



Galiano Island Local Trust Committee Regular Meeting Agenda

Date: March 21, 2017
Time: 11:00 am
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

	Pages
1. CALL TO ORDER	11:00 AM - 11:05 AM
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	11:05 AM - 11:30 AM
4. COMMUNITY INFORMATION MEETING	
none	
5. PUBLIC HEARING	
none	
-----BREAK -----	11:30 AM - 11:45 AM
6. MINUTES	11:45 AM - 12:15 PM
6.1 Local Trust Committee Minutes Dated March 6, 2017 (for Adoption)	3 - 15
6.2 Section 26 Resolutions Without Meeting Report	
none	
6.3 Advisory Planning Commission Minutes (for Receipt)	
6.3.1 <u>Galiano Island Special APC Minutes Dated February 7 & 28, 2017</u>	16 - 30
7. BUSINESS ARISING FROM MINUTES	
7.1 Follow-up Action List Dated March 2017	31 - 32
8. DELEGATIONS	
none	
9. CORRESPONDENCE	
<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
none	

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|--------|---|--------------------|---------|
| 10. | APPLICATIONS AND REFERRALS | | |
| | none | | |
| 11. | LOCAL TRUST COMMITTEE PROJECTS | 12:15 PM - 1:15 PM | |
| 11.1 | Dock Review - Staff Report | | 33 - 79 |
| 12. | REPORTS | 1:15 PM - 1:45 PM | |
| 12.1 | Work Program Reports (attached) | | |
| 12.1.1 | <u>Top Priorities Report Dated March 2017</u> | | 80 - 80 |
| 12.1.2 | <u>Projects List Report Dated March 2017</u> | | 81 - 82 |
| 12.2 | Applications Report Dated March 2017 (attached) | | 83 - 86 |
| 12.3 | Trustee and Local Expense Report | | |
| | none | | |
| 12.4 | Adopted Policies and Standing Resolutions (attached) | | 87 - 88 |
| 12.5 | Local Trust Committee Webpage | | |
| 12.6 | Chair's Report | | |
| 12.7 | Trustee Report | | |
| 12.8 | Trust Fund Board Report | | |
| | none | | |
| 13. | NEW BUSINESS | 1:45 PM - 2:45 PM | |
| 13.1 | First Nations Presentation - Fiona MacRaid | | |
| 14. | UPCOMING MEETINGS | | |
| 14.1 | Next Regular Meeting Scheduled for April 3, 2017, at the South Community Hall, Galiano Island | | |
| 15. | TOWN HALL | 2:45 PM - 3:15 PM | |
| 16. | CLOSED MEETING | | |
| | none | | |
| 17. | ADJOURNMENT | 3:15 PM - 3:15 PM | |



DRAFT

Galiano Island Local Trust Committee Minutes of Regular Meeting

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

Members Present Laura Busheikin, Chair (arrived at 11:30)
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present Rob Milne, Island Planner (arrived at 11:30am)
Kim Stockdill, Island Planner (arrived at 11:30am)
Colleen Doty, Recorder

Others Present: Approximately 12 members of the public and no media

1. CALL TO ORDER

The meeting was called to order at 11:05 am. Trustee Harris chaired the meeting in Chair Busheikin's absence. There were approximately 15 people in attendance. The meeting was acknowledged as taking place in territory of the Coast Salish.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- GL-RZ-2014.1 Crystal Mountain Society update was added as 10.1 and all other items were renumbered accordingly.
- 10.6 GL-RZ-2016.1 (Wolstenholme) accepted as Addendum and renumbered as 10.7

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Kiyo Okuda noted limited attendance at this meeting and expressed concern about lack of hard copy agenda packages and time limits on speech during Town Halls.

Chair Harris explained that agenda packages would arrive with the planners. Trustee Pottle suggested Mr. Okuda bring his concerns forward to the executive and she explained Chair Busheikin's role and work schedule.

A member of the public asked about the history of the three-minute time-limit.

Trustee Pottle explained that it is different everywhere but that the practice arose in response to the needs of the Galiano LTC meetings.

Roger Pettit spoke in favour of having time-limits and other rules, and conducting oneself respectfully in meetings. He noted that the three-minute rule is an effort to encourage respect and order. He supported following the rule of the chair.

Janice Oakley supported Mr. Pettit's comments, noting also the factor of winter weather contributing to the low attendance. She noted that the tone of aggression and hostility may be other contributing factors discouraging people from attending LTC meetings.

Libby McLelland also supported previous comments by Mr. Pettit and Ms. Oakley. She stated that, with past Trust Committees, there only used to be Town Halls at the very end. She could understand speaking only to agenda topics at the first Town Hall. She thought the meetings were organized very well.

Geoffrey Inverarity attended an LTC meeting approximately 10 years ago and noted that his daughter had observed a hostile environment at a young age.

Kiyo Okuda spoke about the nature of polarity and stated that people have to expect conflict and tension.

Suzanne Fournier referred to the importance of people expressing their views, noting that convergence can come from divergence.

Chair Harris stated that while views are expressed the conversation needs to be civil.

A break was called at 11:25am. Chair Busheikin and Planners arrived at 11:30am.

The meeting was reconvened at 11:56am. Chair Busheikin introduced staff members and thanked Planner Kim Stockdill for her work. The Town Hall resumed with one last speaker.

Louise Decario referred to the TUP application of MacKinnon-Rosnick, GL-TUP-2016.10, and specifically, to the use of the accessory building for Commercial Vacation Rental (CVR) purposes. While she supports the house being used as a CVR, she noted that using an accessory building for CVR purposes is not a permitted use.

There being no further comments the Town Hall was concluded.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated December 5, 2016 (for Adoption)

The following amendments to the minutes were presented for consideration:

- Page 6 of package, fourth paragraph: change "STVRs" to "Commercial-Vacation visitor accommodation operators"
- Page 14 of package in Chair's report: add "name" after "to change the Island's Trust Fund"
- Page 14 of package in Chair's report: replace word "education" with "relationship building."

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions Without Meeting Report Dated February 2017

For information.

6.3 Advisory Planning Commission Minutes Dated January 4 & 25 and February 8, 2017 (for Receipt)

6.3.1 Telecommunication Strategy Special Advisory Planning Commission Minutes (for Receipt)

6.3.1.1 Adopted SAPC Minutes Dated November 15 & December 13, 2016 and January 10 & 17, 2017

6.3.1.2 Draft SAPC Minutes Dated February 7, 2017

The LTC received all minutes of the SAPC. For next steps, staff indicated that the minutes would be reflected in future staff reports. If there were recommendations to be further explored, then the LTC could make a recommendation(s) to initiate a project. Trustee Harris suggested sending letters of thanks to SAPC members.

GL-2017-001

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee request staff to prepare letters of thanks to the Special Advisory Planning Commission for their outstanding work.

CARRIED

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated February 2017

Planner Stockdill reviewed the list, noting that the Retreat Cove covenant, still with lawyers, will be added to the list.

8. DELEGATIONS

none

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10.1 GL-RZ-2014.1 - Crystal Mountain Society

Planner Kim Stockdill noted the applicant has been requested to provide a final proposal to the LTC. Staff would like to withhold a Community Information Meeting until they receive a proposal, which is still in progress. An update from the meeting last week has not yet been received by staff. Trustee Harris stated that the consultation process is ongoing. A smaller team of four members from each group was agreed to. It was reported that this format of smaller groups was working better.

The question was posed as to whether future group consultation meetings could happen in the Trust office.

By general consent the Galiano Island Local Trust Committee agreed that the office could be made available for these consultation meetings barring concerns about liability or insurance.

The LTC received a written summary from Janice Oakley of 12 items that came out of earlier meetings between North End residents and CMS. This information will be posted on the Islands Trust website under applications/correspondence. It was noted that this summary was not representative of the latest consultation meeting (consisting of four members from each group). Chair Busheikin reiterated that what was circulated was part of a work in progress and that the LTC was awaiting a further progress report.

10.2 GL-TUP-2016.11 (Orr) - Staff Report

Planner Rob Milne provided an update. The applicant was not present.

Chair Busheikin noted that at the last LTC meeting, there was a requirement to have water metres installed. Yet, none of these applications have that requirement (as outlined in the Adopted Policies and Standing Resolutions). Staff noted that the requirement for water meters was not included in some TUPs as they were received prior to the LTC making water meters a condition. Concern was expressed about making it a requirement now for those applications that had already been received and those in progress prior to that requirement coming into effect.

GL-2017-002

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee amend proposed Temporary Use Permit 2016.11 (Orr) by including the requirement to provide an additional rainwater storage cistern of 8,000 litres capacity within twelve (12) months of the date of issuance for the permit.

CARRIED

GL-2017-003

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee approve Temporary Use Permit GL-TUP-2016.11 (Orr) as amended.

CARRIED

10.3 GL-TUP-2016.12 (Inverarity) - Staff Report

The applicant Geoffrey Inverarity was present. He felt the requirement for a water cistern was onerous and unnecessary given that his property has a significant pond which collects a lot of water. He requested whether his maximum occupancy could be increased to eight guests from the current seven. He noted that the water usage on the property would actually increase if his family were to move here full time. Planner Milne reported that no comments had been received from the community.

GL-2017-004

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee amends Temporary Use Permit 2016.12 (Inverarity) by increasing the number of guests to eight from seven.

CARRIED

There was extensive discussion about whether cistern requirements in a TUP could be changed if an application is in a Water Management Area. It was noted that a Development Variance Permits could be used to vary the regulation in the Land Use Bylaw that requires a 16,000 litre cistern for new construction. Trustee Pottle expressed concern for legislating equitably. It was noted that a cistern might be required to be potable in the future.

GL-2017-005

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee amend proposed Temporary Use Permit 2016.12 (Inverarity) by including the requirement to provide a rainwater water catchment system with a cistern storage capacity of 16,000 litres as per the LUB requirements for Water Management Areas and that the catchment system be installed within twelve months of the date of issuance for the permit.

CARRIED

(Trustee Harris Opposed)

GL-2017-006

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee approve proposed Temporary Use Permit 2016.12 (Inverarity) as amended.

CARRIED

10.4 GL-TUP-2016.10 (MacKinnon/Rosnick) - Staff Report

The applicant was unable to attend. Planner Stockdill summarized the application.

There was discussion about the capacity of the LTC to test the truth of claims. All statements by applicants are taken at face value. Planner Stockdill explained that site visits are not done at this point in the TUP process. Bylaw Enforcement does site visits upon receipt of a specific complaint. There was concern about internal inconsistencies within Temporary Use Permits, specifically with regard to Section 3e) of GL-TUP-2016.10.

GL-2017-007

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee amend Temporary Use Permit GL-TUP-2016.10 (MacKinnon & Rosnick) and remove section 3e) of the proposed permit.

CARRIED

GL-2017-008

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee approve issuance of Temporary Use Permit GL-TUP-2016.10 (MacKinnon and Rosnick) as amended.

CARRIED

10.5 GL-TUP-2016.13 (Russell) - Staff Report

Planner Milne noted the error in Staff Report (pages 113 and 119) citing a maximum of six guests, rather than 10 guests as permitted. Applicant Noah Russell was present. He was in favour of increasing the maximum number of guests eight (8) to allow for two families. The dwelling contains four bedrooms. Mr. Russell asked about the rationale for water regulations with respect to Commercial Vacation Rentals.

Trustees noted that concern for water usage in summer months and having a means of dealing with cumulative impacts of CVR's informed the effort to regulate water.

There was extensive discussion about creating parity and fairness between all applications for TUPs and having similar standards for commercial vacation rental operators, and, residents operating Bed and Breakfasts (B&B) and Short Term Vacation Rentals (STVR's – different from Commercial Vacation Rentals). Land Use Bylaw Section 3.10, Home Occupations Regulations, cites the number of visitors permitted in Village Residential zones for B&B's and STVR's.

It was noted that further work needed to be done in order to have equitable regulations for B&B/STVR operators and CVR operators, specifically with regard to the number of guests permitted.

Various options were considered with respect to this application. The LTC could:

- initiate a Project;
- grant the TUP for a shorter time period until all regulations could be aligned between home occupations and operators of CVR's.
- refer the application to the Advisory Planning Commission for advice.
- keep the maximum number of guests to six, as presented on page 119, and grant the TUP for three years.
- consider having a cap on number of guests.

Planner Milne confirmed that if the LTC initiated a Project, and then changed the guidelines, the applicant could then apply to change that part of their permit. Planner Stockdill noted that an advantage of the TUP system is that it gives the LTC discretion for reviewing applications on their own merits.

GL-2017-009

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee amend Temporary Use Permit GL-TUP 2016.13 (Russell) and change section 3d) to limit guests to eight (8) instead of ten (10).

CARRIED

GL-2017-010

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee approve issuance of Temporary Use Permit GL-TUP-2016-13 (Russell) as amended.

CARRIED

10.6 GL-RZ-2016.2 (Galiano Conservancy) - Staff Report

(Bylaws 262 & 263 for consideration of First Reading)

The applicant was present, as represented by Keith Erickson and Louise Decario. There was discussion about the limitations of the Nature Protection zone. The Galiano Conservancy Association would like to work with Islands Trust staff to develop a comprehensive development zone approach. It was noted that West Coast Environmental Law has done some work on comprehensive development zoning.

GL-2017-011

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee request staff to look at the possibility of using Comprehensive Development zoning in relation to the application by the Galiano Conservancy Association.

CARRIED

It was noted that the professional hydrologist had valid reasons for testing the groundwater in December.

10.7 GL-RZ-2016.1 (Wolstenholme)

GL-2017-012

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee Bylaw No. 259, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2016”, be adopted.

CARRIED

GL-2017-013

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee Bylaw No. 260, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment no. 2, 2016”, be adopted.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

none

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated February 2017

There was extensive discussion about affordable housing. The Trustees felt it was important to keep affordable housing on the Top Priorities list. The LTC explored different options, while acknowledging their primarily role as a land use authority with some advocacy and public education components. These options included:

- appointing a Special APC to explore potential affordable housing locations and who could undertake it;
- re-zoning land for affordable housing sites; and
- regulating commercial vacation rentals to encourage more on-site managers which would offset a housing need.

Planner Stockdill recommended only having two top priorities due to the amount of work. A SAPC would need a very tight, prescriptive Terms of Reference to conduct a potential investigation of potential sites for affordable housing.

12.1.2 Projects List Report Dated February 2017

Information as presented.

12.2 Applications Report Dated February 2017 (attached)

Staff are in the process of preparing a report on the work prepared by the Telecommunications SAPC.

With respect to Galiano Green, Planner Stockdill has followed up with the Minister's office.

With respect to GL-TUP- 2017.1 on Sticks Allison Road, a property within the WMA, it was noted the applicant has started to challenge requirements for a 16,000 litre cistern. Although the requirement for well metres has not been included in draft permits, homes in the Sticks Allison neighbourhood connected to a water system have metres already.

Planner Stockdill stated that a covenant is still in progress for GL-TUP-2016.1.

12.3 Trustee and Local Expense Report Dated January 2017 (attached)

No comments.

12.4 Adopted Policies and Standing Resolutions (attached)

Trustee Harris and Trustee Pottle were in agreement they did not wish to set a cap of a maximum of eight (8) guests as a standing resolution.

For the next LTC meeting, Trustee Pottle agreed to add a bullet to No. 6, noting inconsistencies between regulations in Home Occupations and regulations for Commercial Vacation Rentals.

12.5 Local Trust Committee Webpage

No comments.

12.6 Chair's Report

Preparations are underway for Trust Council on Gabriola Island. A budget will be presented on Tuesday, and that would be the time to propose any changes, before budget approval slated for Wednesday. Executive Committee has been presented with a proposed visual identity for the Trusts so that advertising, posters, etc, have a consistent image. Consistency will create efficiencies Trust-wide. There will be a presentation on archaeological processes. Work is underway on a guide for electronic meetings to make them more efficient and useful, and there will need to be investments in technology.

A couple weeks after Trust Council, arising from work conducted by the Association of Vancouver Island and Coastal Communities, advocacy resolutions will be brought forward and passed. Stricter restrictions/regulations on the use of Styrofoam, plastics in the ocean will be forthcoming. A ban is not going to be as effective as regulations. Department of Fisheries and Oceans will review this.

There was a one-day event on Denman Island about creating marine protection zones, United Nations Biosphere reserves. Consensus was that one has to work with all stakeholders and must have First Nations support from the beginning.

12.7 Trustees Report

Trustee Harris noted his last three office hours have been quiet. His office hours are Wednesdays at 4pm. On Salt Spring Island he attended a presentation by senior legal counsel in aboriginal law who spoke about the impact of the Tsilhqot'in First Nation Supreme Court Decision (2014). He is looking forward to Fiona Macraird, Senior Intergovernmental Policy Advisor, speaking at the Galiano LTC meeting on March 21. Her speech will be posted online. With respect to the incorporation vote on SSI, the Province has delayed the referendum until further notice. As Trustee, he cannot advocate for anything on SSI.

Trustee Pottle indicated her preference to receive agenda packages two Fridays before the meeting, rather than the Monday a week in advance as more time is required to adequately review the information. She's on the local planning committee, but she missed the last meeting because of a family health issue. As a Trustee, she has been interacting with a number of people. She is hopeful that Crystal Mountain Society (CMS) will come to an excellent resolution. Her office hours are Tuesdays, 4-6pm. She thanked the SAPC for their "phenomenal work;" she wished Planner Stockdill a wonderful maternity leave and welcomed Planner Rob Milne.

12.8 Trust Fund Board Report Dated February 2017

Presented for information.

13. NEW BUSINESS

13.1 Provincial Private Moorage Policy Update - Staff Memo

From Executive Committee, Chair Busheikin reported out that this policy went out to all LTC's. Staff are requested to slow the process down to give local governments the chance to review and consider the information received. .

13.2 CRD Gulf Islands Regional Trail Plan Open House - Letter of Invitation

Open House is scheduled for March 28, 2017, from 1-4pm at the South Hall, Galiano.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Rescheduled from February 6th, will be Held March 21, 2017, at 11:00 am, at the South Community Hall, Galiano Island

March 21, 2017 meeting will be at 11am. Fiona Macraird will be speaking at 2pm.

15. TOWN HALL

Kiyo Okuda would like to see a water sample be required as part of the TUP application process for Commercial Vacation Rentals.

Stephen Rybak expressed interest in the topic of electronic meetings, and requested information that arises out of the upcoming discussion at Trust Council, as developments in this area may inform future work of SAPC's. Protocol suggestions for conducting online meetings would have been helpful with the Telecommunications SAPC.

Trustee Harris referred to *Zoom* as a platform for facilitating electronic meetings.

Roger Pettit, referring to TUP application GL-TUP-2016.12, was concerned that a pond was dismissed as a reasonable offset to having a cistern. The fire department encourages people to create ponds. He suggested LTC have some equivalency between cisterns and ponds. He also suggested the reduction of blank paper on agenda packages to reduce waste.

Kiyo Okuda supported accessing the protocol for electronic meetings if there is one.

Planner Stockdill noted the Advisory Planning Commission bylaw would have to be amended to reflect APC electronic meetings.

Geoffrey Inverarity supported comments by Roger Pettit.

Suzanne Fournier enquired about the North End hosting LTC meetings.

Planner Stockdill noted that staff schedule at least two meetings at the North End Hall. LTC meetings are scheduled for July 2017 and December 2017 at the North End Hall. Planner Stockdill reiterated that with respect to CMS, comments circulated earlier reflect earlier meetings in the process. The current process has not yet been reported out.

Libby McLelland wished to clarify comments about CMS. To say that the meetings were discontinued, is not correct. They were completed. She supported encouraging residents with STVR's and asked the LTC to study how people use their homes as Air B&B's can apply to being a room in a house. She stated that one cannot assume a short term vacation rental or commercial vacation rental would become a long-term rental. Perhaps consider a cap, but only if the issue is well-understood.

Sheila Anderson referred to the importance of studying vacation rentals in conjunction with other visitor accommodation units, to grasp how much is going on and to have real data. She supported Kiyo Okuda's comments around expecting the applicant to produce verified information about well data and septic information. If a septic field is not performing properly, a lot of damage can be done to surrounding wells.

Noah Russell noted they use their home at least three (3) months a year. By having a CVR, one is not necessarily taking away from the rental pool, as his family is not taking away from rental stock with the way they currently use their home. He noted there was little financial gain with owning on Galiano.

Stephen Rybak supported assessing equivalency between cisterns and ponds.

Trustee Pottle supported analysing equivalency and noted the Ministry has issues with ponds.

Geoffrey Inverarity stated that he produced a well report and a septic report for his TUP application.

Louise Decario was pleased that staff were mapping out TUP's but would like to see analysis on a neighbourhood by neighbourhood approach. She stated that current regulations are a result of much discussion and community input, but it is a work in progress.

Trustee Pottle noted current approach to CVRs is a compromise approach and would like the approach streamlined.

Planner Stockdill noted that calculations have been done and explained that most of the cost goes toward notification in response to a question from Trustee Harris about the cost to the LTC to process a TUP.

Trustee Harris was concerned about meeting costs. Ballpark figure would be a few thousand dollars. Chair Busheikin referred to the importance of allowing access to the application process for all, not just to those who could afford it.

Planner Stockdill clarified that a Development Variance Permit is to vary land use, but you cannot use a DVP to vary a TUP condition. One would be varying the requirement to have a cistern when constructing a new building.

Kiyo Okuda wanted to encourage long term residents on rental properties and suggested shutting down CVR's that are not home occupations.

Sheila Anderson has been considering if there is a way to focus and simplify elements of the TUP process that would apply to all owners in LUB.

Roger Pettit wondered if it would be possible to strike a committee to manage the paperwork associated with TUPs, vetting applications and pre-approving them, before coming to the LTC meeting. He referred to the CRD doing it with docks.

16. CLOSED MEETING

none

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:38pm.

Laura Busheikin, Chair

Certified Correct:

Colleen Doty, Recorder



ADOPTED



**Galiano Island
Special APC: Telecommunication Strategy
Record of Meeting**

Date: February 07, 2017
Location: Islands Trust Office
Madrona Drive, Galiano Island, BC
9:30am

Members Present:

- ___ Stephen Rybak
- ___ Joan Robertson
- ___ Elizabeth Latta
- ___ Stephen Akins
- ___ Kiyo Okuda
- ___ Mike Hoebel
- ___ Peter Midgley

Members Absent:

Staff Present: Heather C. Martin, Recorder

Members of the Public: None

COPIED TO

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☒ L/C Agenda

1. CALL TO ORDER

Chair Rybak called the meeting to order at 9.30 a.m.

2. APPROVAL OF AGENDA

By general consent the agenda was approved.

3. APPROVAL OF MINUTES

By general consent the revised minutes of January 10, 2017 were approved as amended.

By general consent the minutes of January 17, 2017 were approved as amended.

ADOPTED

4. SURVEY SUMMARY – APPROVAL FOR FINAL REPORT

The committee began by discussing section 3.0 of the final report, **Galiano Telecommunications Strategy Survey**, prepared by Peter Midgley, and reviewing it section by section. Detailed discussion and wordsmithing ensued.

3.2 Summary of Responses: The definition of survey, currently a footnote in this section, will now move to section 3.5. The decision was taken to choose the definition, “an Investigation of public opinion,” from the Oxford dictionary.

3.4 Response Correlations: It was suggested that a map or graph of service access in each response area would be a useful addition to this section. The difficulty of coming up with such a graph was discussed. Kiyo Okuda argued that a number of triggers in the protocol have to do with whether there is service coverage or not, and that it would be a useful tool for trustees, giving them instant access to what areas have what telecommunications coverage. It was agreed that Kiyo Okuda would work with Joan Robertson to access the raw data and then come up with a map or graph by this coming Friday for distribution to committee members.

The revised summary, with the possible addition of a graph provided by Kiyo Okuda, was agreed upon, and Peter Midgley’s Herculean efforts in its preparation were acknowledged.

5. ANTENNA PROTOCOL – FINALIZATION

Discussion moved to Draft 6 of the Antenna Protocol, circulated January 31/2017. Stephen Rybak guided the committee through a detailed, page by page discussion and fine-tuning of the document. Smaller inconsistencies and confusions were discussed and clarified through page 5.

Points raised:

—an inconsistency in LUB 2.7 was pointed out: currently the section states that “height limits do not apply to radio or television antennas”—likely what is being referred to is the allowable height for buildings. Stephen Rybak agreed to point out this confusion in terminology to the LTC.

—the implication on page 3 that Industry Canada is involved in antenna licensing decisions on the island was discussed. It was suggested that this sets up an expectation that Industry Canada has an overarching role in all these decisions when that is not the case (from FCM document which is in the main concerned with the approval of major installations, not the case on the island). Discussion ensued. A clarifying statement was agreed to.

—it was pointed out that item c), p. 4, is inconsistent in the case of non-profits. The decision was made to wait for Industry Canada’s response on whether “who you are” makes a difference

ADOPTED

--item f) was changed after some discussion from "private/personal boosters" to "signal boosters to enhance local use such as ... and wi-fi"

--the "Exemptions from Public Consultation" section page 5 was discussed, and a tweaking of the introductory sentence agreed to along the lines of "proponents may still be required to notify the LTC and to meet IC standards...."

--Kiyo Okuda reiterated his concerns with collocated and compounded radio frequency density. The chair noted it was addressed in the draft protocol.

Mike Hoebel guided the committee through the Matrix "proponent categories" pp. 5-6. Discussion and wordsmithing continued.

a) Category # 1 Telecommunications Service Providers and Broadcasters:

it was agreed to add "Wireless" in the title before "Telecommunications providers" for clarification

b) Category # 2 Government Agencies:

A discussion ensued on the 15 metre height distinction, and whether or not heights under 15 metres should trigger "inform" or "consult". Points were raised on either side of argument. The question of what the LTC would do with this information was raised. It was agreed the issue was two-pronged: if the Protocol is to ensure that the LTC is informed, then a) is it reasonable they be informed about these structures and b) what will the LTC do with this information. It was decided to leave the boxes as they are.

It was pointed out that the CREST installation on Stockade Hill was part of this category. The implications were discussed, and it was agreed to leave the category as is.

c) Category #3 Private Businesses:

This category provoked much discussion.

Issues raised:

- what people call themselves, the distinction between private and public, contractors vs private individuals not always clear
- shouldn't the distinction really be about the nature and strength of the device being used?
- where do we place things like "shaw open" and "shaw hotspots" which are small but ubiquitous. Industry Canada likely doesn't care where they are, but if the antenna system is provided by a telecommunications provider, should it be catalogued even if not regulated?
- the issue of privately-run commercial operations like the marina was raised: is it appropriate for someone operating on commercial zoned property to have different requirements than someone operating on private land?
- should "businesses operating on commercially-zoned properties" be added?

ADOPTED

- what about home occupations?
- we don't know what's coming

There was discussion about whether it might be simpler just to eliminate Category #3. It was pointed out the result would be to group private businesses in with private individuals (right now encouraged but not required).

After much discussion it was agreed to leave in Category # 3, and to add an X in every box in columns three and four, with the understanding that the LTC can choose to exempt.

d) Category # 4 Private Individuals: This category also provoked much discussion.

Points raised:

- this category is silent on height—should this be addressed in some way?
- many Beacon systems are already installed and in use by private individuals; some may have to go higher than 15 m to get service
- the issue of height is very relevant--except for aesthetics, higher is better for reach, for safety
- do we want to encourage private individuals to inform the LTC of all new antennas, or only of all antennas higher than 15 m
- isn't gathering information part of the rationale?

Discussion continued on the issues of encouraging vs requiring reporting, and on the issue of how this could be regulated. It was pointed out that if a neighbour is concerned about a structure and that information is required, the LTC would have authority to go to person with the installed system and ask for the requested information.

It was agreed to change the wording of the sentence to add "private individuals wishing to put up an external send-receive antenna system 15 metres or higher are strongly encouraged to inform the LTC..."

It was agreed to strike the subsequent paragraph.

Wordsmithing of the Draft Protocol moved to page 7: **Contact and Inform the GILTC**. It was suggested that it might be too soon to require the level of detail that's being suggested at the early stages of inquiry; such requirements at too early a stage might scare off potential proponents. After some discussion, it was agreed to move these requirements to a later stage of the process.

Minor wordsmithing continued on pages 8 through 11; small changes were suggested and agreed to.

Conclusion: Stephen Rybak will make the agreed-to changes, and will circulate a Draft #7 of the Antenna Proposal electronically. It was agreed that, unless significant issues are flagged, each of the committee members will indicate his or her acceptance of the new draft Protocol electronically.

ADOPTED

6. APPENDICES and FINAL REPORT

As time was running out, committee members were asked to review Appendix D independently, and to indicate electronically whether or not they can agree to include this appendix in the Final Report as part of the general information for the public as well as for the LTC.

Mike Hoebel reminded committee members of a drawn plot he circulated early on, and noted that this illustration will be part of Appendix D.

Stephen Rybak suggested that the structure of the Final Report should be looked at with an eye to possibly restructuring the appendices.

It was pointed out that the Table of Contents will need to be revised:

Questions to consider:

- Does the Survey remain # 3?
- Does the Protocol become # 4?
- Where does "towards a strategy" fit in—should that be # 4?
(--it was pointed out the issue of beefing up payphones as one of recommendations in the telecommunications strategy has not yet been addressed)
- Are we missing any pieces that still need to be prepared and inserted?

Reports to be prepared and inserted in # 2:

- Peter Midgley agreed to take on Beacon and CREST.
- Michael Hoebel agreed to take on the remainder and come up with some text.
- Joan Robertson will provide Hoebel with the information on Mount Parke.

(It was suggested the issue of what exists on the ground has not yet been covered.)

Additional information for the general public on radio-frequencies: Elizabeth Latta has been researching this issue, and will provide this information and circulate it to committee members in the form of another Appendix for the general public as well as the LTC.

Stephen Rybak will circulate another Final Report outline.

7. OTHER BUSINESS

a) The issue of the dwindling budget was discussed. Mike Hoebel suggested he would be willing to cover any overages so that the committee may finish its work and present it properly. This suggestion was subsequently deemed to be contrary to LTC regulations.

b) The issue of the new February 20 deadline presented by staff for the Final Report was raised. It was pointed out the committee has already suggested it would need until February 23 to complete and present its findings.

ADOPTED

8. ADJOURNMENT

The meeting was adjourned at 12.40 p.m.

9. NEXT MEETING

The next meeting will take place Tuesday Feb. 14, 2017, 9.30 a.m.

CHAIR

DATE

CERTIFIED CORRECT:

Heather C. Martin, Recording Secretary



DRAFT



**Galiano Island
Special APC: Telecommunication Strategy
Record of Meeting**

Date: February 28, 2017
Location: Islands Trust Office
Madrona Drive, Galiano Island, BC
9:30am

COPIED TO

☒ **PLANNER**

☒ **LTC**

☒ LC / Agenda

Members Present:
___ Stephen Rybak
___ Elizabeth Latta
___ Kiyo Okuda
___ Joan Robertson
___ Mike Hoebel
___ Peter Midgley

Members Absent: ___ Stephen Akins

Staff Present: Heather C. Martin, Recorder

Members of the Public: none

1. CALL TO ORDER

Chair Rybak called the meeting to order at 9.30 a.m.

2. APPROVAL OF AGENDA

By general consent the agenda was approved.

3. MINUTES

It was moved and seconded that the Draft minutes of February 07, 2017 be accepted as amended.

4. ANTENNA PROTOCOL

Regarding a) proposed addition of LTC providing radio frequency environment information to proponent and b) proposed addition to "proposal submission" re cumulative power density:

DRAFT

It was **moved** and **seconded** that these two additions be included in the Antenna Protocol

CARRIED

5. SURVEY

There was some discussion about the accuracy of the paper response graphics depictions circulated by Kiyo Okuda on February 27/17, and about whether they should be included in the analysis of the survey results. It was agreed that Kiyo Okuda will confer with Peter Midgley about the possibility of reconciling their differences.

It was **moved** and **seconded** that the paper responses survey map be included in the survey materials if the data concerns can be reconciled. In the event that they are not reconciled, it will be included in a separate appendix as a draft.

CARRIED

6. TELECOMMUNICATIONS STRATEGY

6.1 Adopted circulated text changes:

Suggested changes to the Telecommunications Strategy paper that was accepted in online discussions included:

a) the addition of the word "safe" to recommendation # 5.

It was **moved** and **seconded** that the word "safe" be added to recommendation # 5.

CARRIED

b) the clarification of information on the CRTC announcement and reference to appendix

It was **moved** and **seconded** that this information be included in the introduction.

CARRIED

c) the addition of "other community lands" to lists of examples of preferred locations.

It was agreed this item would be withdrawn, and added to the discussion of unresolved issues that follows.

DRAFT

6.2 Recommendations – confirmation

The wording of a number of unresolved issues was discussed and voted on:

a) on the recommendation that the LTC align Galiano's LUB with the OCP on the issue of telecommunications:

It was **moved** and **seconded** that this recommendation be adopted.

Discussion: Galiano's LUB is silent on the issue of wireless telecommunications, so technically that is not an allowed use, yet LTC is this use. The committee has identified a discrepancy between the LUB and the OCP on this issue and is encouraging the LTC to resolve it.

CARRIED
1 ABSTAINER

b) on the recommendation that the LTC adopt a Galiano Island Antenna Siting Protocol:

It was **moved** and **seconded** that this recommendation be adopted.

After some discussion, it was agreed to change the order of the words "impacts and benefits"; the recommendation will now read "... the GILTC should adopt a Galiano Island Antenna Siting Protocol to help assess the benefits and impacts of proposed telecommunications services."

CARRIED

c) on the recommendation that the LTC take a close look at the benefits for Galiano in their deliberations on any new antenna sitings.

It was **moved** and **seconded** that this recommendation be adopted.

CARRIED

d) on the recommendation that the LTC support the objectives of "multi-Island public organizations... [for] improving telecommunications in the Gulf Islands."

It was **moved** and **seconded** that this recommendation be adopted.

After much discussion, the motion was amended.

It was **moved** and **seconded** that this recommendation be modified to remove the word "actively"; the recommendation will now read "To fulfill the OCP statement, the GILTC should support multi-island public organizations such as the Southern Gulf Islands Economic Sustainability Commission in its objectives of improving telecommunications services in the Gulf Islands".

CARRIED

DRAFT

e) on the recommendation that the LTC work "...to ensure that the next Islands Trust Strategic Plan acknowledges the need to ensure safe, reliable telecommunications services are widely available in the Island Trust area."

It was **moved** and **seconded** to accept the wording of this recommendation.

After some discussion, the motion was amended.

It was **moved** and **seconded** that the words "to residents" be added to the recommendation, which will now read as follows:

"The GILTC should work within the Islands Trust to ensure that the next Islands Trust Strategic Plan acknowledges the need to ensure safe, reliable telecommunications services are widely available to residents in the Island Trust area."

CARRIED

f) on the recommendation that the LTC endorse the CRTC policy statement on high-speed broadband as a basic service.

It was **moved** and **seconded** that this recommendation be adopted as written.

After some discussion the motion was amended.

It was **moved** and **seconded** to modify this recommendation to specify "especially cabled delivery."

CARRIED
2 OPPOSED

g) on the recommendation that Telus be encouraged to retain and increase the number of available payphones.

It was **moved** and **seconded** that this recommendation be adopted as written.

CARRIED

h) on the recommendation that the LTC encourage Telus to improve its fibre optic cable on Galiano.

It was **moved** and **seconded** that this recommendation be accepted.

After some discussion, it was agreed to amend the recommendation to include third-party use of infrastructure.

DRAFT

It was moved and seconded that the recommendation be amended to read: "Encourage Telus to re-assess its fibre optic cable on Galiano for public and institutional access and third-party use of infrastructure."

CARRIED

i) on the recommendation that the LTC acknowledge the role of public and private wireless "hot spot" providers.

It was moved and seconded that this recommendation be accepted.

After some discussion, the motion was amended.

It was moved and seconded that statement be amended, to read as follows:

"...promote the role of public and private hot-spot providers for the purpose of improving islanders' connectivity."

CARRIED

6.3 New unresolved issues:

There was a general discussion about these issues. It was pointed out that this could be confusing for the LTC because these unresolved issues are phrased as recommendations without explaining that they are issues raised by one or more commission members.

The following wording was suggested to resolve this:

"A number of issues were raised by one or more members of the commission during our deliberations which we were unable to resolve, so they are brought forward for your consideration."

a) "that antennas be permitted only on properties which are in full compliance with land use bylaws". It was discussed and agreed that the second clarifying sentence be removed.

b) "whether or not to make the concurrence of new antenna systems be dependent upon the disclosure of technical information...."

After some discussion it was agreed to put this forward as an unresolved issue.

c) "the question of whether or not the GLTC should maintain a record of all transceivers...."

After some discussion it was agreed that the second part of this statement on "the resulting cumulative impacts" should be removed because the cumulative impacts would be impossible to measure.

DRAFT

d) One or more commission members expressed “concerns about the potential proliferation of antenna systems under 15 metres in height....” It was suggested, and agreed, that the second sentence should be struck.

e) another unresolved issue, raised late in our mandate, concerns the question of whether or not the LTC's adoption of the proposed antenna protocol would supplant Industry Canada's default consultation process. It was agreed to flag this issue for the LTC to consider. It was also agreed to flag the question of whether or not wireless “hot spots” should be excluded from the LTC process as something that needs clarification. The SAPC cannot consult with Industry Canada on this subject because of our terms of reference, but the LTC can.

Peter Midgley supplied proposed wording to be included in the Final Report.

Mike Hoebel had to leave at 11.30 a.m. He asked for the minutes to record his dismay that the commission did not have time to review all of its material before its mandate expired. Elizabeth Latta also commented that the mandate was too big for this commission and underfunded.

Discussion of unresolved issues continued.

f) A new unresolved issue was whether or not changes in the regulatory regime, such as modifications of Safety Code 6, would trigger a review by the GILTC. Discussed and adopted by a majority.

The recommendation of a periodic review every five years was also accepted by a majority.

g) Preferred locations: It was agreed to add “community owned lands” to the list of “other possible preferred locations.”

6.4 Last-minute unresolved issues:

a) the question of B.C. Hydro transmission corridors/infrastructure as possible sites for new antenna systems was raised, and provoked much discussion.

Points raised:

--if the LTC does not have regulatory interest in land designated as corridors and on infrastructure on those corridors, could it nevertheless recommend that they be used?

--would hope proponent would come to LTC, say we've looked at these, and LTC says common sense says there's a hydro pole here...

--the LTC doesn't have the jurisdiction; hydro poles not on their own land, on private land where have right of ways, so new telecoms would have to negotiate not only with hydro but with property owners

--if LTC has nothing to do with a structure, can it publically suggest others use that structure?

DRAFT

--this is happening already all over the place eg the lower mainland...obviously it happens; how it happens is different question...should leave it as unresolved issue: up to LTC

It was **moved and seconded** that the question of "whether or not the GILTC can include BC Hydro transmission towers as preferred locations for new antenna sites" be added to the list of unresolved issues.

CARRIED

b) the role of the B.C. Hydro in Galiano Island's radio frequency environment, and the issue of smart metres in this context were raised. Discussion ensued. There was some disagreement on whether or not the radio environment is part of commission's mandate.

Points raised:

- compounding of signals need to be calculated on smart meters. Kiyo Okuda gave the example of Page Drive, where 15 smart meters are right next to meeting room.
- Smart meters are transceivers that outnumber cellphones and overpower them.
- BC Hydro provides a telecommunications network for their own use, so it's no longer just providing electricity, but has become one of the telecommunications providers.
- smart meters are part of emergent facilities, something that has never been done before and part of what we do need to consider
- would need to consult an electrical engineer, but is expensive and cannot be done within our time constraints
- if this is a hole in the regulatory regime then we flag it, but can't solve it
- want to raise people's consciousness about issue of radio environment
- a bit late in the game to be raising the issue of smart meters

Kiyo Okuda asked to make motion that because this is unresolved issue, the matrix dealing with Government Agencies be moved into unresolved issues, because latest draft includes BC Hydro is one of the Agencies.

It was **moved and seconded** that in proponent category 2, Government Agencies, that in the boxes below "distance less than 15 m," in the boxes "less than 500 m," and in the boxes "500 m or greater," that an x be introduced so that the agencies installing these devices inform the LTC of locations and specifications of their devices.

The motion was **not carried**. The matrix will stay as it is.

It was agreed to add this question to the list of unresolved issues: "whether or not the GILTC should try to determine the impact of BC Hydro on the radio frequency environment of Galiano?"

7. INTRODUCTION TO FINAL REPORT

Two suggested amendments to the introduction were discussed:

- a) Mike Hoebel's email on concurrence vs approval of the last Rogers application was accepted.
- b) the addition of the acknowledgement of the public debate over radio frequency and the reference to Appendix D was discussed. It was agreed to add two links to Appendix D

There was some disagreement on whether the reading of the electronic communication on the acceptance of the introduction was accurate. Some members felt the question of this being a vote was not understood.

Chair Rybak asked that it be recorded that the introduction, with historical context, was accepted electronically by a majority of commission members, and that he is exercising his prerogative as chair to accept the results of the online vote.

Kiyo Okuda asked that it be recorded that this was in his view an inappropriate action with regards to the integrity of the commission. The proposal for changes was sent in by a group of three; the other group of three, with the addition of the vote of the chair, was accepted as a denial of the proposal.

Joan Robertson strongly objected to the introduction without the addition of those 6 or 7 paragraphs. Elizabeth Latta stated that in her view Mike Hoebel's email on the subject was not clear—her reading of his intent is the opposite of what Chair Rybak claims he meant. Stephen Rybak agreed to get in touch with Mike Hoebel to clarify his position, and will take that clarification into account in his final draft.

8. TELECOMMUNICATIONS PROVIDERS

Joan Robertson sent a clarifying sentence on Mount Parke that Mike Hoebel agreed to and forgot to add. It will be added.

Mike Hobel's recommended minor text changes to the Chapter 2, Telus DSL and Xplornet sections were adopted as circulated.

9. OTHER BUSINESS

- a) Addendum to the Minutes of January 17, 2017 re Telus fibre optic promotional brochure:

"With reference to the Minutes of the January 17/2017 meeting concerning a letter from Telus suggesting it may provide service to a Galiano resident by fibre, it was learned the resident received a promotional brochure concerning Telus PureFibre. Subsequent

DRAFT

contact with the Company indicated there are no current plans to introduce this service on Galiano.”

9. ADJOURNMENT

The meeting was adjourned at 12.35 p.m.

CHAIR

DATE

CERTIFIED CORRECT:

Heather C. Martin, Recording Secretary

Follow Up Action Report

Galiano Island

07-Mar-2016

Activity	Responsibility	Target Date	Status
1. Staff to add Affordable Housing Strategy and Dock Review to Top Priorities - DONE	Kim Stockdill	25-Mar-2016	On Going
2. LTC (local trustees) to review Affordable Housing Toolkit to determine what aspects of Affordable Housing should be addressed.			

02-May-2016

Activity	Responsibility	Target Date	Status
GL-TUP-2016.1 (Stettner) - application deferred until such time a draft covenant between the property owner and the Section Seven Water Works is agreed upon. (IN PROGRESS)	Kim Stockdill	01-Jul-2016	On Going

29-Aug-2016

Activity	Responsibility	Target Date	Status
GL-RZ-2016.2 (Galiano Conservancy)	Sharon Lloyd-deRosario	28-Oct-2016	On Going
1. Staff to draft LUB & OCP bylaws. (In progress)	Rob Milne		
2. Applicant must provide groundwater assessment report. (In progress)			

06-Mar-2017

Activity	Responsibility	Target Date	Status
GL-TUP-2016.10 (MacKinnon & Rosnick)	Sharon Lloyd-deRosario		Done
TUP approved with amendment to remove item 3(e) accessory sleeping cabin.	Phil Testemale		



Follow Up Action Report

GL-RZ-2016.2 (Galiano Conservancy) Staff to work with applicants to develop a comprehensive development zone approach to the rezoning application.	Rob Milne	On Going
GL-RZ-2016.1 (Wolstenholme) Bylaw Nos. 259 & 260 received final reading and adoption.	Sharon Lloyd-deRosario Kim Stockdill Rob Milne	On Going
Staff to draft a thank you letter to the SAPC which is to be signed by the LTC Chair.	Kim Stockdill	On Going
Staff to follow up with Retreat Cove Farms covenant removal	Kim Stockdill	On Going
The minutes of the December 5, 2016 LTC meeting were adopted as amended.	Regina Robinson	Done



DATE OF MEETING: March 21, 2017
TO: Galiano Island Local Trust Committee
FROM: Rob Milne, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Dock Review

RECOMMENDATION

1. That the Galiano Island Local Trust Committee revise the Dock Review project charter as follows:
 - a. Amend the project charter “Purpose” to read as follows:

To consider amendments to the OCP and LUB to regulate private docks on Galiano Island while at the same time recognizing that private docks are a near necessity of life for residents of the associated islands and water access only neighbourhoods.
 - b. Amend bullet three of the project charter to read as follows:
 - *To consider the need for potential regulatory changes to restrict private docks.*
 - c. Revise and reorder the proposed “Deliverable/Milestone” section of the “Workplan Overview” of the project charter to conduct First Nations and FLNRO consultation following drafting of bylaws.

PURPOSE

This staff report is intended to introduce and summarize the attached Dock Review discussion paper which identifies potential challenges to the project’s implementation due to the assumptions of at least one project objective, and to suggest changes to the project charter to acknowledge and incorporate some of the findings of the online community survey.

BACKGROUND

In a staff review of this project two issues have become apparent which staff feel require consideration by the Local Trust Committee (LTC) in order for this project to move forward. One matter is the stated objectives of the project charter. The other is the matter of the chronology of the deliverables outlined in the Workplan.

Given the stated objectives of the dock review project and the potential misalignment of those objectives with the survey results it was the view of staff it would be prudent to introduce the discussion paper for consideration of the LTC prior to agency and First Nations referrals. This provides the LTC with the opportunity to consider whether or not to fine tune the project charter, a process which could alter the trajectory of the project and its outcomes, prior to that referral process. The discussion paper explores various aspects of dock regulation and provides a basic review of the survey results. The discussion paper will also be posted to the Galiano Island webpage to provide a better understanding of the background and issues involved in the matter of regulating private docks for community members.

With respect to the charter objectives, two of those objectives have similar wordings but would produce very different outcomes. The first objective proposes to “identify options for further *regulating* private docks”. While objective three proposes to “implement potential regulatory changes to *restrict* private docks”.

It is expected that the outcome of objective one would be an exploration of which aspects of private dock implementation have proven problematic for possible inclusion in amendments to the land use bylaw and the identification of options to create some form of opportunity for residents to have a voice in the approval process. It is the view of staff that the emphasis of that objective is to “regulate” within the scope of the current zone distribution. There is an indication of support for that approach within the responses of the survey.

The third objective is seen as representing an implicit assumption that there is a need to restrict private docks, not simply regulate them, possibly by rolling back the scope of the Marine zone. It is the view of staff that there is a significant lack of expressed support for this approach in the survey responses and this objective should be either removed or reworded to indicate this objective would explore the need for potential regulatory changes to restrict private docks, rather than trying to force what may be an unsupported solution upon the community by virtue of the project charter’s currently stated objectives.

It is also noted in the attached discussion paper that residents of the associated islands (Gossip, Parker and Wise and the water access neighbourhood at Fillmore Point) may have a different perspective of on the matter of private docks. This perspective is evident in the survey results and should be acknowledged as the issue of possible regulatory changes for private docks moves forward. This could be achieved through the addition of appropriate wordings to the “Background” section of the project charter.

With respect to the deliverables for the project, it is not at all clear as exactly what would be referred to FLNRO and First Nations at this point in time as the direction of the project has not yet been established and there is currently no document to refer aside from the project charter. It would seem that this consultation might be more effective if those bodies had an indication as to the specific options that the LTC is considering for the possible further regulation of private docks. Reorganization of the project charter milestones to move consultation with these bodies to a point after options and preferences have been explored with the community and draft bylaws have been prepared may be more appropriate and productive. A table showing the suggested changes may be found below.

Deliverable/Milestone	Date
Early consultation—trustee newsletter, survey	September-November 2016
Discussion paper	March 2017
Open house and Community Information meeting	April-May 2017
LTC review of options	June 2017
LTC direction to prepare amending bylaws	June 2017
Consultation with First Nations and FLNRO	June-August 2017
Second community information meeting (optional)	September 2017

SUMMARY

The direction of the project will be dependent upon the stated objectives of the project charter, at least one of which does not seem to reflect the results of the recent survey stating as is does an intent to restrict private docks prior to fully engaging with the community and stakeholders to explore issues and options related to private docks. This is seen by staff as being problematic to the future of the dock review project.

Staff has completed a discussion paper which provides a detailed review of private docks and a discussion of options for the implementation of the dock review project. It also provides an overview of the dock review survey results which indicates that at least one of the stated objectives of the report may be out of step with public sentiment on the issue of docks based upon the sampling of public opinion provided by the survey.

It is the wish of staff that the Galiano Island Local Trust Committee gives consideration to the contents of this discussion paper and provides direction to staff as to how they wish to proceed with this project. Recommendations for suggested changes to the Dock Review project charter are provided for the consideration of the Local Trust Committee.

OPTIONS

1. Choose to proceed no further

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

That the Galiano Island Local Trust Committee proceed no further with the Dock Review project for the follows reasons [insert reasons].

2. Choose to proceed with the current Project Charter.

The LTC may choose to proceed with the current project charter. If this alternative is selected, the LTC may wish state the reasons for this choice.

3. Choose to amend the current Project Charter and proceed with the project.

The LTC may choose to amend the current project charter prior to proceeding with this project. If this alternative is selected, the LTC should identify the desired amendments.

Recommendations for this option are provide in this report.

Submitted By:	Rob Milne, RPP, MCIP Island Planner	February 24, 2017
Concurrence:	Robert Kojima, Regional Planning Manager	February 24, 2017

ATTACHMENTS

1. Dock Review discussion paper
2. Project Charter

GALIANO ISLAND LOCAL TRUST COMMITTEE

DOCK REVIEW PROJECT

DISCUSSION PAPER

FEBRUARY 2017



Islands Trust

Contents

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1. Background

At the March 7, 2016 regular meeting of the Galiano Island Local Trust Committee (LTC) a resolution was passed which moved the item “Dock Review” from the Projects List to the LTCs “Top Priorities” list as item No. 3. This action was taken in response to concerns related to private docks.

The concerns are understood to include environmental impacts, particularly on eelgrass or forage fish spawning areas as well as impacts upon archaeological sites which are frequently located along shorelines. Increasingly, First Nations are expressing concerns about the proliferation of private docks as they impact their ability to engage in traditional food gathering activities, and other cultural impacts, as well as generating rights and title implications. The protection of public access to the shoreline is also a concern for community members, and visitors to the Island. Visual impacts of docks can be significant for neighbours and there is interest, in some parts of the community, to have the opportunity to speak to the specifics of dock construction, design, and location.

Subsequent to the March 7th meeting the LTC was in receipt of two staff reports which were presented at the July 4th and August 29, 2016 regular meetings of the LTC. The staff report dated June 23, 2016 which was received at the July 4th meeting responded to the following resolution which was passed at the June 6, 2016 meeting.

GL-2016-61

that the Galiano Island Local Trust Committee requests staff to provide a project charter on dock review.

That report included the requested draft project charter (Attachment 1) for the consideration of the LTC and sought direction from the LTC to report back to the LTC with a report outlining policy and regulatory options for the Dock Review project.

At the August 29th meeting a staff report dated August 19, 2016 was received which responded to the direction received from the LTC at the July 4th meeting. Following a review and discussion of that report and the attached draft project charter the LTC passed the following resolutions:

GL-2016-067

that the Galiano Island Local Trust Committee endorses the project charter attached to the staff report dated June 23, 2016.

GL-2016-068

that the Galiano Island Local Trust Committee request that staff report back with a report outlining policy and regulatory options for the Dock Review project.

The project charter contains the three objectives listed below. It should be borne in mind when considering this discussion paper that the focus of this project, and paper, is specific to the matter of private docks as identified in those objectives.

- To identify options for further regulating private docks
- To consider amendments to the OCP and LUB
- To implement potential regulatory changes to restrict private docks.

The scope of the project is defined as being:

- Review of options for regulating docks
- Public consultation on options to further regulate docks

- Consultation with agencies and first nations
- Bylaw amendment process

The first deliverable identified in the Workplan Overview of the project charter is “Early Consultation – trustee newsletter, survey, first Nations, FLNRO”. An online survey was conducted in December 2016 with responses from 165 respondents (Attachment 2). The results of the survey are reviewed in Section 7 of this discussion paper. The results bring into question whether there exists adequate community support for at least one of the objectives of the project as currently defined and raise concerns about the ultimate success of the project.

2. Current Policy and Regulatory Regime

Islands Trust Policy Statement

The Policy Statement provides a number of policies which speak to the implementation, regulation and use of private docks, as follows below.

- 3.4.4 - Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
- 3.4.5 - Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.
- 4.5.8 - Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
- 4.5.10 - Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
- 4.5.11 - Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
- 5.1.3 - Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- 5.5.4 - Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
- 5.5.5 - Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.

Official Community Plan

The following are policies related to private docks may be found in Galiano Island Official Community Plan (OCP), Bylaw No. 108:

- The establishment of group or shared docks shall be encouraged.

- The Local Trust Committee may consider amending the existing Marine zone to not permit new individual private docks. Applications for rezoning for shared docks should be considered.

The OCP also includes specific Shoreline & Marine Development Permit Area (DPA) guidelines for dock construction or replacement:

42. For residential properties, preference is to be given to the placement of mooring buoys and floats instead of docks.
43. Docks and wharves should be designed to ensure that public access along the shore is maintained except where such access is determined to be infeasible because of incompatible uses, safety, security, or harm to ecological functions.
44. Docks and wharves should be sited to minimize impacts on sensitive ecosystems such as eelgrass beds, fish habitat and natural processes such as currents and littoral drift.
45. Docks should be constructed in a manner that permits the free flow of water beneath. Supports should be located on a hard substrate.
46. Floating docks should not rest on the sea bed at any time and a minimal, moveable ramp rather than a fixed wharf or pier should be utilized to connect the dock with the shore.
47. Piers and pilings and floating docks are preferred over solid-core piers.
48. Docks should not use unenclosed plastic foam or other non-biodegradable materials that have the potential to degrade over time. Docks should be constructed of stable materials that will not degrade water quality. The use of creosote-treated pilings is discouraged.
49. Boat launch ramps are the least desirable of all water access structures and should be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary. Ramps should be kept flush with the slope of the foreshore to minimize interruption of natural geo-hydraulic processes.
50. Construction of a private ramp on an individual residential lot or parcel is discouraged. Owners are urged to seek opportunities to use public ramps or to share existing private ramps.
51. Residential docks should be located and designed to avoid the need for shore defence works or breakwaters.
52. Residential docks should not extend from shore any further than necessary to accommodate a small pleasure craft. Residential docks should not be designed to accommodate boats with a draft greater than 2.2 metres or have floats more than 35 square metres total surface area unless more than two parcels have legal access to the dock, in which case permitted total surface area should be a multiple of the number of lots the dock serves.

Galiano Land Use Bylaw No. 127

The Land Use Bylaw (LUB) provides regulations for docks within three zones. The primary zone is the Marine (M) zone which provides the following:

- 12.2.1 In the Marine zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.

- 12.2.1.1 docks, private floats, wharves, piers and walkways accessory to the residential use of an abutting upland lot and providing access to that lot
- 12.2.1.2 moorage of boats accessory to the residential use of an upland lot
- 12.2.2 Despite Subsection 12.2.1 one private float and walkway is permitted, not to exceed a total length of 35 metres from the natural boundary of District Lot 145, Cowichan District, without the establishment of a residential use on the upland lot.
- 12.2.3 Without limiting the generality of the foregoing, no commercial or industrial activity is permitted in this zone in connection with the use of docks, floats or wharves and the residential use of a watercraft of any kind, whether temporary or permanent, is prohibited.

Minimum Setbacks

- 12.2.4 Docks, floats and wharves must be sited entirely within the boundaries of the owner's water lot lease, licence of occupation or other Crown tenure and at least 3 metres from the seaward projection of any side lot line of the abutting upland lot.

Docks are also currently permitted in the Marine Service (MS) zone and the Marine Commercial Land (MCL) zone although these are for commercial purposes, not intended to regulate private residential docks.

The Marine Service zone provides the following relevant regulations:

- 12.3.1 In the Marine Service zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3 and subject to all marine services facilities provided being available to the general public and not operated privately for profit, and all other uses are prohibited.
 - 12.3.1.1 docks, floats, wharves, piers, ramps and walkways
 - 12.3.1.2 wharfage facilities for water taxis, ferries, fishing boats, float planes and pleasure craft
- 12.3.2 All structures must be sited within the boundaries of the owner's water lot lease, licence of occupation or other Crown tenure and at least 3 metres from the seaward projection of any side lot line of the abutting upland lot.

The Marine Commercial Land (MCL) zone provides the following relevant regulation:

- 12.5.1 In the Marine Commercial Land zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.
 - 12.5.1.1 marinas

Discussion

The eight relevant policies contained within the Islands Trust Policy Statement (ITPS) provide direction on the matters which should be considered with respect to docks and their potential impacts. They also provide specific direction as to necessary OCP content and LUB regulations which must be included in those documents.

Not surprisingly, given the Object of the Islands Trust, there is a clear focus upon mitigating or preventing any environmental impacts that may be associated with dock use. The policies require the OCP and LUB to address the protection of sensitive coastal areas and to protect natural coastal processes.

It is the direction of the ITPS that the LTC take a wide view of the protection of those sensitive coastal areas and their natural processes by including within the OCP and LUB policies and regulations which consider public access to beaches and foreshore areas, and, “the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages”. This includes the designation of potential locations for marinas, boat launches, docks and anchorages including the opportunity for shared facilities.

The OCP follows on the direction of the ITPS by encouraging, in Section 1.3, “Water Transportation Policies” the establishment of group or shared docks. Section 2, “Shoreline and Marine Policies”, provides that:

- c) *The Local Trust Committee may consider amending the existing Marine zone to not permit new individual private docks. Applications for rezoning for shared docks should be considered.*

This policy empowers the LTC to consider broader restrictions upon the approvals of docks through the zoning bylaw without amendment to the current OCP text. The potential need for the use of this option is, however, moderated by the provisions of Development Permit Area 2 – Shoreline and Marine DPA.

As noted earlier in this section DPA 2 contains guidelines (42 to 52) which are specific to “Construction and Replacement of Docks and Boat Launch Facilities”. These guidelines also speak to the issues of mitigating or preventing any environmental impacts associated with these activities through the provision of criteria regarding location, construction materials and form such as the “preference” for the use of piers, pilings and floating docks over solid-core piers (Guideline 47).

DPA 2 and its provisions for dock and boat launch facilities were introduced into the Galiano Island OCP in November 2011. Since their introduction four years ago the Island Trust has developed new mapping resources which can aid in mitigating or preventing environmental impacts which may be associated with the installation of new docks. These include the Integrated Shoreline Mapping and the Nearshore Eelgrass Inventory and Mapping projects.

The shoreline mapping examines three shoreline characteristics- distribution of shoreline types, energy and sediment movement and, shoreline values and vulnerabilities. The eelgrass mapping and inventory provides locational and characteristic information on eelgrass beds. Together these tools provide site specific information that can be used to mitigate or prevent environmental impacts associated with new docks.

The language contained within the DPA guidelines is important to note as it refers to “preferences” and makes use of the word “should” rather than the more definitive “shall” when articulating guideline criteria. This is an important distinction. Should an application for a dock be deemed to be generally compliant with the requirements identified for the “Construction and Replacement of Docks and Boat Launch Facilities” the LTC is obligated to issue the permit. As well, although a development permit application is posted to the LTC agenda and the content available to the public, there is no statutory requirement for the LTC to provide public notification of the application.

As may be seen in the review of the LUB regulations the Marine (M) zone in the bylaw is generally permissive of “docks, private floats, wharves, piers and walkways accessory to the residential use of an

abutting upland lot” as well as the *“moorage of boats accessory to the residential use of an upland lot”*. The Marine zone also provides the following regulatory statement with respect to minimum setbacks:

12.2.4 *Docks, floats and wharves must be sited entirely within the boundaries of the owner's water lot lease, licence of occupation or other Crown tenure and at least 3 metres from the seaward projection of any side lot line of the abutting upland lot.*

The Galiano Island LUB provides the following definitions which are generally related to dock use:

17.1.32 *“moorage” means the tying of a boat to a buoy or similar object that is in turn anchored to the bed of the sea.*

17.1.53 *“wharfage” means the tying of a boat or seaplane to a wharf, float or dock that is in turn connected to an upland lot by a ramp or walkway.*

In general terms all of the waters within the Galiano Local Trust Area have a blanket Marine (M) zoning although some shoreline areas have other zonings such as Marine Protection (MP) and smaller areas with other marine use zones. However, the vast majority of the foreshore area surrounding Galiano has the Marine zoning which allows for private dock use subject to obtaining a development permit. Given this circumstance Galiano Island could be considered to be generally permissive of private dock use.

3. The Roles of DFO and FLNRO

As the LTC will be aware the Islands Trust has the authority to zone and regulate land uses in offshore areas, beyond the natural boundary, within the boundaries of the Galiano Land Trust Area. Some of those zones can be exclusionary in nature limiting uses to those which are passive in nature, such as the Marine Protection (MP) zone which allows only marine navigational aids as a use. In zones such as these there is limited to no interaction required with other agencies or authorities. However, in zones such as the Marine (M) zone which allows for a number of marine oriented uses, including docks, other agencies such as the Department of Fisheries and Oceans (DFO) and the Ministry of Forest Lands and Natural Resource Operations (FLNRO) may have a role in the approval process for those uses.

DFO is most commonly involved in the licensing of aquaculture and other fisheries activities as well as in the protection of marine habitat which supports those activities. Their role in the dock approval process would typically be limited to assessing concerns about possible impacts upon marine habitats associated with marine fisheries.

FLNRO has historically been the agency with which the Islands Trust has had the most interaction when processing applications for aquaculture and foreshore leases to allow for docks and other marine based uses. The Province through FLNRO has the authority to require and issue tenures for those aquatic foreshore uses. With respect to docks the past practice has been that FLNRO would refer copies of crown tenure applications to the Islands Trust for review and comment. This referral package typically included a form with a set of questions which explored the local government’s interests, including compliance with zoning. Local governments were also provided with the option to respond to these referrals online. More recently local governments were advised of a change to that historic process in a notice sent out January 20, 2017 which was titled “Notice of amendments to the Private Moorage Program – Applications-only Areas in West Coast Natural Resource Region”. That memo is discussed in the following section.

4. Applications-only Policy and Procedure

On January 17, 2017 local governments received correspondence from Greg Kockx, Manager, Land Tenures Branch for FLNRO. The correspondence was titled, “Notice of amendments to the Private Moorage Program – Application-only Areas in West Coast Natural Resource Region” and was a notice to all local governments of the change to private moorage policy to that of General Permissions. Copies of this notice and its attachments are currently being placed upon all Local Trust Committee agendas.

The notice advises that FLNRO has recently amended its private moorage policy to no longer require applications for private moorage tenures for docks. Those uses are now authorized as “General Permissions” and no referral will be made to local governments. However, most islands within the southern gulf islands, including Galiano Island, are included within an “Applications-only Area”. Applications (permissions) will continue to be required in these “Applications-only Areas” and all proposed new private docks, regardless of size, will continue to be subject to review and decision under the *Land Act*. All proponents of new private docks within the Galiano Island Local Trust Area will still be required to submit an application to FrontCounter BC. Regardless of whether or not an application is required, prospective dock owners continue to have the responsibility to ensure their dock is in compliance with local zoning bylaws.

It should be noted that although the January 20th notice advises that new dock applications will, “continue to be subject to review and decision under the *Land Act*” the notice does not explicitly state, or imply, that local governments will continue to be part of that review process. There were instances under the previous process that Islands Trust was not referred on some applications and on other occasions local government concerns, such as compliance with local zoning, were not addressed in that review and approval process.

5. First Nations Consultation

The Islands Trust is working to develop a better relationship with First Nations as well as a greater understanding as to what meaningful engagement with First Nations means, and looks like, in practice. As part of this process Trust Council adopted a set of First Nations Engagement Principles at its December 2016 meeting. Those principles are as follows:

1. Islands Trust is committed to becoming aware of what it does not know or understand about First Nations.
2. Islands Trust is committed to proving sincere desire for reconciliation
3. Islands Trust is committed to integrating, where possible, activities that support First Nations reconnecting with the Trust Area lands and waters

Trust Council has also developed a First Nations and Public Engagement Project to facilitate this relationship and understanding which is currently being implemented.

The move towards an improved understanding has been both aided and motivated by recent decisions of the courts which have emphasized the need for meaningful consultation with First Nations. These decisions have also seen the Ministry of Community Sport and Cultural Development set higher standards for First Nations consultation associated with the approval of Island Trust Official Community Plan (OCP) and OCP amending bylaw approvals. This process has had the effect of pushing the Islands Trust towards the level of the Provincial “duty to consult” which has been established by the courts.

Principle 3 of Trust Council's engagement principles is very relevant to the docks discussion recognizing as it does First Nations desires to reconnect with their traditional lands and waters. Specifically, First Nations have clearly articulated the value of shoreline areas to their traditions and the importance of that access to their culture for food gathering.

As noted the current provisions of the zoning bylaw are permissive of private docks on areas zoned Marine (M). New docks are simply required to comply with the provisions of that zone, most significantly regulation 12.2.4 which speaks to the minimum setback requirements. It is the understanding of staff that FLNRO did refer tenure applications to First Nations. It may reasonably be assumed that the practice of referrals to First Nations on applications under the new process will continue, given the Crown's duty to consult.

The specific nature of the consultation process with First Nations will be largely dependent upon the decision of the LTC as to how private docks on Galiano Island are to be regulated. The requirement for a rezoning for each new private dock, for instance, may require a different and more interactive consultative process with First Nations, likely to include site visits, than the current permissive approach to those docks. Staff will be able to provide a much more robust discussion on the matter of First Nations consultation at such time as the matter of how private docks are to be regulated has been determined.

6. Other LTC Approaches to Private Docks

To aid in the review of this issue staff examined the approaches to private docks taken by four other southern Gulf Island LTAs. These included Mayne, Saturna and North and South Pender Islands.

Mayne Island

The Mayne Island LUB contains three definitions related to docks. These include "berth", "dock" and "wharfage". The bylaw also contains four zones which address variants of dock use. These are the Water Moorage (W2) zone, Water Commercial (W3) zone, Community Wharf (W4) zone and the National Park Waters (W5) zone. Of these zones the W2 zone speaks specifically to private residential docks and, as its name indicates, the W4 zone provides regulations geared towards community use docks, which also includes commercial usage. The W2 zone fronts onto the shoreline of the majority of Mayne Island's perimeter.

Although the Mayne Island OCP contains a development permit area for the "Protection of the Natural Environment" it applies only to upland activities related to upland structures and the alteration of land. As such there is no development permit requirement associated with private docks although a recent amendment to the OCP has created a site specific DPA over the foreshore for an area rezoned for a new community dock (Anson Road).

Mayne Island's approach to private docks could reasonably be described as "generally permissive" given the scope of the W2 zoning and the lack of a development permit.

South Pender Island

The South Pender Island LUB contains two definitions related to docks. These are "dock" and "wharfage". The LUB contains four marine zones of which only the Marine General (W1) allows for private docks while the Marine Protection (W2) zone only allows for moorage of a boat to a "buoy or similar object" that is secured to the bed of the sea. The W1 zone runs along most of the northern

shoreline of Mayne Island and in two small strips, one on the northwest tip of the island along Ainslie Point and another just north of Egeria Bay.

The OCP does not contain a DPA related to private docks. The OCP does contain language in Section 4.2 of Part 4 – “Marine based Use and Development” which addresses moorage in areas designated as Marine General (MG), item 4.2(b)(iv) of which states in part:

b) Docks or wharves are to be allowed in the following circumstances:

iv) private moorage purposes in those areas designated as Marine General (MG) on Schedule “B” provided their:

- purpose and use is only for providing access and/or private moorage to the adjoining upland lot. *An exception is situations of new waterfront residential lot development where installation of communal docks would be encouraged* [emphasis added]; and
- location, size, siting and shoreline development is regulated.

It is interesting to note that the W1 zoned area which is permissive of private docks appears to be wholly contained within the area designated MG by the OCP, a designation which is somewhat more restrictive of private docks.

Given the lack of a development permit requirement and the lack of a need for rezoning to allow for private docks within the W1 zone, and the extent of the W1 zoning, South Pender Island could be considered “somewhat permissive” of private docks. However, the LTC is considering a proposed LUB amendment which would restrict W1 zoning to existing docks and require rezonings for new docks. A proposed amendment to the OCP would establish guidelines for new dock rezonings.

North Pender

The North Pender Island LUB contains two relevant definitions related to private docks. These are “moorage” and “wharfage”, the latter of which includes the concept of “tying a boat...to a wharf, float or dock that is in turn connected to an upland lot by a ramp or walkway”.

The LUB contains six water zones only one of which, the Water 1 (W1) zone, is specific to private docks. The W1 zone allows for “private floats, wharves, ramps and walkways accessory to the residential use of an abutting upland lot”. The Water 2 (W2) zone addresses larger commercial scale marine use such as marinas and yacht clubs but allows for private docks with the same criteria as the W1 zone. The W1 zone surrounds North Pender Island and is in direct contact with the vast majority of the islands shore line.

Unlike Mayne and South Pender Islands the North Pender Island OCP does contain a development permit requirement for private docks – DPA Six – Intertidal Ecosystems. The DPA contains a number of guidelines specific to the construction and siting of docks. However, that DPA is not a blanket permit area along all of the shorelines area and significant gaps exist where no development permit is required for installing a dock.

Given the scope of the shoreline and the large number of lots along that shoreline, the zoning of which allows for private docks, and the limited DPA requiring a permit, North Pender could be considered to be “generally permissive” of private docks.

Saturna Island

The Saturna Island LUB does not contain any definitions which could be considered relevant to private docks. The LUB does contain five water zones of which one, the Water (WA) zone, specifically addresses, “private or communal floats, wharves, piers and walkways accessory to residential use and providing access to properties adjacent to the foreshore”. The WA zone has limited distribution but can be found in Narvaez Bay, Lyall Harbour/Boat Cove, Breezy Bay and Irish Bay. The WA zone does not include restrictions on size or other aspects of docks. There are no DPAs relevant to the issue of private docks.

Given the foregoing Saturn Island could be considered to be “restrictive” on the issue of private docks given the limited opportunity and locations to develop such docks.

7. Survey Results

Notices were placed in the November 30, 2016 edition of the *Galiano Active Page* seeking community input on two of the LTC’s Top Priority Projects – the Dock Review Project, which is the subject of this paper, and the Telecommunication Strategy project. URL links were provided to online surveys for each of these projects in the notices. The closing date on the survey(s) was January 2, 2017. The survey is a qualitative rather than quantitative tool and can be considered to be non-representative in nature.

As may be seen from the attached summary of the survey results a set of 13 questions were provided which sought community input on various aspects of the subject of private docks. There was also an opportunity afforded to provide general comments for more in-depth feedback for five of the questions, as well as an opportunity to provide general comments on the topic of docks at the end of the survey. The total number of survey respondents was 165 of which 68 also provided general comments. The survey question responses were almost evenly split between full time and part time residents (Question 1) at 49.68 and 47.85% respectively.

When considering the responses to the survey, and some of the comments that were provided, it is important to bear in mind that the scope of this project, as defined by the project charter, is limited to private docks. Some of the comments in the survey results appear to conflate the survey questions with community docks.

General Observations

A number of key questionnaire results are summarized below. These responses are particularly helpful in providing context for better understanding community sentiments regarding the implementation of private docks on Galiano Island.

- 154 of the 165 respondents own their own home on Galiano Island
- 34% of 163 respondents did not own waterfront property
- 47% of 104 respondents use their dock for the purpose of water access to their property.
- 67% of 107 respondents who owned waterfront property had no concerns with private docks
- 30% of 66 non-waterfront property owner respondents had no concerns with private docks while 24.24% had concerns regarding environmental impacts and 21.21% had concerns regarding restrictions on public access.
- 6.33% of 158 respondents thought that community input was not at all important while 56.33% felt it was not important if docks meet all regulations and policies. Only 20.25%

of respondents to this question felt that community input on private dock design siting and construction was important, although 114 of 159 respondents felt that neighbours should be notified if their neighbour plans to construct a private dock.

- 74.5% of 157 respondents felt that docks should be allowed with regulations

Question 13 of the survey asked as to how docks should be regulated and provided nine different factors that could be considered for regulations and provided an option for other suggestions. Seventy four (49%) of 150 respondents felt that the size (footprint) should be regulated and 45% of the 150 respondents felt that setbacks from side lot lines should similarly be regulated. Other main factors identified for regulation were float and ramp widths and lengths (32.67% and 37.33%). These concerns appear to speak to issues that cannot be directly addressed through the development permit approval process. It should be noted that in the comments section, which was not restricted to the nine choices provided, the sentiments between additional regulations for private docks and those who felt that docks were currently adequately regulated was generally evenly divided.

It is the view of staff that these particular results do not provide an indication of significant general concerns or resistance to the current allowance for private docks within the community. It does suggest that there is some level of interest in considering additional regulations for private docks.

In addition to the responses to the survey question set a total of 68 general comments were also submitted and may be found in Attachment 2. Within those responses there is a readily identifiable sentiment that docks are a part of island living, are essential for access and should be permitted. It was also suggested in a number of responses that docks were considered to be already adequately regulated. It is recognized that some of these responses could reflect the sentiments of owners from associated islands (Gossip, Parker and Wise and the water access neighbourhood at Fillmore Point) where docks are considered a near necessity as compared to Galiano proper where they might be more accurately considered an amenity

Taken as a whole the survey results seem to indicate a strong level of support of the allowance of private docks on Galiano Island among the respondents, with an indication of some level of community support for some additional regulations.

8. Analysis

The Background section of the Project Charter for this project states, in part:

In the past few years issues concerning private docks have arisen from First Nations, protecting sensitive ecosystems, addressing neighbours' concerns, and private dock best management practices.

The Project Charter goes on to provide the following objectives.

- To identify options for further regulating private docks
- To consider amendments to the OCP and LUB
- To implement potential regulatory changes to restrict private docks.

The assumption of the Project Charter expressed through its background section and the stated objectives is that the current regulatory framework for private docks is either inadequate or not functioning effectively in some way. The online questionnaire that was conducted, as per the project charter, as part of the early consultation process to identify community concerns and the results of that survey process do not necessarily support the stated objectives of the project charter.

Specifically, the results of the survey do not seem to support the third listed objective of the project charter to “implement potential regulatory changes to restrict private docks”, or the OCP Shoreline and Marine Policy, which provides, in part, that:

The Local Trust Committee may consider amending the existing Marine zone to not permit new individual private docks.

That apparent incongruity between what seems to be the respondents’ view of current private dock regulations and the intent of at least one project objective to make changes to those regulations may prove to be a challenge to moving this project forward. There is very little support expressed in the survey results for the restriction of private docks.

That apparent disconnect resulted in a staff decision to prepare this discussion paper, rather than first proceeding with referrals to FLNRO and First Nations. The purpose of this document is to introduce the results of the survey and to provide a broader background review of the implementation and regulation of private docks on Galiano Island and to review possible options.

A review of the approaches taken by other LTCs (Part 6) to the regulation of private docks shows the approach taken on Galiano Island is not significantly different than the other Islands. Similar to Mayne and North Pender Islands the majority of the foreshore area is zoned to allow for private docks. Of all of the Islands reviewed, Galiano Island has the most stringent development permits guidelines for development permits requiring a permit for all private docks.

First Nations Concerns

The background section of the Project Charter identifies that First Nations concerns have arisen regarding private docks. The background does not identify the specific source of those concerns but First Nations have clearly articulated the value of shoreline areas to their traditions and history, and the importance to their culture of access to shoreline areas for food gathering. First Nations have also suggested the potential for crown foreshore to provide either treaty settlement lands or that these could be areas of FN title under Douglas Treaties. As has been noted in this paper the duty to consult with First Nations currently falls to FLNRO through what was the tenure application review process. It cannot be assumed that FN will continue to be referred applications by FLNRO in the “Applications-only Areas” policy recently adopted by the Province.

What the referral processes for other application types such as rezoning have shown is that First Nations often times do not always have the resources necessary to deal with the requests from a variety of agencies for information on how their interests may be affected by certain proposals. Should it, ultimately, be the wish of the LTC to amend the LUB so as to require site specific zonings for private docks consideration should be given as to the specific nature of the First Nations consultation process associated with the LUB amendment process to regulate docks as well as on an ongoing basis after the bylaw has been amended should that be the case. The preferred approach would be to incorporate the results of consultation undertaken in this process, and have FN interests reflected in the resulting regulations or policies, rather than undertake consultation for each application.

Neighbours’ Concerns

It is understood that the protection of public access to the shoreline is a concern for some community members and visitors to the Island. As well, visual impacts of docks and their location can be considered to be significant concerns for some neighbours. In the past community members have expressed a desire to have the opportunity to speak to the specifics of dock construction, design, and location. Indications of these concerns may be seen in some of the comments provided in the survey.

As has been noted in this document the current regulations related to private docks do not allow for community consultation on development permit applications for those structures. Nor is there a need to provide notification of applications for a development permit. This does not represent a gap in the development permit approval and regulatory processes. Rather, it is a reflection of the fact that there is no statutory *Local Government Act* requirement to do so.

As was noted in Section 2 as long as a development permit application is deemed to adequately address the DPA guidelines, and the zoning allows the use, the LTC is obligated to approve the development permit. Providing notification of an application and the creation of an expectation that additional criteria and conditions not required by the OCP DPA guidelines, or the zoning, could be placed upon the construction of a private dock would be misleading and any such permit which did so could be successfully challenged in the courts. If it is the wish of the LTC to allow for further regulation of private docks it would require amendments to the LUB to add additional 'conditions of use'. The challenge would be to determine what those additional criteria are. Potential options include setbacks from lot line extensions, limits on float dimensions, sizes and ramp lengths. Also an ongoing issue regarding the portion of the ramp on the upland not being permitted in the setback from the sea is an issue that should be also be addressed. Several comments submitted in the survey correctly observed that the circumstances related to a private dock can be specific to the location and property in question as well as to the nature of the vessel that is expected to be moored to that dock.

Environmental Impacts

While the OCP development permit guidelines speak to the issues of mitigating or preventing any environmental impacts associated with private docks, and the review process used to modify the size and siting of a dock to prevent or mitigate those impacts, a development permit cannot simply prevent a private dock. Areas of environmental significance may be more effectively protected by the use of zoning to preclude docks from specific areas by utilizing the data from the Integrated Shoreline Mapping and the Nearshore Eelgrass Inventory and Mapping projects.

9. Options

No further action (No change to Regulations)

This option would be to opt for the status quo with respect to the current regulatory regime for private docks and to not continue with this project. Choosing this option would represent a tacit acknowledgement that the current system while not perfect is functioning well enough to leave alone. The choice of this option should also include a clear understanding of the number and nature of complaints that have been received with respect to private docks.

Amend the OCP Development Permit Area guidelines

This approach can be recognized as an option but in reality it probably has limited utility as a solution. Development permit guidelines are intended to be exactly that. OCP's are not intended to be a regulatory document like a zoning bylaw but rather they are intended to provide guidelines and policies to achieve the community's goals and objectives and vision. The language and approach to the development permit guidelines could likely be tightened up but it should not be attempted to turn the guidelines into a set of specific regulations for private docks.

Amend the zoning bylaw

There are a number of possible approaches to the amendment of the LUB with respect to the regulation of private docks on Galiano Island. The option of amending the land use bylaw to address the general permissibility for private docks has been discussed in this document and despite supportive OCP policies the approach of requiring all new dock applications to go through a rezoning process seems to have found very limited support from the respondents to the recent survey.

Implementation of this approach would require a sweeping rollback of the current Marine zoning surrounding Galiano Island. As well, it presents the challenge of deciding how to deal with existing docks. They could simply be deemed legally non-conforming once the Marine zoning is removed and all new docks required to apply for a rezoning.

A variant of this approach which is being used on South Pender Island, is to research and map existing dock locations and tenures and draft an amended zoning map to reflect the boundaries of current tenure boundaries and retain their current Marine zoning. This option is considered to be viable but could prove to be unpopular with the community.

Another option would be to add additional standardized regulatory criteria, yet to be determined, to the LUB for private docks which could address such items as the dimensions, area and the siting of the docks and ramps. If it is the wish of the LTC is to provide opportunity to allow for public input into the private dock application process this would be the best option to achieve that goal, aside from forcing a rezoning.

An additional approach would be to identify specific areas where docks should be permitted by rezoning application only: i.e., environmentally sensitive areas, areas where a proliferation of docks may be an issue (e.g. Montague Harbour) and areas identified by FN consultation as culturally or economically significant.

In the “standardized regulatory criteria” approach, if a property owner is not satisfied with some aspect of the conditions of use for a private dock as they apply to their property they would have the option of applying for a development variance permit to vary the zoning bylaw specific to their property and the proposed addition of a dock. Pursuant to Section 498 of the *Local Government Act* a local government may issue a development variance permit to vary the provisions of a zoning bylaw as long as it does not seek to vary use or density. S.499 of the *Act* also requires that notice must be provided to adjacent property owners. This approach and the requirement of public notice would provide the opportunity for those who feel their interests would be affected by the requested variance to have a voice in the approval process. The caveat being that this would not be an interactive dialogue with the applicant but rather a presentation, written or verbal, of their concerns to the LTC who would consider their input during their consideration of the DVP application. It should be noted that, unlike a development permit, a development variance permit is a discretionary decision making process.

One other approach would be to identify “no dock” (i.e., sensitive) areas utilizing the data from the Integrated Shoreline Mapping and the Nearshore Eelgrass Inventory and Mapping projects. This approach would include amendments to the foreshore zoning and could be done in conjunction with the approach where the Marine zoning is generally rolled back to existing docks and tenures with the requirement for a rezoning for new docks.

This new mapping information could also be used to identify and rezone sensitive areas and locations to the Marine Protection zone without a general rollback of the Marine zone.

It should be noted that combinations of these options could be used to distinguish between associated islands/water access subdivisions and Galiano Island itself where there is public road access

Submitted By:	Rob Milne, RPP,MCIP Island Planner	February 8, 2017
Concurrence:	Robert Kojima Regional Planning Manager	February 22, 2017

ATTACHMENTS

1. Project Charter
2. Survey Results

Dock Review - Charter v1

Galiano Island Local Trust Committee

Date: June 23, 2016

Purpose *To consider amendments to the OCP and LUB to regulate private docks on Galiano Island*

Background *The LTC identified this as a Top Priority in March 2016. The intent of the project is to consider amending current, or adding new, policies and regulations for private docks within the Galiano Island Local Trust Area. The Galiano Island LUB currently permits private docks within the Marine (M) zone. The Galiano Island OCP also contains construction guidelines for private docks within the Shoreline & Marine Development Permit Area. In the past few years issues concerning private docks have arisen from First Nation, protecting sensitive ecosystems, addressing neighbours' concerns, and private dock best management practices.*

Objectives

- To identify options for further regulating private docks
- To consider amendments to the OCP and LUB
- To implement potential regulatory changes to restrict private docks.

In Scope

- Review of options for regulating docks
- Public consultation on options to further regulate docks
- Consultation with agencies and first nations
- Bylaw amendment process
- Implementation

Out of Scope

- Unrelated OCP or LUB amendments

Workplan Overview

Deliverable/Milestone	Date
Early consultation—trustee newsletter, survey, First Nations, FLNRO	September—November 2016
Discussion paper	November 2016
Open house and Community Information meeting	November 2016
LTC review of options	January—March 2017
LTC direction to prepare amending bylaws	March 2017
Second community information meeting (optional)	May 2017
Legislative process	May—September 2017

Project Team

Robert Kojima	Project Manager
Kim Farris	Planner
Regina Robinson	Admin Support
Barb Dashwood	GIS technician

RPM Approval:

Robert Kojima

Date: June 23, 2016

LTC Endorsement:

Resolution #: GL-2016-067

Date: July 4, 2016

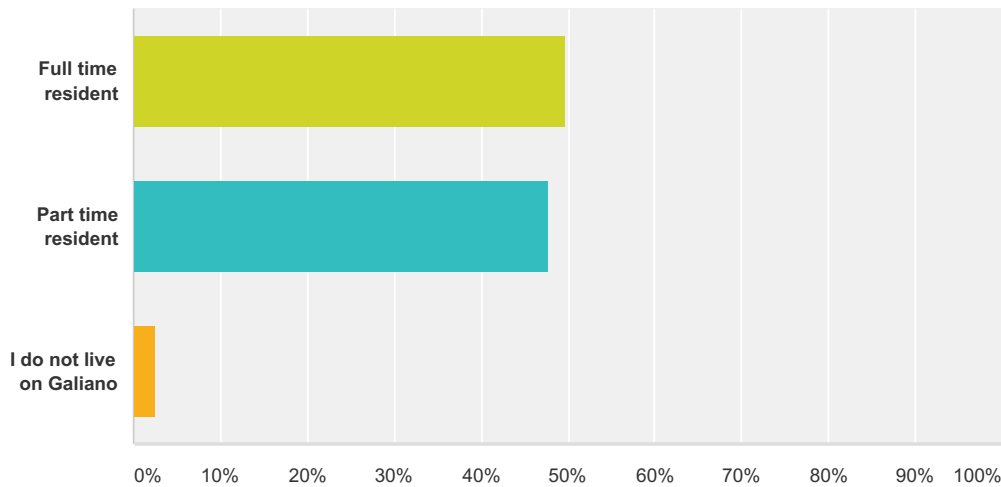
Budget

Budget Source:

Fiscal	Item	Cost
2016-17	Advertising, communications, survey	\$1000
2016-17	Open house/CIM	\$500
2016-17	Second CIM (optional)	\$500
2016-17	Contingency	\$1000
2017-18	Public Hearing	\$2000
	Total	\$5000

Q1 Do you live within the Galiano Island Local Trust Area?

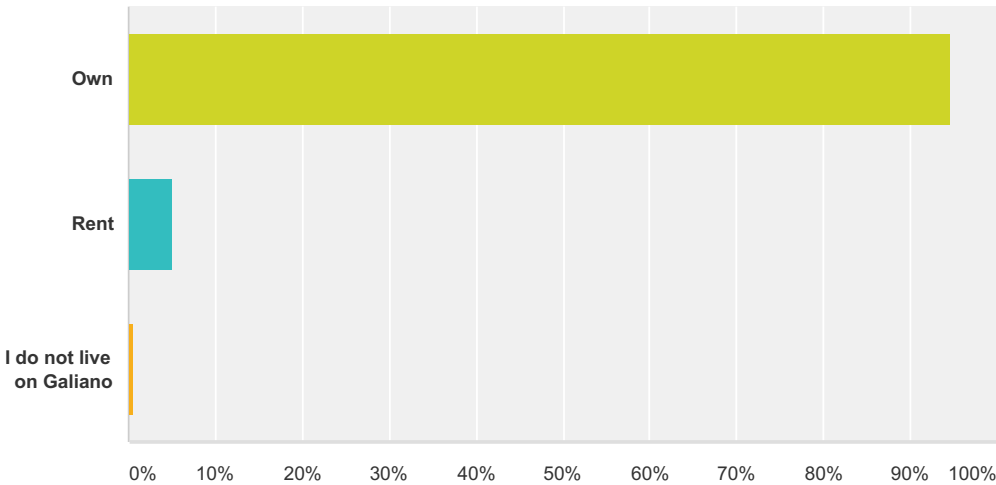
Answered: 163 Skipped: 2



Answer Choices	Responses	
Full time resident	49.69%	81
Part time resident	47.85%	78
I do not live on Galiano	2.45%	4
Total		163

Q2 Do you own or rent your Galiano residence?

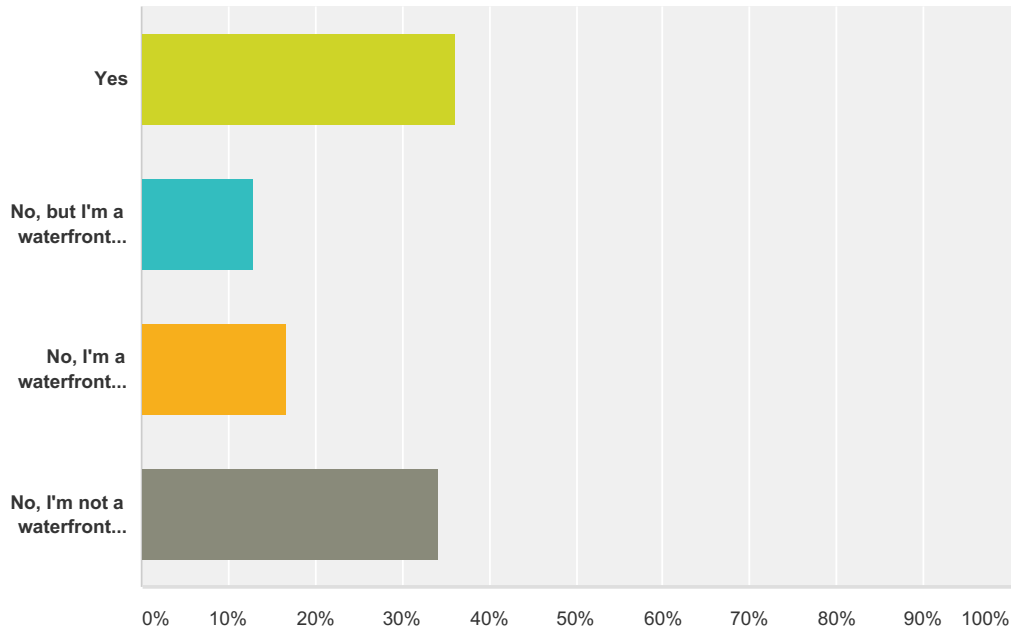
Answered: 163 Skipped: 2



Answer Choices	Responses	
Own	94.48%	154
Rent	4.91%	8
I do not live on Galiano	0.61%	1
Total		163

Q3 Does your Galiano property have a private dock? This includes property owners on smaller islands (Parker, Wise, Gossip, etc.).

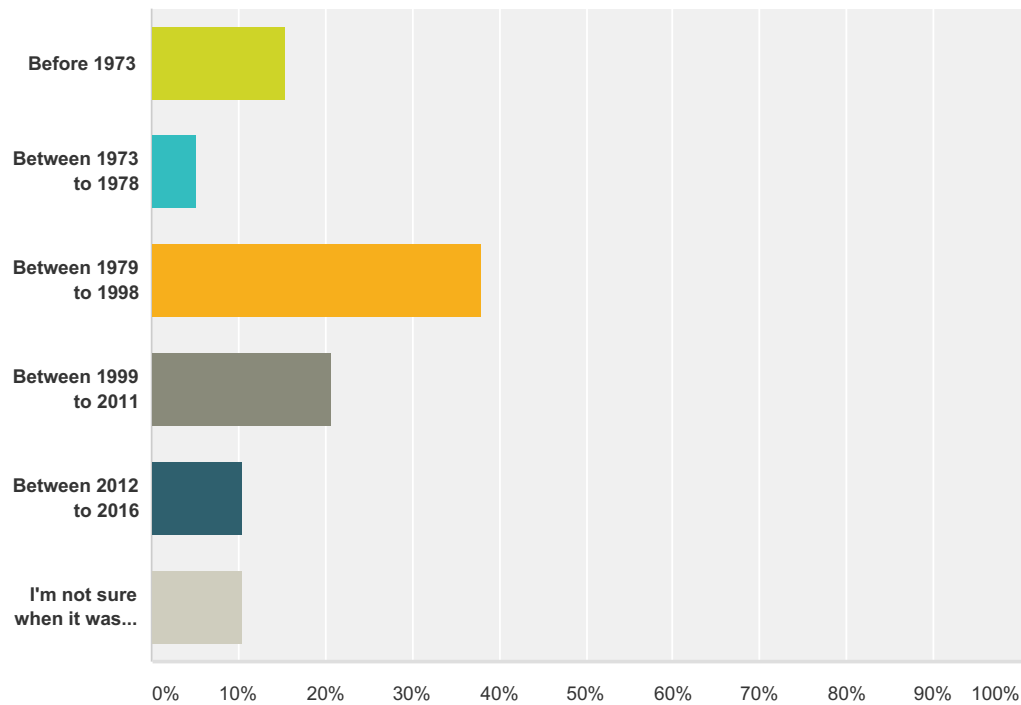
Answered: 161 Skipped: 4



Answer Choices	Responses	
Yes	36.02%	58
No, but I'm a waterfront property owner and I plan to construct one in the future	13.04%	21
No, I'm a waterfront property owner and I don't plan to construct one	16.77%	27
No, I'm not a waterfront property owner	34.16%	55
Total		161

Q4 If you do have a private dock, when was it constructed?

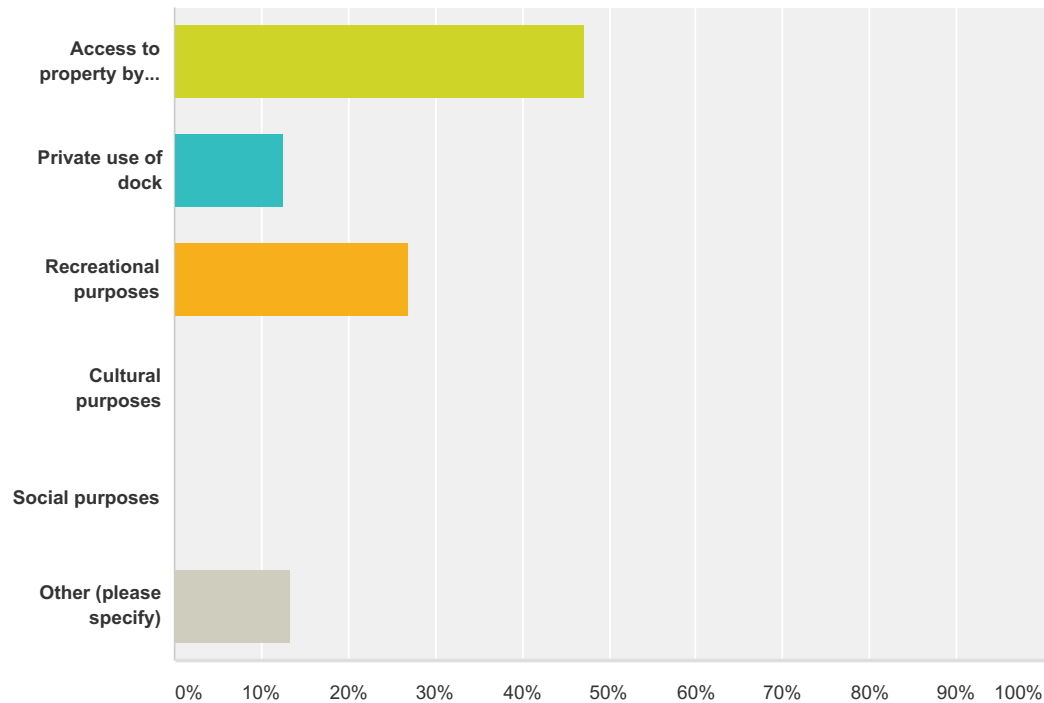
Answered: 58 Skipped: 107



Answer Choices	Responses	
Before 1973	15.52%	9
Between 1973 to 1978	5.17%	3
Between 1979 to 1998	37.93%	22
Between 1999 to 2011	20.69%	12
Between 2012 to 2016	10.34%	6
I'm not sure when it was constructed	10.34%	6
Total		58

Q5 If you are a waterfront property owner, what is the primary benefit of having a private dock?

Answered: 104 Skipped: 61



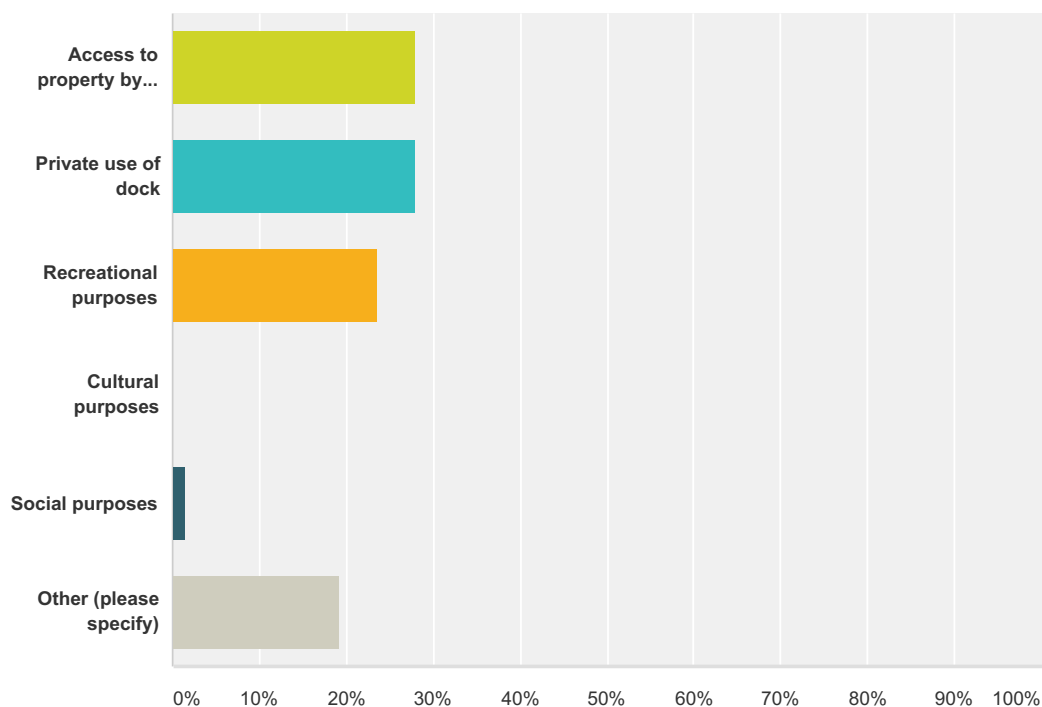
Answer Choices	Responses
Access to property by water	47.12% 49
Private use of dock	12.50% 13
Recreational purposes	26.92% 28
Cultural purposes	0.00% 0
Social purposes	0.00% 0
Other (please specify)	13.46% 14
Total	104

#	Other (please specify)	Date
1	We are water access only	12/31/2016 4:55 PM
2	For small islands with large acreage this is the only viable way to access most properties that are occupied full time.	12/30/2016 6:08 PM
3	We can only access our property by water. It is necessary.	12/30/2016 11:00 AM
4	all of the above	12/29/2016 8:58 AM
5	Safety for emergency access.	12/27/2016 6:59 PM
6	We have a community dock providing access to 30 properties	12/24/2016 7:57 AM
7	Launching little kayaks by being able to slide them down the ramp as with a bad back I can't access by carrying over the stone shore. Too slippery and uneven. Being able to enjoy views and sit on it like a little deck.	12/13/2016 10:10 AM

8	Non motorized. Kayak only recreational use	12/12/2016 7:08 PM
9	Use the boat for work and it is preferable to not carry heavy equipment to and from dock/truck, inter island travel, convenience	12/12/2016 10:07 AM
10	Water only Access Island - the dock is a must	12/7/2016 8:17 PM
11	I use a community dock which is essential to get to my home	12/7/2016 8:56 AM
12	This property is boat access only; my foreshore and the CRD dock are part of my essential connection with the rest of the world.	12/5/2016 11:40 AM
13	A dock is literally the only way to access my property.	12/3/2016 10:34 PM
14	not a waterfron property owner	12/2/2016 1:52 PM

Q6 If you are NOT a waterfront property owner, what is the primary benefit for waterfront property owners having a private dock?

Answered: 68 Skipped: 97



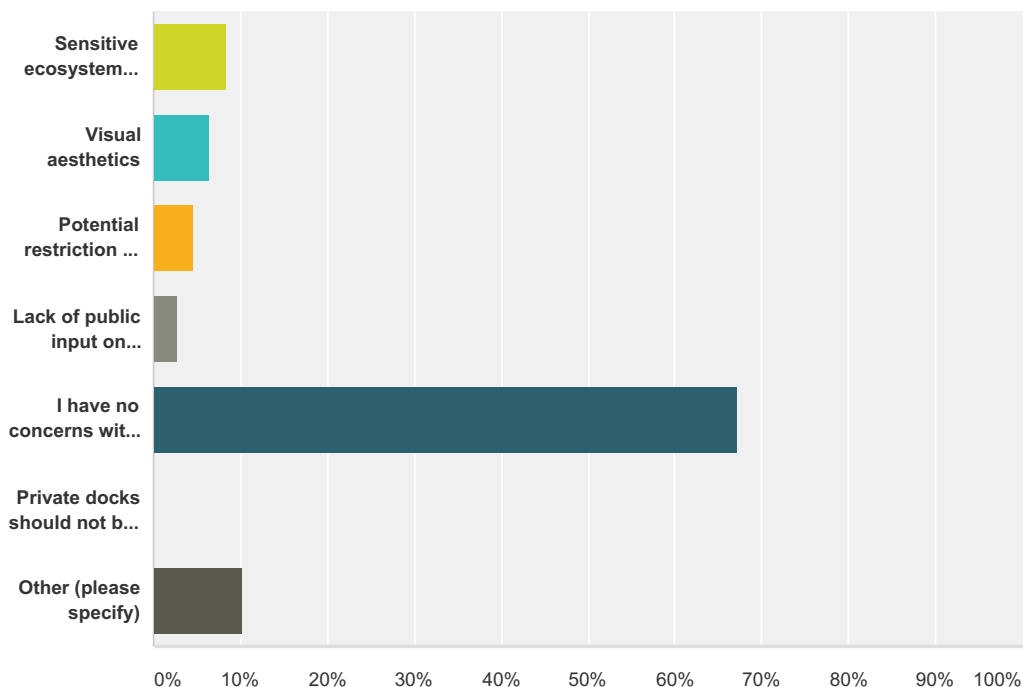
Answer Choices	Responses
Access to property by water	27.94% 19
Private use of dock	27.94% 19
Recreational purposes	23.53% 16
Cultural purposes	0.00% 0
Social purposes	1.47% 1
Other (please specify)	19.12% 13
Total	68

#	Other (please specify)	Date
1	Recreational for most but necessary for a number of residents	12/30/2016 6:12 PM
2	n/a ... am waterfront owner	12/30/2016 5:14 AM
3	No idea	12/29/2016 8:30 PM
4	No idea	12/29/2016 9:39 AM
5	How can non-dock owners POSSIBLY have ANY idea what "the primary benefit waterfront property owners having a private dock" is??? This question insinuates a certain prejudice.	12/29/2016 8:59 AM
6	all of the above	12/29/2016 8:58 AM

7	No benefit to anyone other than the property owner.	12/29/2016 8:50 AM
8	All of the above	12/29/2016 7:42 AM
9	Why would you ask this? On what basis would someone who doesn't own a dock know the primary benefit of owning a dock??	12/29/2016 7:24 AM
10	N/A	12/18/2016 4:14 PM
11	all the first 3 choices, Cannot prioritize to just one use.	12/5/2016 12:51 PM
12	All of the above. I cannot guess intentions of others. Inappropriate question !	12/5/2016 9:12 AM
13	Increases property value while polluting large areas on either side of the dock.	12/4/2016 9:21 AM

Q7 If you are a waterfront property owner, what is your primary concern with private docks?

Answered: 107 Skipped: 58



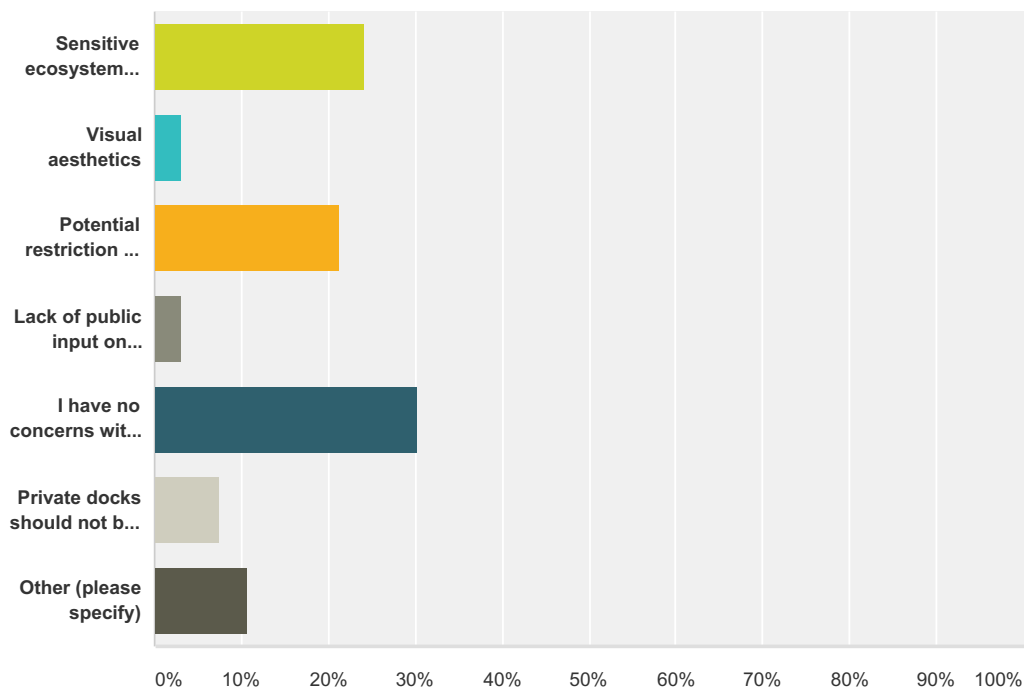
Answer Choices	Responses
Sensitive ecosystem impacts	8.41% 9
Visual aesthetics	6.54% 7
Potential restriction of public access along foreshore	4.67% 5
Lack of public input on private dock construction	2.80% 3
I have no concerns with private docks	67.29% 72
Private docks should not be permitted	0.00% 0
Other (please specify)	10.28% 11
Total	107

#	Other (please specify)	Date
1	New docks should be assessed case by case based on a set of environmental guidelines and rules	12/30/2016 6:08 PM
2	My greatest concern would be private docks that are excessively large (over 50') and their visual impacts	12/30/2016 5:14 AM
3	Not sure	12/29/2016 8:29 PM
4	The hurdles, delays and uncertainty encountered by water access properties in obtaining dock approval and administration	12/29/2016 3:41 PM
5	All of the first four responses above	12/29/2016 7:42 AM
6	Sensitive ecosystem impacts and visual aesthetics are both equally important.	12/24/2016 7:57 AM

7	I'm concerned that our shared private dock at Philimore Point will be affected in a negative way by policies that don't take into account the need for a good sized dock for 30+ property owners who can only access their cabins by water.	12/21/2016 12:54 PM
8	Increased use of motorboats	12/12/2016 7:08 PM
9	I have no concerns with private docks for boat access properties	12/5/2016 11:40 AM
10	All of the top four choices	12/3/2016 5:34 AM
11	not a waterfron property owner	12/2/2016 1:52 PM

Q8 If you are NOT a waterfront property owner, what is your primary concern with private docks?

Answered: 66 Skipped: 99



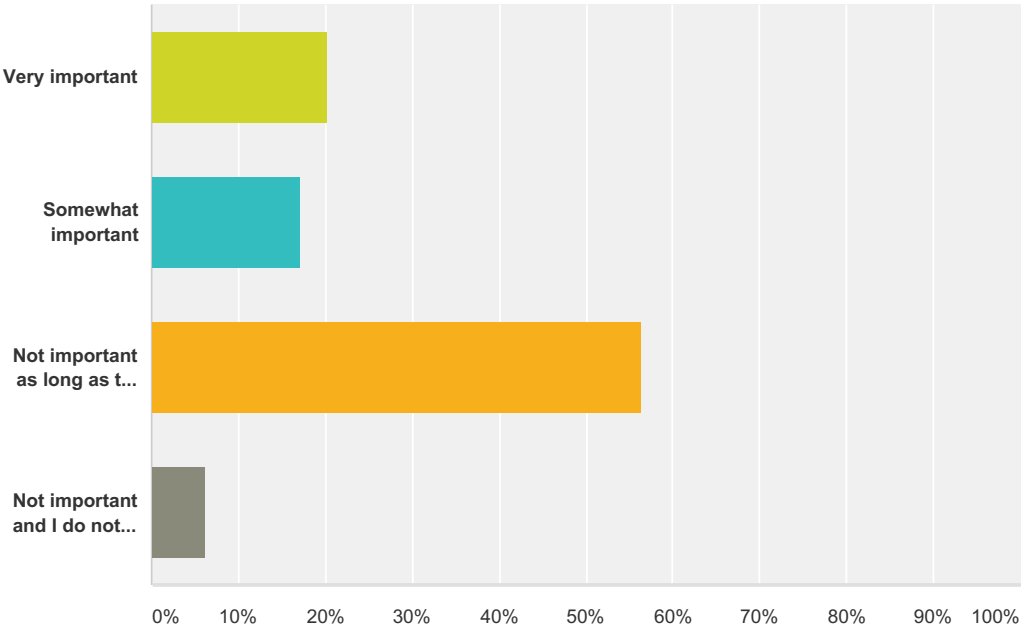
Answer Choices	Responses
Sensitive ecosystem impacts	24.24% 16
Visual aesthetics	3.03% 2
Potential restriction of public access along foreshore	21.21% 14
Lack of public input on private dock construction	3.03% 2
I have no concerns with private docks	30.30% 20
Private docks should not be permitted	7.58% 5
Other (please specify)	10.61% 7
Total	66

#	Other (please specify)	Date
1	we are water access only	12/31/2016 4:55 PM
2	n/a	12/30/2016 5:14 AM
3	There should be NO concerns as long as the PRIVATE waterfront property owners/dock owners comply with current foreshore lease regulations.	12/29/2016 8:59 AM
4	Private docks are already regulated by BC private dock licensing criteria. Unless the above concerns are unlawful, no one has the right to say what private property owners can do with their docks.	12/29/2016 7:24 AM
5	N/A	12/18/2016 4:14 PM

6	Setbacks from the neighbours should be respected	12/15/2016 9:39 PM
7	Concern about too many docks. And the cumulative impact on environment.	12/5/2016 3:38 PM

Q9 How important is community input on private dock design, siting and construction?

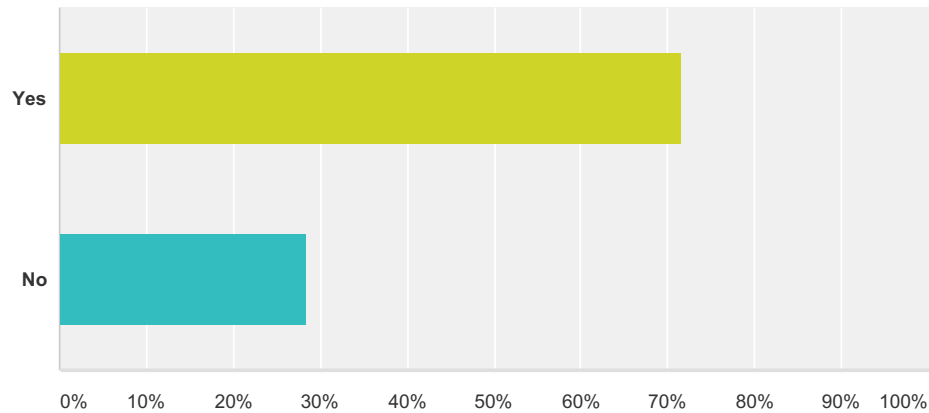
Answered: 158 Skipped: 7



Answer Choices	Responses	
Very important	20.25%	32
Somewhat important	17.09%	27
Not important as long as the dock meets all regulations and policies	56.33%	89
Not important and I do not care if the dock meets regulations or policies	6.33%	10
Total		158

Q10 Should property owners be notified if their neighbour plans to construct a private dock?

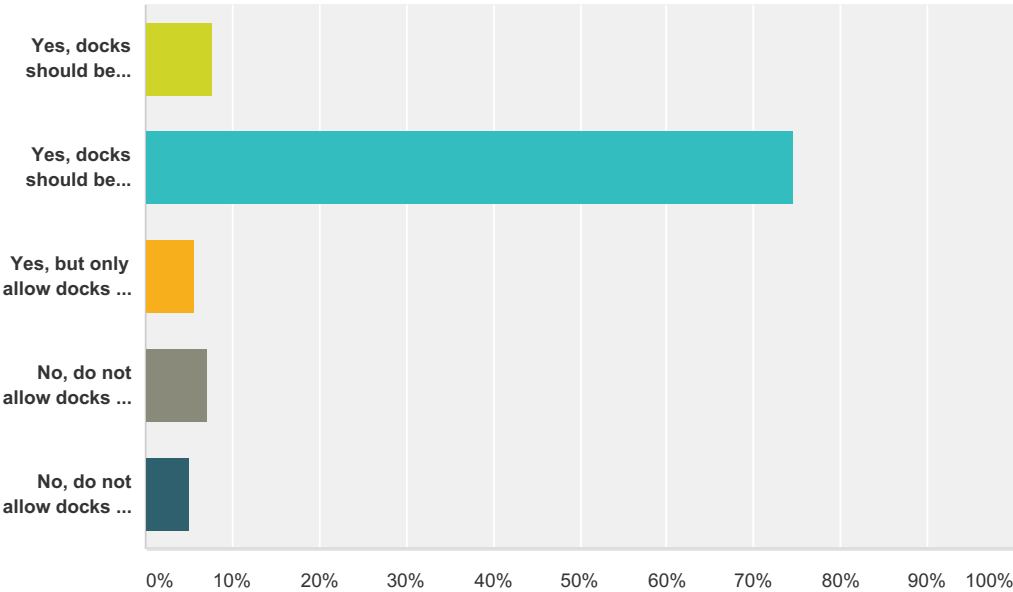
Answered: 159 Skipped: 6



Answer Choices	Responses	
Yes	71.70%	114
No	28.30%	45
Total		159

Q11 Should private docks be allowed?

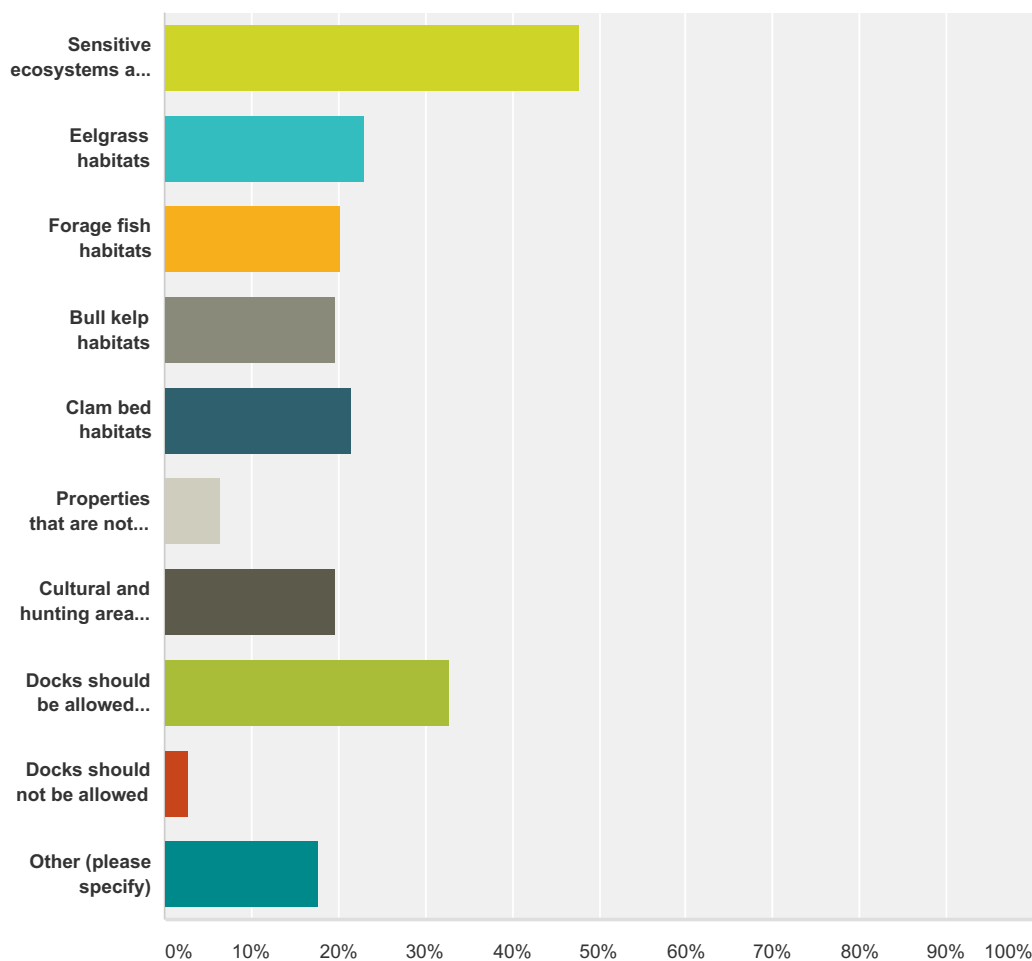
Answered: 157 Skipped: 8



Answer Choices	Responses	
Yes, docks should be allowed with no regulations	7.64%	12
Yes, docks should be allowed with regulations	74.52%	117
Yes, but only allow docks in certain areas	5.73%	9
No, do not allow docks but property owners have the opportunity to apply for rezoning to allow a private dock.	7.01%	11
No, do not allow docks at all. No new docks should be constructed.	5.10%	8
Total		157

Q12 Are there certain areas where docks should NOT be allowed?

Answered: 153 Skipped: 12



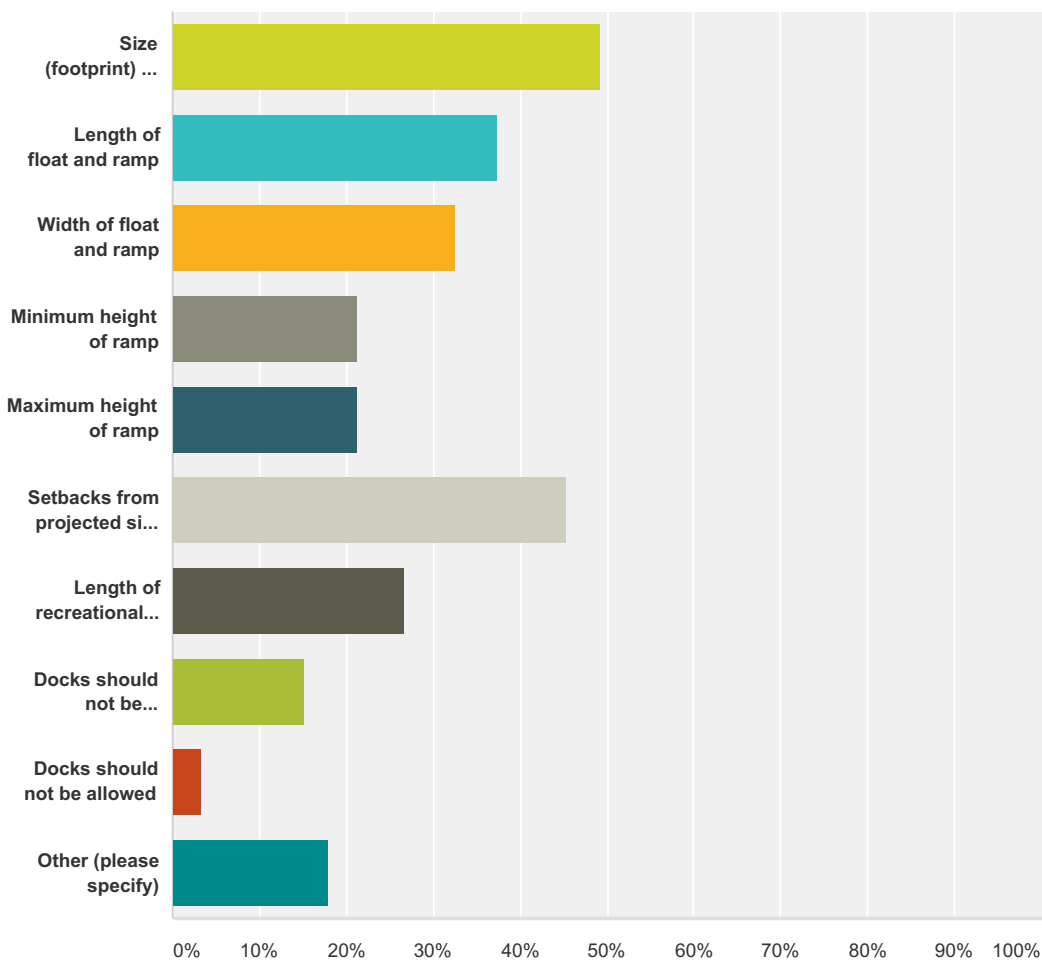
Answer Choices	Responses
Sensitive ecosystems as defined by the Official Community Plan	47.71% 73
Eelgrass habitats	22.88% 35
Forage fish habitats	20.26% 31
Bull kelp habitats	19.61% 30
Clam bed habitats	21.57% 33
Properties that are not boat access only	6.54% 10
Cultural and hunting areas specified by First Nations	19.61% 30
Docks should be allowed everywhere	32.68% 50
Docks should not be allowed	2.61% 4
Other (please specify)	17.65% 27

Total Respondents: 153

#	Other (please specify)	Date
1	If there is an endangered species at risk there would need to be careful thoughtful analysis and planning done to see if both preservation and dock could work together	1/3/2017 1:38 PM
2	The straight unprotected shorelines on the east and west of the island should be avoided due to drift damage.	1/2/2017 9:27 PM
3	year round docks should be permitted in areas where the float does not rest on sea bottom. seasonal, non permanent floats should be allowed elsewhere	1/2/2017 2:39 PM
4	Environmental guidelines must be part of the process.	12/30/2016 6:14 PM
5	Where they impede boat traffic	12/30/2016 11:18 AM
6	Docks provide an excellent environment for children to learn.	12/30/2016 11:08 AM
7	No docks along NP or within MP zones; reasonable environmental assessment of impact on eelgrass, kelp and clams; note that docks can in fact enhance forage fish habitat	12/29/2016 4:07 PM
8	It should be controlled by policy and regulations as dictated by the current government agency and it should not involve yet another level of local government.	12/29/2016 2:28 PM
9	As long as any possible neighbour encroachment is addressed; and that environmental issues are addressed	12/29/2016 10:11 AM
10	As long as owners mitigate issues re eelgrass and clam beds, according to any rules/regulations, there should not be a problem.	12/29/2016 9:42 AM
11	docks should not be allowed in active pass, porlier pass, or other unsafe waters	12/29/2016 9:23 AM
12	There are already very clear regulations for obtaining foreshore leases along with BC government reviews of construction/design/siting plans BEFORE leases are obtained and permission granted to build private docks. Surely those regulations are sufficient and no more impositions on the private waterfront property owner should be implemented.	12/29/2016 9:17 AM
13	Where they cause safety problems	12/29/2016 8:22 AM
14	Docks should be allowed within foreshore lease regulations already existing.	12/29/2016 7:35 AM
15	in areas zoned marine or nature protection and traffic waterways	12/28/2016 12:32 PM
16	Sensitive ecosystems should be taken into consideration. We are not sure how the OCP defines sensitive ecosystems or what restrictions are placed on dock sites.	12/27/2016 7:06 PM
17	Allow docks as long as they are safe and will not impeded water traffic	12/27/2016 3:16 PM
18	most people who purchase waterfront property do so to access the water. every property should have the opportunity to build one if conditions allow.	12/27/2016 10:53 AM
19	Docks should be allowed with some regulation	12/26/2016 10:46 PM
20	Anywhere that's practical	12/23/2016 10:52 AM
21	not allowed if community dock is available	12/21/2016 1:53 PM
22	No	12/17/2016 8:54 AM
23	On yes. If in sensitive area then compensation/mitigation should be considered	12/15/2016 7:25 PM
24	According to provincial regulations	12/12/2016 7:05 PM
25	Where not permitted by provincial regulations	12/12/2016 6:46 PM
26	Dock should be allowed on all Water Access Only properties especially areas w/o ferry services.	12/7/2016 8:23 PM
27	Docks should not be allowed in any of the areas mentioned above.	12/4/2016 9:25 AM

Q13 If private docks are continued to be allowed but with regulations, how should private docks be regulated?

Answered: 150 Skipped: 15



Answer Choices	Responses
Size (footprint) of float and ramp should be restricted	49.33% 74
Length of float and ramp	37.33% 56
Width of float and ramp	32.67% 49
Minimum height of ramp	21.33% 32
Maximum height of ramp	21.33% 32
Setbacks from projected side lot lines	45.33% 68
Length of recreational boat permitted to use the dock	26.67% 40
Docks should not be regulated	15.33% 23
Docks should not be allowed	3.33% 5
Other (please specify)	18.00% 27

Total Respondents: 150

#	Other (please specify)	Date
1	It should be safe/cared for/maintained and aesthetically pleasing	1/3/2017 1:38 PM
2	footprint of float and ramp should be regulated	1/2/2017 2:39 PM
3	impact of a particular dock location on sensitive ecosystems	12/31/2016 10:27 PM
4	There should be several sets of rules each based on specific situations. In general, outer island docks need to be larger and stronger. These docks are usually used for many activities other than recreational fun. They are your contact to the outside world.	12/30/2016 6:14 PM
5	A dock building code	12/30/2016 10:40 AM
6	Most of the above might be regulated within reason, but one size does not fit all, especially in the case of water access properties compared with small road access properties	12/29/2016 4:07 PM
7	Set the footprint at a reasonable size that is capped to manage up to a larger boat. For example, our neighbour has a larger boat and requires up to an 80 foot dock. Having a cap accommodates all of us, the smaller boats (such as ourselves) and our neighbours.	12/29/2016 2:28 PM
8	These questions need to be placed in a clearer context -- i.e., it is very different if an owner has dock as a necessity for access, vs putting one in for recreational use. For example, the length of recreational boat permitted to use a dock should be much different if dock is in cove or along shoreline with ten different docks close to one another, vs an island with boat access only.	12/29/2016 11:10 AM
9	environmental issues addressed; impacts on immediate neighbours considered	12/29/2016 10:11 AM
10	Depends entirely on the individual circumstances. Length of float and ramp can be significant in whaler bay (harry lepts dock) but not as significant in areas of no public view	12/29/2016 9:42 AM
11	The above regulations you indicate already exist. As a waterfront property/dock owner, I have to wonder why these questions need to be posed.	12/29/2016 9:17 AM
12	Regulations are never enforced, therefore the need for re-zoning, even then by-laws are rarely enforced.	12/29/2016 8:53 AM
13	If you have applied for a dock and follow the guidelines, I think the federal jurisdiction applies.	12/29/2016 7:46 AM
14	The above criteria already exist in current foreshore regulations. Official building plans must be submitted and approved in order to obtain the dock lease.	12/29/2016 7:35 AM
15	any of these factors within reason	12/28/2016 12:32 PM
16	to not impede foreshore access and the same offset from the property line as other buildings	12/27/2016 10:53 AM
17	within reason, don't like to put strict regulations because every situation is different	12/23/2016 7:44 AM
18	Dock materials must be environmentally okay. Docks must be maintained for safety and aesthetics.	12/21/2016 2:34 PM
19	Docks should fit the need of the people using them. Private community docks need to be of a size that accommodates many users--especially in water access only locations	12/21/2016 12:56 PM
20	Regulations as are currently in place! Existing docks should be grandfathered	12/18/2016 8:07 AM
21	Regulated with reasonable rules.	12/15/2016 7:25 PM
22	No knowledge	12/15/2016 5:47 PM
23	They are already regulated by the province	12/12/2016 7:05 PM
24	Over regulation of docks is detrimental to waterfront property owners.	12/7/2016 8:23 PM
25	foreshore "lease" must not impede access by others	12/5/2016 11:51 AM
26	Docks are regulated within regulated water lots is this a make work project?	12/3/2016 11:14 PM
27	Public shore access must not be restricted/blocked.	12/2/2016 2:46 PM

Q14 Please provide any final thoughts or comments of private docks:

Answered: 68 Skipped: 97

#	Responses	Date
1	Docks are a vital part of the functioning of West Coast BC.	1/3/2017 1:38 PM
2	Broad straight glacial shorelines are dangerous always for docks from drift logs etc. ie docks should be restricted to protected areas and bays only.	1/2/2017 9:27 PM
3	Please keep off island property owners better informed by mail if necessary. Thanks	1/2/2017 6:45 PM
4	historically boating was very much part of the social fabric of the islands and should continue to be supported.	1/2/2017 2:39 PM
5	I love our small dock! And so do the many passerbys. Colin Harris	1/2/2017 11:14 AM
6	Docks are a necessity on an island community. They are a parking place for a transport vehicle. I cannot see why anyone would find them a problem. There will soon be so many rules no-one will be able to access the gulf islands.	12/31/2016 5:12 PM
7	If anyone is allowed a dock then others should have the ability to have a dock with basic considerations. Disallowing docks now puts those with a dock in a financial conflict. One rule for all!	12/30/2016 6:17 PM
8	"One size fits all" thinking will not work. Very few people, who have a land based lifestyle on a large island, such as Galiano, have the knowledge or the experience to make these decisions. They often are focused on the form (how the dock looks, rather than function. 1. As mentioned in my comments (question #13) outer island and land based recreational properties have different conditions and needs. Outer islands MUST be able to run boats day or night, EVERY DAY. In the recent past we have had 2 medical evacuations by a coast guard cutter on our island as the outer islands have little or no access to land-based medical services. 2. A "competent" dock, which is engineered allows full-time islanders to "age in place"/continue to live in their homes and participate in events on the larger island nearest them as well as volunteer in the larger community. Many, like ourselves, have lived in the outer islands for 25 -30 years or more. 3. There is no fire protection service on the outer islands without volunteers having water access. Community docks are very limited in viability, especially where properties are large -- and they necessitate excessive wear on old logging roads which receive no provincial maintenance. Without private docks, access of medical services is almost impossible. For example, you can't make someone having a heart attack, a cut artery, or suffering from a back/neck injury - get in the car & drive to a community dock. Nor can medics provided service to someone who is 15 minutes by car (which may not be available) from the dock to their home and then, possibly, carrying the patient by stretcher to the coast guard cutter. Not to mention -- some community docks have no access on low tides. 4. There is an assumption that all docks are environmentally negative --and some may be -- but most are a safe place for young fish who benefit from protection from predators. It is the feeding grounds of choice of herons and a playground for otters. They also offer people who have little or no exposure to coast life to have a window on the water world. We have often had a row of adults, with their bottoms in the air, peaking through the deck boards to the sea below. Improved floatation is important, but it is a technical issue, which although expensive, can be easily solved by including standards that have to be met with new construction and any replacements. We don't need fewer docks to solve this problem -- we need better docks and forward thinking solutions. If it is really too expensive for some people, that is unfortunate, but all part of the lifestyle cost that should be factored into decision making.	12/30/2016 6:14 PM
9	We are part time residents of a water access only property on Parker Island. Property owners on either side of us have docks but we don't. One of our neighbours kindly allows us to use his dock during winter visits and during the summer we use a mooring buoy and dinghy. Our future plans include a dock which would allow us year around access without depending on the generosity of our neighbour. I believe that properties with water access only should be allowed to construct a dock adhering to local regulations.	12/30/2016 11:45 AM
10	Docks are essential for our transportation to our property. We also really enjoy fishing, swimming, kayaking and boating from our docks. Please, please don't take this amazing feature of the gulf islands away. It is so important to our kids and family.	12/30/2016 11:08 AM
11	I think having differing guidelines for water access only islands and Galiano would be useful, as for those without easy public access to their property (such as a ferry) have a greater need for docks as the only option to get to their home/property	12/30/2016 5:23 AM

12	Little needs to be added to current Federal and Provincial requirements and guidelines for protection of navigation and the environment, though a clear consolidation of best practice guidelines would be useful, along with clarity and expeditious treatment at a Provincial level. At the LTC level it may be reasonable to discourage a pincushion of small, lightly used docks along prime stretches of road-access waterfront, but rigid regulations should not stand in the way of construction and maintenance of larger, more robust docks that are needed by permanent residents of water access properties. "One size fits all" policy and cumbersome variance options with uncertain or arbitrary outcomes need to be avoided. A dock that may be entirely inappropriate at one location for environmental or aesthetic reasons may have no negative impacts at another location.	12/29/2016 4:07 PM
13	We cannot get to our home without our dock. It is an essential requirement and while it needs to be sensibly regulated, it should not become mired down in bureaucratic processes. Please keep our dock processes, simple, practical and wisely thought out.	12/29/2016 2:28 PM
14	Thank you for doing this survey. The installation and approval of private docks in sensitive ecosystem areas has been a concern of mine for a while. One of my concerns is that the construction of the dock is often well underway before questions are raised by neighbours, or the neighbours are even informed. Also, ecosystem evaluations seem to vary according to which biologist gets hired to do the analysis and docks have been approved in areas where eelgrass and kelp are abundant. One thing you might also look into or suggest. Dock owners are proprietary (probably due to the expense an aesthetics), and are often resistant to helping out fellow mariners in times of need. Private docks can be shared. Leases with neighbours can be tenured, to avoid having to build yet another dock in the same sensitive areas (far better to add another float than to pile drive or disrupt sensitive foreshore). This survey could also be extended to a discussion of mooring buoys. Many are installed illegally and are placed in areas where they are a hazard to marine safety and the ecosystem. Mooring buoys need to be approved and applied for in just the same way as a dock does, but people turn a blind eye. Mooring buoys could also be shared far more than they are. They are definitely better than having numerous anchors thrown, but often sit unused while others throw anchors twenty feet away.	12/29/2016 11:10 AM
15	Of course docks should be allowed. We are, after all, an island. Your survey question about not being allowed due to eelgrass or forage fish habitat did not allow for a response of "mitigation" for those habitats, eg replanting of eelgrass. The survey steers people to a position of "do you care for the environment or don't you"? Not appropriate survey structure. Especially on Galiano.	12/29/2016 9:42 AM
16	Unless most private docks on Galiano are now rife with violations of current regulations for foreshore leases/dock constructions (and I venture to say that that is not the case), the underlying tone of this survey is offensive to the whole notion of private property in our democracy.	12/29/2016 9:17 AM
17	It's obviously important that docks be permitted for water access only properties but these should be regulated as to size and location. Remaining docks elsewhere should be "grandfathered " in. New applications for these docks should be significantly curtailed and with firm regulations	12/29/2016 8:25 AM
18	We live on an island so boats are an important source of transport and often more fuel efficient than cars. They allow inter-island community to develop and they are important in emergency situations. A dock access can be an asset to more than just the dock owner. Neighbors should be consulted because of safety concerns(siting too close to an existing dock). This issue is currently causing friction in waterfront neighbourhoods and needs clear cut rules, so thanks for asking about this.	12/29/2016 8:22 AM
19	I think that having only one boat ramp for launching boats on Galiano is ridiculous. Why isn't this issue addressed?	12/29/2016 7:46 AM
20	There are already adequate laws regulating private docks on Galiano. Unless someone is breaking a law, no one has the right to tell a private property owner what to do or not do with their own land.	12/29/2016 7:35 AM
21	A dock on ones property provides emergency access. We are part time residents on Parker Island, where private docks are the only means of access.	12/27/2016 7:06 PM
22	1. My dock's float is in deep water. I have its anchorage inspected by a diver annually. He says my float's underside is rich with hanging sea life -- that in his opinion, my dock is environmentally beneficial. 2. I regularly invite my neighbours to share use of my dock. I believe we all think of it as a (very local) community benefit. I am unaware of any neighbour having any negative feelings about my dock.	12/27/2016 5:20 PM
23	Blanket regulations (or restrictions) may not serve the community well. Small waterfront lots with small frontage could result in many docks in close proximity, a situation where a shared dock makes more sense. Multi acre lots with large frontage do not present the same issues of crowding, damage to sensitive eco systems, or visual obstructions for neighbors. Existing docks must be protected from changes to community plans or more restrictive regulations. They were built and given legal recognition (requiring fees or tax payments) by government.	12/27/2016 11:02 AM

24	Not allow new dock construction? Did i read that right? Could someone please explain how we're supposed to access a boat-access property without a dock? We're lucky enough to have a neighbour that shares his dock for now, but once he's gone we'll need to build our own. The whole reason we come to galiano is for access to the waterfront. How are we supposed to sell a property that requires boat access but wouldn't be allowed the basic infrastructure needed to get there? Are we building a bridge? Is there a plan to build us a helicopter pad and pay for chopper trips back and forth? Maybe more reasonably, would the land trust be willing to pay for the construction of a 1200 foot road from our house to the communal road to access our community dock, plus the cost of purchasing and maintaining a vehicle and barging costs to get it there, plus compensate us for the decreased property value that the permanent lack of reasonable access would surely cause. Lets be real for a second, we're not planning to soak logs with tar and kreosote and hammer them into the sand, yet even those old toxic relics are biodiversity hotspots. Instead of reading about all the ways docks are evil and destructive, maybe the land trust should take a field trip and stick their heads below an existing dock to get a clue how many creatures use these structures for habitat and shelter. It's rather disingenuous to pretend there's only negative aspects of something and craft a survey to elicit repsonses to that tune. But the fact that this question is even being asked of people who live on an island that require a dock for ferry access is enough of an indication that we've moved beyond the realm of logic and into the land of cognitive dissonance.	12/27/2016 10:53 AM
25	Docks provide habitat for many types of small fish, crabs and other sea life.	12/27/2016 10:08 AM
26	Galiano public wharfs are being abused. No access for smaller island residents that require access to reach their homes.	12/27/2016 1:49 AM
27	Private socks should be allowed with reasonable restrictions	12/26/2016 10:46 PM
28	Private docks should be allowed, but there should be strict regulations in place to ensure the environment is protected and visual aesthetics are maintained.	12/24/2016 8:05 AM
29	Private docks are essential on boat access only Islands and they must be regulated differently than those who enjoy land access.	12/23/2016 1:36 PM
30	very important, especially for waterfront/water access only	12/23/2016 7:44 AM
31	Docks have been critical for access to my family property for decades and have also provided invaluable social benefits for myself, my family and the many visitors we have had over the years. Enjoying the waters of the gulf islands is what gives me most joy in life and I would like to ensure that I can continue to do so for decades to come. I would like to see more docks (private and community) on galiano and surrounding islands as I feel they are the best link between us and the ocean experiences that we are fortunate enough to enjoy. Restrictive regulations that made docks more difficult to build / maintain would not be a good thing in my opinion.	12/22/2016 3:49 PM
32	Water is the only legal access for my property	12/22/2016 12:23 AM
33	Existing boat access only properties need to have docks Any banning of docks should only be applied to future properties if at all. For instance Phillimore point is boat access only	12/21/2016 4:00 PM
34	Private dock sharing competes (possibly unfairly) with commercial marinas (and may be illegal). Insurance? Public docks must be maintained for boat access only residents and tourists.	12/21/2016 2:34 PM
35	all un permitted docks should be removed	12/21/2016 1:53 PM
36	Docks are important for recreational use. Waterfront properties should be allowed to have docks where possible and if wanted. However, not everyone wants a dock. They just want access to the water to launch their boats. The only official launch on this island is at Montague and is not useable at low tide. Major consideration is required for consistently useable boat ramps so that residents and visitors can launch and retrieve boats easily. This would obviate the need for docks in a lot of cases. I would be much happier launching my boat when I want to go out rather than leaving it in the water for long periods of time.	12/21/2016 1:39 PM
37	On water access properties the owners should be allowed to build a dock to gain access to their property easier and safer.	12/18/2016 4:19 PM
38	We live on an island with very few docks. More should be allowed. That is one of the attractions of living on an island.	12/15/2016 9:42 PM
39	Since there are already appropriate regulations regarding construction of docks, it would seem that there are more important issues to which the trustees could be directing their time and efforts: i.e. the number of mooring buoys that have been placed in Montague Harbour over the past three to four years, derelict vessels, live-aboard without appropriate sewage/waste disposal and other obstacles in the harbours. We would urge the trustees to adopt regulations for mooring buoys as these become permanent fixtures and impact on the eco system with the huge concrete blocks that hold them in place. Such regulations should include establishing a tax base for buoys or annual fee.	12/15/2016 7:42 PM
40	Owners of boat access island property should not be restricted from building a dock on their foreshore. That would be denying them access to their property, which would not be right.	12/15/2016 9:29 AM

41	Dock sharing between a group of three or more properties could be an option (not everyone in close proximity to each other needs their own dock), including "private" docks that also permit some sort of public use.	12/14/2016 12:18 PM
42	at the moment a private dock has been constructed in front of my projected property line which is not legal its not on its lease and and was extended even further without any permission its an obstruction to my property yet nothing has been done about it despite my complaints about it. I cannot put my own dock in because this thing is blocking my foreshore, most unsatisfactory proves that there is no control over building these structures	12/14/2016 6:03 AM
43	There must always be a mix of common sense and pragmatism in determining the right to a dock. Those of us on boat access only islands have an absolute need for a dock to use our properties. Hence there will be times when the most ideal of conditions for that dock are not possible but the dock must still be allowed following as much regulation as possible.	12/13/2016 4:59 PM
44	Property owners should be allowed to access the water from a point at the high tide line to a floating raft for private, non commercial use. Water access is a major attractant for property ownership.	12/13/2016 10:51 AM
45	We could not use our kayaks without having our one length of float and the little dock we have as my back would not permit me to carry the kayak from the high tide line to the water without the ramp. Excessively large docks for multiple boats should be looked at but each property owner on the water should be allowed ramp access from the high tide line and a functional small dock.	12/13/2016 10:13 AM
46	docks primarily used for swimming and muscle powered water travel should be favoured. Eg kayaking paddle boards etc. Decreased use of fossil fuel burning motorized boats should be discouraged. It will be import to grandfather existing docks as permitted structures since many cabin owners made purchases of the homes and invested in galiano living as a consequence of those docks.	12/12/2016 7:15 PM
47	As a resident of Galiano I wonder who sees this as a priority. I have never heard anyone suggest that the current rules are not effective. Is this someone's pet project or are there not enough more pressing issues for IT to work on?	12/12/2016 6:46 PM
48	I believe the government regulates private docks when giving the foreshore permit.	12/12/2016 10:12 AM
49	Ecological impacts must be a top priority in the consideration of dock construction. There is such a thing as too many docks. However, if a particular project is designed and constructed in such a way as to be sensitive to the ecosystem, is modest to minimal in scope, and it is not in a place that is overrun with other docks, it should not be unilaterally prohibited. What seems to be missing from this survey is recognition that Galiano has a maritime history and that links between people and the water have always been prominent here. I think to completely ban all private docks in the future would be to deny part of the value of people's connection to the sea.	12/11/2016 7:04 PM
50	Stop trying to over regulate everything!	12/8/2016 3:39 PM
51	Unless there is a specific environmental concern - docks should be allowed, within reason.	12/7/2016 8:23 PM
52	I am more concerned about our community dock on Parker and would like it to be able to be extended as it is sometimes too small for us.	12/7/2016 8:58 AM
53	Obviously there are limits to how much shoreline is suitable for dock construction. While we do have a dock, unlimited construction of docks is irrational as they will certainly 1) become a collective eyesore, 2) act as an access detriment to shoreline and shallow water adventurers (paddlers, waders), and 3) reduce the amount of sunlight on sea floor. I've heard of the concept of community docks or neighbours sharing docks. We are uneasy with this concept as well as it just congests an area already compromised by structures and boats. The reality is: not every waterfront access needs nor is suitable for a dock. Many docks are simply used to sit on them and enjoy the sun, with no intention of using it for boating.	12/6/2016 2:26 PM
54	Not allowing new docks and if existing ones are replaced make them built to better standard.	12/5/2016 3:44 PM
55	We hardly have any docks on Galiano for various reasons. And there is basically no room for boats at the 4 existing docks. Other islands have ample dock space for boaters. We live on an island surrounded by water so boating is a prime activity. It would be nice to have adequate facilities for people who enjoy boating.	12/5/2016 12:58 PM
56	Imagine the furor if say Vancouver decreed that some homeowners could not park on or contiguous to their own property. Just park somewhere down the street, even though there is unused space in front of or behind their own property. Please dont tell me that after coming over here by boat, at age 73, I am going to have to somehow use my neighbour's dock, and pack all my supplies with me!	12/5/2016 11:51 AM
57	The value of waterfront properties are their access to the shore and the water. Docks will only increase the use and value.	12/5/2016 11:14 AM
58	This project is another example of the LTC to attempt to micromanage everyone's life.	12/5/2016 9:16 AM
59	Adjacent property owners should be encouraged (provide incentives) to develop shared docks to minimize the number of ramps needed. Floats and ramps should be constructed to allow sunlight to penetrate to the sea bottom (I believe this is being done in other jurisdictions).	12/4/2016 11:58 AM

60	Do we really need more regulation??	12/4/2016 10:53 AM
61	Special status is required for community docks - like the one on Parker Island, that is owned by a community group and is the sole property access for residents on the south-west side of the island.	12/4/2016 8:59 AM
62	Private docks, currently appropriately regulated by the Provincial Ministry of Lands and Forests, are essential for many property owners on boat access only islands. Even on islands such as Parker where there is a small community dock, most properties are a considerable distance from the dock and only accessible by means of 4WD vehicles on a road (loose rock track) which is in extremely poor condition and apparently not maintained by the taxing authority (CRD).	12/3/2016 11:43 PM
63	The egisting regulations are fine just make sure that all existing docks are compliant and that only waterfront propertie owners have input the inland properties should not have a say. Why do the gulf islands not have a fire boat?	12/3/2016 11:14 PM
64	I live on an island that is boat access only. As such, I am strongly opposed to more regulations concerning residential docks. These regulations literally threaten my ability to access my property since the only way to access it is by boat and the boat must dock somewhere. I don't care if you want to regulate docks for properties on Galiano. But you MUST be sensitive to the varying needs of owners of properties that are on boat-access-only land. I am completely opposed to any new regulations for docks on Parker Island, Wise Island, or other boat-access-only areas.	12/3/2016 10:37 PM
65	Generally docks should not be allowed. However, there may be exceptions of properties are boat access only. There should be requirements for shared docks where boat access is the only option. Docks are detrimental to the marine environment and are aesthetically displeasing.	12/2/2016 3:23 PM
66	I am in favour of allowing private docks as long as there are some controls in place to prevent abuse, to respect neighbour privacy and sightlines, and to preserve public access to the contiguous shoreline.	12/2/2016 2:46 PM
67	We require a good comprehensive set of rules, probably want exists with the process of applying for a licence of occupation. We have to have responsible government and not put every question of governance to a public process, when you get differing opinions, what are you doing to the community?	12/2/2016 2:16 PM
68	pay home owner for loss of dock right	12/2/2016 10:32 AM



Top Priorities

Galiano Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Telecommunication Strategy	Review telecommunication options, including policies for telecommunication towers, on Galiano Island.	01-Feb-2016	Kim Stockdill	28-Feb-2017
2	Affordable Housing Strategy	to be determined.	07-Mar-2016	Kim Stockdill	31-Mar-2017
3	Dock Review	Review issues regarding docks and new shoreline information and whether changes are required to the LUB.	07-Mar-2016	Rob Milne	31-Jul-2017

**Projects****Galiano Island**

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

Projects

Galiano Island

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



Development Permit

File Number	Applicant Name	Date Received	Purpose
GL-DP-2016.5	DEAN A TAYLOR PATRICIA M TAYLOR c/o ALLAN DIAMOND ARCHITECT Planner: Rob Milne	09-Aug-2016	754 Ellis Rd - Reinforce and repair damage to existing retaining wall.
Planning Status			
Status Date: 23-Jan-2017 Applicant confirmed by telephone that they are gathering additional information to allow application to proceed.			
Status Date: 30-Nov-2016 Response sent to November 29th request for information and comments respecting the application process.			
Status Date: 22-Nov-2016 Discussed absence of previously requested information with agent for applicant. Agent will discuss with owner.			

File Number	Applicant Name	Date Received	Purpose
GL-DP-2017.1	c/o CRAIG WILSHIRE	10-Feb-2017	Shoreline Development Permit Area 2 and Variance for proposed new floating anchored dock. \n
Planner: Rob Milne			
Planning Status			
Status Date: 13-Mar-2017 Report for April 3 LTC meeting approved for agenda			
Status Date: 14-Feb-2017 File forwarded to planner and LTC.			
Status Date: 10-Feb-2017 File opened.			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2017.1	c/o CRAIG WILSHIRE	10-Feb-2017	File opened and forwarded to LTC and Planner.

Applications

Planner: Rob Milne

Planning Status

Status Date: 13-Mar-2017

Staff report for April 3 LTC meeting approved for agenda

Status Date: 14-Feb-2017

437 MONTAGUE PARK RD - DP and DVP application - Shoreline Development Permit Area 2 and Variance for proposed new floating anchored dock.

Rezoning

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

Planning Status

Status Date: 18-Jan-2017

EC approval of bylaws 233, 234 and 261. Bylaw 233 forwarded to Minister.

Status Date: 05-Dec-2016

Bylaw 261 (housing agreement) given three readings, Bylaws 233, 234 and 261 forwarded to EC. Chair appointed to execute covenant

Status Date: 28-Nov-2016

Amended bylaws, draft housing agreement bylaw, and draft covenant placed on December 5th agenda for referral to EC.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2014.1	Crystal Mountain Society	28-Oct-2014	20300 PORLIER PASS RD To allow for year round use of the Forest Retreat Centre
Planner: Kim Stockdill			

Planning Status

Status Date: 28-Nov-2016

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

Applications

Status Date: 22-Sep-2016

Applicant finalizing community benefit document for November LTC meeting.

Status Date: 22-Jun-2016

OCP & LUB Amendment bylaws drafted.

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

Planning Status

Status Date: 07-Mar-2017

Staff to work with applicants to develop a comprehensive development zone approach to the rezoning application

Status Date: 16-Jan-2017

Onsite meeting with applicant. Review of physical site and discussion regarding application details. Applicant provided draft of proposed zone wording for review and comment.

Status Date: 22-Sep-2016

Staff in the process of drafting LUB and OCP bylaws.

Temporary and Industrial Use Permit

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

Planning Status

Status Date: 25-Jan-2017

Covenant still in process.

Status Date: 23-Jan-2017

Covenant status update requested from property owner.

Status Date: 18-Aug-2016

Correspondence from applicant received and placed on August agenda.



Applications

File Number	Applicant Name	Date Received	Purpose
GL-TUP-2016.10	GARY ROSNICK	14-Sep-2016	257 ACTIVE PASS DR\nTUP for STVR

Planner: Phil Testemale

Planning Status

Status Date: 30-Jan-2017

On February LTC for consideration of approval.

Status Date: 28-Nov-2016

Deferred to February meeting - require information on legal status of cottage and policy on two dwellings.

Status Date: 09-Nov-2016

Notices drafted and forwarded to DS

File Number	Applicant Name	Date Received	Purpose
GL-TUP-2017.1	EDGAR J PANKRATZ	04-Jan-2017	154 STICKS ALLISON RD\nTUP for STVR

SALLY L PANKRATZ

Planner: Phil Testemale

Planning Status

Status Date: 30-Jan-2017

Sent e-mail to applicant requesting information on size of house, water, etc.

Status Date: 09-Jan-2017

File opened and forwarded to LTC and planner

Galiano Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: December 5, 2016

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

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

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