



Galiano Island Local Trust Committee Regular Meeting Agenda

Date: March 2, 2015
Time: 12:30 pm
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

			Pages
1.	CALL TO ORDER	12:30 PM - 12:40 PM	
2.	APPROVAL OF AGENDA		
3.	TOWN HALL AND QUESTIONS	12:40 PM - 1:00 PM	
4.	COMMUNITY INFORMATION MEETING		
	none		
5.	PUBLIC HEARING		
	none		
6.	MINUTES	1:00 PM - 1:10 PM	
6.1	Local Trust Committee Minutes Dated February 2, 2015 (for Adoption)		4 - 15
6.2	Section 26 Resolutions Without Meeting Report		
	none		
6.3	Advisory Planning Commission Minutes		
	none		
7.	BUSINESS ARISING FROM MINUTES	1:10 PM - 1:20 PM	
7.1	Follow-up Action List Dated February 2015		16 - 17
8.	DELEGATIONS	1:20 PM - 1:40 PM	
8.1	Rose Longini re: Cell Towers		
8.2	Therese Ramond re: Cell Towers		

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

1:40 PM - 2:30 PM

- | | | |
|------|--|---------|
| 10.1 | GL-DVP-2015.1 (Mateer) & GL-DP-2015.1 (Mateer) - Staff Report | 18 - 64 |
| 10.2 | GL-RZ-2012.1 (Galiano Green) -Memo | 65 - 66 |
| 10.3 | North Pender Island Local Trust Committee Bylaw No. 198 Referral | 67 - 69 |

-----BREAK----- 2:30 PM - 2:45 PM

11. LOCAL TRUST COMMITTEE PROJECTS

2:45 PM - 3:30 PM

- | | | |
|------|--|---------|
| 11.1 | Home-Based Contractor Yards Project - Staff Report | 70 - 73 |
| 11.2 | Secondary Suites - Staff Report | 74 - 80 |
| 11.3 | Cottage Review - Staff Report | 81 - 87 |

12. REPORTS

3:30 PM - 4:00 PM

- | | | |
|--------|--|----------|
| 12.1 | Work Program Reports (attached) | |
| 12.1.1 | <u>Top Priorities Report Dated February 2015</u> | 88 - 88 |
| 12.1.2 | <u>Projects List Report Dated February 2015</u> | 89 - 90 |
| 12.2 | Applications Report Dated February 2015 (attached) | 91 - 94 |
| 12.3 | Trustee and Local Expense Report Dated January 2015 (attached) | 95 - 95 |
| 12.4 | Adopted Policies and Standing Resolutions (attached) | 96 - 97 |
| 12.5 | Local Trust Committee Webpage | |
| 12.6 | Chair's Report | |
| 12.7 | Trustee Report | |
| 12.8 | Trust Fund Board Report (attached) | 98 - 100 |

13. NEW BUSINESS

none

14. UPCOMING MEETINGS

- 14.1** Next Regular Meeting Scheduled for April 13, 2015, at 12:30 pm, at the North Community Hall

15. TOWN HALL

4:00 PM - 4:15 PM

16. CLOSED MEETING

4:15 PM - 4:45 PM

16.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division e, s. 90(1) (a) & (d) for the purpose of considering:

- Adoption of In-Camera Meeting Minutes
Dated November 3, 2014
- Appointment of APC Members

AND that the recorder and staff attend the meeting.

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT

4:45 PM - 4:45 PM

DRAFT



Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: February 2, 2015
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

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

Staff Present Robert Kojima, Regional Planning Manager
Kim Farris, Acting Planner 2
Colleen Doty, Recorder

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:30 pm. She introduced herself, the trustees, and staff members present and acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Chair Busheikin noted that she supports respectful, engaged conversations, and welcomed newcomers.

Andrew Loveridge represented the Galiano Land and Community Housing Trust whose mandate was to provide social housing. He noted that the average age on Galiano is very high and gave his support for non-profit housing.

Rose Longini opposed the cell tower proposal presented a photograph of Stockade Hill, the proposed site of a cellphone tower. The photo was taken from her property, where she's lived for 25 years. She noted that, in France, in places designated for rest, cell phone towers are not allowed. The proposed site for the Rogers tower is in a Development Permit Area (DPA) for water catchment, and in Privately Managed Forest Lands (PMFL). A cell tower is not a forest practice, and thus would not be exempt from the DPA. She read from Section I, subsection 2(j) from the Official Community Plan (OCP). Longini noted that Rogers has made several mistakes in their public notices. Longini stated that it was within the jurisdiction of the Islands Trust to address the cell tower matter.

Therese Ramond opposed the cell tower proposal citing health and economic concerns and noted that other services are available. She suggested that the applicant be invited for discussion.

Rose Longini questioned the number of antennae the tower would hold. The proposed tower is 34 meters high. She said Rogers has stated a 34-meter tower may not have space for colocation. They will either have to extend the height of the tower (where notification is not necessary), or build another one.

Rebecca Matthews moved to Galiano from White Rock in November 2014. She had been sleeping beside a smart meter in White Rock which induced electromagnetic hypersensitivity. She now suffers from various serious ailments. Although moving to Galiano somewhat alleviated her symptoms, the Mayne Island cell tower is bothering her. She doesn't know where to live because electromagnetic radiation is prevalent. Matthews noted France has passed a law that no childcare place can have WIFI.

Brad Lockett, resident of 620 Montague Road, circulated research related to the issue of Rogers' proposed cell tower. The research memorandum notes that French Parliament passed a law in January 2015 addressing electromagnetic fields and electromagnetic hypersensitivity, and outlines the key features. Lockett was not notified by Rogers of their proposal, yet he is one of the closest property owners to be affected. The tower is in DPA 4 & DPA 5, created in an effort to protect rare ecosystems. He cited Section 1, subsection 2(j) of the Galiano Island Official Community Plan which supports use of the precautionary principle in land use decisions even if some cause and effect relationships are not fully established scientifically. He urged Trustees not to allow development of the tower. The Islands Trust Act relies on the importance of placing priority on preservation and protection specifically because DL 12 is in the PMFL.

Bowie Keefer spoke in favour of improving telecommunications on this island. Wants to have a cell phone that works while he is in the woods. Young people need good telecommunications infrastructure in order to improve the economy. He also supported advancement of affordable housing and "was happy to see it moving quickly." He wants to see size restrictions around cottages loosened.

Roger Petit of Sunshine Farm noted that his family has been involved with affordable housing on Galiano for the last 10 years. He was a principal author of the original affordable housing report. He stated that very little of it was implemented, so he questioned its effectiveness. Mr. Petit noted that increasing cabin size and adding secondary suites would go a long way to eliminate housing shortages. Mr. Petit found it difficult to house his workers last summer; one was living in his wood shed. He asked why Galiano couldn't administer its own housing agreement and why someone in Victoria needed to administer the agreement. Regarding the proposed cell tower, he had been trained in electrical engineering and has been personally exposed to lots of microwave radiation, without noticeable effect. He is in favour of having greater cell phone coverage. He was concerned about safety issues related to not having adequate cell phone coverage.

Geoff Gaylor spoke on behalf of former Galiano resident Margaret Griffiths who left Galiano due to blindness. Mr. Gaylor reported that she wrote a 10-page report on the importance of water to Galiano. She would like every Trustee and staff person to consider water preservation in every decision on Galiano.

Trustee Pottle noted that she already had a copy of the report and would distribute it to everyone.

Kevin, member of the public, described himself as a “worker” and stated he has been on Galiano five years and has seen a lot. He spoke to the issue of housing, indicating he takes it very seriously. He noted that housing is very expensive and costs keep growing, and he is concerned costliness will scare people away from the island. He stated that affordable housing would bring revenue to this island.

Gary Coward noted the 40 year anniversary of the inception of the Islands Trust. He asked whether we, on Galiano, have decided our destiny. He questioned whether we were going to focus on what’s necessary for people to live here, or were we to focus on what people who live here think about the mandate of the Islands Trusts: preserve and protect, the precautionary principle? He noted that Galiano is a place where people come for refuge. He pointed out that Industry Canada has the last word on cell towers. He made a distinction between what happens in private homes versus what community is exposed to. He stated that a lot of seniors need affordable housing too. He does not appreciate any deregulation from the Island Trust Act. We need to have more regulation. We need more “No” less “Yes.”

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1. Local Trust Committee Minutes

None

6.2. Section 26 Resolutions Without Meeting Report Dated January 2015

For information

6.3. Advisory Planning Commission Minutes

None

7. BUSINESS ARISING FROM MINUTES

7.1. Follow-up Action List Dated January 2015

Planner Farris reviewed the Follow-up Action List

8. DELEGATIONS

None

9. CORRESPONDENCE

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

9.1. December 15, 2014 Letter from B. Mabberley re: Ponds for Fire-Fighting Water Supply

Trustee Pottle noted that soil removal and deposits appears as a topic on their Projects List (page 81 of Agenda Package) and suggested this item might fit very well here.

Regional Planning Manager (RPM) Kojima suggested that a more effective way may be that ponds be provided on a case-by-case basis, with the Fire Department responding directly to the applicable Approving Officer.

10. APPLICATIONS AND REFERRALS

10.1. GL-ALR-2014.1 (Usher) - Staff Report

Planner Farris reviewed the main points in the Staff Report dated January 19, 2015. This referral involves non-farm use (second dwelling) in the Agricultural Land Reserve (ALR). Planner Farris described the maps provided to the public.

The applicant was present and distributed a letter from Eva Marie Rose Wilson of Galiano Island, stating that she is a previous occupant of both Cherry Cottage and the Road House and that both structures pre-date 1972, prior to zoning and the ALR. The applicant indicated that an affidavit from Ms. Wilson will soon be obtained.

Trustee Harris commented that he might have a conflict of interest. He lived in the house in 1980 when he first moved to Galiano.

RPM Kojima directed Trustee Harris to an LTC resource that could make those determinations with respect to potential conflicts of interest.

GL-2015-001

It was MOVED and SECONDED,

THAT the Galiano Island Local Trust Committee resolve that non-farm use application GL-ALR-2014.1 (Usher) be authorized to proceed to the Agricultural Land Commission pursuant to Section 25(3) of the *Agricultural Land Commission Act*.

CARRIED

Note: There was a break at 1:39PM and the meeting reconvened at 1:55pm.

10.2. GL-RZ-2014.1 (Crystal Mountain) - Staff Report

Planner Farris summarized the Staff Report dated January 22, 2015.

The Applicants are offering to register a conservation covenant on more than 75% of property. If the application does proceed, the applicant is proposing to amalgamate the properties into one via a subdivision application. In this case there are existing structures on property that could be in the DPA. There are currently no building permits; thus, the application will be referred to the CRD and

the bylaw enforcement file is open. The owner provided a comprehensive environmental assessment report available on the Galiano Island LTC website. The proposal as it stands does not meet OCP policies; if the application proceeds, the OCP will need to be amended. Further information from the applicant will be required when the owner returns to town.

Planning staff advised that the applicant could apply for permits for these non-compliant structures. There are hazard areas and sensitive areas. Kitchen facilities are believed to have been removed but staff will need to clarify this from owner. Staff will need to secure an emergency access route through property.

Elizabeth (Libby) McLelland noted that the land belongs to a non-profit society, the Crystal Mountain Society. The president of the board is away but others may speak to the application.

Trustee Harris questioned what the capacity of this development will be once it is built out.

Planner Farris noted there was uncertainty at the moment and that needed to be determined.

Trustee Pottle stated she was quite familiar with the staff report. In order to expedite the process she drafted a resolution to put clauses on the table for discussion. She cautioned against preparing draft bylaws before several items were addressed.

Trustee Harris agreed with Trustee Pottle's recommendations and asked Staff whether they believed the recommendations were achievable. He noted the importance of Crystal Mountain to the community but also noted that the LTC needs to have a credible approach.

RPM Kojima responded that the list was doable although some clauses would be more challenging than others.

There was discussion around the cluster of development.

RPM Kojima noted that staff will ask the applicants about the clauses proposed by Trustee Pottle. He indicated it was better to work with applicant, but not make commitments at this stage.

Chair Busheikin clarified her understanding that Trustee Pottle was not making a pledge that if clauses are done to her satisfaction she will commit to approving the application.

Chair Busheikin noted that the manager's cottage and parking is close to the road. One principle of low-impact development is to build close to roads so as to not carve up forests. She suggested that might also be a consideration.

GL-2015-002

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee direct staff to proceed with the application GL-RZ-2014.1 (Crystal Mountain) but before preparing draft bylaws address the following:

- (1) Submit a survey regarding the proposed building sites, accesses and Development Permit Areas and the location and size of all existing structures;
- (2) Indicate whether or not existing structures will be removed or will remain;
- (3) Indicate whether any of the proposed huts will have cooking facilities;
- (4) Indicate whether the outhouses will consist of composting toilets or another system;
- (5) Submit plans to implement the recommendations of the environmental assessment;
- (6) Consider an amendment to the application to transfer title of the proposed covenanted lands to an organization which has as its primary objective the conservation of forest land;
- (7) Consider a plan that would cluster development in one building site not the 3 that have been proposed;
- (8) Provide the LTC with a copy of the 2 CRD covenants on the land regarding geotechnical issues and Riparian Area issues; and
- (9) Consider an agreement to stop construction until completion of the application and to stop advertising and conducting programs within structures that are not permitted under the zoning that presently exists on the land.

CARRIED

10.3. GL-RZ-2011.1 (Galiano Green) - Staff Report

Regional Planning Manager (RPM) Kojima reviewed the Staff Report dated January 23, 2015.

As of last month, the applicants have withdrawn their application to the Regional Housing Trust Fund (RHTF) and are in the process of restructuring Galiano Land and Community Housing Trust as a housing co-op. These changes would result in changes to the housing agreement and zoning. Normally the next step is to proceed to a public hearing but because of proposed changes to Galiano Green, staff advised the LTC to wait until a revised proposal is received.

Trustee Harris noted he had read the CRD housing report and was concerned about further obstacles and queried what role the CRD would play in the amended plan.

Tom Hennessy, Chair of Galiano Green and resident of Galiano since 1971, provided some background into the applicant's decision to revise their proposal. Galiano Green looked at various options of affordable housing for Galiano, compared with other Gulf Islands, and noted the precedent of a housing agreement being administered by the Denman Island Land Trust, which also includes a panel of island members to select housing applicants. He wondered whether such an arrangement would resolve the arms-length issue. Galiano Green is asking the LTC to pass a motion to allow Galiano Green to operate their

administration in the same way as the Denman Island model administers the housing agreement: the LTC would collect the statutory declarations up to four times a year, and Galiano Green would do the day-to-day review of administration.

Chair Busheikin stated that she is one of the founders and residents of Triple Rock housing co-op on Denman. She cautioned Galiano Green against taking Triple Rock model as their model, since every island has their own OCP, distinct community, context, and different definitions of affordability. There are unresolved issues (in the Denman context) with respect to financing in a lease-type situation, in that the person holding the lease cannot build their house because there is nothing to secure the lease to.

There was discussion about the option of renting, as well as insurance implications connected with building inspections.

Chair Busheikin noted the Housing Secretariat is working with a mainstream housing model that is tried and true, although possibly indicative of a culture clash. Lands Trusts, relatively new to BC, is an alternative way of living with communal values. She advised Galiano Green to differentiate their approach from Denman Island's approach.

Doug Latta noted the CRD Housing Secretariat advised them to redo their reports again. Latta felt Galiano Green had already answered most of the CRD's questions. They have community money which enables the project to move ahead. What Galiano Green wants at this time is to know if the LTC would be interested in administering the housing agreement where the LTC accepted statutory declarations and Galiano Green did the rest. This community would be running this thing. The selection of applicants needs to be done correctly.

Chair Busheikin questioned whether the Galiano LTC would be interested in following the Denman/Hornby model whereby the LTC would take on administration of the statutory declarations. Chair Busheikin asked RPM Kojima how much time it would involve of the trustees to administer such an arrangement.

RPM Kojima indicated that Galiano Green would submit a written proposal to the LTC, in preparation for discussion at the March meeting.

Trustee Pottle noted that the LTC does not have the expertise to administer a housing agreement. The CRD has the expertise. The Canada Mortgage Housing Corporation (CMHC) website on land lease models follows what is available in the US. Co-ops are legislatively structured in our laws, and are less complicated than Land Trusts.

Tom Hennessy stated that Galiano Green has decided to go with the Land Trusts model because they are one step away. That remaining step is governance. We have a precedent. He stated that Galiano Green could not expect people in Victoria to be interviewing applicants. As to funding, Vancity was favorable to the funding issues around this proposal. Vancity said they would

fund the project and provided some funding. They were favorable to providing mortgages too.

RPM Kojima explained that screening applicants at an arms-length distance is fundamental to the administration of the housing agreement. That is why the housing agreement needs to determine the affordability test. The proposal must have an arms-length arrangement for determining applicants.

Chair Busheikin closed the discussion at 3:05pm.

10.4. 3445-50 CT (Rogers) – Memo

Planner Farris summarized the memorandum dated January 23, 2015 describing the public notification process, Local Trust Committee decision process and the forwarding of all information to Industry Canada.

Planner Farris thanked those who spoke earlier and made note of the public's comments. She will be contacting Rogers to advise them of their errors in the public notices. She highly recommends that community members respond directly to Rogers, as well as to the LTC. Galiano LTC has the option of scheduling a Community Information Meeting.

GL-2015-003

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee direct staff to organize a Community Information Meeting to be attended not only by a Rogers' representative who could address the public's concerns, but also attended by other service providers.

CARRIED

Elizabeth Latta clarified with staff that letters written prior to this meeting would also be accepted and forwarded on to Rogers and the Local Trust Committee

Planner Farris confirmed that letters received by her office prior to this LTC meeting of February 2, 2015, would be accepted and forwarded to Rogers and the Local Trust Committee.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1. Work Program Review 2015 - Staff Report

Planner Farris provided an overview of the Work Program Report. Bylaws were adopted in November 2014 with respect to Visitor Accommodation/Short Term Vacation Rentals and Groundwater Development Permit Areas. The contractor yards project is currently on hold as the stakeholder group was unsuccessful.

12. REPORTS

12.1. Work Program Reports (attached)

12.1.1. Top Priorities Report Dated January 2015

Staff reviewed possible top priorities for 2015. Currently the LTC has flexibility in determining budget amounts and priorities.

Staff recommended possible priorities such as: amending the wording of section 2.14 Land Use Bylaw, policies and zoning for waste transfer facilities, dock review, and forest policies and regulations.

Trustee Harris suggested that increasing cabin and legalizing secondary suites become a priority.

Trustee Pottle was in favour of bringing cabin size and height, and secondary suites to the LTC top priorities list. This could improve affordable housing, and bring down construction costs.

RPM Kojima suggested that if the LTC made cabin height/size and secondary suites one topic, the project becomes larger, and thus it might be better to split projects. He suggested LTC provide a motion for staff to further amend 2.14 LUB with respect to set-back from the sea. Concerning Contractor yards, he noted staff will come back with a report outlining options.

GL-2015-004

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee amend its Work Program by designating the following top three priorities: a) Home-based contractor yards; b) Cottage size and height; c) Secondary suites bylaw amendments.

CARRIED

GL-2015-005

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee direct staff to proceed with amending section 2.14 of LUB at the earliest opportunity.

CARRIED

12.1.2. Projects List Report Dated January 2015

By general consent, the projects list will stay the same.

12.2. Applications Report Dated January 2015

Planner Farris reviewed the attached report.

12.3. Trustee and Local Expense Report Dated December 2014

Local trust meeting expenses were higher than usual due the significant cost of Community Information Meetings (CIM). Planner Farris and RPM Kojima confirmed that the LTC may wish to discuss multiple topics at one CIM. RPM Kojima also suggested alternative ways of obtaining community consultation such as through surveys.

Trustee Harris noted that the projects budget for \$8000 came in under budget at \$2300.

12.4. Adopted Policies and Standing Resolutions

Staff reported that the LTC went through them last year and cleaned them up. Staff will be coming back with some suggestions to the STVR.

12.5. Local Trust Committee Webpage

The Galiano Island Local Trust Committee webpage can be found at:
www.islandstrust.bc.ca/islands/local-trust-areas/galiano

Trustees Pottle and Harris complimented the organization and robustness of the webpage.

12.6. Chair's Report

Chair Busheikin stated she was happy to be here and is learning a lot. She reported that there has been one Executive Committee Meeting, with another one scheduled for next week. She spoke favorably of the technology being offered by the Islands Trust and encouraged trustees to work with their iPads.

The communications tower issue is something Chair Busheikin would like to look at on a Trust-wide basis. Denman and Lasqueti Islands have experienced problems with towers. She would like to speak with a united voice.

12.7. Trustee Report

Trustee Pottle noted people are concerned about the recent cell tower proposal. She attended Southern Trustees Roundtable session on January 12, 2015 and found it helpful. In speaking with a representative from Rogers, she made him aware of public opposition and some support within the community. Trustee Pottle wants to know what improvements will be made for Galiano. Lots of consultation is required on this issue. Trustee Pottle's office hours are Tuesdays 4-6pm. She signed up for the Local Planning Committee.

Trustee Harris reported that the last eight weeks have been interesting. He appreciates the depth of the Islands Trust, and noted the integrity and hard work. He is interested in the vision of the Galiano community and where it is going. He was appointed Economic Development Commissioner for Galiano. With respect to holding two jobs, he stated he is first and foremost a Trustee. He ran on a platform of economic health. He wants to get broadband internet to this community as he believes it is the way of the future. He acknowledged it is extremely expensive, but stated it was his goal nonetheless.

12.8. Trust Fund Board Report

The Trust Fund Board Report will be on the agenda as a standing item.

13. NEW BUSINESS

13.1. Advisory Planning Commission Memberships

Four members' terms on the APC have expired effective February 1, 2015. There was discussion regarding advertising in the Active Page and contacting the members whose terms had elapsed.

Trustee Harris questioned whether there were concerns about his wife, Karen Harris, continuing on as a member of the Advisory Planning Commission.

Regional Planning Director Kojima advised this was a question for Linda Adams.

GL-2015-006

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee direct staff to advertise for up to four (4) members to sit on the Galiano Island Advisory Planning Commission.

CARRIED

14. UPCOMING MEETINGS

14.1. Next Regular Meeting Scheduled for March 2, 2015, at 12:30 pm, at the South Community Hall.

15. TOWN HALL

Cathy Stephenson discussed the need for improved cell phone coverage. She referred to the survey conducted last summer, through the Hardware Store, where 120 respondents participated, with 2/3 in favour. Emergency services are a large motivation for her support of increased cell phone infrastructure.

A member of the public spoke in favour of low-cost housing and asked whether it could be expedited.

Roger Petit looked at the Notice of LTC Business meetings for 2015 and saw only one scheduled for the North Hall, although 1/3 of the population lives in North.

Regional Planning Director Kojima noted there were two LTC meetings scheduled at the North Hall in past years, but the number was dropped to one due to low attendance. RPM Kojima stated the schedule could always be amended. He would find out availability of the North Hall.

Tom Hennessy stated a preference for the housing society to be referred to as the Galiano Community Housing Trust, as opposed to "GALIANO GREEN." He expressed concern about cell phone towers and the health risks of microwave technology.

Gary Coward mentioned health concerns with respect to the proposed cell tower. He discussed the 15 meter riparian area setback for structures, and the relationship to covenants on that land, since the Provincial regulation is 30 metres. If there becomes a height increase for cottages, a good solution may be to reduce any new, increased cabin height as it gets closer to the property line. A cabin is an accessory use that should be trumped by the neighbour's house, which is a primary use. Mr. Coward expressed concern with F1 landowners choosing for the community the community amenity flowing

from RR/FH-model rezoning “option.” He stated that a way must be found to have policy that puts that choice in the minds of the community, not the previous landowner.

Ursula Deshields responded to Stephenson’s comment about survey results, stating that numbers only tell part of the story. People who are suffering carry more impact in their response than pure numbers. With respect to cottage allowances, she supports increasing the size but is worried that cottages will be used for STVRs, and not affordable housing.

Therese Ramond noted that the survey was informal; respondents could respond multiple times, and the results should thus be taken in perspective. She noted that Salt Spring Island has dead areas despite cell towers. Once one tower is in, there is no need to get further approvals for more towers.

Libby McLelland stated that she is interested to learn about the coverage we have on Galiano. How effective would a proposed new tower be?

A member of the public made an additional point concerning the cell tower survey: people were registering for that survey without having all the data before them. An informed public is important. When considering increasing cottage size, she hoped the LTC would give consideration to the point that it is always going to be a secondary dwelling and that there will be no subdivision of the property.

Jane Wolverton noted that Rogers Communication approached the Galiano Club to put a cell tower on Bluff Park. Galiano Club declined as Bluff Park is a nature protection area.

Avis Seads noted the cell phone tower survey was conducted in the summer when many off-islanders were present.

16. CLOSED MEETING

None

17. ADJOURNMENT

By general consent the meeting was adjourned at 4:39pm.

Laura Busheikin, Chair

Certified Correct:

Colleen Doty, Recorder



Follow Up Action Report w/ Target Date

Galiano Island Oct-06-2014

No.	Activity	Responsibility	Target Date	Status
1	GLCHT 1. ITPS to be revised, endorsed as revised - DONE 2. Schedule public hearing and CIM once housing agreement reviewed and accepted by CRD - NEW PROPOSAL TO BE SUBMITTED BY APPLICANT 3. Staff to work with applicants on s.219 covenant - DONE 4. Applicants to submit application to Regional Housing Trust Fund - DONE	Kim Farris Robert Kojima	Apr-30-2015	Done
2	Retreat Cove Farm (Covenant Amendment) Sept 22/14 - Owners reviewing estimate for legal work and will respond to staff on decision to proceed or not (DONE) Dec 2014 - Owners have completed the cost recover agreement. Staff are in the process drafting letter to Minister to transfer covenant from the Ministry to the Islands Trust.	Kim Farris	Mar-31-2015	On Going

Nov-03-2014

No.	Activity	Responsibility	Target Date	Status
3	Landworks (DL 79) 1. Proposed Bylaw 244 and 245 given third reading. DONE 2. Staff to send proposed Bylaw 244 and 245 to EC. DONE 3. Staff to send proposed Bylaw 244 to the Ministry of Community, Sport and Cultural Development (after	Kim Farris Sharon Lloyd-deRosario	Mar-31-2015	On Going

EC approval if given). DONE

4. Draft cost recovery agreement and cost sharing for sustainable forestry covenant review - ON-GOING

Feb-02-2015

No.	Activity	Responsibility	Target Date	Status
4	Home-based Contractors Project 1. Bring back in New Term for consideration. (DONE) 2. Staff to prepare report outlining next steps for the project (DONE).	Kim Farris	Mar-02-2015	Done
5	Staff to forward application (GL-ALR-2014.1) and LTC resolution to the ALC.	Kim Farris Lori Foster	Feb-27-2015	Done
6	Crystal Mountain 1. Staff to contact applicant regarding further information required prior to proceeding to first reading. (DONE)	Kim Farris	Mar-31-2015	Done
7	Roger's Cell Tower 1. Staff to schedule a community information meeting (CIM) for the Roger's cell tower. (DONE) 2. Staff to ask other telecommunication providers that provide service to Galiano to provide comment on the cell tower proposal and invite them to the CIM.	Kim Farris Lori Foster	Feb-27-2015	On Going
8	Staff to amend the three Top Priorities in the Work Program.	Kim Farris	Feb-27-2015	Done
9	Staff to provide recommendations to update the STVR standing resolution.	Miles Drew Kim Farris	Mar-31-2015	On Going
10	1. Staff to contact previous APC members for interest in reappointment. DONE - Waiting for responses 2. Staff to advertise Galiano APC membership.	Sharon Lloyd-deRosario	Feb-27-2015	On Going
11	Staff to change location of GLLTC September 14 meeting to the North community hall.	Lori Foster	Feb-27-2015	On Going
12	Staff to update Galiano LTC website.	Kim Farris Lori Foster	Feb-20-2015	Done

STAFF REPORT

February 20, 2015

File No.: GL-DP-2015.1 &GL-DVP-2015.1 (Mateer)

To: Galiano Island Local Trust Committee
For the meeting of March 2, 2015

From: Kim Farris, A/Planner 2

CC: Robert Kojima, Regional Planning Manager

Re: Development Permit and Development Variance Permit to Construct a Private Dock within the Shoreline and Marine Development Permit Area (DPA2)

Owner: Catherine Mateer & Kimberly Kerns
Applicant: Catherine Mateer & Kimberly Kerns
Location: Unsurveyed Crown foreshore adjacent to Lot 20, District Lot 9, Parker Island, Cowichan District, Plan 45606, & Lot 20, Plan 45606

THE PROPOSAL:

The applicants are proposing to construct a private dock to include a dock, walkway, and platform adjacent to, and partially on, Lot 20 on Parker Island (see Figure 3- site survey plan). The upland, foreshore and area seaward are within the Shoreline and Marine Development Permit Area (DPA). The purpose of the dock is to provide year round, permanent and legal access to what is planned to be a full time residence in the near future. Variances are also required to permit the platform and a portion of the walkway to the dock and to the legalize structures on the property within the setback to the sea (Section 2.14 of the Galiano Island Land Use Bylaw).

Parker Island has a community dock on the northern portion of the island, with no ferry service. The applicants state the boat they use is too large for what is permitted at the community dock. The applicants currently reside part-time on the southern end of the Island and are able to use their neighbours dock (Lot 19) to the south on an informal basis. In contemplating moving to the property full time, the owners have approached the neighbours on Lot 19 to try and secure a legal access agreement and thereby avoid having to construct their own dock. The neighbours were advised against this and as they are elderly, the applicants are worried that if sold they could potentially lose access to that dock. Therefore the applicants have applied to the Ministry of Forest, Lands, and Natural Resource Operations for a private moorage lease. The applicants have provided a Management Plan for the proposed dock - Attachment 1.

The proposed dock consists of two parts – a platform and walkway, and a timber float. The abutment structure includes a 1.8 m x 1.8 m (6ft x 6ft) platform which connects the 1.5 metre

wide walkway, 12 metres in length, to the dock. The connected timber float will be 3 metres (9.8 ft) in width and 12 metres (39.4 ft) in length, and will be moored using chains and anchor blocks.

On Galiano Island, all land within 15 metres upland of the natural boundary of the sea has been designated Development Permit Area 2 – Shoreline and Marine DPA for the establishment of objectives for shoreline protection. The Official Community Plan contains an explanation of the lands that are subject to the development permit area, the justification for the permit area, conditions under which a permit is not required, and guidelines that need to be met to obtain a permit. Because the guidelines are written to address many situations, some of the guidelines will not apply to every application. The attached checklist reviews the application in relation to the applicable guidelines, indicating where the guidelines have been addressed and where they have not, and where the guidelines are not relevant to this application (see Attachment 2).

In order to satisfy the requirement for Development Approval Information Bylaw No. 148 and to address the applicable guidelines in the DPA, the applicant has provided a Qualified Environmental Professional (QEP) Marine Ecosystem Report – Attachment 3. A draft development permit is also attached as Attachment 4 for your consideration.

In addition to the development permit, the applicant is requesting a variance to Section 2.14 of the Galiano Island Land Use Bylaw (LUB) to reduce the 7.5 metre setback from the sea to 0.0 metres for the siting of the proposed 1.5 metre wide walkway and platform to access the dock on the upland portion of the subject property.

During the review of the development permit application, staff note two existing non-compliant structures in terms of siting: an existing storage shed and an existing gangway to access a small wharf. The applicant agreed to bring these structures into compliance with the LUB. Therefore, the applicant is also requesting the following variances to bring existing structures on the property into compliance with the LUB:

- Section 2.14: Reduce the setback from the natural boundary of the sea from 7.5 metres
 - to 0.0 metres for the siting of an existing gangway on the upland; and
 - to 6.4 metres to legalize an existing storage shed.

The draft development variance permit is attached as Attachment 5.

SITE CONTEXT:

The subject property is located on Parker Island and is approximately 3.6 ha (8.9 acres) in area. The property is zoned Rural 2 (R2) and is bordered by similar sized parcels. The foreshore area where the proposed dock and existing float is located is zoned Marine (M). A Utility Service (U) zoned parcel borders the property to the north.

There are several structures located on the property: a single-family dwelling, several accessory buildings and structures, and a pre-existing small wharf and gangway (noted as 'G' and 'H' on the site survey plan). The applicants state that the existing wharf and gangway that has been in place for thirteen or more years and it is believed to predate the Shoreline & Marine DPA. The existing wharf is only functional at high tide as it is unusable (rests on the sea floor) when the tide is out. The existing wharf is generally used when kayaking, for occasional storage of kayaks and a dinghy, and for barging in building materials when needed. The current wharf is not a practical solution as the tide is out midday during the summer months making access to the property from this wharf inconsistent and unreliable.

Figure 1: Subject Property Map

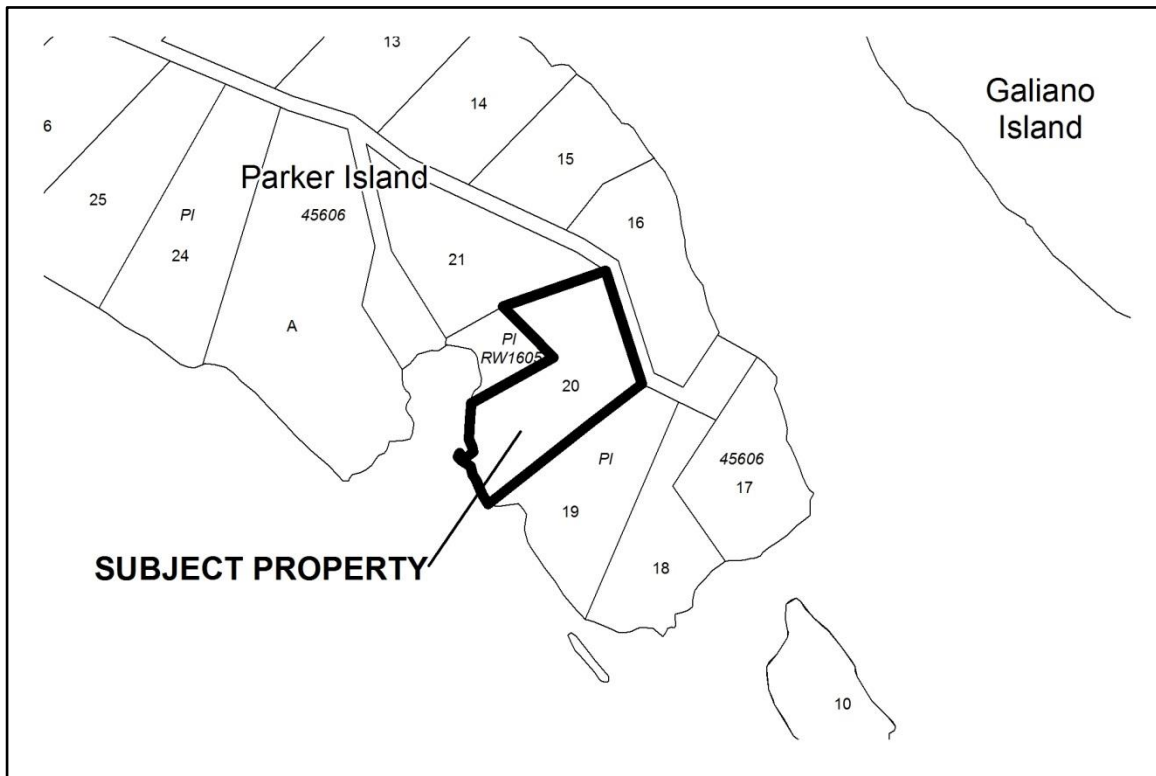


Figure 2: Orthophoto Map



Figure 3: Site Survey Plan

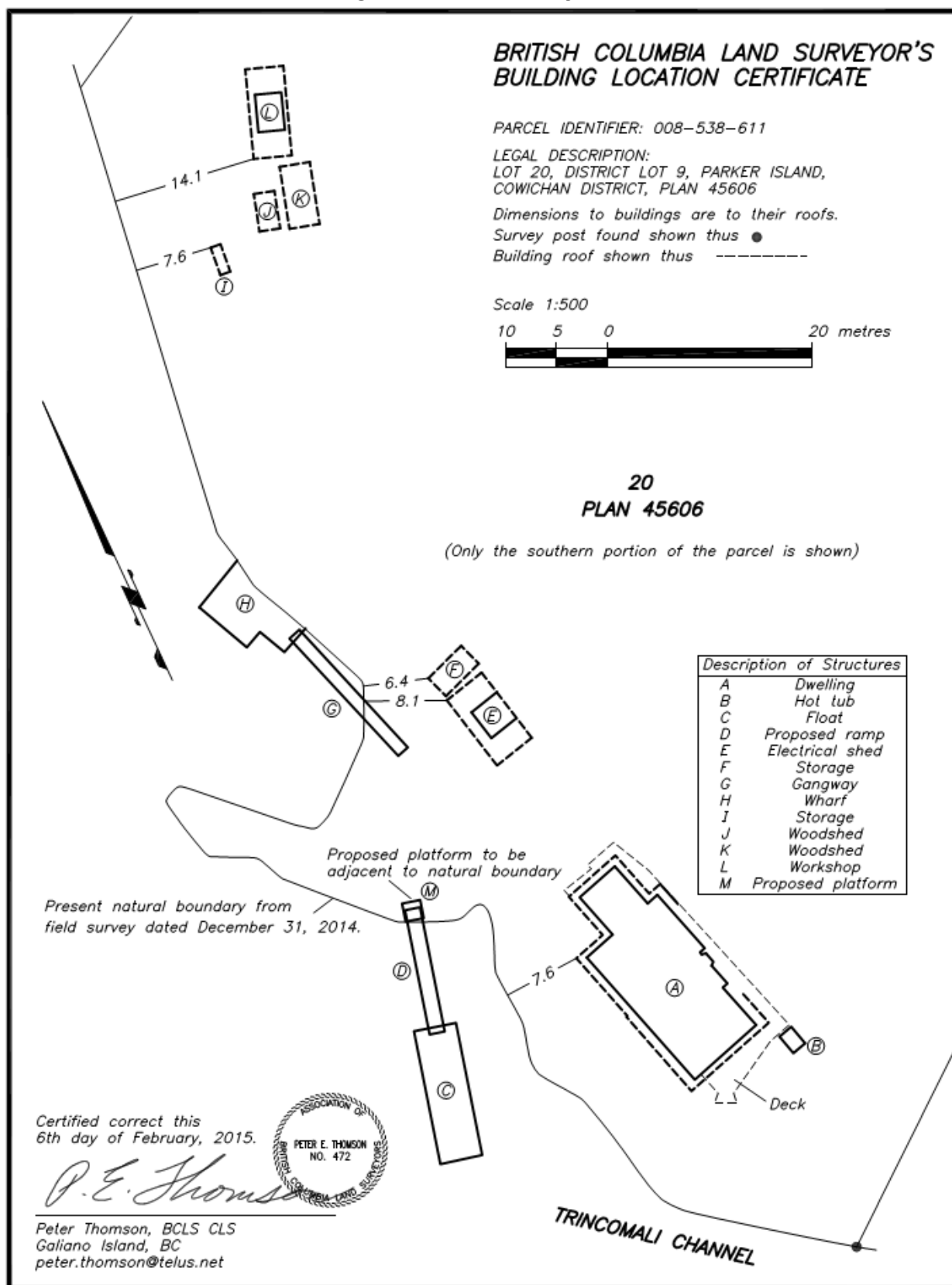


Figure 4 – Dock Site Plan

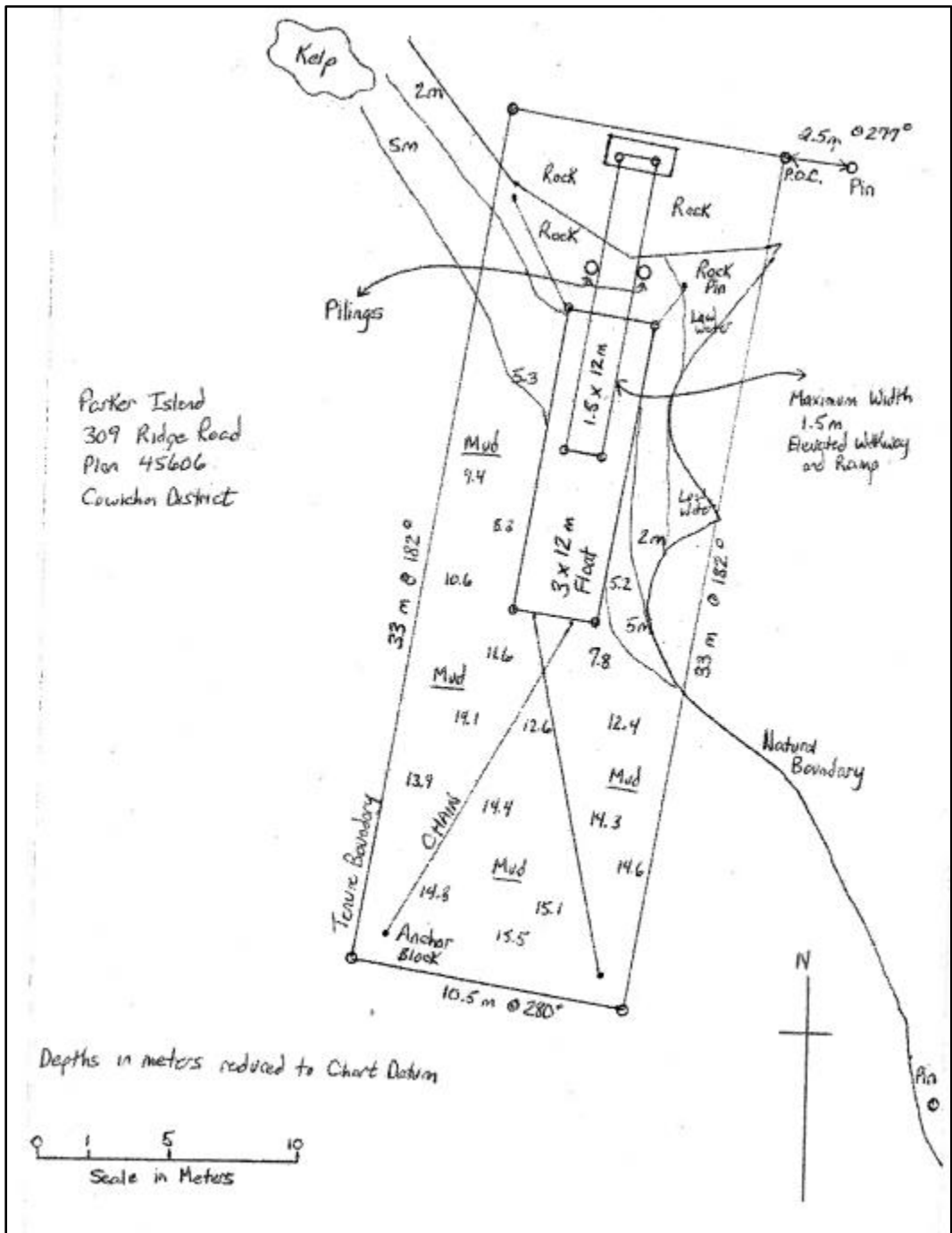
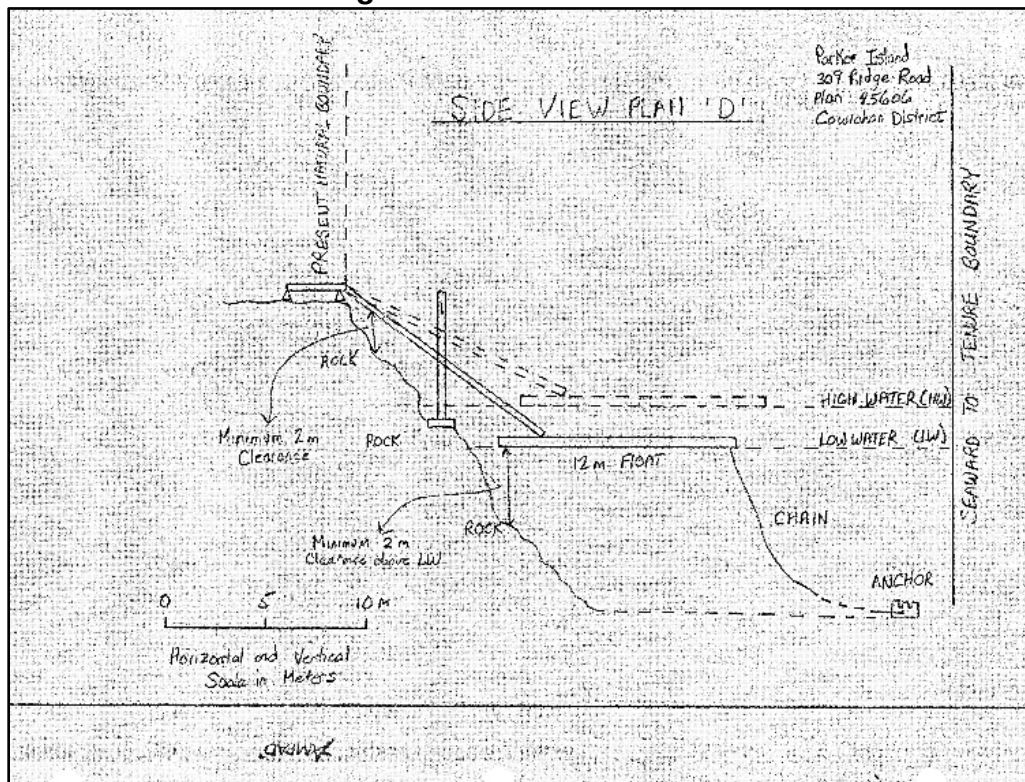


Figure 5 – Dock Elevation



Picture 1: Picture looking towards location of dock (provided by property owner)



Picture 2: Existing shed – siting variance required (provided by property owner)



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

Applicable directive policies in the Islands Trust Policy Statement include:

3.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.

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.

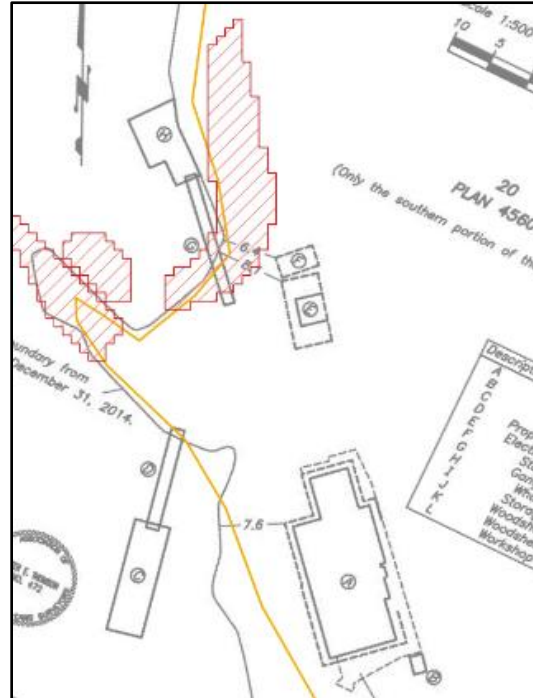
Official Community Plan:

The subject Crown Land foreshore and water area is designated Marine (M) in the OCP. The upland portion of the property is designated Rural (R). The subject property is also located within the Shoreline and Marine DPA, and the Steep Slopes Hazard DPA.

The Shoreline and Marine DPA extends 15m upland from the natural boundary of the sea, and seaward to the boundary of the area of bylaw application. There are a number of guidelines specific to dock construction that are intended to maintain public access along the shore, minimize impacts on sensitive ecosystems and the landscape, and minimize aesthetic impacts. The existing small wharf appears to predate the Shoreline and Marine DPA. A development permit is only required for the proposed new dock.

The Steep Slopes Hazard DPA also applies to the property, but the proposed walkway and dock will be sited outside its DPA boundaries.

Figure 4: Steep Slope DPA (noted in red)



Land Use Bylaw:

The subject property is zoned Rural 2 (R2) and abuts the Marine (M) zone. The minimum setbacks in the R2 zone are 7.5 metres from any front or rear lot line (the same distance required for setback from the natural boundary of the sea), and 6 metres from interior and exterior side lot lines. The following variances are being requested to vary Section 2.14 of the Galiano Island LUB to vary the 7.5 metre setback from the natural boundary of the sea

- to 0.0 metres for the siting of a proposed platform and 1.5 metre wide walkway to access a dock;
- to 0.0 metres for the siting of an existing gangway; and
- to 6.4 metres to legalize the siting of an existing storage shed.

The Marine zone contains few regulations relevant to dock construction except permission for the use of private docks and walkways, and setbacks of at least 3 metres from the seaward projection of any side lot line of the abutting upland lot.

Islands Trust Fund:

This application has no considerations for the Islands Trust Fund.

Sensitive Ecosystems and Hazard Areas:

There are no sensitive ecosystems identified on the property. There is an area of low to medium slope hazard at the shoreline. Although the proposed walkway and platform area will be constructed in the low steep slope area, no impacts from the slope are anticipated.

Eelgrass was not located within the proposed location of the dock. Both Islands Trust mapping and the professional marine ecosystem report identified a small eelgrass bed in the cove north of the subject property. The Islands Trust Fund Board has also identified the northern cove as a potential site for restoration. No impact to this eelgrass bed is anticipated due to the distance from the proposed dock.

Figure 5: Steep Slope Risks



Archaeological Sites:

Based on information from the Provincial Remote Access to Archaeological Data (RAAD), there are no archaeological sites on the property. Notwithstanding the foregoing, and by copy of this report, the owners are advised that the unearthing of any archaeological resource should be reported to the Archaeology Branch.

Trust Fund Board Covenants:

There are no conservation covenants on adjacent properties.

Covenants:

M119074 - Covenant with the Ministry of Transportation and Infrastructure (MOTI) restricting to building, construct or place any dwelling house, garage, or other building within 50 metres of the high water mark except docks, jetties, wharves, breakwaters or other boat mooring facilities. The covenant may be waived if a qualified geotechnical engineer certifying that the building site

proposed is safe and stable is submitted to a building inspector. The property owners satisfied this requirement when locating and renovating the dwelling unit on the subject property. The application for a private dock would not interfere with the covenant as a dock and moorage facilities are exempt.

S95944 – Covenant with the MOTI restricting the lands to not be put to such use as to require access by other than water. Such “use as to require access by other than water” shall include use of the land to require outside services such as any commercial services, power, water, sewer, telephone, schools, fire service or public roads”. The application for a private dock would not interfere with the covenant.

A referral was sent to MOTI to comment on the application in relation to the covenants. MOTI replied that they had no concern with the application as the variance is for an existing structure, not a new structure. MOTI also had no concerns with the proposed dock.

Bylaw Enforcement:

There are no bylaw enforcement files associated with this property.

Climate Change Mitigation and Adaptation:

There are no anticipated effects of climate change with this application as the abutment structure (platform and walkway) will be located a few metres above sea level.

Shoreline:

Currently there is no shoreline classification mapping for Parker Island. As seen from the pictures provided by the property owner, the shoreline consists of sandstone and conglomerate bedrock. There are no anticipated impacts to the shoreline associated with this application.

Capital Regional District (CRD):

The CRD Building Inspection commented that their office does not require a permit for the storage shed if it is under 10 m² (105 ft²). If the storage shed is greater than the 10 m², a building permit application is required. The CRD Building Inspection office policy is not to provide building permits for any structures such as docks, walkways and platforms within the foreshore/natural boundary area.

QEP Marine Ecosystem Report:

The applicants have provided a Marine Ecosystem Report prepared by a QEP that outlines the intertidal and sub-tidal areas surveyed and provides observations of the existing marine habitats. The QEP mentioned observations were taken by kayaking around the area where the proposed dock would be located.

The biologist noted there were no shellfish beds, clam beds, or eelgrass found in the proposed dock site. Clams, oysters, and a small bed of eelgrass were observed in a sandy cove north of the subject property. No impacts from the proposed dock were indicated to the eelgrass bed. Sea lettuce, rockweed, brown algae, and numerous healthy starfish were observed around the dock site. The biologists noted that the dock and walkway should be constructed with materials that permit some light penetration.

The report states the only potential impact to the foreshore would be the installation of the two steel pilings and notes that no trees or native plants will be disturbed and no clearing or grading of the shoreline will be required.

The following are recommendations from the marine ecosystem report:

- Ministry of Environment & Department of Fisheries & Oceans best management practices for dock construction to be followed (<http://www.env.gov.bc.ca/wld/instreamworks/downloads/Docks.pdf>);
- creosote building materials must not be used;
- dock walkway and ramp should be constructed with materials that permit some light penetration;
- preconstruction meeting with landowners, contractor, and biologist to ensure habitat protection measures are in place; and
- post-construction completion report prepared by a QEP.

Staff will provide the applicant with a copy of the best management practices (BMP) for dock construction. Adhering to the BMP will not be included as a permit condition as it would be difficult for staff to enforce. It is also assumed the provincial best management practices will be reviewed through the Ministry of Forest, Lands, and Natural Resource Operations' private moorage lease process.

The full Marine Ecosystem report and DPA checklist is attached for review.

RESULTS OF CIRCULATION:

Notices for the variance were circulated to surrounding property owners and residents. The notification period will end at 4:30 p.m on February 27, 2015. At the time of writing this report, two formal public submissions have been received – please see attached correspondence. Any further public submissions will be forwarded to the LTC and presented at the Galiano Island Local Trust Committee meeting on July 7, 2014

VARIANCE ISSUES SUMMARY:

Applicant's rationale for the proposed dock. The applicants' rationale for a dock is that the boat they use is too large for what is permitted at the community dock. The applicants currently reside part-time on the southern end of the Island and are currently able to use their southern neighbour's (Lot 19) dock on an informal basis. In contemplating moving to the property full time, the owners have approached the neighbours to try and secure a legal access agreement and thereby avoid having to construct their own dock. The neighbours were advised against this and as they are elderly, the applicants are worried that if sold they could potentially lose access to that dock. The proposed dock would provide a safe and permanent access to their parcel on Parker Island.

The applicants explained that the west side of Parker Island where their property is located is exposed to strong winds and currents. In order to determine if their proposed dock would be feasible in the area they want it located, a temporary float with a small boat tied to it was temporarily installed to observe how the float responded in severe weather and different tidal conditions. Neighbouring permanent residents and the applicants observed the temporary float for the past two winters and noted the temporary float and boat did very well in its location. The applicants feel confident the site is a suitable location.

As stated in the applicant's Management Plan, the proposed dock would provide a site for direct vehicle access to the water from the main road (Ridge Road) on Parker Island. In emergency scenarios, the Parker Island Community Association identified emergency procedures which include how to reach emergency services at the nearest medical facilities on Salt Spring Island. The proposed dock could provide vehicle access to a deep water dock during emergencies which is closer to Salt Spring than the community dock on the north end of the island. The applicants also state in their Management Plan that an additional boat access to the island in case of a fire (especially at the south end of Parker Island) is a concern, so this additional access would be of value to the community, especially as the access leads directly to the main road.

Applicant's rationale for the proposed variance.

The applicants are requesting a variance to permit a platform and walkway to provide access to the proposed dock on the upland portion of the subject property. The applicants are also requesting to legalize the siting of a gangway to an existing wharf. This wharf does not provide permanent access to the property as it is unusable during low tides. The applicants would like to retain the wharf as it provides temporary storage for kayaks and dinghies and is used to bring building materials to the property when needed.

A variance is also requested to legalize the siting of an existing accessory structure – a storage shed. The applicant states the accessory structure consisting of two open shelves and is used as a storage shed for gardening and marine supplies. This variance was not included in the initial application as the non-conforming siting of the structure was noted on the survey site plan. The applicants are keen to take this opportunity to legalize the structure.

The overall intent of the regulation being varied. The overall purpose of the setback regulations is to minimize impacts on adjacent property related to: building code requirements, aesthetic, and privacy concerns. Regulating setbacks also helps to provide a consistent pattern of development within a given zone. The setbacks in the Marine zone help to reduce water uses from being located in front of neighbouring properties.

Potential impacts of granting a variance. Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation, it is unlikely to generate expectations for other landowners. Each application is evaluated on its own merits.

STAFF COMMENTS:

The application is for the construction of platform and walkway to access a proposed dock on Parker Island within the Shoreline and Marine Development Permit Area (DPA). Variances are also requested to permit the platform and a portion of the walkway to the dock and to the legalize structures on the property within the setback to the sea. The applicant has already applied for a Crown Land Tenure, which has not yet been approved.

Development Permit:

Islands Trust staff are permitted to require Development Approval Information for applications within this DPA. For this proposal, the applicant has provided a QEP Marine Ecosystem Report. Staff rely on professional reports in order to address the applicable guidelines in the

development areas to ensure the protection of sensitive ecosystems and to provide recommendations to minimize potential impacts to the sensitive ecosystems.

The QEP noted that there are no anticipated impacts to the marine sensitive ecosystem from the construction of the proposed dock and walkway if the recommendations in the marine ecosystem report are met. The recommendations and the siting of the proposed platform, walkway, and dock as shown in the site survey plan will be a condition of the development permit.

The application also meets the Shoreline and Marine DPA guidelines for the construction of dock facilities. As shown in the attached DPA checklist, the applicants have made efforts to meet each guideline. For example:

- Guideline 43 – The 2.0 metre height of the walkway from the shoreline allows for safe public access.
- Guideline 44 – The dock is located in an area of minimal sensitive marine habitat. No eelgrass was identified in the proposed dock location.
- Guideline 48 – The dock will be constructed with ecoplastic covered floatation.
- Guideline 50 - The applicants made the attempt to secure a legal access agreement to their southern neighbour's private dock to avoid having to construct their own dock. The neighbours to the south advised against this and as they are elderly, the applicants are worried that if sold they could potentially lose access to that dock.

The only guideline the application is not consistent with is DPA Guideline 5 that recommends the dock/float not exceed 35 m² (377 ft²) in total surface area. The proposed dock will have a total surface area of 36 m² (387 ft²) as it was recommended by the dock contractor that the dock span 3 wave lengths in order to stabilize it during storm activity and to be less prone to damage and buckling. For this reason, staff have no concerns with the dock exceeding the recommended 35 m² to ensure safety of the dock and its users as the increase is negligible.

Staff note that a development permit cannot be used to prohibit a use that is permitted in the Land Use Bylaw; the decision to grant a development permit is nondiscretionary providing it meets the Development Permit Area objectives and guidelines based on evidence provided by a professional report. The Local Trust Committee may request changes to the development permit conditions or even require additional conditions, provided all of those conditions are directly addressing one or more of the guidelines. The Local Trust Committee cannot impose conditions in the development permit that are not related to the guidelines.

Development Variance Permit:

The applicants are also requesting to vary the setback from the natural boundary of the sea for the siting of the proposed platform and walkway to access the dock. These structures will have minimal impact to the landscape within the setback. The encroachment into the setback is effectively required by the dock design which must account for the embankment and to allow safe public access beneath the walkway. The additional variances are being requested merely to bring into conformity existing structures (gangway and accessory shed) on the subject property. Staff do not anticipate any associated impacts in order to bring these structures into conformity with the LUB. Staff note that the Marine zone does not regulate the maximum number of docks or wharfs for an upland parcel. For this application, staff believe the applicants have provided sufficient rationale for the use of the seasonal wharf and the proposed deep water dock.

The CRD and MOTI have indicated that they have no concerns with the proposed dock and the requested variances. Staff also received two letters of support from neighbours stating they have no concerns with the construction of the proposed dock in its location shown on the site plan.

Given the information provided in the QEP's report that there are no anticipated impacts to the marine ecosystem from the dock proposal, letters of support from neighbours for the variances, and the application generally satisfying the development permit guidelines, staff recommends issuance of a development permit and development variance permit for the proposed dock structure and to legalize the siting of the existing structures.

RECOMMENDATIONS:

1. THAT Development Permit GL-DP-2015.1 (Mateer) BE APPROVED.
2. THAT the Development Variance Permit GL-DVP-2015.1 (Mateer) BE APPROVED.

Prepared and Submitted by:



A/Planner 2

February 18, 2015

Date

Concurred in by:



Robert Kojima
Regional Planning Manager

February 20, 2015

Date

Attachments:

1. Dock Management Plan
2. DPA Checklist
3. QEP Marine Ecosystem Report
4. Draft Development Permit GL-DP-2015.1
5. Draft Development Variance Permit GL-DVP-2015.1
6. Correspondence – J. & R. Carne – December 10, 2014
7. Correspondence – I. Thompson – January 18, 2015

Management Plan
Application for Private Moorage
Parker Island – Lot 309 – C. Mateer

Section B - Proposed Use Description

I. Background

Proposed use: The proposed float, ramp and elevated pier will be used to provide boat access to a current recreational property and future permanent residence and overnight moorage

Why here and now: Parker Island is a boat-access only island with no ferry service on which we own property. For the past 10 years we have been using our neighbour's (to the south) float and ramp to access our property. We are planning to make Parker our permanent residence within the next 3 years and unfortunately accessing our property from our neighbours dock is not a long term or satisfactory solution, both because we have not been able to obtain any legal rights to its use, nor to legally for accessing their property to get to the float and ramp (in spite of offering to expense share and pay for legal access). Additionally there are recent health issues with these neighbours, and if they sell, new neighbours could deny us any access. Finally, the location we have identified for the proposed float will provide safer and much more direct access to our property and alleviate the need to traverse a large set of stairs and across a steep bank. As we are nearing retirement age more direct access feels safer, and we would also have full discretion for and responsibility with respect to all needed maintenance and care of the dock structure and float (Our neighbours float is falling into disrepair and renewal would be costly and as they don't currently use the structure they are less inclined to make needed repairs/renewals and as we have no legal access we want to limit costly repairs we make). Finally we would like to get an appropriate float/ramp in place prior to our retirement as costs can be more easily handled while we are fully employed.

Details of any preliminary investigative work and any other approvals obtained: The proposed float and ramp will be located on the west side of Parker along the Trincomali Channel. This side of the island is exposed to stronger winds and currents and suitable locations for floats are much more limited. Neighbouring properties to both the south and north have docks in place, but in somewhat more protected parts of the shore. In order to determine if a float would be feasible, we had a seasonal float on concrete blocks placed in the proposed site in January 2014. There is no access from the float to the land, but we were able to observe how the float responded in severe weather and under different tidal conditions and tied a small boat along side to see how a boat would do tied to the float at this location during the stronger winds. Both some permanent residents on the island as well as ourselves observed the float in many different heavy weather, and wind/tide conditions and the float and boat did very well. As such, we believe it is in a feasible site. We have made application to the Islands Trust – Galiano Trust committee to get local approvals and had a biological survey conducted.

Current zoning: R2 (Rural 2 based on Galiano Landuse Bylaw Schedule B)

No commercial activity is anticipated

II. Location

General description of: The location of the proposed float is on the south and west side of Parker Island, off of Lot 20, District Lot 9, Parker Island, Cowichan District, Plan 45606. The land location for the top of the proposed ramp and pier/structure is 48°52.684' N, 123°24.205' W.
Access plans: We currently access our property via travel by boat from Westport Marina near Sidney, and use our neighbor's to the south float and ramp on Parker Island (with their permission) to access the property. We would propose to construct and use the new float and ramp structure if it is approved for all egress/regress from the island for our current recreational use and future use as our primary residence.
Traffic: We currently use the property about two weekends a month from September to June, and typically spend about 6 weeks on the property in the summer months. We currently have a 23' aluminum powerboat that is our primary means of transportation to Parker Island. As well we have several small boats including a 12' metal runabout, as well as kayaks and an inflatable dinghy.
Seasonal expectations of use: Currently there is more use in the summer months, but definitely year-round use at present with our accessing the property approximately every other weekend during the winter months and planned retirement to this property within the next 3 years.
Land use on parcel, adjacent parcels and surrounding area: Parker Island consists almost exclusively of relatively large recreational parcels with 3 full time residences at present. Land is used solely for recreational or personal use, with the exception of a small piece of land owned by the Parker Island Residents Holding Limited (PIRHL), a community association. There is a community barge landing area and dock on the PIRHL land that is on the east side of the island for members of the PIRHL. The length of our boat is larger than what is allowed for docking on this community dock. As well, the dock space is not large enough to meet the demands for property holders who have properties where developing a dock would be untenable (most on the west side of the island where many properties are very high bank.
Confirmation of safety plan including first aid: Landowners on Parker are typically well-prepared for minor emergencies or situations requiring first aid. For more significant injuries, members of the PIRHL have identified emergency procedures including information on how to reach emergency services and possibilities for transport to Salt Spring Island by boat (water ambulance) or to larger regional facility via helicopter. A helicopter landing site has been approved by emergency services and markers purchased by members of the PIRHL for any such emergency. If the dock/float we are proposing was approved, it would provide a site for direct vehicle access to the water from the main road (Ridge Road) running down the island, allowing an injured person to be driven almost directly to a dock on the west side of Parker, much closer to Salt Spring. This would provide the 2 nd access via motorized vehicle directly to a deep water dock. The only other such access currently on Parker is via the PIRHL community dock on the far northeast side of the island and by boat is 10-15 minutes further via water travel to SaltSpring (the closest hospital) that would be the proposed dock.

III. Infrastructure

New facilities or infrastructure proposed and any ancillary uses: no new facilities or infrastructure beyond the float, ramp and pier are planned or anticipated
Existing roads and their use by season, and any proposed connections to public or FSR roads: Parker Island has a public road (Ridge Road) used and maintained by island residents. There are no public road services. Our lot (309 Ridge Road) has an extension from the Ridge road maintained by BC Hydro to their Hydro station, located within the confines of our property. We maintain this road

down to our home, so that it extends to within about 10' of our proposed float and pier/landing.
Utility (power, electrical, telecommunications) requirements and sources: Our dwelling on the upland lot (309 Ridge Road, Lot 20 Parker Island) has standard electrical infrastructure. No changes or additional utility demands are needed with respect to the proposed float, ramp and pier/landing.
Water supply: Our upland property (309 Ridge Road, Lot 20 Parker Island) has a well and regular water supply. No additional water requirements or modifications are anticipated with respect to the proposed float, ramp and pier/landing.
Waste disposal: The upland property has regular bathroom facilities and an approved septic system. Waste and refuse is generally taken off the island or burned in compliance with burning regulations.

IV. First Nations

I have not had any formal contact with any First Nations group or individual with respect to this application. I do not anticipate that there would be any particular benefits, partnerships opportunities, special interests or concerns. I did have a brief discussion with a First Nations individual (I do not have his name), who was on Parker Island as an observer during the removal of a decaying barge from a bay on the northeast part of Parker Island near the community dock site. He indicated that in his recollection there had been no permanent settlements on Parker Island, but that the island had been used for hunting, clamming (particularly in the bay on the northeast side) and for medicine gathering. The proposed application site is also immediately adjacent to an old barge landing site that was used when the island was previously logged. More evidence of previous industrial use of this foreshore and land are evidenced in the rock area just north of the proposed float site where there are still large metal 'eyes' in the rock at various locations, and there are remnants of old chain and cable evident on the upland shore from this area.
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Section C – Additional Information

V. Environmental

A. Land Impacts

Cutting of vegetation: It is not anticipated that any vegetation will need to be cut.
Soil Disturbance: No significant disturbance of soil is anticipated. A few small concrete piers will be needed which will require some minor soil disturbance.
Riparian encroachment: The ramp will go over an area that is typically exposed at all but the highest tides and this rocky foreshore has no plantlife. The area that typically is below the water is thoroughly described in the attached biologists report, but contains no eelgrass or other endangered plant life. The footings for the pilings will be above the low tide level and on this rock area.
Management of pesticides, herbicides: No pesticides or herbicides are currently used on the property and none will be needed or used in this construction
Visual impacts: Visual impacts will be minimal. One neighbor who will see the float from their residence is at a considerable distance and height and he has indicated he has no concerns with the placement. The float and ramp will be visible from the water but would not impede any views.

Known archeological sites: I am not aware of any archeological artifacts on or near this site. The site sits almost entirely over large boulders that, as indicated above were once at the edge of an old logging road to a barge site. There is no evidence of shells, middens, carvings or any other artifacts near the site of which we are aware.

Types of construction and materials used: The float will be constructed with concrete, wood, environmentally sensitive floats, and chain, with concrete anchors. The ramp will be aluminum with just two steel pilings on the rocky ledge that at lower tides is above water. No drilling or pile driving will be necessary at this location. The upland landing pier will be built of wood.

B. Atmospheric Impacts

Sound: Nothing other than the normal sounds of docks and boats at moorage

Odor: None anticipated

Gas: None anticipated

Fuel emissions: None- refueling would not be done at the dock

Current conditions: No atmospheric impacts at present and none anticipated

C. Water or Land covered by water impacts

Drainage effect: No change in drainage patterns anticipated

Sedimentation: No change in sedimentation anticipated

Water diversion: No water would be diverted and the flow of water would not be impeded

Water quality: No adverse effects on water quality are anticipated

Public access: The area of this application would currently be extremely difficult to access with high bank (conglomerate) on one side and a rocky shelf that covers at mid to high tide on the other. It is south of a large drying cove. We have owned this property approximately 15 years and have never observed the public access either this location nor any immediately adjacent and even getting accurate measurements for where the pilings will be placed was difficult due to the steepness. Entrance to the cove that is accessed by public is approximately 20 meters north and no change in that public access would result from this application.

Flood potential: The area does not have any flood potential. There are no upland sources of water and the property is heavily treed. No flooding of any sort has never been observed in the 15 years we have owned the property.

D. Fish and Wildlife Habitat

Current status of fish and wildlife: Upland wildlife includes deer, racoon, mink, otter, and squirrels. Avian wildlife includes eagle, kingfisher, ducks, geese, ravens, herons and other typical Gulf Island species. There are some clams and oysters in the adjacent cove, but none apparent near the proposed float or ramp. Marine species of fish are similar to other Gulf Island locations. We had a marine habitat survey done during a very low tide in late spring 2014. The report of that survey is included in the application.

Disturbance to wildlife habitat: None anticipated

Disturbance to fish habitat or marine environment: None anticipated.

Threatened or endangered species in the area: Similar to other Gulf Island species

Seasonal considerations: We do see quite a few migrating birds, and within the last 2 years Canadian Geese in the adjacent cove, but the cove will not be impacted in any way by the float, ramp or pier/landing.

VI. Socio-Community

A. Land Use

Land management plan: Parker Island is designated as Rural 2 in the Galiano Land Use Bylaw schedule D. Aside from a few properties that have full time residents, most properties are used seasonally for recreational purposes (walking on the island, gardening, kayaking, sailing, boating, fishing, crabbing, camping, etc.). No commercial ventures are allowed, including rental of properties. We are not aware of any plans to change this designation or use pattern.

Public recreation areas: There are many trails on the island, as well as beaches and rocky outcroppings on the foreshore that are visited by land owners, residents and visitors. This application would not impact any of these uses.

B. Socio-Community Conditions

Demand on fire protection or emergency services: With just over 30 properties on the island, and often only a few residents on Parker at any particular time, the demand on emergency health services is minimal. However, residents and the PIHRL did identify and prepare an official site that could be used for helicopter landing. As indicated earlier, this proposed dock would provide a second site that would allow direct vehicle access to a deep-water dock capable of holding the ambulance boat from SaltSpring (the only other one as at the opposite end of the island at the community dock). Having another location closer (timewise) to emergency medical services on Salt Spring would be appreciated by island residents and we would be supportive of providing this type of access for island landowners. We are active members in the PIRHL and can make this emergency access known to other Parker Island landowners.

Additionally, there is no fire protection on the island, though the PIRHL does host frequent onsite visits and reviews by the Galiano Volunteer Fire Department Fire Chief. In the case of a fire on Parker Island, help would need to come from Galiano and other adjacent islands such as SaltSpring. Fire fighting crews would also have access to the south end of Parker from this proposed dock and ramp. While many residents (including ourselves) keep fire protection equipment and supplies at the ready and fire prevention is a regular topic at meetings of the community association, access to the island in case of a fire (especially at the south end) is a concern, so this additional access would be of value to the community, especially as the access leads directly to a road that merges with the only road that runs the length of the island (Ridge Road). On our upland property from the area of application we also have fire fighting equipment including a pump and fire hoses that can access either stored fresh water (in tanks) or direct pumping from the sea.

Galiano Island
OCP Bylaw No. 108, 1995
Shoreline and Marine Development Permit Area (DPA 2)
Guideline Checklist

Guideline	Complies			Comments
	Yes	No	N/A	
1. In general, development of the shoreline area should be limited, should minimize negative impacts on the ecological health of the immediate area, and should not impede public access.	☒	☐	☐	
2. Shoreline protection measures should be limited to those necessary to prevent damage to existing structures or established uses on the adjacent upland. Softer shore protection measures should be considered first, and only if all options to locate and design without the need for shore protection works are exhausted should such works be considered.	☐	☐	☒	
3. Sea level rise, storm surges, and other anticipated effects of climate change should be addressed in all applications.	☐	☐	☒	There are no anticipated effects of climate change with this application as the abutment structure will be located a few metres above sea level.
4. The Local Trust Committee may consider variances to subdivision or building and structure siting or size regulations to meet the objectives of the development permit area.	☒	☐	☐	Variances to setbacks from the sea for the abutment structure and ramp to provide safe access to the dock, and maintain public access on the shoreline.
5. New upland structures or additions to existing structures should be located and designed to avoid the need for shore protection works.	☒	☐	☐	
6. When required, shore protection measures should:				
a. Apply the 'softest' possible shore protection measure that will still provide satisfactory protection; and	☐	☐	☒	
b. Limit the size of shore protection works to the minimum necessary.	☐	☐	☒	
7. 'Hard' structural shore protection measures (e.g. concrete walls, lock block, stacked rock) may be considered in support of existing development only when a geotechnical and biophysical analysis demonstrates that:				
a. an existing structure is at immediate risk from shoreline erosion caused by tidal action, currents, or waves. Evidence of normal sloughing, erosion or steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not sufficient demonstration of need;	☐	☐	☒	
b. the erosion is not being caused by upland conditions, such as the loss of vegetation and uncontrolled drainage. The geotechnical analysis should evaluate on-site drainage problems and investigate drainage solutions away from the shoreline edge before considering structural shoreline stabilization;	☐	☐	☒	
c. non-structural measures, such as locating new buildings and structures further from the shoreline, planting vegetation, or installing on-site drainage improvements, are not feasible or sufficient to address the stabilization issues; and	☐	☐	☒	

Guideline	Complies			Comments
	Yes	No	N/A	
d. unavoidable damage to shoreline ecological function is mitigated as much as feasible and restoration is undertaken when feasible.	☐	☐	☒	
8. All structural shore protection measures should be installed within the property line or upland of the natural boundary of the sea, whichever is further inland. 'Soft' shoreline protection measures that provide restoration of previously damaged ecological functions may be permitted seaward of the natural boundary subject to obtaining necessary approvals from the provincial and federal governments.	☐	☐	☒	
9. New development on steep slopes or bluffs shall be set back sufficiently from the top of the bluff to ensure that shore protection measures will not become necessary during the life of the structure, as demonstrated by a geotechnical assessment of the site.	☐	☐	☒	
10. Shore protection measures that are likely to cause erosion or other physical damage to adjacent or down-current properties shall not be supported.	☐	☐	☒	
11. Shore protection measures should not be considered for solely the purpose of providing a sufficient setback to meet other land use bylaw requirements.	☐	☐	☒	
12. New driveways and sewage disposal systems should not be located in the development permit area. If such a location cannot be avoided, the encroachment into the development permit area must be minimized, and the development permit may require that the assessment, design and construction of the road or sewage disposal system be supervised by a qualified professional to ensure that the objectives and guidelines of the development permit area are met.	☐	☐	☒	
13. Where this development permit area includes native plant species or plant communities dependent on a marine shoreline habitat that are identified locally, provincially, or federally as sensitive, rare, threatened or endangered, or have been identified by a qualified professional as worthy of particular protection, their habitat areas should be left undisturbed. If disturbance cannot be entirely avoided, development and mitigation / compensation measures shall be undertaken only under the supervisions of a qualified professional with advice from provincial and federal environmental agencies.	☐	☐	☒	
14. Shore protection measures should not be allowed for the purpose of extending lawns or gardens, or to provide space for additions to existing structures or new outbuildings.	☐	☐	☒	
15. Existing shore protection works may be replaced if the existing works can no longer adequately serve their purpose provided that:				
a. The replacement shore protection works are of the same size and footprint as the existing works, unless required to prevent shoreline erosion as determined by a qualified professional;	☐	☐	☒	
b. The replacement shore protection works are designed, located, sized, and constructed to mitigate the loss of ecological functions, and include habitat restoration measures when feasible;	☐	☐	☒	

Guideline	Complies			Comments
	Yes	No	N/A	
c. Replacement walls or bulkheads do not encroach seaward of the natural boundary or the seaward limit of the existing shore protection works unless there are significant safety or environmental concerns that could only be addressed via such an encroachment. In such cases, the replacement of shore protection works should utilize the 'softest' approach possible and should abut the existing shore protection works; and	☐	☐	☒	
d. Where impacts to critical marine habitats would occur by leaving the existing works in place, they can be removed as part of the replacement measure.	☐	☐	☒	
Guidelines for Subdivisions:				
16. All lots in a proposed subdivision must be configured to have sufficient area for permitted principal and accessory uses without encroaching into land use bylaw setbacks, the Development Permit Area, or creating a likelihood of shoreline protection measures for the permitted level of development.	☐	☐	☒	
Guidelines for Commercial and Industrial Development:				
17. Boat maintenance and repair facilities shall be designed and sited in a manner that minimizes the potential for the discharge of toxic materials from boats (e.g. fuels, oils, maintenance by-products).	☐	☐	☒	
18. Lighting of commercial and industrial developments built over the water surface should be kept to the minimum necessary for safety and visibility. Light fixtures on such sites should focus light on the area to be illuminated and avoid spillage of light into other areas. Fixtures should not result in glare when viewed from areas that overlook the sea. Low-glare fixtures with a high-cut off angle should be used. Full-spectrum fixtures are preferred. Neon lighting should not be used outside buildings.	☐	☐	☒	
19. Signs on commercial and industrial developments built over the water surface should not move or be audible and should not incorporate lighting that moves or flashes or gives the impression of doing so.	☐	☐	☒	
20. Offshore log storage should be located such that natural flushing and water circulation will disperse waste materials, and log dumping facilities should be designed and operated to prevent bark and other debris from accumulating on the sea bed.	☐	☐	☒	
Guidelines for Specific Shoreline Types:				
21. Because of their extreme sensitivity to disturbance and slow rate of recovery, dredging or filling of estuaries should not be permitted, sea walls and rip rap embankments should not be permitted in estuaries, and when shore protection measures are necessary "beach nourishment" designs are preferred, which add appropriately sized material to the upper beach, creating a natural beach slope and beach armour.	☐	☐	☒	
22. New structures on steep slopes or bluffs shall be set back sufficiently from the top of the bluff to ensure that shore protection measures will not become necessary during the life of the structure, as demonstrated by a geotechnical analysis for the structure.	☐	☐	☒	

Guideline	Complies			Comments
	Yes	No	N/A	
23. Removal of trees or other vegetation from steep slopes or bluffs should only be allowed where necessary and where replacement vegetation / erosion control measures are established. If possible, stumps should be left in place to provide some soil stabilizing influence until replacement vegetation is established. Plans delineating extent of vegetation / tree removal (location, species and diameter of trees) and location of proposed construction, excavation and / or blasting, may be required.	☐	☐	☒	
Guidelines for Construction Practices:				
Erosion Control:				
24. All development within this development permit area should be undertaken and completed in such a manner as to prevent the release of sediment to the shore or to any watercourse or storm sewer that flows to the marine shore. An erosion and sediment control plan, including actions to be taken prior to land clearing and site preparation and the proposed timing of development activities to reduce the risk of erosion, may be required as part of the development permit application.	☐	☐	☒	
Monitoring:				
25. A development permit may require monitoring by a qualified professional of the implementation of environmental mitigation, restoration or enhancement planting or other measures required by a development permit, until all such measures have been completed and the professional has provided a report confirming completion to the standard specified in the permit.	☐	☐	☒	Monitoring not required.
Guidelines for Vegetation Management, Restoration and Enhancement:				
26. Existing, native vegetation should be retained wherever possible to minimize disruption to habitat and to protect against erosion and slope failure.	☐	☐	☒	
27. Existing trees and shrubs to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.	☐	☐	☒	
28. If the area has been previously cleared of native vegetation, or is cleared during the process of development, replanting requirements may be specified in the development permit. Areas of undisturbed bedrock exposed to the surface or natural sparsely vegetated areas should not require planting.	☐	☐	☒	
29. Vegetation species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should preferably be native to the area, and should be selected for erosion control and/or fish and wildlife habitat values as needed. Suitably adapted, non-invasive, non-native vegetation may also be considered acceptable.	☐	☐	☒	

Guideline	Complies			Comments
	Yes	No	N/A	
30. All replanting should be maintained by the property owner for a minimum of 2 years from the date of completion of the planting to ensure survival. This may require removal of invasive, non-native weeds (e.g., Himalayan blackberry, Scotch broom, English ivy) and irrigation. Unhealthy, dying or dead stock should be replaced at the owner's expense in the next regular planting season. Permits may include, as a condition, the provision of security to guarantee the performance of terms of the permit.	☐	☐	☒	
Guidelines for Shore Protection Measures Design:				
31. Materials used for shoreline stabilization should be inert. Stabilization materials should not consist of debris or contaminated material that could result in pollution of tidal water.	☐	☐	☒	
32. Revetments (rip rap slopes) and bulkheads (retaining walls) should only be constructed if no other alternative exists.	☐	☐	☒	
33. Where revetments are proposed:				
a. They should not result in the loss of shoreline vegetation or fish habitat;	☐	☐	☒	
b. The size and quantity of materials used should be limited to that necessary to withstand the estimated energy of the location's hydraulic action and prevent collapse; and	☐	☐	☒	
c. Filter cloth should be used to aid drainage.	☐	☐	☒	
34. Where bulkheads are proposed:				
a. They should not be located where geomorphic and hydrologic processes are critical to shoreline conservation. Feeder bluffs, marshes, wetlands, spits and hooks should be avoided;	☐	☐	☒	
b. They should be located parallel to and landward of the natural boundary of the sea, as close to any natural bank as possible;	☐	☐	☒	
c. They should allow the passage of surface or groundwater without causing ponding or saturation; and	☐	☐	☒	
d. They should be constructed of stable, non-erodible materials that preserve natural shoreline characteristics. Adequate toe protection including proper footings and retention mesh should be included. Beach materials should not be used for fill behind bulkheads.	☐	☐	☒	
Guidelines for Beach Nourishment and Fill:				
35. Fill upland of the natural boundary greater than 10 cubic metres in volume should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Such fills should be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration.	☐	☐	☒	
36. Fill below (seaward of) the natural boundary should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, typically as part of a beach nourishment design.	☐	☐	☒	

Guideline	Complies			Comments
	Yes	No	N/A	
37. Fill should not be placed at or below the natural boundary for the purposes of providing a trail or walkway.	☐	☐	☒	
38. All upland fill and beach nourishment materials should be clean and free of debris and contaminated material. All fill and beach nourishment proposals are subject to review and approval by provincial and federal authorities having jurisdiction.	☐	☐	☒	
Guidelines for Shore Access and Parking:				
39. Roads, driveways, trails and pathways should follow the contours of the land, appropriately manage drainage, not require retaining walls, and only use stairs as a last resort.	☐	☐	☒	
40. Accesses in extremely sensitive areas or hazardous areas should be restricted or prohibited.	☐	☐	☒	
41. Parking areas should be located away from the shore, buffered or landscaped, and constructed so as to minimize erosion and water pollution by controlling storm runoff. Structural measures such as catch basins, oil separators, filtration trenches or swales, unpaved or permeable all weather surfaces should be considered for this purpose.	☐	☐	☒	
Guidelines for the Construction and Replacement of Docks and Boat Launch Facilities:				
42. For residential properties, preference is to be given to the placement of mooring buoys and floats instead of docks.	☒	☐	☐	Dock is essential to safe and efficient travel to the property for year round use.
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.	☒	☐	☐	There is a 2 metre clearance under the ramp for safe public access.
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.	☒	☐	☐	Location of dock will have no anticipated impacts on sensitive ecosystems.
45. Docks should be constructed in a manner that permits the free flow of water beneath. Supports should be located on a hard substrate.	☒	☐	☐	Dock will be constructed with wood planks allowing flow of water and some light penetration.
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.	☒	☐	☐	Proposed dock would not rest on sea bed. Property owners may wish to relocate small existing float on shore when the float is not in use so it does not rest of sea bed when tide is out.
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.	☒	☐	☐	Dock will use welded plastic covered floatation.
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.	☐	☐	☒	

Guideline	Complies			Comments
	Yes	No	N/A	
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.	☐	☒	☐	The proposed dock will be slightly larger at 36 m ² in area. The applicants noted that the extra area will help stabilize the dock during storm activity and is less prone to damage and buckling. Staff do not have concerns with the dock having a surface area of 36 m ² to ensure safety of the dock and its users.



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**Kathleen Reimer, RPBiologist
Island Stream and Salmon Enhancement Society
Box 289, Ganges P.O.
Salt Spring Island, B.C. V8K 2V9**

August 4, 2014

To: Kimberly Kerns and Catherine Mateer:
9486 Glenleg Avenue
North Saanich, BC V8L 5G9

Re: Parker Island foreshore (Lot 20 District Lot 9)

Dear Kimberley and Catherine

We have conducted a foreshore ecological survey at 309 Ridge Road, Parker Island (Map 1-2), on and around the site where you are planning to build a recreational dock.

The intertidal and sub-tidal areas were surveyed.

The water where the proposed float would be placed was over 5 meters in depth (at a 0.1m tide) (Photograph 1, 1a).

The backshore near the landing site is a sparsely vegetated sandstone and conglomerate bedrock bluff (Photograph 10).

1. Habitat and Species Description

There were no shellfish beds at or near the proposed dock and float. There were no clam beds near the proposed dock site although there were clams and oysters present on a small cove with a mudflat and sandy beach over 100 meters to the Northwest near the Hydro substation (Photograph 9). This beach does not support a commercial or recreational shellfish harvest.

There was no eelgrass found in the area of the proposed dock, or near the neighbours float to the west. There were floating fronds and a small bed of eel grass seen in shallow water near the sandy cove (Photograph 4). Some of the eelgrass had been uprooted by visiting Canada Geese.

In the intertidal area there was extremely thick growth of sea lettuce (*Ulva sp.*) and rockweed (*Fucus sp.*). There was also brown algae present (*Laminaria*, *Sargassum*) (Photograph 5, 5a, 6). There was some of the Bull Kelp (*Nereocystis leutkeana*) along the foreshore to the west of the proposed site (Map 2, Photograph 7, 7a). None of the perennial Giant Kelp was present

(*Macrocystis integrifolia*). There were numerous healthy starfish observed (*Pisaster sp.*, Photograph 5, 5a) despite a massive die off occurring elsewhere on the Gulf Islands.

2. Potential impact of dock construction

The only disturbance to the foreshore will be the installation of the two 12 inch diameter steel pilings. They will be set on two cement pads that will be three meters apart. There will also be two anchor blocks for the dock placed out in deeper water (see the large scale site plan C).

On the backshore there will be a 1x2 meter landing pad (Photographs 10-11). No trees or native plants will be disturbed. No clearing or grading of the shoreline will be required.

3. Recommendations

All best Management Practises for Dock construction must be followed. These guidelines are found on the government website:

<http://www.env.gov.bc.ca/wld/instreamworks/downloads/Docks.pdf>

There will be no building materials with creosote used for any of the construction. For the float an ecoplastic contained flotation system will be used.

Even though there was no eelgrass found in the immediate area of the proposed dock, the other seaweeds (*Ulva*, *Sargassum*, *Laminaria*) do provide some habitat. Therefore, the dock walkway and ramp should be constructed with materials that permit some light penetration.

4. Native plant enhancement opportunities

The small muddy cove on the adjacent property near the hydro substation has been identified by the Islands Trust Fund as a potential eelgrass restoration site (Map 3, Sea Change eelgrass mapping project). The property owners should consider providing access for the restoration team.

Recently the residents have been removing non -native broom and other weeds. This work should also be continued.

5. Monitoring

There should be a preconstruction on site meeting with the landowners, the contractor and a Qualified Environmental Professional (QEP). This will ensure that all habitat protection measures are in place. After construction there should be a completion report submitted to the Islands Trust by the QEP.

Please let me know if you need more information.

Kathleen Reimer MSc.

RPBiologist

List of references:

- Adams, Mark A. 2002. Shoreline Structures Environmental design. The Stewardship Series.
- Department of Fisheries and Oceans 1989. Coastal /Estuarine fish habitat description and assessment manual. DFO publication Vancouver, B.C.
- Druehl, Louis D. 2000. Pacific Seaweeds, A guide to common seaweeds of the West Coast. Harbour Publishing, Madeira Park, B.C.
- Islands Trust Fund 2013-2014 South Galiano area eelgrass mapping project.
- Kozloff, E.N. 2000. Seashore life of the Northern Pacific Coast. University of Washington Press.
- Lamb, Andy and B. Hanley. 2005. Marine Life of the Pacific Northwest. Harbour Publishing, Madeira Park, B.C.
- Province of British Columbia and Dept. of Fisheries and Oceans Best management Practises for dock construction web site: <http://www.env.gov.bc.ca/wld/instreamworks/downloads/Docks.pdf>

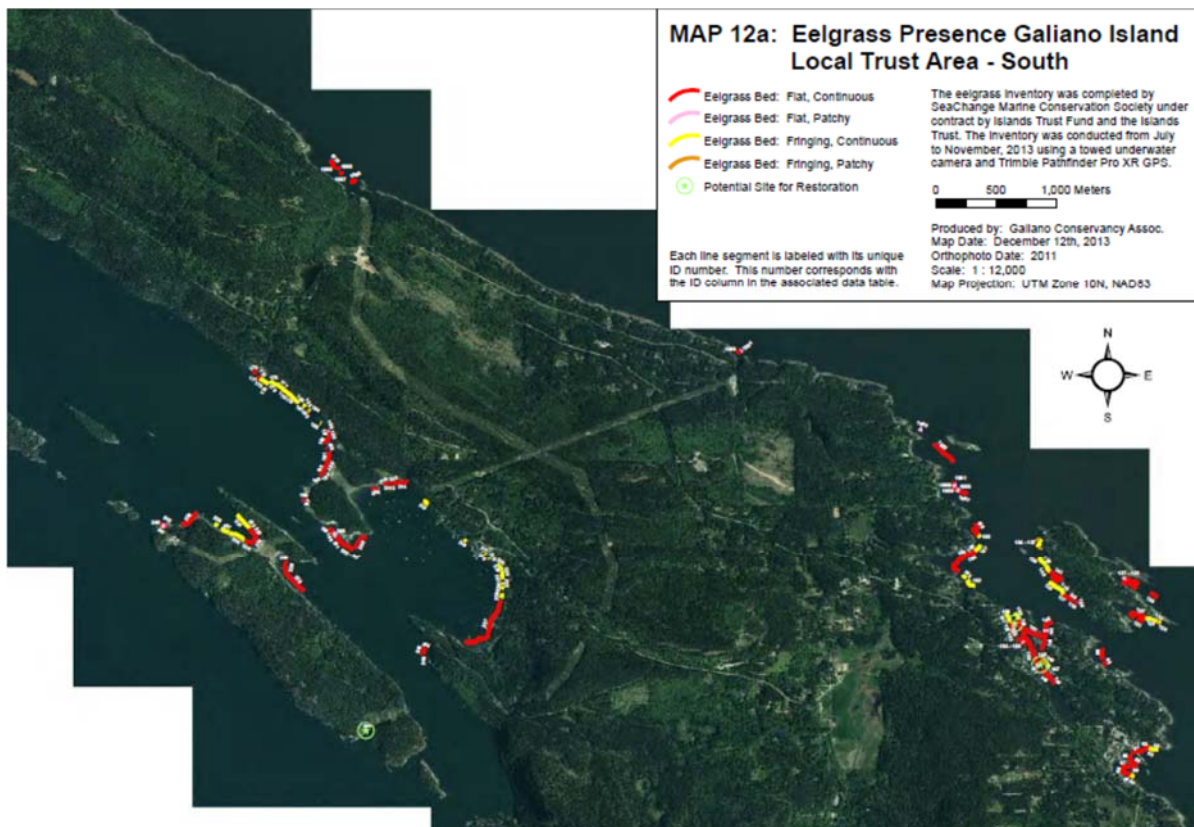
Map 1. Large CRD Atlas view showing subject site general location and photograph numbers



Map 2. Close up view from CRD Natural Areas Atlas



Map 3. Islands Trust Fund eelgrass mapping (Sea Change Conservation Society, 2013-14). Shows the potential for seagrass planting near the subject site on Parker Island.



Photograph 1. The proposed dock site



Photograph 1a. Close up of proposed dock site



Photograph 2. The neighbours dock to the west



Photograph 3. The neighbours dock to the east



Photograph 4. The sandy cove near the Hydro substation. Eelgrass fronds in foreground



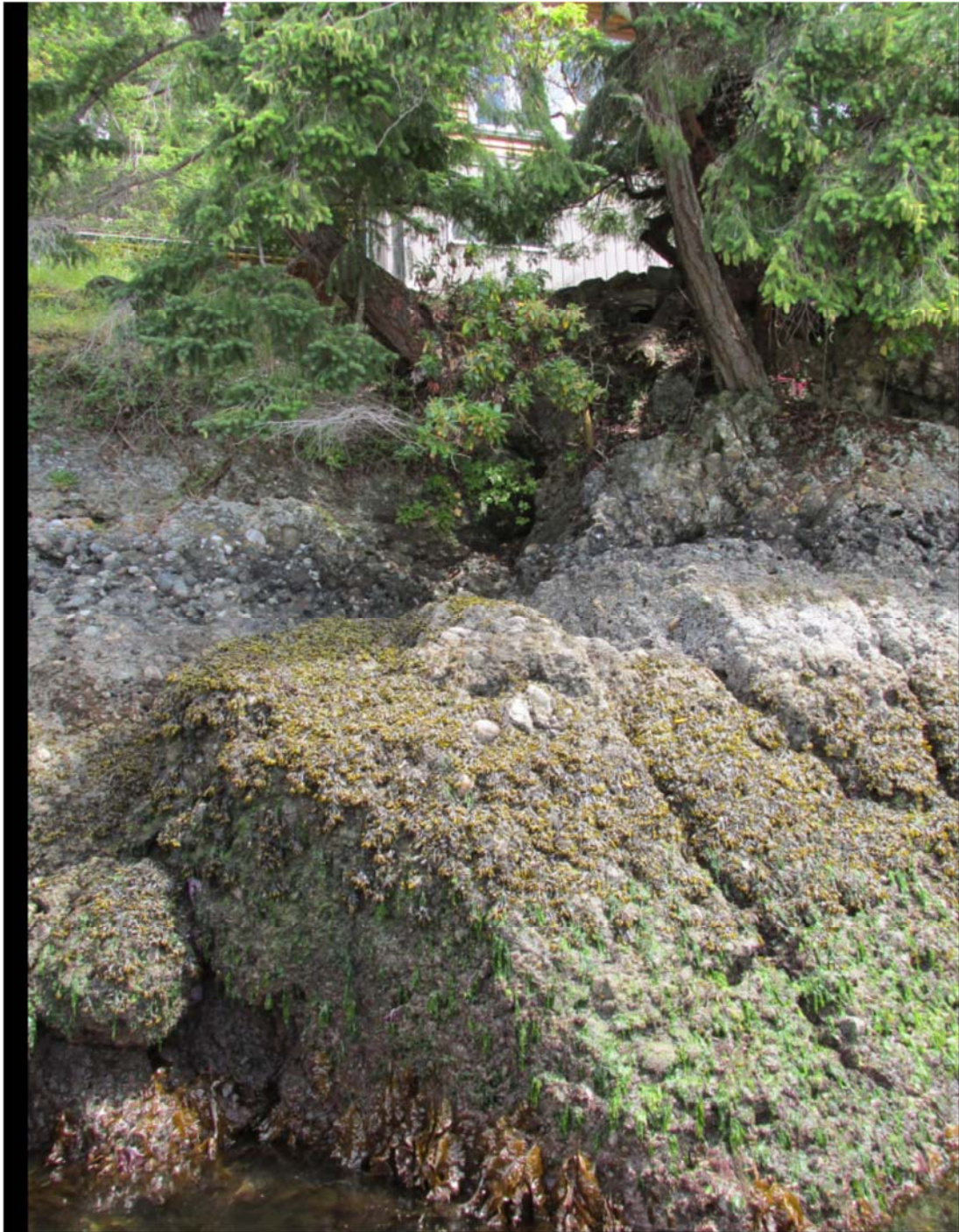
Photograph 5. Intertidal vegetation at the proposed float site. Sea lettuce, (*Ulva sp.*) Rockweed (*Fucus sp.*) and “healthy looking” starfish (*Pisaster sp.*)



Photograph 5a. Starfish, sea lettuce and brown algae, *Laminaria* sp.



Photograph 6. The foreshore substrate near the proposed dock and float site is a conglomerate bedrock platform with some sandstone boulders . The vegetation is mainly Rockweed (*Fucus sp.*) Sea lettuce (*Ulva sp.*) and brown kelp (*Laminaria sp.*)



Photograph 7. Bull Kelp (*Nereocystis leutkeana*) growing near the sandy cove



Photograph 7a. View of kelp and dock site from shoreline at high tide



Photograph 8. The BC Hydro building and the small estuary to the left of photo



Photograph 9. The sandy cove, shellfish habitat



Photograph 10. Site of proposed ramp landing pad –at the grassy area in the foreground



Photograph 11. Close-up of backshore at the proposed dock landing site, sandstone boulders, grass





GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GL-DP-2015.1

To: Kimberly Kerns & Catherine Mateer

1. This Development Permit Amendment applies to the lands described below:

Lot 20, District Lot 9, Parker Island, Cowichan District, Plan 45606

2. This Development Permit authorizes the construction of a dock and associated structures (platform, walkway, pilings, float, anchors) within a Shoreline and Marine development permit area, subject to the following conditions:
- a) The siting, dimensions and design of the structure shall be substantially consistent with Schedules A, B and C attached to and forming part of this permit.
 - b) Creosote building materials must not be used.
 - c) The dock and walkway shall allow for penetration of natural light.
 - d) Preconstruction meeting is required between landowners, contractor, and biologist to ensure habitat protection measures are in place. Islands Trust must be notified of the meeting date.
 - e) Completion of a post-construction letter prepared by a QEP confirming adherence to habitat protection measures.
3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of Galiano Island Land Use Bylaw No. 127, 1999 and to obtain other approvals necessary for completion of the proposed development.

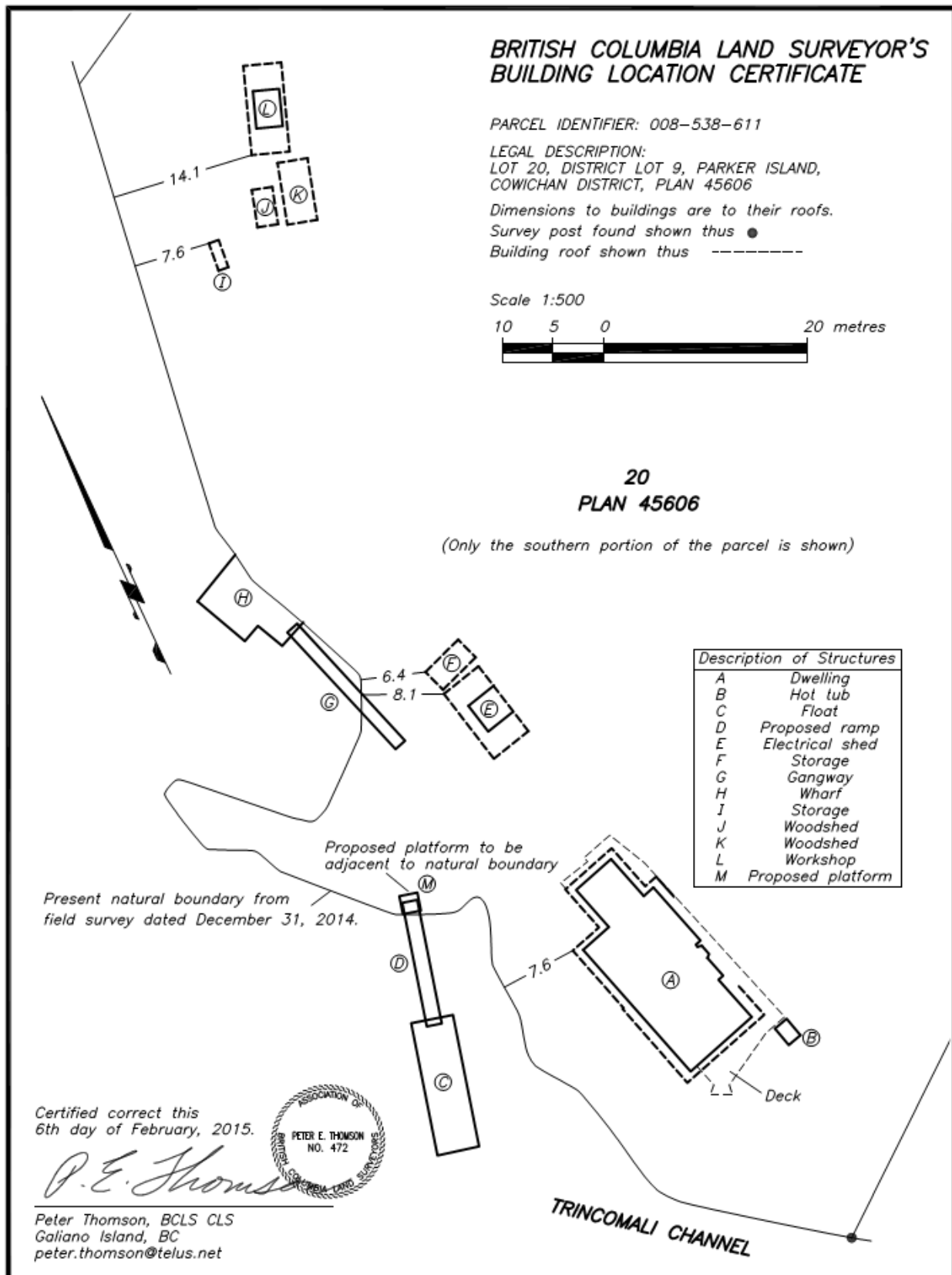
AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS XXth DAY OF XXX, 201X.

Deputy Secretary, Islands Trust

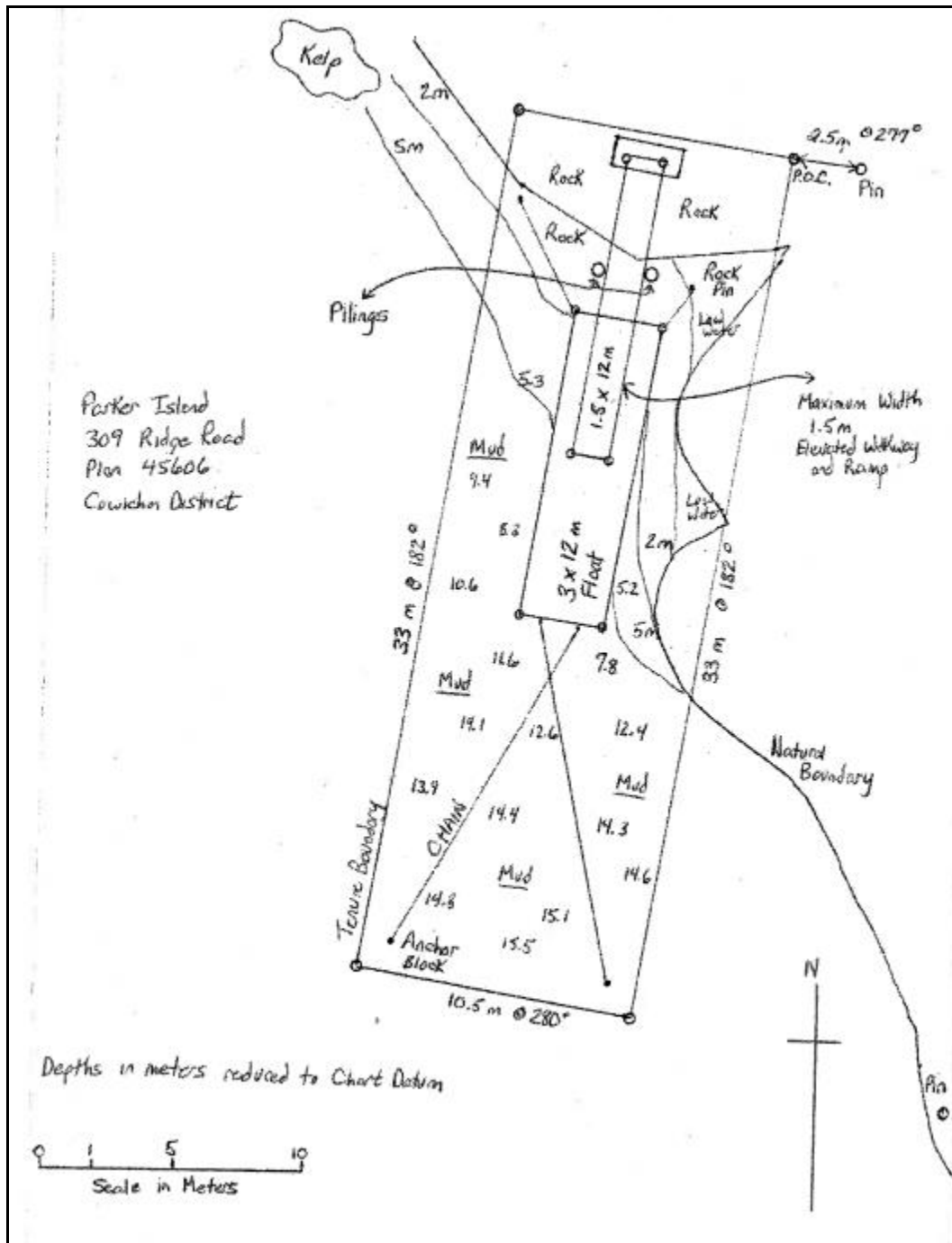
Date Issued

IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE XXTH DAY OF XXX, 201X, THIS PERMIT AUTOMATICALLY LAPSES.

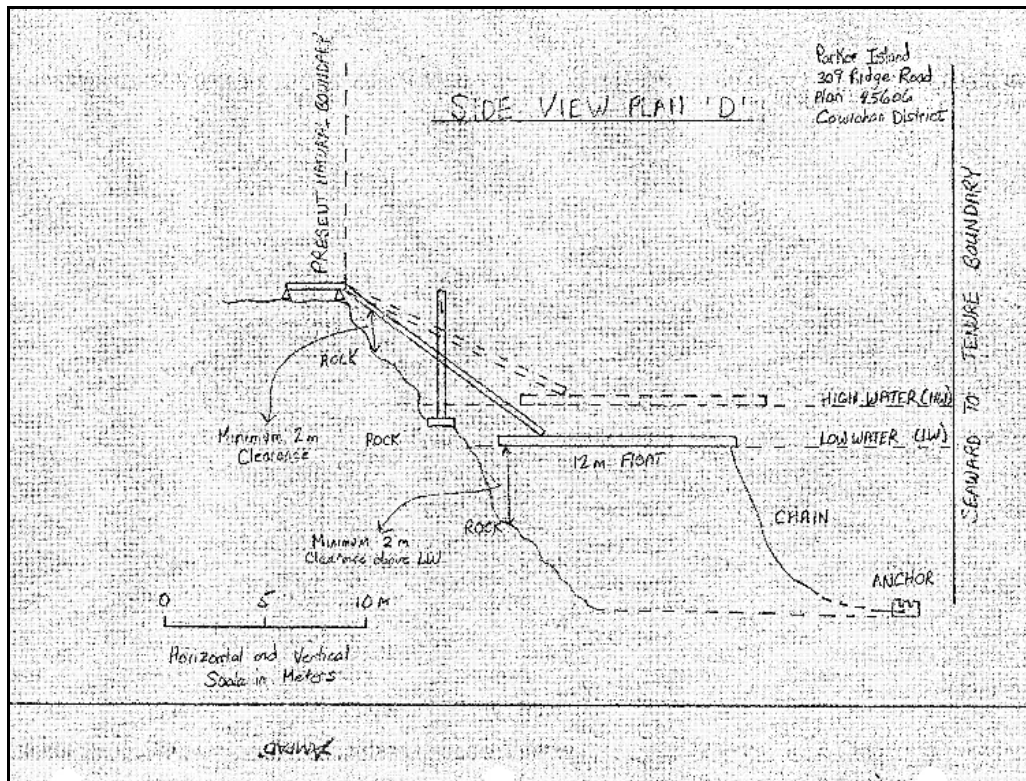
**GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GL-DP-2015.1
Schedule A**



GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GL-DP-2015.1
Schedule B



**GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GL-DP-2015.1
Schedule C**



GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT VARIANCE PERMIT

GL-DVP-2015.1

TO: Kimberly Kerns & Catherine Mateer

1. This Development Variance Permit applies to the land described below:

Lot 20, District Lot 9, Parker Island, Cowichan District, Plan 45606
2. "Galiano Island Land Use Bylaw No. 127, 1999" is varied as follows:
 - a) Section 2.14 is varied to reduce the setback from the natural boundary of the sea from 7.5 metres to 0.0 metres for the siting of a 1.5 metre wide walkway and platform to access a dock, 0.0 metres for the siting of an existing gangway, and to 6.4 metres to legalize an existing storage shed.
3. All work must be consistent with that shown on Schedule 'A' attached to and forming part of this permit.
4. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Galiano Island Land Use Bylaw No. 127, 1999" and to obtain other approvals necessary for completion of the proposed development, including approval of Capital Regional District, Vancouver Island Health Authority and the Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS XX DAY OF XX, 201X.

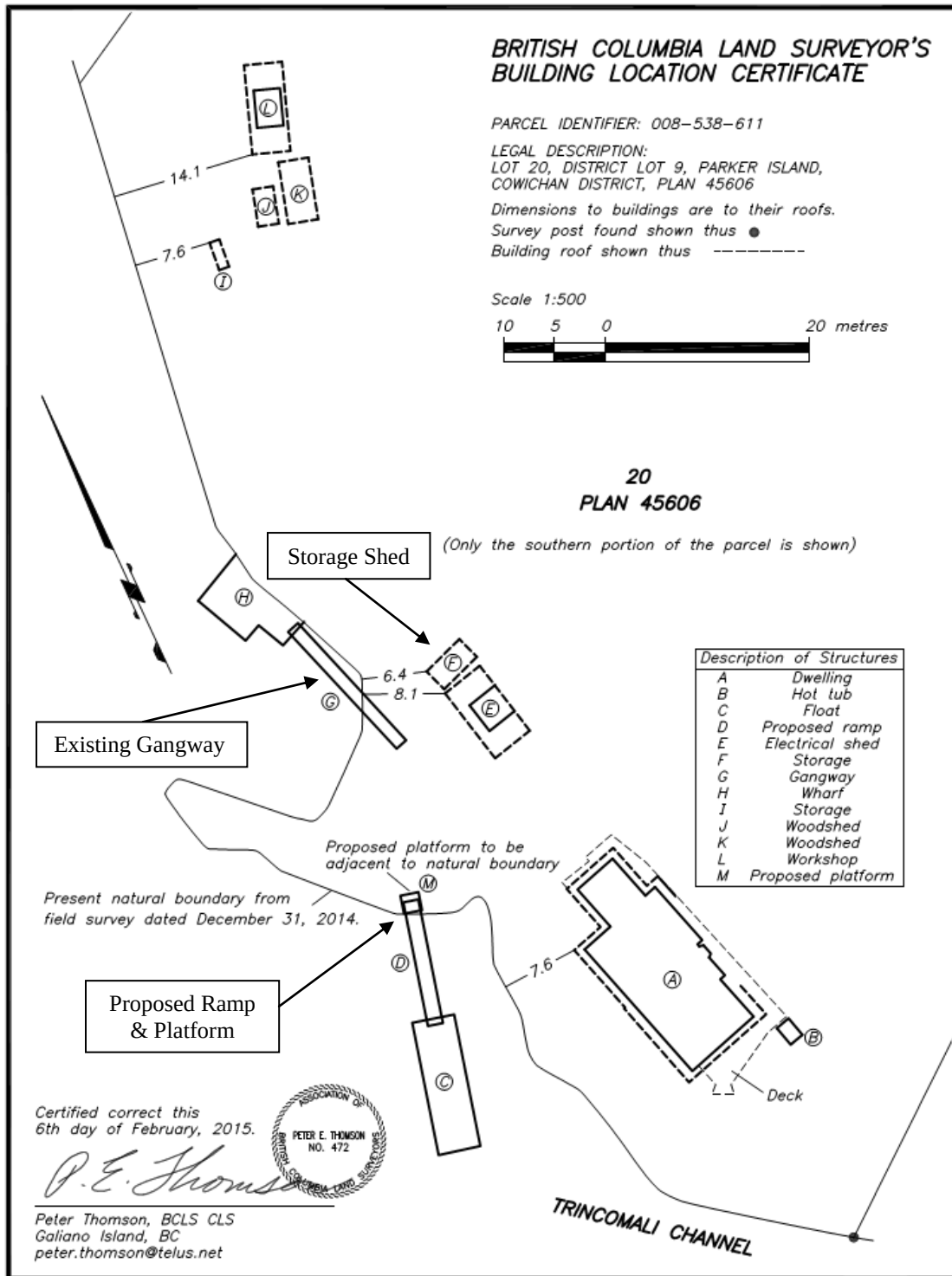
Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE XX DAY OF XX, 201X, THIS PERMIT AUTOMATICALLY LAPSES.

GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-DVP-2015.1
SCHEDULE 'A'

Site Plan



Lori Foster

From: Joan Carne <[REDACTED]>
Sent: Wednesday, December 10, 2014 3:09 PM
To: Phil Testemale; Kim Farris
Subject: Dock/moorage application Lot 20 Parker Is

Attention: Phil Testemale and Kim Farris, Islands Trust

Re: Application [REDACTED] (Lot 20, Parker Island) application to build a dock/permanent moorage

We are aware that the owners of Lot 20, Parker Island have applied to build a permanent dock. We have discussed the proposed plans for the dock with them and viewed the proposed location. We agree with the lot owners that impact to the surrounding lots will be negligible and that the benefits to other Parker Island lot owners by having a second means of road accessible emergency services far exceeds any possible negative effects. Our high bank waterfront lot, for instance, has no possible tide water access and the closest emergency services would be by a rough gravel road to the community dock at the north end of the island.

In summary, we are in complete support of the application by the owners of Lot 20, Parker Island to build a permanent dock.

Regards,
Joan and Rob Carne
Lot 24, Parker Island

Kim Farris

From: [REDACTED]
Sent: Wednesday, January 28, 2015 12:19 PM
To: Kim Farris
Subject: letter for dock application
Attachments: Kerns_survey_2015.pdf

Attention: Phil Testemale and Kim Farris, Islands Trust

Re: Application [REDACTED] to build a dock/permanent moorage on Lot 20, Parker Island

To Whom It May Concern,

This letter is to confirm that I am aware of the application of [REDACTED] (owners of Lot 20, Parker Island) to build a permanent deepwater dock. I am the owner of the property immediately north of Lot 20, and have discussed with [REDACTED] their desire to have a dock that will allow them full time access to their property, especially as they plan to become full time residents of Parker Island within the next 5 years. We have discussed the proposed plans for the dock and I have viewed the proposed location, and the float they temporarily have placed in the position where they are proposing the permanent installation. I have also viewed the survey which shows the proposed location, and we have discussed the plan for the dock ramp and landing area. I have no concerns about the proposed placement for their float or dock access, and do not feel that this installation would negatively impact my property, views from my property, or access to my property. Indeed, the structure could actually benefit other Parker Island lot owners on the south end of the island, by creating a second road accessible dock if needed for emergency services, as most docks on the island do not have regular road access available. This type of access could be extremely helpful especially if emergency fire crew access was needed. [REDACTED] have made me aware, that where possible, there is a strong recommendation on the part of Island's Trust to share dock facilities. However, given the location of my home and that of [REDACTED], a shared dock is simply not feasible, given we are on opposite sides of a cove with no easy walking access around, and access from the primary road into our mutual properties is quite a distance.

In summary, I am in complete support of the application [REDACTED] of Lot 20, Parker Island to build a permanent dock.

Regards,

Ian I. Thompson, MD
Lots 22 & 23 Parker Island



Memorandum

Date February 20, 2015 File Number GL-RZ-2011.1 (Galiano Land and Community Housing)

To Galiano Island Local Trust Committee
For the Meeting of March 2, 2015

From Robert Kojima
Regional Planning Manager

Re Galiano Green Application

Purpose:

This memo will provide the Galiano Local Trust Committee an update on the status of the application.

Background:

A staff report was provided at the February 2, 2015 LTC meeting summarizing the status of the proposal, its key elements, reports that had been provided to date, the status of the bylaws and draft housing agreement, and proposed changes to the proposal from the proponents.

In summary, the proponents indicated at that time that they were no longer pursuing the option of having the CRD Housing Secretariat administer the housing agreement and were intending to provide a detailed summary of proposed changes. They had also retained legal counsel and would provide a model for a third party administrator two weeks before the March 2nd meeting.

Current Status:

On February 17th the applicants submitted the attached proposal, indicating that the administration of the agreement be undertaken by two bodies:

- A "Community Selection Committee"
- The Galiano Green Homeowners Council

The applicants also submitted a modified version of the draft housing agreement. This has not been attached to this memo due to length, but has been distributed to the LTC under separate cover. Changes to the draft housing agreement are premature in any case until such time as the specifics of the administration mechanism have been determined. Neither document has been drafted or reviewed by the applicant's legal counsel.

The current proposal lacks specifics and detail. With respect to the proposed selection committee the proposal does not address the following questions:

- Who would appoint members to the Committee?
- What would be the criteria for appointment to the Committee? What credentials or experience would committee members be required to bring?
- What is the Committee's legal status? What is the Committee's governance model?
- What would be included in its terms of reference or bylaws? How would potential conflicts of interest be addressed?
- How would the Committee undertake enforcement or deal with non-compliance with the terms of the housing agreement?
- What would be the terms of agreement entered into between the Committee and the LTC?
- What mechanism would be in place for succession if the Committee ceased to function or could not attract qualified volunteers?
- How would the Committee's operations be funded or supported?

This is likely not the full extent of the questions that need to be addressed with this approach.

While Galiano Green Homeowners Council, as a stakeholder, could have the role envisioned, it is by definition not an arms-length body.

Options:

If the LTC wishes to consider the general approach proposed by the applicants, I would suggest one of the following. The outstanding issues need to be addressed in more detail prior to the LTC proceeding to public hearing with the amending bylaws so that the community has the ability to comment on the details of the proposal at the hearing. To do otherwise would risk precipitating a second hearing later.

1. Request that the applicants provide a detailed proposal on the structure, status and functioning of the proposed Community Selection Committee, either drafted by, or reviewed and commented upon by, the applicant's legal counsel.
2. Request that the applicants enter into a cost recovery agreement with the Islands Trust to have the proposal reviewed by Islands Trust legal counsel and, if feasible, the terms of the Housing Agreement and related agreements for the Community Selection Committee drafted by Islands Trust legal counsel.

Alternately, the LTC could explore the following approach:

3. Have review of Galiano Green applicants and administration of the Housing Agreement be undertaken by a consulting professional with relevant experience. The costs of retaining a consultant would be paid by the Owners of Galiano Green through annual and/or special fees paid to the Islands Trust and the Islands Trust would administer an on-going contract with the consultant.

pc Kim Farris, A/Planner 2

Attachment: "Arm's Length Administration Procedure"



Islands Trust

BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street
Victoria, B.C. BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: North Pender Island Local Trust Area **Bylaw No.:** 198 **Date:** February 5, 2015

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

APPLICANTS NAME / ADDRESS:

0697595 BC LTD 1102 -590 Nicola Street, Vancouver BC

PURPOSE OF BYLAW:

The purpose of this application is to amend the Water 1 zone of the North Pender Island Land Use Bylaw No. 103, 1996 (LUB) to permit a 83.6m² (899.9 ft²) existing dock, which due to its size cannot be permitted under the W1 zoning, and to prohibit any additional docks adjacent to the property. The dimensions of the float are 18.3m x 4.6m (60ft x 15ft). The dock structure is located in the Water 1 (W1) zone abutting an upland property zoned Rural Residential (RR).

Professional reports and previous staff reports are available on the North Pender Island webpage:
<http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender/current-applications.aspx>

GENERAL LOCATION:

7959 Plumper Road, North Pender Island Local Trust Area

LEGAL DESCRIPTION:

Lot 23, Section 6, Pender Island, Cowichan District, Plan 1084, Except part in Plan 19554 (7950 Plumper Way)

SIZE OF PROPERTY AFFECTED:

2.9 ha

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

Marine

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

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

Name: Justine Starke

(Signature)

Title: Island Planner
Contact Info: Tel: 250-405-5189
Email: jstarke@islandstrust.bc.ca

PLEASE TURN OVER 

This referral has been sent to the following agencies:

Federal Agencies

Fisheries and Oceans Canada
Environment Canada

Provincial Agencies

Ministry of Forest, Lands & Natural Resource Operations
- Archaeology Branch
- Ecosystems Branch
- Crown Lands And Resources
- Land Tenures Branch

Non-Agency Referrals

North Pender Island Advisory Planning Commission
Islands Trust Fund
Islands Trust – Bylaw Enforcement

Regional Agencies

Capital Regional District – Electoral Area Director
Capital Regional District – Building Inspection
Capital Regional District – Southern Gulf Islands Harbours
Commission

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
TE'Mexs Treaty Association
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area

(Island)

Bylaw 198

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

Date: February 19, 2015

File No.: 6500-20-LUB
Amendment –
Contractor Yards

To: Galiano Local Trust Committee
For the meeting of March 2, 2015

From: Kim Farris
A/Planner 2

CC: Robert Kojima,
Regional Planning Manager

Re: Home-Based Contractor Yards Project

Purpose

The purpose of this report is to update the Galiano Island Local Trust Committee (LTC) on the status of the home-based contractor yards project and to provide options to proceed with the project. The purpose of the project is to address the issue of home-based contractor yards and to consider options to amend the Galiano Island Land Use Bylaw to accommodate them. Staff have reviewed the background, identified issues and provided policy and regulatory options in a number of previous staff reports. Background can be found on the Galiano Island Local Trust Area's (LTA) project website: **Home-based Contractor's Yard Project**

Project Background

In 2013-2014 staff worked with the Galiano Island LTC to propose options for amending the Land Use Bylaw (LUB) to permit home industry type/contractor yards uses. During this process, a draft bylaw (Bylaw 241) was considered by the LTC that included a new use and regulations similar to a home occupation, but called home industry occupation which had specific criteria to permit the specific use. It addressed the lot size, types of uses, screening and times of operation in an effort to limit the impact on adjacent land owners. This approach was not supported and it was decided to try and incorporate the use under the framework of the existing LUB home occupation regulations. The regulations were expanded to incorporate specifics for when, where and how a contractor yard could be established. The LTC raised a number of concerns over this approach and subsequently amended the proposed Bylaw 241 by eliminating any reference to contractor yards as a home occupation use.

At the February 3, 2014, LTC directed staff to amend the work program top priorities list by adding home-based contractor yards as a new top priority item.

At the May 2014 LTC meeting, the LTC endorsed a project charter, endorsed a terms of reference for a stakeholder group to review the background and present recommendations to the LTC, and requested staff to advertise for membership of the stakeholder group. At the meeting of July 7, 2014 the LTC appointed all four persons who had applied to the stakeholder group. Following the July meeting, the four appointees were contacted and provided with the Terms of Reference. Subsequently, two of the appointees wrote to staff indicating that they no longer wish to participate in the stakeholder group.

At the September 2014 meeting, staff advised that proceeding with a two person stakeholder group would not be a viable option as the committee would not likely have the desired cross-section of opinion and two members would be too few to effectively function as a broad-based committee as envisioned in the terms of reference. The Galiano Island LTC at the September 2014 meeting requested that no further work be done on the home-based contractor yard project until next term's work program is reviewed.

At the February 2015 meeting, the Galiano Island LTC resolved to keep the home-based contractor yards project on the work program as a top priority item.

Contractor Yards on Galiano

There are many contracting/industry type home businesses (e.g. landscaping, excavating, etc.) that operate on the island from their home (on Rural or Residential land) that provide much needed services and employing people that live on Galiano Island. These types of services/businesses do not fit within the definition of the home occupation section in the zoning bylaw as they may have large vehicles or require outside storage which may not be practical to have enclosed. The services they supply enable Galiano residents to hire local people rather than rely on off-island generally more expensive suppliers. Many of these operations have been supplying a needed service for years to Galiano Island residents, but have been doing so in non-conformance with the existing land use bylaw.

The options for these properties that have been functioning, some for many years, are limited. The Galiano Island LUB does permit them, but only within the Light Industrial Zone (L1). There are no industrial zoned parcels on Galiano Island that are not already in use for these businesses to move to. The question arises as to whether contractor yards should be permitted to remain in a residential neighbourhood given their scale and possible impact on the community and the environment or only be permitted in industrial zones.

Options

At this time, the LTC has a number of options to move forward with this project. A stakeholder group is not included in the list of options as retaining stakeholder group members was previously not successful.

1. **Proceed with bylaw amendments.** The LTC has considered a variety of options previously, including having a draft bylaw prepared. The LTC could request that staff report back with a summary of the various options and recommendations on the preferred amendment(s). This approach would imply that the LTC is willing to proceed with at least considering amendments to address the issue. Consultation would be limited to the standard community information meeting(s) and a public hearing.

2. **Undertake further consultation.** In the absence of an effective stakeholder group to provide recommendations, the LTC could proceed with further consultation at its own initiative. This could take two forms, first the LTC could consult itself with stakeholders through the mechanism of one or more community information meetings; alternately, the LTC could request that staff undertake consultation and report back, this could take the form of a survey and meetings with stakeholders.
3. **Proceed no further.** The LTC could resolve to not proceed any further with this project, presumably having considered the policy and regulatory options and determining that there is no preferred means of permitting the use out-right within residential zones. The implications would be that enforcement where there are existing bylaw files would become a priority for enforcement staff, and operators would be faced with two options to comply: cease the use or apply to rezone or for a temporary use permit.

Staff Comments

Staff believe there is a benefit to continue with the project as the community has expressed a desire for this issue to be resolved. Furthermore, a substantial amount of work between the previous LTC and staff was dedicated towards reviewing options to permit home-based contractor yard use in the Galiano Island LUB. Although the LTC has not had the benefit of recommendations of a stakeholder group, this issue remains an outstanding concern and further review of the options and consultation could be beneficial in arriving at an LTC decision.

At this time, staff recommends moving forward with the application by providing a subsequent report to the LTC summarizing the various options. This will allow this term's LTC to review the options discussed and the issues that were also raised for each option. If the LTC is clear as to which option it would like to proceed with, the LTC may then give direction to staff to draft bylaws. Otherwise staff recommend undertaking a form of community consultation to determine the best option to permit home-based contractor yards in the LUB.

The current 2014-2015 project budget contains over \$2900, however these funds are only available until March 31, 2015. The LTC has requested a total projects budget of \$7500 for the 2015-16 fiscal year. Assuming that this is distributed among the three top priority projects equally this would provide a \$2500 budget for the project which is sufficient to support some communications, a community information meeting, and a public hearing.

The project charter must be updated to reflect the LTC's resolution as it was last updated on July 8, 2014. The LTC may wish to direct staff to make any necessary changes to the project charter. The project charter may be viewed on the Galiano Island LTA's website: **Project Charter**

Recommendation

1. THAT the Galiano Island Local Trust Committee direct staff to provide a staff report summarizing various options to permit home-based contractor yards in the Galiano Island Land Use Bylaw No. 127.
2. THAT the Galiano Island Local Trust Committee direct staff to amend the project charter for the Home-based Contractor Project.

Prepared and Submitted by:



A/Planner 2

February 19, 2015

Date

Concurred in by:

Robert Kojima

Regional Planning Manager

February 19, 2015

Date

Date: February 18, 2015

File No.: 6500-20-Galiano
Secondary Suite
Review

To: Galiano Island Local Trust Committee
For the meeting of March 2, 2015

From: Robert Kojima
Regional Planning Manager

CC: Kim Farris, A/Planner 2

Re: Secondary Suites Review

Preliminary Report

The purpose of this report is to identify issues and provide the LTC with options and recommendations for proceeding with its Top Priority project to consider permitting secondary suites.

Project Objectives

The objective of the project is for the LTC to consider amendments to its Official Community Plan and Land Use Bylaw to permit and regulate secondary suites.

Project Background

At the regular meeting of February 2, 2015, the LTC reviewed its work program and identified a review of secondary suites as one of three Top Priority projects. The LTC has identified this as one of three projects with a goal of completing the work within the first year of the term.

Secondary suites are ground-oriented, market rental housing that is typically considered affordable. They are permitted within existing single-family dwellings and are usually in the basement or at ground level (thus often referred to as 'basement suites'). They can also benefit homeowners by providing income to off-set a mortgage or provide accommodation for live-in care-givers. In jurisdictions like the Galiano Local Trust Area which do not currently permit secondary suites there are typically a number of illegal suites already operating; local governments are often loathe to enforce on such units as they provide affordable housing.

There are also impacts and challenges associated with permitting secondary suites: intensification can result in more disruption to established neighbourhoods, parking can be an issue and in areas dependant upon groundwater concerns about impacts on aquifers and well interference. Also, where there are existing suites the costs of bringing them into compliance with the Building Code can be prohibitive.

Relevant Policy and Land Use Considerations

Islands Trust Policy Statement

Support for affordable housing can be found in the Trust Policy Statement, Part V: Sustainable Communities. The goal of this Part is “to sustain island character and healthy communities” which are defined as “human communities that have achieved a balance between environmental, economic and social systems and which respect the carrying capacity of the supporting environment.”

The Trust Policy Statement also provides direction to local trust committees regarding how growth and development should be addressed in official community plans and regulatory bylaws (land use bylaws). Relevant extracts include:

4.4.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure:

- neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater,*
- water quality is maintained, and*
- existing, anticipated and seasonal demands for water are considered and allowed for.*

5.2.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.

5.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.

5.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.

Official Community Plan

Relevant OCP policies include the following:

1. Residential Objectives

- 2) to encourage affordable, rental and special needs housing

1.6 Community Housing Policies

- d) The Local Trust Committee may consider amending zoning to allow for secondary dwellings for affordable housing in residential zones in areas close to existing roads, services and amenities and where there is an adequate supply of potable water.

6. Climate Change Mitigation and Adaptation

- 2) To move to a land use pattern that results in a more compact and complete community in a manner that ensures that overall development potential and density are not increased unless authorized elsewhere in the plan

9. Definitions

affordable housing describes rental or owned housing that can be acquired without exceeding 30 per cent of the median gross income of low to moderate income families on Galiano.

The OCP would need to be amended to provide enabling policies to permit secondary suites.

Land Use Bylaw

The residential zones currently permit “dwellings”, defined as:

"dwelling" means a building used as a residence for a single household and containing eating, sleeping and living facilities and a single set of facilities for food preparation .

Amendments would be required to the LUB to create a definition of secondary suite, to permit the use in appropriate locations, and to establish relevant regulations on the size of units.

Climate Change Mitigation and Adaption

Secondary suites can result in reduced greenhouse gas emissions by providing new residential units within existing buildings and within existing developed areas and advance the OCP policy of fostering a more compact and complete community.

Sensitive Ecosystem, Hazard, Shoreline, or Archaeological Resources

Impacts on sensitive ecosystems, hazard lands, shorelines and archaeological resources would be minimal. Suites would be sited within existing or permitted dwellings. Construction of new dwellings with a suite would be subject to the existing DPAs for sensitive ecosystems and shorelines, development in steep slopes would be regulated through the building permitting process and archaeological impacts are assessed through the current process of alerting landowners to potential sites.

Analysis

Secondary suites are a recognized method of providing affordable market housing (see provincial guidelines: www.housing.gov.bc.ca/pub/secondary_suites.pdf).

The costs of installing a suite in an existing dwelling or including a suite in new construction are a fraction of the cost of building a new stand alone dwelling. In terms of demand, because suites are located in the lower storey of a dwelling the market rent that can be obtained is typically less than that which could be asked for a detached rental unit. The combination of these two factors result in market rents that are generally considered affordable; however there is no guarantee that rents would meet the definition of affordable housing in the OCP nor is there a feasible mechanism to ensure this.

There are a number of considerations that the LTC will need to consider as the project proceeds:

- Islands Trust Policy Statement states (policy 4.4.2) that there should be no increase in intensity of use in areas with drinking water quality or quantity issues. This implies that unless other measures are required (e.g. cisterns) then suites should not be permitted in groundwater management areas or in the groundwater DPA.
- Experience elsewhere (Salt Spring, Mayne, Saturna) has demonstrated that community water systems are reluctant to support amendments to permit secondary suites within the water systems out of an abundance of caution. Water systems should be consulted and encouraged to consider supporting secondary suites if the locations are appropriate.
- Consideration should also be given to whether amendments permitting secondary suites only focus on areas where services are available (proximity to retail and other services and transportation corridors and nodes) or if it is supportable in remoter, rural or undeveloped areas.
- Should there be a limit on size (40% of floor area of the principal dwelling or 90m² is standard in other bylaws)? Should the secondary suite be within a principal dwelling or could it be in a detached garage (i.e. carriage house)? Should suites be permitted on lots where a cottage is permitted?
- Should there be owner occupancy of the principal dwelling as a restriction of secondary suite use? Although this is a common requirement in secondary suite bylaws, it may not be enforceable.
- How will enforcement be conducted? Is compliance an immediate or incremental issue? How will existing suite owners be encouraged to come forward and apply for a building permit for compliance?

- Should a secondary suite restrict accessory uses (e.g. bed and breakfast, boarders) from occurring in the same building or in cottages on larger properties (over 1 ha)? Presumably vacation rentals should be prohibited in suites as the intent is to provide affordable housing.
- Finally, is there sufficient demand for secondary suite accommodation to warrant amending the OCP and Land Use Bylaw? If permitting suites would not address affordable housing concerns, the time and effort may be misplaced and result in the option being underutilized.

The affordability of suites is not something that can be mandated through tools such as housing agreements and will be market driven. However, compared with other initiatives to provide affordable housing opportunities, secondary suites can be an effective option as they involve utilizing existing residences, or new dwellings can be designed with the option of a suite, and suites are created without public expenditures or the involvement of public agencies or non-profit organizations.

Project Scope and Timeline

The project scope, in order to complete the project on time should be limited to addressing the secondary suite issue; other initiatives or amendments should not be considered as part of this project. In terms of timeline, the project will be planned to be completed prior to the end of the 2015-16 fiscal year.

Resources and Roles

The LTC has requested a budget a total projects budget of \$7500 for the 2015-16 fiscal year. Assuming that this is distributed among the three top priority projects equally this would provide a \$2500 budget for the project, sufficient to support some communications, a community information meeting, and a public hearing. The project would be managed by the assigned Galiano planner, with support from the Regional Planning Manager, administrative support staff, and mapping staff.

Communications and Community Consultation

Implementation of an initiative like secondary suites would typically require significant consultation with affected stakeholders, publicization of the initiative, and multiple opportunities for community input. Given the changes to intensity of use, concerns in other communities with secondary suites, expectations would be for a significant amount of community consultation. Staff are suggesting the following consultation steps:

- A letter to community water systems informing them of the initiative and inviting them to a meeting with staff to discuss potential changes.
- Discussion between Islands Trust and building inspection staff in order to be able to provide specific accurate information on building code implications.

- A written summary introducing the initiative to be placed in the Active Page as a trustee report, to be posted on the webpage, and available for distribution as hard copies.
- An early referral to First Nations.
- A document outlining the proposal with graphics and background information, to be posted on the website and hard copies for distribution.
- A webpage with background information and options for public comment.
- Once draft bylaws have been prepared and reviewed, an open house and community information meeting (likely in the summer) to obtain community feedback.
- Referral to agencies and the APC.
- Optional: if there are differing policy or regulatory options at that point, an on-line questionnaire could be considered to obtain further feedback.
- An option for a later, additional stand-alone community information meeting if needed.
- A public hearing, likely in the fall, with a community information. Depending on the level of community interest this could be in a regular meeting or as a special Saturday meeting.

This approach assumes that the consultation is staff led and organized. Alternatives would be to appoint an advisory group to provide input to the LTC or for the LTC to undertake more direct consultation through a series of community information meetings. As the project would involve an OCP amendment, the LTC is required by the Local Government Act to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. If the LTC considers that there shall be additional consultation than identified above it should identify that.

Project Charter

Staff will prepare a project charter for LTC endorsement at the next meeting establishing in more detail the scope, timeline, and resources for the project.

Next Steps

At the next meeting, staff would report back with a draft project charter for endorsement, along with a staff report outlining the options in more detail and requesting direction or decisions from the LTC, potentially resulting in LTC direction to prepare draft bylaws.

In the meantime, staff would also initiate the following:

1. Write to community water systems and schedule a meeting between staff and representatives of the water systems, preferably involving building inspection as well.
2. Initiate discussions with building inspection
3. Prepare wording for local trustees to include in a local trustee report

4. Initiate early referral letters to First Nations, with copies to the Ministry of Community, Sport and Cultural Development.
5. Commence work on the background document

Summary of Planning Recommendations

If the LTC is satisfied with the direction proposed in this staff report, the recommendation is for the LTC to request staff to prepare a draft project charter for endorsement and to bring a staff report to the next meeting.

RECOMMENDATIONS:

1. THAT the Galiano Island Local Trust Committee request that staff report back with a draft project charter and report outlining policy and regulatory options for the Secondary Suite Review project.

Prepared and Submitted by:



Robert Kojima, RPM

February 18, 2015
Date

Date: February 18, 2015

File No.: 6500-20-Galiano
Secondary Suite
Review

To: Galiano Island Local Trust Committee
For the meeting of March 2, 2015

From: Robert Kojima
Regional Planning Manager

CC: Kim Farris, A/Planner 2

Re: Cottage Review

Preliminary Report

The purpose of this report is to identify issues and provide the LTC with options and recommendations for proceeding with its Top Priority project to consider changes to the cottage size regulations.

Project Objectives

The objective of the project is for the LTC consider amendments to its Official Community Plan and Land Use Bylaw to permit a larger floor area and greater height for cottages.

Project Background

At the regular meeting of February 2, 2015, the LTC reviewed its work program and identified a review of cottage regulations as one of three Top Priority projects. The LTC has identified this as one of three projects with a goal of completing the work within the first year of the term.

Cottages are defined in the OCP and the LUB, with slightly different definitions. However, under both definitions a cottage is considered a dwelling with a limited floor area. As the floor area is defined in the OCP, changes to the zoning regulation for floor area will also require an OCP amendment. While this would be a minor change, amendment to the OCP has additional procedural requirements than just an LUB amendment.

Relevant Policy and Land Use Considerations

Islands Trust Policy Statement

Support for affordable housing can be found in the Trust Policy Statement, Part V: Sustainable Communities. The goal of this Part is “to sustain island character and healthy communities” which are defined as “human communities that have achieved a balance between environmental, economic and social systems and which respect the carrying capacity of the supporting environment.”

The Trust Policy Statement also provides direction to local trust committees regarding how growth and development should be addressed in official community plans and regulatory bylaws (land use bylaws). Relevant extracts include:

4.4.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure:

- neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater,*
- water quality is maintained, and*
- existing, anticipated and seasonal demands for water are considered and allowed for.*

5.2.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.

5.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.

5.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.

Official Community Plan

Relevant OCP policies include the following:

1.1 Village Residential

- c) On lots 0.4 hectares (1 acre) or more, one cottage shall be permitted per dwelling unit permitted.

1.2 Village Residential 2

- c) On lots 0.4 hectares (1 acre) or more one cottage shall be permitted per dwelling unit permitted.

1.3 Small Lot Residential

- c) On lots 0.4 hectares (1 acre) or more one cottage shall be permitted per dwelling unit permitted.

1.4 Rural Residential

- c) On lots 0.4 hectares (1 acre) or more one cottage shall be permitted per dwelling unit permitted.

1.5 Rural

- c) On lots 0.4 hectares (1 acre) or more, one cottage shall be permitted per dwelling unit permitted.

9. Definitions

cottage means a separate dwelling unit with a total floor area of 60 square metres (645 square feet) or less.

The OCP definition would need to be amended to permit a greater floor area for cottages.

Land Use Bylaw

General Regulations

- 2.3 The following uses of land, buildings and structures are prohibited in all zones:
 - 2.3.1 the use of an accessory building or structure, other than a cottage, for human habitation;
- 2.5 Accessory buildings and structures must not exceed a height of 5 metres or one storey, except that agricultural buildings and structures and those used for timber production and harvesting must not exceed a height of 9 metres.
- 2.9 Except as provided in section 2.10, the floor area of a cottage must not exceed 60 square metres.
- 2.10 If the cottage is a building identified as a heritage building on Schedule "E" to the Galiano Island Official Community Plan, the floor area of the cottage may exceed 60 square metres provided that the floor area does not exceed the floor area of the building as of the date of adoption of this bylaw.
- 3.13 On properties with a principal dwelling and a legal cottage the following additional regulations apply to short term vacation rental as a home occupation:

- 3.13.1 no more than one dwelling or cottage per lot may be used as a short term vacation rental at any one time.
- 3.13.2 no more than three bedrooms with a total of four beds per lot may be used to accommodate paying guests for short term vacation rental and bed and breakfast home occupation.

“Cottage” is a permitted use in the VR1, VR2, SLR, RR, R2, and R3 zones on lots with an area of 0.4 hectares or more. Only one is permitted in the VR1 and VR2 zones, and one per dwelling in the other zones. The term cottage is also used in reference to visitor accommodation units in the C4 and C5 zone where a floor area of 774 square feet is permitted.

In each of the zones, the maximum height for accessory buildings is one storey and 5 metres.

17 Interpretation

- 17.1.10 "cottage" means a building that is accessory to a dwelling and is used for human habitation by guests, household members or tenants, and having a floor area that does not exceed 60 square metres except as provided in s.2.9.

Amendments would be required to the LUB to amend the definition of cottage to increase the permitted floor area and to permit a greater height.

Climate Change Mitigation and Adaptation

Changing the cottage floor area and height provisions would have minimal impacts respect to climate change mitigation. Allowing a second storey could result in reduced building footprints and less land disturbance.

Sensitive Ecosystem, Hazard, Shoreline, or Archaeological Resources

Impacts on sensitive ecosystems, hazard lands, shorelines and archaeological resources would be minimal. Cottages are already permitted, and while a larger floor area could result in a bigger footprint, this would likely be offset by the ability to construct a second storey. As currently, construction of cottages would continue to be subject to the existing DPAs for sensitive ecosystems and shorelines, development in steep slopes would be regulated through the building permitting process, and archaeological impacts are assessed through the current process of alerting landowners to potential and known sites.

Analysis

Cottages have long been considered an option for providing affordable housing. Cottages were originally permitted in early zoning bylaws in the form of ‘guest cottages’ and were only for the accommodation of non-paying guests or family. Over time, these early provisions were amended to allow long term residential use of cottages, however

the current bylaw still retains the link to the principle dwelling by defining them as accessory to dwellings. This accessory provision should also be reviewed for current relevance.

The intent of permitting larger floor areas for cottages would be to provide greater options for affordable housing. The goal of allowing increased height would be off-set increased floor areas by permitting second storeys, provide more building design options for landowners, and potentially allow for building efficiencies in terms of construction costs.

There are a number of considerations that the LTC should consider as the project proceeds:

- Islands Trust Policy Statement states (policy 4.4.2) that there should be no increase in intensity of use in areas with drinking water quality or quantity issues. This implies that unless other measures are required (e.g. cisterns) then cottage uses may need to be limited in groundwater management areas or within the groundwater DPA.
- Experience elsewhere (Mayne) with increased cottage floor area resulted in changes to permit larger cottages on larger lots only. This could be a consideration for the Galiano LTC.
- Allowing larger, two storey cottages on smaller lots could result in increased massing and impacts on neighbours; this could potentially be addressed through increased setbacks for cottages.
- The OCP and LUB definitions should be reviewed for consistency and current relevance of the accessory link to principle dwellings.
- The use of the term “cottage” for guest accommodation in commercial resort uses in the current LUB should also be addressed as it is not consistent with definition of “cottage”.
- As vacation rentals are permitted in cottages as an accessory use, consideration should be given any impact of increasing floor area.
- Consideration of a new specific proposed maximum floor area could be guided by a review of cottage floor area sizes from other bylaws in order to provide some context.

The proposal to increase cottage height is relatively straight-forward; however, there will be some options and LTC decisions to be made with respect to the floor area.

Project Scope and Timeline

In order to complete the project on time the scope of the work should be limited to addressing the cottage height, definitions and floor area; other initiatives or amendments should not be considered as part of this project. In terms of timeline, the project will be planned to be completed prior to the end of the 2015.

Resources and Roles

The LTC has requested a budget a total projects budget of \$7500 for the 2015-16 fiscal year. Assuming that this is distributed among the three top priority projects equally this would provide a \$2500 budget for the project, sufficient to support some communications, a community information meeting, and a public hearing. The project would be managed by the assigned Galiano planner, with support from the Regional Planning Manager, administrative support staff, and mapping staff if required.

Communications and Community Consultation

A project such as this would not be expected to require extraordinary consultation. However, opportunities for early consultation should be considered. Staff are suggesting the following consultation steps:

- As with secondary suites, a written summary introducing the initiative to be placed in the Active Page as a trustee report, to be posted on the webpage, and as a hard copy document available for distribution.
- An early referral to First Nations.
- Posting of background information on the webpage.
- Once draft bylaws have been prepared and reviewed, community information meeting (likely in the summer) to obtain community feedback. This could be held during a regular meeting or as a special meeting, the level of interest can be gauged closer to the date of the CIM.
- Referral to agencies and the APC.
- A public hearing, likely in the fall, with a community information. Again, depending on the level of community interest this could be held within a regular meeting or as a special Saturday meeting. The hearing could also be held in conjunction with a hearing for one or both of the other projects, depending upon timing and level of interest.
- As implementation, a document outlining the changes with graphics and background information, to be posted on the website and hard copies for distribution

As the project would involve an OCP amendment, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. The LTC should consider if it wishes to undertake additional consultation than identified above and direct staff accordingly.

Project Charter

Staff will prepare a project charter for LTC endorsement at the next meeting establishing in more detail the scope, timeline, and resources for the project.

Next Steps

At the next meeting, staff would report back with a draft project charter for endorsement, along with a staff report providing options and recommendations on specific amendments, and requesting LTC direction to prepare draft bylaws.

In the meantime, staff would also initiate the following steps:

1. Prepare wording for local trustees to include in a local trustee report
2. Initiate early referral letters to First Nations, with copies to the Ministry of Community, Sport and Cultural Development.

Summary of Planning Recommendations

If the LTC is satisfied with the direction proposed in this staff report, the recommendation is for the LTC to request staff to prepare a draft project charter for endorsement and to bring a staff report to the next meeting.

RECOMMENDATIONS:

1. THAT the Galiano Island Local Trust Committee request that staff report back with a draft project charter and report outlining policy and regulatory options for the Cottage Review project.

Prepared and Submitted by:


Robert Kojima, RPM

February 19, 2015
Date



Top Priorities

Galiano Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Secondary Suite Review	To research potential issues and options for secondary suites on Galiano Island.	Feb-02-2015	Kim Farris	Feb-02-2016	On Going
2	Cottage Regulations Review	To review cottage regulations in the Galiano Island Land Use Bylaw with respect to height and maximum floor area. Also to review cottage definition and policies in the Galiano Island Official Community Plan.	Feb-02-2015	Kim Farris	Feb-02-2016	On Going
3	Home-based Contractors	To look at options of permitting contractor yards (deferred to new term at Sept meeting)	Feb-03-2014	Kim Farris Robert Kojima	Nov-30-2015	On Going

Projects

Galiano Island

No.	Description	Activity	Received/Initiated	Status
1	Soil Removal and Deposit Bylaw	Review need and options for implementation of soil removal and deposit bylaw	Sep-12-2011	On Going
2	Amendments to Forest designation and F1 zone -	Consider options for amendments to Forest Land Designation and policies and F1 zoning for lands without Managed Forest Status. Draft bylaws have been prepared, project deferred at meeting of April/12	Apr-16-2012	On Going
3	Dock Review	Review issues regarding docks and new shoreline information and whether changes are required to the LUB.	Nov-18-2013	On Going
4	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)	Jul-23-2012	On Going
5	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.	Jul-15-2013	On Going
6	Ocean Based Geo-Exchange Systems	Review of regulations for geo-thermal exchange use.	Nov-18-2013	On Going
7	Information Note Addition	Add in Information Note on Archeological Sites under General Regulations	Nov-18-2013	On Going
8	Light Industrial Zoning	A review and inventory assessment of existing and potential light industrial zones.	Nov-18-2013	On Going

9	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	Jul-07-2014	On Going
10	Community Benefit Review for Forest Lands	Staff to prepare preliminary report for new LTC	Sep-08-2014	On Going
11	Consider amendments to re-designate and rezone crown owned Forest lots.- Bylaws 231, 232 at First Reading	re-refer to FLNRO for comment		On Going



Applications w/ Status - Galiano Island Status: Open

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
GL-ALR-2014.1	Donna Usher	Nov-28-2014	1359 PORLIER PASS RD Non-farm use designation for cottage.

Planner: Kim Farris

Planning Status

Status Date: Feb-12-2015

Staff in the process of sending application to the ALC

Status Date: Nov-28-2014

opened file, processed cheque, gave to Planner

Development Permit

File Number	Applicant Name	Date Received	Purpose
GL-DP-2014.5	Dave Koster	Nov-24-2014	14875 PORLIER PASS RD Addition to a cabin to include a kitchen and bath.

Planner: Phil Testemale

Planning Status

Status Date: Dec-18-2014

Application on hold as land has been altered in Shoreline DPA

Status Date: Nov-24-2014

opened file, processed fee, notified LTC

File Number	Applicant Name	Date Received	Purpose
GL-DP-2015.1	Kimberly A. Kerns	Jan-08-2015	309 RIDGE RD Application for private moorage Parker Island

Planner: Kim Farris

Planning Status

Status Date: Feb-20-2015

Application on March 2, 2015 LTC agenda

Status Date: Jan-09-2015

xref with GL-DVP-2015.1, opened file, processed fee, notified LTC, gave to Planner

Status Date: Jan-09-2015

Application on hold - waiting for updated site survey from surveyor

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2015.1	Kimberly A. Kerns	Jan-08-2015	309 RIDGE RD Application for private moorage - Parker Island

Planner: Kim Farris

Planning Status

Status Date: Feb-20-2015

Application on March 2, 2015 LTC agenda

Status Date: Jan-09-2015

See GL-DP-2015.1 combined DP/DVP file.

Status Date: Jan-09-2015

Application on hold - waiting for updated site survey from surveyor

Rezoning

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

Planning Status

Status Date: Feb-02-2015

applicants state they are no longer proceeding with RHTF application. Will provide detailed summary of proposed changes

Status Date: Jan-21-2015

applicants withdrawing RHTF application

Status Date: Jan-21-2015

staff report prepared for February agenda

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2013.1	Landworks Consultants Planner: Kim Farris	Apr-16-2013	DL 79 - To amend the OCP and LUB to permit a rezoning to F3, RR, NP from an F1 zoned lot.

Planning Status

Status Date: Feb-16-2015

Consultant drafting sustainable forestry covenant

Status Date: Jan-09-2015

Consultant hire to review sustainable forestry covenant - draft covenant in progress

Status Date: Nov-24-2014

EC approval received, OCP bylaw sent to Minister for approval

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

Planning Status

Status Date: Feb-23-2015

Staff forwarded requested information to applicant

Status Date: Jan-09-2015

Preliminary staff report to Feb LTC meeting

Status Date: Oct-28-2014

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

Subdivision

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2013.1	Kelly Gesner, Landworks Consultants Planner: Kim Farris	Nov-29-2013	4150 BODEGA BEACH DR To create a conventinal subdivision of 7 lots including remainder.

Planning Status

Status Date: Nov-24-2014

SD file on hold until zoning amendment bylaws are adopted

Status Date: Sep-08-2014

10 percent waiver approved by LTC

Status Date: Aug-28-2014

request for 10 percent frontage waiver on sept agenda

Islands Trust
LTC EXP SUMMARY REPORT F2015
Invoices posted to Month ending January 2015

625 Galiano	Invoices posted to Month ending January 2015	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-625	LTC "Trustee Expenses"	500.00	150.80	349.20
LTC Local				
65200-625	LTC - Local Exp - LTC Meeting Expenses	2,500.00	3,315.46	-815.46
65210-625	LTC - Local Exp - APC Meeting Expenses	500.00	574.69	-74.69
65220-625	LTC - Local Exp - Communications	300.00	509.77	-209.77
65230-625	LTC - Local Exp - Special Projects	750.00	80.00	670.00
TOTAL LTC Local Expense		<u>4,050.00</u>	<u>4,479.92</u>	<u>-429.92</u>
Projects				
73001-625-2002	Galiano OCP/LUB	3,000.00	77.38	2,922.62
73001-625-4002	Galiano Groundwater Protection	2,500.00	1,146.93	1,353.07
73001-625-4019	Galiano Short Term Vacation Rental (STVR) Review	2,500.00	1,152.47	1,347.53
TOTAL Project Expenses		<u>8,000.00</u>	<u>2,376.78</u>	<u>5,623.22</u>

Galiano Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: April 7, 2014

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.

No	Meeting Date	Resolution No.	Issue	Policy
4.	September 17, 2012	GL-LTC-100-12	Short Term Vacation Rentals	THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, Short Term Vacation Rentals that have one or more of the following characteristics will be subject to enforcement: 1. There are issues related to health and safety; 2. There is a written complaint by owners or residents of two properties about bona fide serious nuisance issues such as noise or parking congestion related to the STVR; 3. The owner of the property uses more than one property on Galiano Island as a STVR. THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Galiano Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time; THAT the policy remains in effect until such time as the regulatory review is complete.
5.	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.
6.	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.

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Trust Fund Board Report to Local Trust Committees and BIM

– January 2015

Chair and FPC representative

At its first meeting of the term, the Trust Fund Board (TFB) re-elected Tony Law as chair and appointed Dereck Atha as TFB's representative on the Financial Planning Committee.

Regional Conservation Plan extended

The Board voted to extend our 2011-15 Regional Conservation Plan (RCP) to 2017. The RCP contains strategic goals and objectives which guide our work. Rather than preparing a new plan, the extension will allow us to focus resources on other priorities, including completing some outstanding actions in the RCP. The Board also felt that it would be more efficient and effective to develop a revised RCP alongside preparing our 2017-22 Five Year Plan, which is required by legislation.

Conservation Strategy for Coastal Douglas-fir and Associated Ecosystems

Islands Trust Fund (ITF) staff are participating in the multi-agency Coastal Douglas-fir and Associated Ecosystem Conservation Partnership (CDFCP) which is in the process of developing a Conservation Strategy. TFB has asked staff to look at integrating the completed strategy into our Regional Conservation Plan and report back to the board.

Eelgrass Mapping Complete

We are excited that our Eelgrass Mapping Project –covering the whole Trust Area – is now complete. This addresses one of the goals in our Regional Conservation Plan: to work with partners to conserve marine environments and habitat. Eelgrass is a critical near-shore habitat for numerous birds, mammals, invertebrates and commercial and non-commercial fish. Eelgrass beds are also an important carbon sink.

The mapping of eelgrass beds will help local trust committees, the Trust Fund Board and others to make science-based decisions around land use and conservation to prevent further habitat loss. We understand that the Ministry of Forests, Lands and Natural Resource Operations is welcoming this mapping as a tool to help assess dock and other shoreline applications. The report accompanying the mapping includes recommendations for restoring eelgrass habitat. The full report is available on ITF's website. The mapped data is also available on *MapIT [Shorelines](#)*. If your local trust committee would like to post the maps and recommendations relevant to your local trust area on your web page, please direct your planner to do so.

Eelgrass mapping was done by boat with the aid of a towed underwater camera. The Islands Trust area was mapped over three years through a partnership with SeaChange Marine Conservation Society. The Islands Trust contributed just over half of the total budget of this project with the remainder of the funds being secured by our project partner.

Conservation Planning and Official Community Plans

One of our Regional Conservation Plan goals is to work with the Islands Trust Council, local trust committees and island municipalities to implement conservation goals in Official Community Plans (OCPs). As your local trust committee strategizes your priorities for the term, you may want to consider how to advance conservation provisions in your OCPs, including using sensitive and nearshore

ecosystem mapping. One focus of attention might be Council's policy to establish protected area networks.

From the Policy Statement:

3.1.2 It is Trust Council's policy to work towards the establishment of a network of protected areas that preserves representative ecosystems in their natural state and in sufficient size and distribution to sustain their ecological¹⁴ integrity

3.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.

3.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.

Updates Specific to Local Trust Areas

Hornby

ITF's Ecosystem Protection Specialist, Kate Emmings, continues to work with Hornby Island property owner Karin Fischer and Conservancy Hornby Island to establish a conservation covenant to protect Garry oak and Douglas-fir ecosystems on her property.

Denman

ITF's manager, Jennifer Eliason, is contacting Ministry of Environment staff to pursue an inter-agency meeting to address the disposition of Crown land with conservation values on Denman Island. ITF's Property Management Specialist, Nuala Murphy, is working with Denman Conservancy Association to address management issues on Denman's nature reserves, including rerouting of a trail at Morrison Marsh Nature Reserve in coordination communication with BC Parks , and planning a restoration project at Lindsay Dickson Nature Reserve.

Gabriola

ITF's Property Management Specialist, Nuala Murphy, is reviewing workable options to address safety issues on the Coats Millstone Nature Reserve.

Lasqueti

TFB has signed a covenant with Lasqueti Island Nature Conservancy and Nanaimo and Area Land Trust Society to ensure the continued protection of ecological values on the John Osland Nature Reserve.

TFB received a request to consider placement of a 911 relay installation on Mount Trematon. The Board has noted that such a request cannot be considered under existing land use regulations. TFB would also need to consult with the donors, and seek the approval of the covenant holders and Environment Canada because of their roles in protecting the values of this nature reserve.

Gambier

The board formally established the Gambier Island Acquisition Fund, created with funds from a significant bequest received in 2011. Restoration continues at Long Bay Wetlands Nature Reserve with work to protect naturally regenerating conifers by caging them from browsing deer.

Staff are currently working to develop a new nature reserve on Keats island, after the TFB approved a conservation proposal from the Convention of Baptist Churches in November.

Thetis

A special Thetis Island Acquisition Fund has been established following a significant donation provided to support land acquisition on Thetis Island.

Salt Spring

In November 2014, TFB approved a conservation proposal on Salt Spring Island and has directed staff to negotiate a conservation covenant on private land in the Reginald Hill area.

North Pender

Staff continue to work on two conservation covenants on North Pender Island, one for Wallace Point and one for the Clam Bay Farm property.

South Pender

ITF's Ecosystem Specialist, Kate Emmings, continues to work with partners to secure a new covenant over Brooks Point Regional Park, to include the recent acquisition. The covenant will be co-held with Habitat Acquisition Trust.

Mayne

A revised management plan for Horton Bayviary has begun which will involve public consultation for the property.

Galiano

TFB approved a new conservation covenant on Galiano Island and directed staff to negotiate a conservation covenant. ITF had provided a contribution from the "Opportunity Fund" to assist the Galiano Conservancy Association with appraisal costs associated with the acquisition of this property and approved funds to cover some necessary survey costs. Staff have also indicated a willingness to accept a conservation covenant for the Crystal Mountain property should the local trust committee choose to proceed with the Crystal Mountain rezoning application.

Bowen

Bowen Island Municipal Council have renewed discussions about the expansion of the NAPTEP program onto Bowen Island. Staff are providing information as requested to support decision making.

Ongoing property management activities, carried out in partnership with the Bowen Island Conservancy, include installing additional signage at the David Otter Nature Reserve, upgrading trails, removing invasive plant species, and planting and caging trees to protect them from browsing at Singing Woods Nature Reserve and continuing to monitor and work with the Ministry of Forests, Lands and Natural Resource Operations to address off-road vehicle use at Fairy Fen Nature Reserve.