geomorphic, hydrological and coastal processes		
	A description of mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		

SHORELINE AND MARINES AREAS DEVELOPMENT PERMIT AREA (DPA 2)			Office Use only
	Information and Documentation Required	✓	
Restoration	Recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development		

OFFICE USE ONLY

File No: _____

TREE CUTTING AND REMOVAL DEVELOPMENT PERMIT AREA (DPA 3)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	The area of proposed cutting or removal of trees		
	Existing buildings and structures		
	Topographic features		
	Roads and driveways		
	Significant features identified in the site inventory		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
Site Inventory	A site inventory providing information on existing, pre-development timber species and quantities, current on-site and adjacent land uses, slope stability, erosional processes, hydrology and topography.		
Development Proposal	A description of the proposed work detailing volume, rate and species of timber to be harvested. Alternative options.		
Impact Assessment	An evaluation of the sustainability of the proposed rate of harvest, based on the principle that the cutting rate over any ten-year or greater period should not exceed 75% of the cumulative annual growth in the stand for that same period.		
	An unqualified statement by a professional hydrogeologist stating that the proposed timber harvesting will not adversely impact aquifer(s), existing wells, or surface water bodies in terms of water quality and quantity.		
	Where such a statement cannot categorically be made, the report should include specific recommendations on well and aquifer protection measures which would result in the requirement being met		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		

File No: _____

ELEVATED GROUNDWATER CATCHMENT DEVELOPMENT PERMIT AREA (DPA 4)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	The proposed development and associated features		
	The development permit area boundary		
	Existing buildings and structures		
	Roads and driveways		
	Topographic features		
	Significant features identified in the site inventory		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
	A map of all currently used water wells, springs and surface water features within a radius of at least 1 km of the development site.		
Site Inventory	A site inventory providing information on: - pre-existing development conditions - current on-site and adjacent land uses - slope stability - erosional processes - hydrology - surface water bodies - topography		
	A background analysis including the following:		
	A description of the hydrogeological system and setting, including the type of aquifer, aquifer boundaries, local surficial and bedrock geology, physical hydrogeology, local surface water features, estimated recharge area and conditions and climate;		
	A conceptual model of groundwater occurrence and groundwater-surface interaction;		
	A description of existing users within 1.0 km of the development site;		
	A preliminary pre-development water budget;		
	Water quality, including characterization of natural groundwater quality, potability, as well as possibility of contamination;		
	Methodology and, if applicable, uncertainties and limitations of the report.		
Development Proposal	A description of the proposed development detailing: - Construction - cut and fill - blasting - road or driveway construction - vegetation clearing - alteration to hydrological systems - alterations affecting the marine foreshore - septic field installation - landscaping - other land alteration during or after the development phase.		

ELEVATED GROUNDWATER CATCHMENT DEVELOPMENT PERMIT AREA (DPA 4)			Office Use only
	Information and Documentation Required	✓	
	Alternative development options.		
Impact Assessment	An assessment consisting of:		
	Cumulative effects analysis;		
	Impact to existing groundwater users, identification of the potential groundwater protection issues in the area and risk of saline intrusion;		
	Impact to surface water where applicable;		
	Other potential impact implications.		
Measures	Conclusions and recommendations consisting of:		
	A summary of the results and impact assessment		
	An unqualified statement that the proposed development will not adversely impact aquifer(s), existing wells, or surface water bodies in terms of water quality and quantity		
	where such a statement cannot categorically be made, specific recommendations on well and aquifer protection measures which would result in the requirement being met.		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		

File No: _____

SENSITIVE ECOSYSTEMS DEVELOPMENT PERMIT AREA (DPA 5)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	The proposed development and associated features		
	The development permit area boundary		
	Existing buildings and structures		
	Roads and driveways		
	Topographic features		
	Significant features identified in the site inventory		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
Site Inventory	A site inventory providing information on the ecosystem classification, based on current best practices, providing information on: - existing plant communities - aquatic and terrestrial habitats - sensitive ecosystems - nesting trees - the presence of rare species and rare plant communities - current on-site and adjacent land uses - slope stability - erosional processes - hydrology - topography		
	Site background analysis that includes the following known information: - A check for observed species and ecosystems at risk - A description of the context of the site including the use of adjacent lands and proximity to protected areas - A check for the presence of raptor and heron nests - A check for the presence of fish-bearing water courses		
Development Proposal	A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, septic field installation, landscaping, or other land alteration during or after the development phase. Alternative development options.		
Impact Assessment	An assessment of the nature and extent of the impact of the proposed development consisting of anticipated impacts on the following:		
	Sensitive ecosystems		
	Rare plant communities		
	Rare species habitat		
	Site hydrology		
	The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area, including on adjacent and proximate sites		
Measures	A description of all measures to limit, mitigate and manage the		

SENSITIVE ECOSYSTEMS DEVELOPMENT PERMIT AREA (DPA 5)			Office Use only
	Information and Documentation Required	✓	
	impacts of the development on environmentally valuable features		
	A description of mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		
Restoration	Recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development		

OFFICE USE ONLY

File No: _____

STEEP SLOPE HAZARD DEVELOPMENT PERMIT AREA (DPA 7)			Office Use only
	Information and Documentation Required	✓	
Site Plan	Professionally prepared plan at an appropriate scale and based on a legal survey, containing the following:		
	Topographic features and showing 1 to 5 metre contour intervals		
	The development permit area boundary		
	Existing and proposed buildings and structures		
	Roads and driveways		
	Proposed site grading and post development contours		
	Significant natural features		
	Where development would occur on slopes exceeding 20% grade: site profiles and cross sections demonstrating terrain conditions prior to disturbance		
Site Inventory	An assessment of potential geotechnical hazards that may affect the subject site and neighbouring properties. This should include a summary of the method of hazard analysis and the level of field work.		
Development Proposal	A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, alterations affecting the marine foreshore, septic field installation, landscaping, or other land alteration during or after the development phase. Alternative development options.		
Impact Assessment	An assessment of whether the proposed development would result in an acceptable probability of a geotechnical hazard.		
Measures	Recommendations for measures to reduce hazards on the subject site and neighbouring properties.		
Monitoring	Recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance		



GALIANO ISLAND

Development Permit Areas

A number of areas on Galiano Island have been designated as development permit areas, or DPAs. If you are the owner of a property that is wholly or partly within one of the areas, you may need to obtain a development permit before initiating certain kinds of land altering activities within these areas on your property.

What is a Development Permit Area?

A DPA is an area of land or water that has been designated in the Official Community Plan as requiring a permit before some types of development can proceed. DPAs are used by local governments in BC to establish design criteria, to protect natural features, or to protect development from natural hazards. At present, Galiano Island has seven DPA designations. Within each of these designations land alteration, construction and subdivision are restricted until a development permit is obtained. The DPAs on Galiano Island are intended to protect sensitive or rare natural environments, protect development from hazardous conditions or to guide the form and character on commercially and industrially zoned properties.



How Do I Find Out if my Land is Affected by a DPA?

To determine whether your land is impacted a DPA refer to the Section 5 of the OCP and Map Schedules F, G, H and I in the Galiano Island Official Community Plan (OCP). Copies of the OCP are available in the local trustee office on Galiano or on the Islands Trust website at www.islandstrust.bc.ca/ltc/gl/bylaws. There is also an unofficial DPA map which consolidates all the DPAs into a single map available on the Galiano webpage: www.islandstrust.bc.ca/ltc/gl/. In addition, Islands Trust Planning staff will assist you if you have any questions. Contact information is provided at the end of this document.

What is a Development Permit?

A Development Permit (DP) is a type of development approval issued by a local government. DPs are in addition to other approvals, such as building permits or subdivision approval. A landowner cannot undertake a subdivision, new construction or land alteration within a DPA without first obtaining a development permit. While a DP cannot preclude permitted

development, it can include conditions consistent with the DPA guidelines, such as attaching specific plans or requiring mitigation measures. A DP can also include variances where relaxation of zoning regulation (like a setback) can minimize impacts on a sensitive area.

How Do I Know if I Need a Development Permit?

If you plan to build, alter or subdivide land that is located within a DPA, you may need a permit. To check, refer to the OCP, each DPA includes guidelines, and exemptions, for each DPA designation. If you have any questions, contact Islands Trust planning staff. You would **not** need a development permit for buildings or development located within a DPA that were present prior to approval of the bylaw, for development outside of a DPA, or for development that is exempt from the need for a development permit.

How Do I Apply for a Permit?

If you need a permit, request an application form from the Islands Trust or download the online application form from www.islandstrust.bc.ca/lup/appforms.cfm.

Are There Exemptions for a Permit?

Yes. All DPA guidelines include exemptions from the need to obtain a permit for certain activities. DPA have exemptions for farm practices, forest management activities, maintenance of existing structures and landscaping, fencing, walking trails, and removal of dangerous or invasive vegetation. If you have any questions Islands Trust planning staff are available to assist you.

What if my Property is in Two DPAs?

You only need to submit one application and pay one fee. If you have any question please contact planning staff as they can determine whether more than one DPA applies to a property. Where two DPAs apply, the guidelines of both apply. In such cases, one permit is issued.

How Long Does it Take to Get a Permit?

It depends on the nature of the application. If a permit is required, the application will have to be processed by planning staff and put before the Local Trust Committee (LTC) for their review and decision.

The LTC meets monthly. Once a complete application is submitted, it typically takes 4 to 6 weeks to process an application, depending on the complexity of the site, the completeness of the application and supporting information, and the timing of LTC meetings.



Am I Required to Hire the Services of a Professional?

Probably, depending on the nature of the proposal and to what extent it impacts a DPA. The DPA guidelines contained in the OCP and an administrative bylaw called a Development Approval Information Bylaw clearly outline the specific requirements associated with each DPA. It is strongly recommended that you contact Islands Trust staff before proceeding with a development permit application in order to fully understand the nature of the potential options and requirements available to you.

How is an application assessed and who approves it?

Islands Trust planning staff can give you advice on the application process and options for developing your property. If you do need to apply for a permit, a planner assigned to Mayne Island will review your application, plans and any professional reports in relation to the DPA guidelines in the OCP, and make a recommendation to the LTC. The LTC will then consider issuance of the permit at a regular meeting. There is no public hearing or notification for a development permit application.



Are There Benefits to Having a DPA on your Property?

Prospective residents increasingly desire communities that actively protect and integrate the natural features and spaces, and consider the appearance of industrial and commercial developments. Research indicates that green space and properties with natural and treed areas are worth 5-20% more than properties without these features. Properties affected by environmental DPAs may qualify for the Natural Area Protection Tax Exemption Program (NAPTEP), which provides a 65% savings on property taxes over areas covenanted under this program. More information on NAPTEP is available from Islands Trust staff or from www.islandstrustfund.bc.ca/naptep.

How Much Does a Permit Cost?

The application fee varies depending on the type of DP Area. For ecosystem DPAs that protect the natural environment and DPAs that protect development from hazardous conditions, the fee is \$440. For DPAs that guide form and character of commercial development, the fee is \$660.

CONTACTING THE ISLANDS TRUST

Phone

Toll Free via Enquiry BC: 1.800.663.7867

Request the phone or fax number provided below

For general enquiries: 250.405.5151

Fax

250.405.5155

Email

View Islands Trust website for staff contacts and email addresses.

Mail

Islands Trust
200 – 1627 Fort St.
Victoria, BC V8R

Website

www.islandstrust.bc.ca/ltc/gl





Islands Trust

Top Priorities

Galiano Island

No.	Description	Activity	Received / Initiated	Responsibility	Target Date	Status
1	LUB update	1. Amendments resulting from OCP review 2. Review of regulations for geo-thermal exchange use. 3. Review of split-zoned lot regulations (Bylaws 237, 239) 4. Review of Parking Regulations 5. Sign Regulations (Bylaw 240) 6. Review of zoning regulations for Lions' Hall (Bylaw 239) 7. Review of FLR and F2 zoning and Land Transportation policy (o) requirement 8. Review zoning of small F1 lots that were in existence at the time of their purchase from Mac Blo. 9. Standards for potable water supply 10. Accessory building entitlements 11. Cottage floor area calculation Phase II items: 1. Secondary suites 2. Dock review	Apr-16-2012	Kris Nichols	Mar-31-2013	On Going

3. Short Term Vacation
Rentals

2	DPA Implementation	1. Update of Development Approval Information Bylaw - COMPLETE 2. Public communications: - shoreline workshop - Feb 23/13 - information brochures & Fact sheets - ON-GOING 3. Development of Administrative procedures: - DPA guidelines checklists - COMPLETE - DAI requirement checklists - COMPLETE - Application packages - PENDING	Dec-12-2011	Robert Kojima	Mar-31-2013	On Going
3	Ground water protection DPA policy review	Review detailed recommendations of Waterline Report, review existing DPA provisions, prepare options for amendments	Jun-13-2012	Kris Nichols	Mar-31-2014	On Going



Projects

Galiano Island

No.	Description	Activity	Received / Initiated	Status
1	Soil Removal and Deposit Bylaw	Review need and options for implementation of soil removal and deposit bylaw	Sep-12-2011	On Going
2	OCP amendment to review definition of "tree"		Dec-12-2011	On Going
3	Provincial Advocacy	• Letter from Steve Thomson, Minister of Forests dated Nov 2, 2011 to be brought forward for action at the appropriate time • Staff directed to request meetings with the following:	Feb-13-2012	On Going
4	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	Apr-16-2012	On Going
5	parking issues	issue for future discussion with MoTI and public parking issues generated from associated islands (see correspondence from P. Midgely on agenda of Apr/12)	Jul-23-2012	On Going
6	LUB Review	Policy review of regulations pertaining to strata common property.	Apr-16-2012	On Going



Applications w / Status - Galiano Island Status: Open

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2010.2	Scoones Planner: Robert Kojima	Aug-25-2010	To allow the retaining wall to be as close as 1ft from the property line.

Planning Status

Status Date: Jan-14-2013

Additional survey required to identify other encroachments, lot coverage, DVP file on hold BE file re-activated Deadline of March 15, 2013.

Status Date: Nov-13-2012

E-mail sent to applicant requesting how they want to proceed and pointing out missing information as previously requested. Response date is November 26.

Status Date: Nov-08-2012

Survey submitted by applicant showing encroachment.

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2013.1	Michael Norgang Planner: Kim Farris	Jan-22-2013	70 Bluff Rd To vary the front lot line to accomodate existing dwelling.

Planning Status

Status Date: Feb-26-2013

Waiting for site survey from applicant

Status Date: Jan-23-2013

Sent letter of acknowledgement of receipt of fees and application to applicant. Copied file to trustees and forwarded file to planner.

Rezoning

File Number	Applicant Name	Date Received	Purpose
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GL-RZ-2004.6

Crystal Mountain
Society
Planner: Kris Nichols

Jun-14-2004

OCP and LUB amendments to allow a Retreat Centre and Forest Retreat.

Planning Status

Status Date: Feb-14-2013

E-mail sent to applicant to set up a meeting as stated in November 2012.

Status Date: Nov-20-2012

Spoke with applicant. Setting up a meeting for early in the new year to review application and next steps.

Status Date: Nov-15-2012

Letter written to applicants regarding status update and that if nothing is heard the application will be taken to LTC for "proceed no further" resolution. Deadline for response is Dec. 17

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2005.2	Romagnoli Planner: Gary Richardson	Mar-21-2005	To rezone from F1 to F3

Planning Status

Status Date: Jan-29-2013

applicants again requested to provide comments

Status Date: Jan-13-2013

applicants indicate they will provide comments by end of Jan

Status Date: Jan-04-2013

Applicants again requested to provide potential covenant revisions

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2011.1	Galiano Land and Community Housing c/o Tom Hennessy Planner: Kris Nichols	Oct-06-2011	Rezone Agriculture and Residential to Community Facility-Affordable housing.

Planning Status

Status Date: Feb-21-2013

E-mail sent to applicant indicating additional information required prior to proceeding.

Status Date: Feb-18-2013

Staff report (Feb 18, 2013) provided update and next steps. As a result Trustees require additional information prior to a CIM being scheduled.

Status Date: Jan-31-2013

Applicants submitted revised site plan

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2011.2	Winmark Capital Inc. - Richard Dewinetz Planner: Kris Nichols	Dec-21-2011	To amend the OCP/LUB to change 90 hectares of F1 lands to Park Land & RR.

Planning Status

Status Date: Feb-18-2013

CIM held at LTC meeting

Status Date: Feb-01-2013

Staff working on required covenants and CIM scheduled for February 18, 2013

Status Date: Nov-16-2012

E-mail sent to applicant addressing next steps prior to a CIM being scheduled. Staff to work on covenants to wetland protection, access, etc.

Subdivision

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2007.1	LPG Landplan Group Inc (Zizzy/Brown) Planner: Kris Nichols	Feb-12-2007	Creating 6 new lots. DL 72 and Lot 15, DL 71 and 77, Plan VIP61007. X-reference GL-RZ-2005.3

Planning Status

Status Date: Feb-27-2013

Applicant completing survey and will submit to staff to attach to covenant and bylaw.

Status Date: Jan-10-2013

applicant indicates additional well-drilling and surveying still required. Working on removing easements to provide BC Parks with clean title

Status Date: Oct-15-2012

staff contacted by consultant indicating well drilling pending

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2010.1	Land Survey Inc. Planner: Kris Nichols	Jun-03-2010	ELLIS RD To create 2 lots

Planning Status

Status Date: Feb-09-2012

PLA received from MoTI dated April 1, 2011

Status Date: Sep-13-2010

Response sent to MOTI September 13, 2010.

Status Date: Sep-01-2010

Staff to send response to MOTI by September 10, 2010

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2012.1	Louis Gothier c/o Ron Taylor Planner: Kim Farris	May-01-2012	275 BLUFF RD & 351 BLUFF RD A boundary Adjustment

Planning Status

Status Date: Feb-26-2013

Waiting for S.219 covenant to be drafted by applicant

Status Date: Feb-13-2013

Status Date: May-17-2012

Sent letter of acknowledgment of receipt of application form and fees to applicant. Copied app to trustees and forwarded file to Planner.

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2012.2	Winmark Capital Inc. c/o Peter Thomson BCLS Planner: Kris Nichols	Jul-04-2012	Creating 12 new lots

Planning Status

Status Date: Sep-06-2012

PLA received from MOT

Status Date: Jul-31-2012

Referral response sent to MOT

Status Date: Jul-25-2012

Planner initiating review of application

Kathy Jones

From: Nicole Ranger
Sent: February-27-13 9:21 AM
To: Ken Hancock; Kris Nichols; Louise Decario; Robert Kojima; Sandy Pottle; Sharon Lloyd-deRosario; Kathy Jones
Cc: Nancy Roggers
Subject: Galiano Expense Report Feb/13

Islands Trust					
LTC EXP SUMMARY REPORT F2012					
Invoices posted to February 28, 2013					
625 Galiano	Invoices posted to February 28, 2013	Budget	Spent	Balance	
65000 625	LTC "Trustee Expenses"	1,100.00	401.28	698.72	
65200 625	LTC Local Exp LTC Meeting Expenses	3,900.00	2,895.76	1,004.24	
65210 625	LTC Local Exp APC Meeting Expenses	500.00	389.28	110.72	
65220 625	LTC Local Exp Communications	800.00	771.88	28.12	
65230 625	LTC Local Exp Special Projects	1,000.00	125.57	874.43	
65240 625	LTC Local Exp Miscellaneous	300.00	-	300.00	
TOTAL LTC Local Expense		6,500.00	4,182.49	2,317.51	
73001 625 2002	Galiano OCP/LUB	6,500.00	1,422.52	5,077.48	
73001 625 4002	Galiano Groundwater Protection	10,000.00	3,159.33	6,840.67	
TOTAL Project Expense		16,500.00	4,581.85	11,918.15	

Nicole Ranger

Finance Clerk
 Islands Trust
 200-1627 Fort Street
 Victoria, BC V8R 1H8
 Phone: (250) 405-5152
 Fax: (250) 405-5155

Preserving *Island* communities, culture and environment



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PROPOSED

Galiano Island Local Trust Committee Expense Budget

2012-2013

\$6500

	G/L Code	Budget
LTC Meeting Expenses	65200	3 900
APC Meeting Expenses	65210	500
Communications	65220	800
Special Projects	65230	1 000
Miscellaneous	65240	300
Total		6 500

Galiano Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: September 26, 2012

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 18, 2004	GL-LTC-118-04	Road Network Plan	It was Moved and Seconded that the issue of access, including the proposals provided in the Road Network Plan, be applied to any existing and future rezoning applications brought before the LTC.
2.	June 14, 2004	GL-LTC-130-04	Forest 1 and Forest 3 lots	It was Moved and Seconded that staff be directed to draft a proposal to the Islands Trust Executive Committee requesting approval of a special Galiano Island Local Trust Committee initiative to accept, at reduced fee levels and for a limited time, applications to rezone eligible Forest 1 lots to Forest 3. In support of this request we offer that applications received under this initiative be batched in groups of two or more, each under a single bylaw. This approach, administered efficiently, will take less time to process and therefore cost less than if done singly, while still ensuring community input through full public process. The groupings we anticipate should be for properties of like nature and general location, though not necessarily contiguous.
3.	July 21, 2004	GL-LTC-137-04	F1 Zone	It was Moved and Seconded that Galiano LTC consider option 1, Cost Recovery Model, of the July 7, 2004, staff report Re: Batching/Initiating Offer, as an operating policy for the charging of fees as part of any rezoning application and in particular with reference to applications for rezoning of F1- zoned properties.
4.	February 16, 2005	n/a	F3 Covenant	Galiano LTC will hold be a covenant holder to all covenants granted as part of the F3 rezoning process The model F3 covenant will be referred to all prospective covenant holders for comment on the document and to seek confirmation that they are willing to be a covenant holder jointly with the local trust committee.

No	Meeting Date	Resolution No.	Issue	Policy
5.	June 29, 2005	n/a	Subdivision Applications	Staff are requested to prepare a report that provides wording for standing resolution to refer subdivision applications to the Galiano Fire Department and the Parks and Recreation Commission.
6.	May 11, 2009	GL-LTC-85-09	Parks Commission Referral	THAT the Galiano Island Local Trust Committee direct Staff to send rezoning applications to the Galiano Island Parks and Recreation Commission for referral.
7.	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.
8.	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.
9.	September 17, 2012	GL-LTC-100-12	Short Term Vacation Rentals	THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, Short Term Vacation Rentals that have one or more of the following characteristics will be subject to enforcement: 1. There are issues related to health and safety; 2. There is a written complaint by owners or residents of two properties about bona fide serious nuisance issues such as noise or parking congestion related to the STVR; 3.The owner of the property uses more than one property on Galiano Island as a STVR. THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Galiano Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time; THAT the policy remains in effect until such time as the regulatory review is complete.

K:\LTC\Galiano\Standing Resolutions\Policies and standing resolutions.doc



Islands Trust

Preserving **island** communities, culture and environment.

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Population (2011):

Approximately 1,138

Size:

5,810 hectares (14,356 acres)

Location:

26 kilometres north-east of the Swartz Bay ferry terminal located on Vancouver Island.

[Land Use Planning](#)
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Galiano Island Local Trust Committee

Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the Galiano Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

January 2013

- [Galiano Island Public Hearing to be held March 11, 2013](#)
- [Galiano Special Meeting February 23, 2013 \(An Invitation to "Greening our Shores" Shoreline Stewardship Event\)](#)

November 2012

- Land Use Bylaw Review - Proposed Amendments: [Bylaw No. 237](#) | [Bylaw No. 238](#) | [Bylaw No. 239](#)

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Planner Office Hours on Galiano Island

Galiano Island Local Trust Committee Projects

Local trust committee community planning projects are initiated and managed through their Work Programs. The Work Program Top Priorities are projects that have been prioritized by the LTC and for which resources are available or anticipated to be available shortly. Projects can be significant and long term, such as an Official Community Plan Review, or may be relatively minor, such as an amendment to a regulation in a Land Use Bylaw.

- [Work Program Top Priorities](#)

General

- ["A Guide to Environmentally Friendly Building and Renovating in the Southern Gulf Islands" booklet](#)
- [A "Choosing a Building Site on your Lot" fact sheet](#)
- [A "Making Changes to your Lot Line" fact sheet](#)
- [An "Applying for a Variance" fact sheet](#)
- [Geological Hazard Mapping Project- Final Consultant report March 31, 2010](#)

Shoreline Stewardship Workshop

- [Workshop Notice](#)
- [Workshop Agenda](#)
- [Integrated Shoreline Mapping](#)
- [Mapping Methodology Report](#)
- [Greenshores](#)
- [Integrated Shoreline Mapping Presentation](#)
- [Conservation of Eelgrass in the Islands Trust Area](#)
- [Green Shores and the Green Shores for Homes Rating System](#)
- [Creatures of the Deep](#)
- [Shoreline Mapping: Eelgrass and Forage Fish](#)
- [Islands Trust Fund Caring for Our Shorelines](#)

Climate Change Action

- [Staff Report - October 2009](#)

Committee Links

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[Associated Islands](#)

[Land Use Application Forms](#)

- [Community Engagement Tools](#)
- [Climate Wise Islands](#)
- [Staff Report - January 29, 2010](#)
- [Adopted Bylaw No. 206](#)

Groundwater Study

- [Galiano Groundwater Study- Phase One \(Waterline Resources Inc. March 31, 2011\)](#)
- [Galiano Groundwater Study - Phase Two \(Waterline Resources Inc. - May 10 2012\)](#)

Development Permit Areas

- [Galiano Island Development Permit Area Compilation Map](#)
- [Development Approval Information Checklist](#)

Official Community Plan Review

Consolidation

- [Galiano Island Official Community Plan Bylaw No. 108, 1995 - consolidated November 25, 2011](#)

Land Use Bylaw Review

Staff Reports

- [Staff Report- June 11, 2012](#)
- [Staff Report -July 23, 2012](#)
- [Staff Report - October 15, 2012](#)
- [Staff Report Bylaw No. 237 - November 19, 2012](#)
- [Staff Report Bylaw No. 238 - November 19, 2012](#)
- [Staff Report Bylaw No. 239 - November 19, 2012](#)

Proposed Bylaw

- [Proposed Bylaw No. 237](#)
- [Proposed Bylaw No. 238](#)
- [Proposed Bylaw No. 239](#)

Applications

Rezoning Application : GL-RZ-2005.2 (Smith/Romagnoli)

- [Staff Report dated July 29, 2010](#)

Rezoning Application: GL-RZ-2011.1(Affordable Housing)

Staff Reports:

- [Staff Report dated November 3, 2011](#)
- [Staff Report dated November 28, 2011](#)
- [Staff Memo dated January 31, 2012](#)
- [Staff Report dated April 16, 2012](#)
- [Staff Report dated July 9, 2012](#)
- [Staff Report - September 17, 2012](#)

Proposed Bylaws:

- [Proposed Bylaw No. 233](#)
- [Proposed Bylaw No. 234](#)

Rezoning Application: GL-RZ-2011.2 (Richard Dewinetz)

- [Preliminary Staff Report dated March 30, 2012](#)
- [Memo dated May 3, 2012](#)
- [Staff Report dated May 31, 2012](#)
- [Preliminary Layout Plan, prepared February 29, 2012](#)
- [Proposed Layout Plan, prepared May 2, 2012](#)
- [Proposed Bylaw No. 235](#)
- [Proposed Bylaw No. 236](#)

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Memorandum

Date January 24, 2013 File Number 0410-20

To Gabriola Island Local Trust Committee
 Galiano Island Local Trust Committee
 Mayne Island Local Trust Committee
 North Pender Island Local Trust Committee
 Salt Spring Island Local Trust Committee
 Saturna Island Local Trust Committee
 South Pender Island Local Trust Committee
 Thetis Island Local Trust Committee

From Robert Kojima, Regional Planning Manager
 Leah Hartley, Regional Planning Manager
 Courtney Simpson, Regional Planning Manager

Re National Marine Conservation Area

At December Trust Council, a Request for Decision (RFD) from Trust Programs Committee concerning the proposed National Marine Conservation Area Reserve (NMCAR) was considered. Trust Council adopted the following resolutions:

Resolution TC 161/12

That the Islands Trust Council reaffirm its support for a National Marine Conservation Area Reserve in the Southern Strait of Georgia, and affirms its support for enacting the entire perimeter (or larger) as currently proposed .

Resolution TC 161/12

That the Islands Trust Council recommend that local trust committee zoning be used by Parks Canada as the basis for defining the zoning in the National Marine Conservation Area Reserve Interim Management Plan.

Resolution TC 161/12

That the Islands Trust Council propose that the Islands Trust be included in a joint management approach to the National Marine Conservation Area Reserve.

The RFD included the following passage:

Local trust committees (except Lasqueti, Hornby, Denman, Gambier and Executive (Ballenas-Winchelsea)) are encouraged to give specific input (ideally by resolution) about more precise NMCAR boundary definition in environmentally sensitive areas and/or exclusions of high use areas such as docks

and sewage outfalls. (CAO comment: Those LTCs that wish to solicit public comment or make detailed assessments before providing more specific input regarding NMCAR boundary definition would need to make this a work program priority with assigned planner resources.)

LTCs have several options in considering if further specific input is appropriate.

1. Review of NMCAR boundaries: as suggested in the RFD quote above, an LTC may consider that a detailed review of the proposed boundaries within the LTA should be conducted prior to making comment. This may involve some or all of the following:
 - a. Staff review of Parks Canada proposed NMCAR boundaries in comparison to Islands Trust mapping and LTC bylaw designations and zoning.
 - b. Identification and delineation of specific locations to recommended for exclusion (or for inclusion). For example public docks could be requested for exclusion, and options could be considered for the exact boundary of the area of exclusion (i.e. lease, zone or general area of activity). Conversely, a recommendation could be made to include areas current shown as excluded based on Islands Trust mapping (ecosystem, shoreline, archaeological, etc.)
 - c. LTC led consultation, including community meetings and consultation with local groups

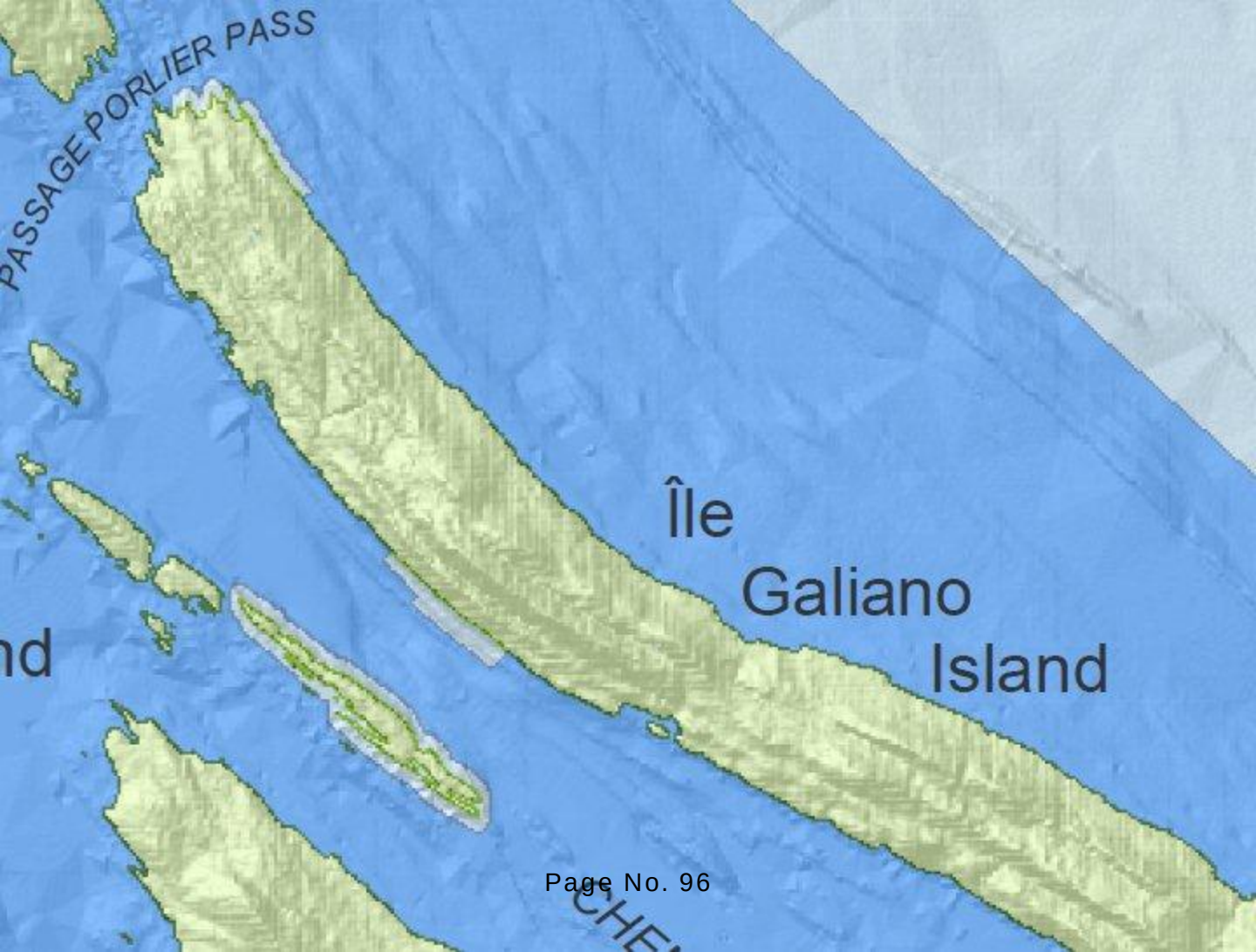
Although the work may be completed within one or two LTC meetings, this level of work should be treated like any other LTC project and included as Top Priority on the Work Program and staff should be requested to provide options on the resources, timelines and scope of work.

2. The LTC may consider a simple resolution or set of resolutions to forward to Parks Canada. For example:
 - a. A resolution recommending exclusion specific location or feature (e.g. a public dock)
 - b. A resolution recommending that Parks Canada hold a public meeting on the island.

This approach would typically be considered at a single meeting and would not need to be added to the Work Program. Trustees considering this approach are encouraged to work with their Island Planner in advance of the meeting on suitable resolution wording.

3. Finally, an LTC may consider that no further action is necessary from the LTC. In other words, the resolutions of Trust Council are sufficient.

pc David Marlor, Director of Local Planning Services
Lisa Gordon, Director of Trust Area Services







Memo

To: Galiano Island Local Trust Committee
From: Emily Kozak, Islands Trust Fund Secretary
Date: January 24, 2013
Re: Laughlin Lake Addition – Lot 5 Acquisition

Message

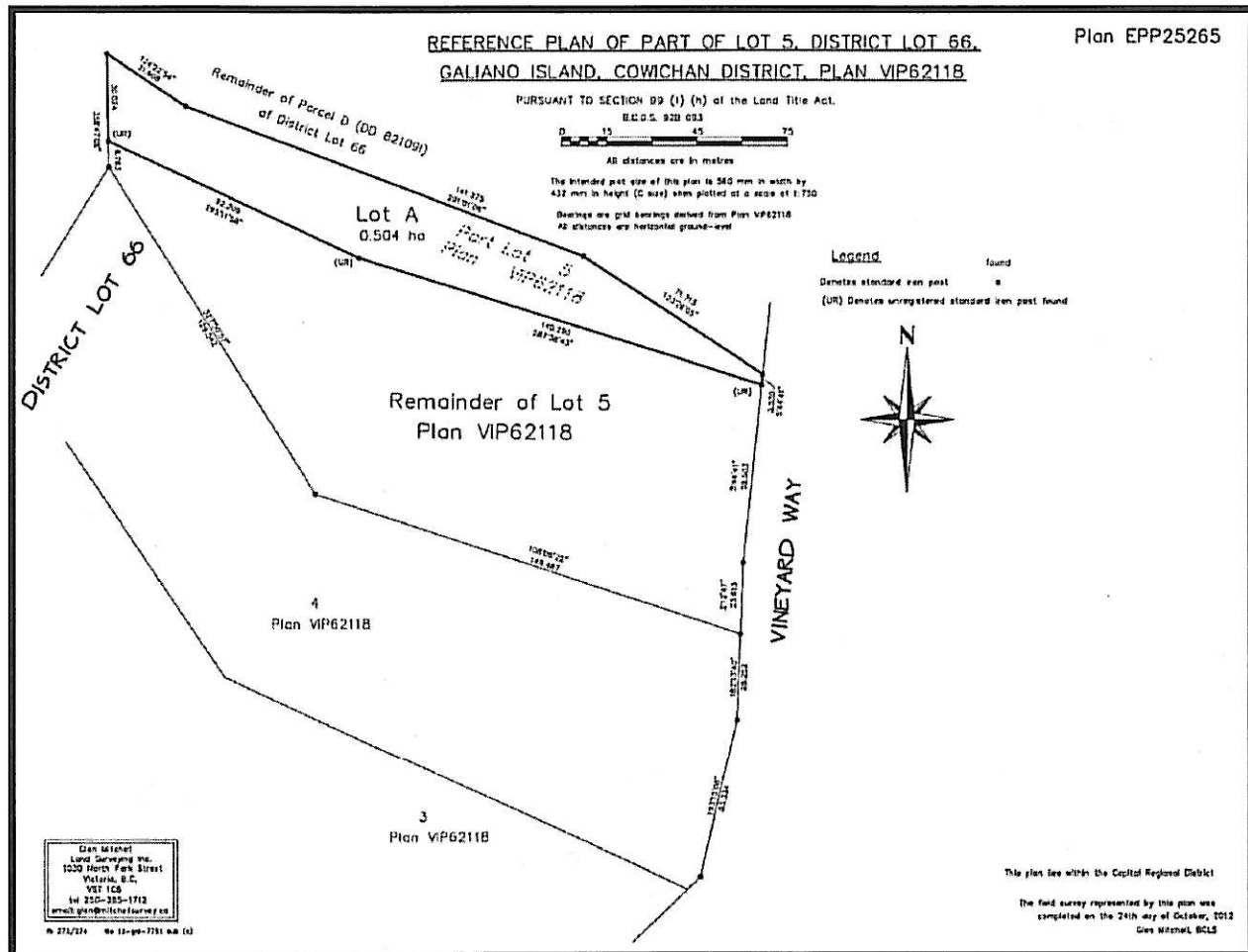
Please find attached a copy of the reference plan showing the location of Lot 5, District Lot 66, on Vineyard Way, Galiano Island. The highlighted area of this property was recently donated to the Trust Fund Board by Galiano Island residents Ken and Linda Millard. This donation was completed through subdivision, using Section 99 of the Land Titles Act.

The acquisition of this land is a valuable addition to the Laughlin Lake Nature Reserve. I have also attached a map showing the complete protected area.

If you have any questions about the Laughlin Lake Nature Reserve, or about the benefits and process of land donation, please do not hesitate to contact the Islands Trust Fund Office at (250) 405 5186 or ekozak@islandstrust.bc.ca.

Sincerely,

Emily Kozak
Secretary
Islands Trust Fund

REFERENCE PLAN - PLAN EPP25265

D. R. COELL & ASSOCIATES INC.
REAL ESTATE APPRAISERS & CONSULTANTS

PROPOSED ADDITION TO LAUGHLIN LAKE PROTECTED AREA

Laughlin Lake Protected Area
(REM. PCL. D, DL 66)

Proposed Protected
Portion, Lot 5

Proposed Residential Portion
Lot 5

Produced by Ken Millard, October 2009
2005 Corrected Aerial Photography
Projection: UTM Zone 10 NAD83
Scale 1:2,500

20 0 20 40 Meters

STATEMENT OF COOPERATION for the COASTAL DOUGLAS-FIR AND ASSOCIATED ECOSYSTEMS CONSERVATION PARTNERSHIP (CDFCP)

We believe that:

1) *biodiversity is a key component of Canada's national heritage.*

Both Canada and British Columbia have made international and national commitments to conserve biological diversity. Biodiversity includes all species and ecological communities and the interactions between them and has both inherent and economic values that justify its conservation. We are committed to preserving this rich component of our national heritage for future generations.

2) *the Coastal Douglas-fir Biogeoclimatic Zone is a unique and special place.*

The Coastal Douglas-fir biogeoclimatic zone (CDF zone) is unique and found almost exclusively in British Columbia. It is an area of extremely rich biological and ecological diversity and supports species and ecosystems that do not occur elsewhere in Canada. It has international significance because of its limited range in North America. This zone is also home to an increasing number of people drawn by the quality of life and the mildest climate in Canada. This area supports a wide range of agricultural, forestry, mining, recreation and tourism activities.

3) *the future integrity of the Coastal Douglas-fir and Associated Ecosystems is threatened.*

We will not take the future health of the Coastal Douglas-fir and Associated Ecosystems (CDFAE) for granted. Although the area's economic wealth has long been based on its abundant natural resources, population growth and associated human activities now threaten the natural environment which has made it so special and attractive. There are 43 Red and Blue-listed ecological communities in the CDF zone alone and 278 species at risk, of which 107 are listed by COSEWIC and 99 are listed under the federal Species At Risk Act (SARA) (BC CDC, 2012)

4) *it is not too late to secure the ecological integrity of the CDFAE for future generations.*

All the necessary elements of a Conservation Partnership are in place. Governments, non-government organizations, community groups and individuals are aware of the many conservation issues facing the CDFAE and recognize the need to preserve this special place. There is adequate scientific information to make informed decisions. We are strongly committed to cooperation and partnership for conservation of the CDFAE.

5) *protecting this special place is our shared responsibility.*

With this *Statement of Cooperation*, we are focusing the energies and efforts of an emerging Conservation Partnership so that we can make a coordinated contribution toward addressing the conservation issues facing the CDFAE. We wish to engage the considerable skills, energy and resources of our governments, ENGOs, community groups, educators, youth, workers, industry and business. We intend to work through cooperative mechanisms currently in place to inform and involve others. This will produce an open and transparent process of establishing priorities, identifying opportunities for effective cooperative action, and measuring progress. We will work with, and be guided by, existing conservation planning initiatives that affect conservation of the CDFAE.

6) *the Aboriginal peoples of the Coast play a special role in the future of the natural system.*

Through their long historical relationship with the lands and resources, the Aboriginal peoples of the CDFAE have acquired a special knowledge. To conserve and protect the area, we will work closely with the Aboriginal peoples of the CDFAE, so their unique perspective can contribute to our common efforts.

7) we will build on the progress made to date.

In our efforts to work closely together for the future of the CDFAE, we will build on the conservation activities and working relationships that have already been established in the area. Many programs and initiatives have protected portions of the landscape, implemented successful stewardship projects, created conservation plans, produced research results, and produced an array of informative publications.

We intend to work together to facilitate practical and effective conservation of the CDFAE

This *Statement of Cooperation* states our shared principles, goals and challenges. It provides a framework for collaboration on future initiatives through this Conservation Partnership, and will establish common priorities and a means to coordinate many of the initiatives already underway. We will be guided by our Terms of Reference, we will cooperate in an open and accountable manner, translate our commitments into actions, and monitor our progress. Research, monitoring and evaluation activities will provide new information and we are committed to considering and incorporating new information in our conservation approaches, priorities and management.

In working together towards the goals set out in this Statement of Cooperation, we welcome the ideas and efforts of all residents and organizations concerned about the future of the CDFCP. It is our intention to add new signatures to the Statement of Cooperation as new partners adopt the principles outlined in this document.

[Signature]

Name
Position
Affiliation

[Signature]

Name
Position
Affiliation

[Signature]

Name
Position
Affiliation

Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP) Terms of Reference

Background

The Coastal Douglas-fir biogeoclimatic zone (CDF zone) is the smallest and most at risk zone in BC and is of conservation concern (Biodiversity BC, 2008). The CDF zone is home to the highest number of species and ecosystems at risk in BC, many of which are ranked globally as imperiled or critically imperiled (BC CDC, 2012). The global range of the CDF lies almost entirely within BC, underscoring both its global uniqueness and BC's responsibility for its conservation. Of all the zones in BC, the CDF has been most altered by human activities. Less than 1% of the CDF remains in old growth forests (Madrone, 2008) and 49% of the land base has been permanently converted by human activities (Hectares BC, 2010). The trend of deforestation and urbanization continues and has resulted in a natural area that is now highly fragmented with continuing threats to remaining natural systems. Approximately 9% of the CDF zone is protected in conservation areas (MFLNRO, 2011). The extent of disturbance combined with the low level of protection places the ecological integrity of the CDF zone at high risk (Holt, 2007).

In response to complaints to the Forest Practices Board related to logging of endangered plant communities on Crown Land in the CDF zone, the province of BC released its CDF Conservation Strategy in 2008. Along with the protection of an additional 1600 ha of CDF under a Land Use Order and completion of terrestrial ecosystem mapping for 80% of the zone (excluding CDF in Lower Mainland), the strategy included a commitment to raise awareness and promote CDF stewardship to private land owners, local governments, and environmental non-government organizations (ENGOS). Since 2010 the province has hosted a series of workshops to both share information and solicit ideas on how to better address CDF conservation issues on a land base with a unique land ownership pattern where approximately 80% of the CDF zone is private land, 9% is provincial crown land and 11% is owned by other levels of government. A growing awareness of these issues has resulted in an increased interest in stewardship amongst the people, organizations and governments in the CDF zone.

One of the highest priority recommendations, from the feedback received at the workshops since 2010, relates to the need for a more strategic and collaborative approach amongst those working on CDF conservation issues to identify shared priorities, reduce duplication of effort and share resources and information. Another recommendation was to include the Coastal Western Hemlock Eastern Very Dry Maritime (CWHxm1) variant in the discussion because of the transitional area between the two biogeoclimatic units, the anticipated changes in boundaries due to the effects of climate change, and in many areas, similar levels of loss and fragmentation to that of the CDF. A key difference between the CWHxm1 and the CDF is that the CWHxm1 is much broader in range in BC and extends into the Pacific Northwest of the USA.

With these recommendations in mind, an ad hoc group of representatives from various levels of government, community residents, and ENGOS have met since the fall of 2011. At a workshop in March 2012 attended by a wide range of organizations, governments, resource professionals and private citizens, the concept of a partnership was widely endorsed. One of the action items from the workshop was to task a small group to develop a DRAFT Terms of Reference (TOR) to be presented back to the larger audience by June, 2012. The workshop participants requested that the TOR address options for the group's name, its mandate and its geographic scope. The concept of the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP) had been launched.

Purpose

The CDFCP is intended to be a forum for communication and collaboration regarding the maintenance and restoration of healthy Coastal Douglas-fir and Associated Ecosystems (CDFAE) (see map in Appendix A). The CDFCP recognizes the need for shared stewardship of CDFAE and will strive to focus resources collaboratively, strategically and transparently so as not to duplicate existing conservation efforts and to maximize conservation gains.

The CDFCP will strive to strategically address ongoing threats to CDFAE conservation due to growing human populations, development, and resource use through collaborative engagement of parties with the goal of raising awareness of conservation issues and promoting conservation objectives in a respectful manner.

The CDFCP will endeavour to support and explore synergies with its partners and will recognize existing conservation planning and initiatives and will endeavor to build upon, promote and support those initiatives whenever possible and incorporate existing plans into CDFCP outcomes. The Partnership will strive to not negatively impact a partner's ability to carry out their mandate.

The CDFCP recognizes the importance of basing decisions on the best available science and will provide an information sharing forum to disseminate information such as mapping resources and provide advice to support conservation initiatives occurring throughout the CDF and CWHxm1.

Conservation Partnership Composition, Roles and Responsibilities

Participants and Supporters:

The CDFCP will be an affiliation of a broad range of stakeholders who share a common focus on CDFAE conservation. It includes agencies and individuals that are interested in promoting and protecting healthy CDFAE into the future. Land trusts, government (federal, provincial, regional, local), environmental stewardship groups, resource industry professionals, First Nations, private landowners and academic institutions are encouraged to become CDFCP Participants or Supporters and are invited to participate in related working groups. Participants are affiliated with a government or organization whereas Supporters have no such affiliation.

Steering Committee:

The Steering Committee will consist of a maximum of 12 people, preferably with at least one, or possibly two, member from the various sectors listed in Table 1 who will serve as a working executive for the Conservation Partnership. The Steering Committee will be responsible for developing the overall approach of the Conservation Partnership and provide a forum for decision making which reflects the direction the Conservation Partnership chooses. The Steering Committee will be responsible for the day to day management of the Conservation Partnership as well as establishing Working Groups and will provide direction to them. Ideally, the Steering Committee will in part consist of Chairs and/or Co-Chairs of the various Working Groups. The Steering committee and the Conservation Partnership will have no regulatory authority but will provide leadership, strategic guidance and assistance to partners through potential activities such as:

- Guiding development and implementation of plans and/or strategies
- Recommending priorities
- Engaging and providing advice to governments and local stakeholders
- Securing funding where required
- Providing and accessing specialized expertise
- Facilitating the collection and dissemination of data and information
- Facilitating public outreach and education
- Supervising and directing the CDFCP Coordinator

Table 1. Potential Composition of CDFCP Steering Committee (may be more than one representative per sector)

Name	Organization	Role
All TBD	Ministry of Environment	
	Ministry of Natural Resource Operations	
	Federal Government	
	Local Government	
	First Nation	
	ENGO	
	Resource Sector	
	Academia	
	Private Land Owner (member at large)	

See **Appendix B** (to be developed later) for contact information for each Steering Committee member.

CDFCP Coordinator:

The Conservation Partnership Coordinator will be responsible for:

- Coordinating meetings for the:
 - o CDFCP Steering Committee
 - o CDFCP Working Groups
- Coordinating communications materials with direction and input from the Steering Committee
- Acting as a flow-through for information dissemination to CDFCP Participants and Supporters
- Other activities outlined in the CDFCP Coordinator job description

The Conservation Partnership Coordinator will report directly to the Chair(s) of the Steering Committee.

Working Groups:

Working Groups which report to the Steering Committee will be established to complete specific priority activities laid out in subsequent plans and/or strategies. Working groups will select Chairs or Co-chairs who will be responsible for guiding the group to carry out identified priority tasks and report back to the Steering committee.

A number of possible Working Groups have been discussed. These will need to be refined and approved by the stakeholders of the Conservation Partnership and Steering Committee. They include:

a) Restoration and Stewardship group

The Restoration and Stewardship Working Group will focus on active restoration of CDFAE as well as promoting stewardship of CDFAE through existing organizations and information sharing between organizations.

b) Science/Technical

The Science/Technical Working Group (STWG) will provide advice and data to the Conservation Partnership, the Steering Committee and Working Groups, based on the best available science and mapping. Where the STWG does not have the appropriate level of expertise in-house for a particular subject, it will consult with appropriate experts.

c) Local Government

Due to the overlap of objectives, the Local Government Working Group (LGWG) may consist of the same membership as and be associated with regional implementation of the Species and Ecosystems At Risk Local Government Working Group (link: http://www.env.gov.bc.ca/wld/searl_gwg/) and will respect the recommendations and TOR that guide that group, while also meeting the recommendations and TOR of the CDFCP.

d) Resource Sector

The Resource Sector Working Group (RSWG) will be associated with natural resource extraction industries active in CDFAE. The RSWG recognizes economic activities exist within CDFAE and are an important part of local economies. The RSWG will engage others in the resource sector to:

- raise awareness of CDFAE conservation issues
- increase awareness of the impacts of resource extraction activities on CDFAE
- develop and promote best management practices to reduce impacts on CDFAE
- seek ways to increase the compatibility of resource activity outcomes with CDFAE conservation objectives
- explore and promote alternate economic opportunities that are more consistent with the CDFAE conservation objectives

e) Outreach and Education

The Outreach and Education Working Group (OEWG) is responsible for increasing awareness of CDFAE and CDFAE conservation issues as well as promoting CDFAE conservation objectives amongst all parties including the general public, all levels of government, CDFAE private landowners, First Nations and the Resource Sector

f) Securement

The Securement Working Group (SWG) will consist of land trust organizations who will collaborate on land securement priorities for CDFAE and methods for land securement including conservation covenants, land donations, eco-gifts, land acquisition, Crown Land securement and other voluntary conservation methods. Representatives of this Group will liaise with the Land Securement Subcommittee of the Conservation Partners of BC.

Geographic Scope

The Geographic Scope of the CDFCP includes the CDF and CWHxm1 biogeoclimatic zone/subzones, featured on the map in Appendix A.

Operating Policies and Procedures

Meetings

- Regular meetings of the Steering Committee at a minimum of every 3 months
- Meetings of the Conservation Partnership (open to the public) once a year
- Meeting procedures by consensus of CDFCP members
- Regular meeting dates established at start of the year
- Other meeting dates at the call of the Co-Chairs
- Members who are unable to attend can be represented by an alternate or can provide their written input prior to a meeting or join via teleconference
- Resource people or community representatives may be invited to attend specific meetings where their input would be of benefit

Decision-making

- Consensus model as much as possible
- If decision-making by consensus cannot be achieved, quorum for the decisions of the steering committee will be 50%+1 of active members
- Steering Committee members will be mindful and make best efforts to act in accordance with the following “Ground Rules”

“Ground Rules”

- Steering Committee members will:
 - o come well prepared to discuss issues.
 - o recognize concerns & interests of others, whether or not they agree with them.
 - o share discussion time, encourage full participation and search for common understanding.
 - o state their own views clearly, listen carefully to others, and explore issues fully before forming conclusions.
 - o work in a spirit of collective problem solving.
 - o communicate with respect and courtesy – no interrupting or side conversations.
 - o strive to reach consensus.
 - o support a decision, strategy or plan once it is adopted.

Communications outside Partnership

A spokesperson or spokespersons chosen by the Steering Committee may communicate on behalf of the CDFCP for the purposes of advancing a plan or strategy endorsed by the Conservation Partnership. In the absence of a plan or strategy, the spokesperson(s) may communicate on behalf of the CDFCP to provide support for conservation initiatives occurring within the CDFAE.

Participants can promote the Conservation Partnership but may not communicate on behalf of the Conservation Partnership without the approval of the Steering Committee. CDFCP participants will not use their participation in the CDFAE Conservation Partnership to advance their own interests without first consulting and receiving approval of the Steering Committee.

Funding

Funding will initially be secured through CDFCP participants. As the CDFCP matures, other funding models may be considered.

The Conservation Partnership will exist independently of operating and project funding. Where funds are sought, they will support the interests outlined in this Terms of Reference or will advance the goals and objectives of a CDFCP conservation plan or strategy. Where synergies exist, the Conservation Partnership will endeavour to seek funds that will also support its partners and wherever possible, fundraising for the CDFCP will be done in novel ways and efforts will be made to seek funds from sources not available to partner groups. Members of the CDFCP participate on a voluntary basis and are not financially compensated for their time by the partnership. Steering Committee members may be reimbursed for travel costs in order to attend the face-to-face meetings or workshops if funds are available.

Short Term Outcomes

The Steering Committee, in collaboration with CDFCP Participants and Supporters and Working Groups will work to produce the following outcomes:

1. CDFCP Interim Budget:

Within three months, the Steering Committee will complete an interim budget to define the financial resources required to implement the interim work plan, establish and resource priority working groups and hire a Conservation Partnership Coordinator.

2. CDFCP Interim Work Plan:

Within three months, the Steering Committee will complete an interim work plan to guide its work prior to the adoption of a CDFCP Conservation Plan/Strategy. This interim plan will include:

- A communications statement indicating how the Conservation Partnership will communicate with funders, the public, Conservation Partners and other agencies in absence of a CDFCP Conservation Plan/Strategy. Communications may include website development, indications of support to partners requesting endorsement of CDFCP related projects and CDFAE information materials.
- Information on immediate action items and responsibilities of the CDFCP Working Groups

3. Establishment of CDFCP Working Groups:

Within 6 months, the Steering Committee will establish the membership of the CDFCP Working Groups. **Within one year**, the CDFCP Working Groups will create their own Terms of Reference which will include information about:

- Goals and objectives
- Member responsibilities
- Meeting frequency and attendance
- Decision making
- Communication within the working group, with other working groups, outside agencies and with the Steering Committee

4. CDFCP Coordinator:

Within 6 months, the Steering Committee will create a job description and funding plan for a CDFCP Coordinator. **Within one year**, a Coordinator position will be funded and filled.

5. CDFCP Conservation Plan/Strategy:

Within one year, the Steering Committee will complete a CDFCP Conservation Plan/Strategy that includes:

- A vision statement
- Conservation goals
- Measureable targets
- Assessment of threats
- Recommended actions and lead agencies for the actions
- Proposed budget and financing plan

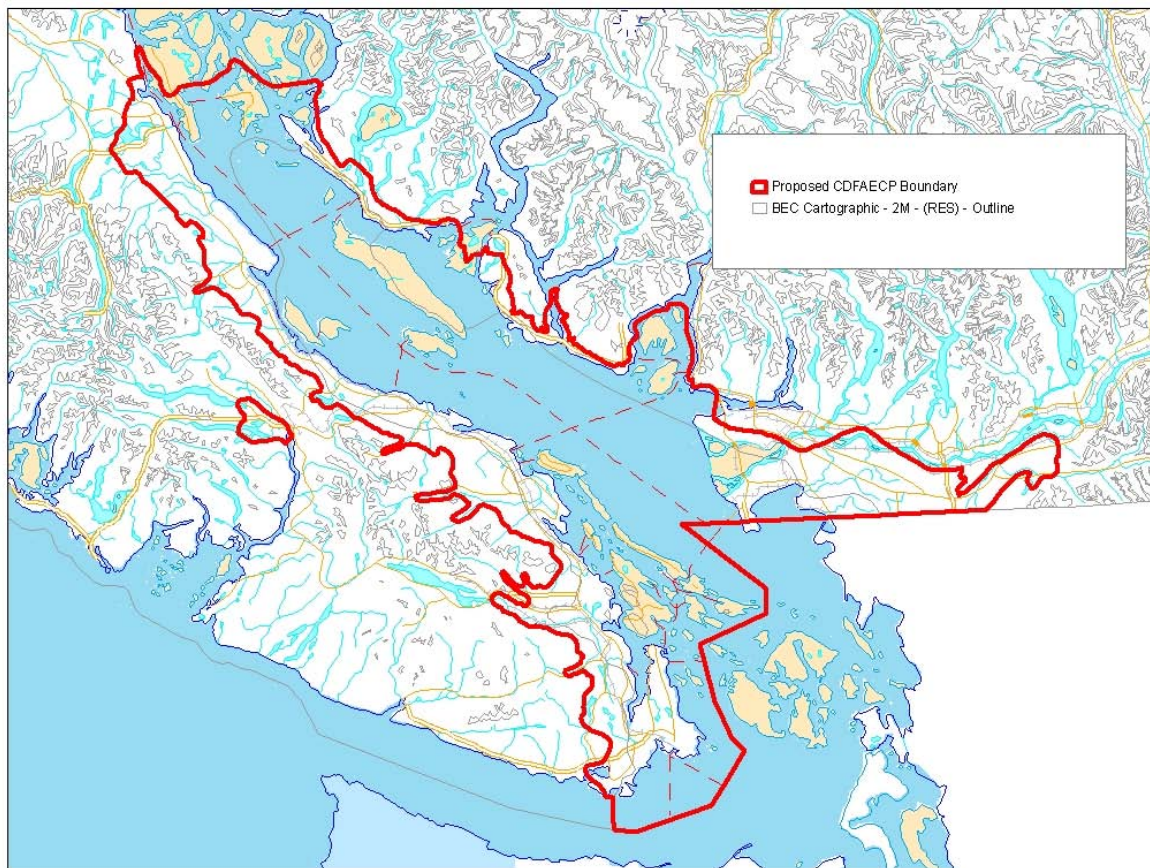
The CDFCP Conservation Plan/Strategy will incorporate and recognize existing conservation plans and will not duplicate work that has already been done. CDFCP Participants and Supporters will be asked to provide input into the Plan/Strategy and endorse the CDFCP Conservation Plan/Strategy upon its completion.

6. Implementing the CDFCP Conservation Plan/Strategy:

By the spring of 2014, the Conservation Partnership will begin implementing the Conservation Plan/Strategy through the Steering Committee in collaboration with the Working Groups.

Appendix A

Coastal Douglas-fir and Associated Ecosystems Conservation Partnership Boundary



Please note: Except for the Howe Sound area the CDFAECP boundary follows the CWHxm1 Biogeoclimatic boundary (FLNRO, 2012).

Appendix B

Steering Committee Contact Information