



Galiano Island Local Trust Committee Regular Meeting Agenda

Date: April 1, 2019
Time: 12:30 pm
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

			Pages
1.	CALL TO ORDER	12:30 PM - 12:30 PM	
2.	APPROVAL OF AGENDA	12:30 PM - 12:45 PM	
3.	TOWN HALL AND QUESTIONS		
4.	COMMUNITY INFORMATION MEETING none		
5.	PUBLIC HEARING none		
6.	MINUTES	12:45 PM - 12:50 PM	
6.1	Local Trust Committee Minutes Dated March 4, 2019 (for Adoption)		4 - 11
6.2	Section 26 Resolutions Without Meeting Report none		
6.3	Advisory Planning Commission Minutes none		
7.	BUSINESS ARISING FROM MINUTES	12:50 PM - 1:00 PM	
7.1	Follow-up Action List Dated March 2019		12 - 13
8.	DELEGATIONS none		
9.	CORRESPONDENCE	1:00 PM - 1:10 PM	
<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>			

9.1	K. Harris Letter Dated March 1, 2019 re North Galiano Volunteer Fire Department (NGVFD) Cell Tower Letter of Support (attached)	14 - 15
10.	APPLICATIONS AND REFERRALS	1:10 PM - 2:15 PM
10.1	GL-RZ-2017.1 (Stevens) - Staff Report (attached)	16 - 18
10.2	GL-DVP-2019.1 (Sepp/Kinney) - Staff Report (attached)	19 - 32
10.3	GL-TUP-2019.2 (Colwell) - Staff Report (attached)	33 - 46
10.4	Thetis Island Local Trust Committee Bylaw No. 103 Referral (attached) for response	47 - 48
11.	LOCAL TRUST COMMITTEE PROJECTS	2:15 PM - 3:00 PM
11.1	Top Priorities - Staff Report (attached)	49 - 62
11.2	Fees Bylaw Amendment No. 270 - Staff Report (attached)	63 - 66
12.	REPORTS	3:00 PM - 3:15 PM
12.1	Work Program Reports (attached)	
12.1.1	<u>Top Priorities Report Dated March 2019</u>	67 - 67
12.1.2	<u>Projects List Report Dated March 2019</u>	68 - 69
12.2	Applications Report Dated March 2019 (attached)	70 - 73
12.3	Trustee and Local Expense Report Dated January 2019 (attached)	74 - 74
12.4	Adopted Policies and Standing Resolutions (attached)	75 - 77
12.5	Local Trust Committee Webpage	
12.6	Trustee Report	
12.7	Chair's Report	
12.8	Islands Trust Conservation Report none	
13.	NEW BUSINESS	3:15 PM - 3:30 PM
13.1	Galiano Island Local Trust Committee Bylaw No. 269, Bylaw Enforcement Notice (BEN) - Staff Report (attached)	78 - 101

14. UPCOMING MEETINGS

14.1 **Next Regular Meeting Scheduled for May 6, 2019, at the North Community Hall,
Galiano Island**

15. TOWN HALL **3:30 PM - 3:45 PM**

16. CLOSED MEETING

none

17. ADJOURNMENT **3:45 PM - 3:45 PM**



Galiano Island Local Trust Committee

Minutes of Regular Meeting

Date: March 4, 2019
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present: Dan Rogers, Chair
Tahirih Rockafella, Local Trustee
Jane Wolverton, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Yasemin Schnorr Von Carolsfeld, Recorder

Public: There were approximately (14) members of the public.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 12:30 p.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish people, particularly the Penelakut First Nation.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Coastal Douglas-fir Workshop is added as item 13.2.
- Information from the Regional Planning Manager (RPM) Kojima re: forest practices on other islands.

By general consent the agenda was approved, as amended.

3. TOWN HALL AND QUESTIONS

- Member of public: regarding cell tower delegation, would like the committee to encourage installation of fiber optic cable.
- Member of public: regarding the Coastal Douglas-fir toolkit, a strategy for protecting old growth forest is an important part of climate change and protecting aquifers. Trustee Wolverton replied: Trust Council will be doing Strategic Planning next week and there is a Motion on the table to do with climate change, a part of which is dealing with the protection of forests.

- Member of public comments on correspondence re: tiny homes / recreational vehicles. Chair Rogers commented that Planner can address the issues under item 9.1 (correspondence).

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated January 27 & February 4, 2019 (for Adoption)

By general consent the Local Trust Committee meeting minutes of 27 January & 4 Feb were adopted.

Trustee Wolverton, on live streaming stated that we haven't been able to follow-up on that yet. RPM Kojima mentions that a North Pender meeting was recently live-streamed to facebook.

Trustee Wolverton asked if Justine Starke can come in to speak about the Coastal Douglas-fir toolkit, RPM Kojima replied that as she now works CRD it may be only be a possibility.

Trustee Wolverton, asked about making Coastal Douglas-fir protection a priority and having the advisory planning commission review it. RPM Kojima answered that the LTC would need to identify it as a Top Priority.

6.2 Section 26 Resolutions Without Meeting Report

none

6.3 Advisory Planning Commission Minutes

none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated February 2019

RPM Kojima noted the Top Priorities report will be on the next agenda.

Trustee Wolverton asked if there will be a meeting about emergency access routes. RPM Kojima answered that it would be later in the week.

8. DELEGATIONS

8.1 Cell Towers - Patrick Ramsey

Patrick Ramsey submitted a report, highlighting:

- Improved cell service is important for enhanced safety & emergency services.
- Many island organizations have sent letters of support.
- Galiano has double the number of seniors of the national average, yet no reliable cell service.
- Asked that the LTC write a letter supporting better cell service on the island.

Trustee Wolverton asked if there would be interest to create a non-profit society.

Members of the public are invited to comment, the following points are raised:

- create a committee, ad hoc society, sometimes better to have an entity to take a subject forward.
- The telecommunications protocol was discussed
- Better cell service should include community consultation

Trustee Rockafella suggested that cell providers might not have the best interests of the community in mind.

Trustee Wolverton mentioned that better coverage doesn't have to include the "entire" island.

Chair Rogers explained that the LTC has a consultation and siting protocol.

Trustee Rockafella comments that a letter would need to be on behalf of entire community.

Trustee Wolverton suggested a motion for a letter of support and that proponents address the entire island's need.

GL-2019-013

It was Moved and Seconded,

that Local Trust Committee draft a letter under the signature of the chair in support of improved cell service on Galiano Island and that letter advocate for improved service for all residents on the entire island.

CARRIED

Trustee Rockafella will draft the letter and forward to RPM Kojima.

9. CORRESPONDENCE

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

9.1 S. McNamara Dated February 21, 2019 - re Tiny Home

The correspondent was not in the room.

RPM Kojima reviewed the issues, including that the zoning bylaw does not prohibit a tiny home; in this case the home is actually a vehicle or RV and that has a certification that may or may not be for year round habitation; and zoning doesn't allow for vehicle as a dwelling. The solution is to put it on a foundation. The Mayne Island bylaw is not a new regulation but dates back to the 70's to allow people to live in trailers as their cottage. But they are also not designed for year round living and there are safety issues.

Trustees Wolverton and Rockafella discussed the issue, including:

- How might the bylaw permit these structure and under what conditions?
- Trustee Rockafella noted that it's more of a safety issue, since it's on wheels.
- Trustee Rockafella mentioned that many have lived in a trailer as affordable housing.
- Trustee Wolverton was concerned that tiny homes not to be used for short term rentals.
- Trustee Rockafella mentioned that maybe this is a bigger issue. She asks if they could just put some footings underneath it and then they could use it.

Trustees Rockafella and Wolverton indicated that the LTC can consider the issue at the strategic planning discussion next month.

RPM Kojima said that staff will respond to the writer.

10. APPLICATIONS AND REFERRALS

none

11. LOCAL TRUST COMMITTEE PROJECTS

none

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated February 2019

Received for information.

12.1.2 Projects List Report Dated February 2019

Received for information.

12.2 Applications Report Dated February 2019

RPM Kojima remarked that the Kinnie DVP is coming next meeting and a couple of TUP's.

12.3 Trustee and Local Expense Report Dated December 2018

RPM Kojima stated that there will subsequently be a complete annual budget, as the fiscal ends at the end of March.

12.4 Adopted Policies and Standing Resolutions

Chair Rogers noted that the vacation rental TUP moratorium expires tomorrow.

Trustee Wolverton stated that the LTC can revisit vacation rentals at next meeting.

Trustee Rockafella mentioned that it could fall under affordable housing. She also noted that the TUP moratorium has been lifted, which is relevant since the 3 year renewals were coming up.

12.5 Local Trust Committee Webpage

none

12.6 Chair's Report

none

12.7 Trustee Reports

Trustee Rockafella mentioned research she has done on STVR's.

Trustee Wolverton mentioned the Coast Douglas-fir toolkit and how recommendations can be included in our bylaws. She asked how we can work with Private Managed Forest Lands (PMFL) Council.

Chair Rogers indicated that the Community Stewardship awards are open on the website right now until April 22nd.

At Trust Council there will be a proposal to declare climate change an emergency and a motion to write a letter of thanks to BC Ferries for delivering water to Saturna.

12.8 Islands Trust Conservation Report

none

13. NEW BUSINESS

none

13.1 Cannabis Retail - Staff Report

RPM Kojima summarized the staff report, with two recommendations:

- Adopt a policy on consultation for cannabis referrals
- Amend the fee bylaws to include a fee of \$2000.00 to cover the average cost of an application.

The APC has also recommended the fee amendment and adopting the policy, along with amending the fee for liquor license referrals and reviewing zoning.

RPM Kojima observed that with Liquor license referrals some applications may not require that much consultation and fees should cover the average cost of the referral.

Chair Rogers asks what are the other islands charging for liquor license referrals. RPM Kojima answered a fee of \$825.00 fee for liquor referrals also.

Trustee Wolverton mentioned that the ALR (Agricultural Land Reserve) permits marijuana production.

GL-2019-014

It was Moved and Seconded,

that the Galiano Local Trust Committee adopt the following standing resolution with respect to the processing of non-medicinal cannabis retail license applications:

- Proposed or amended licenses for non-medicinal cannabis retail establishments require an application to the local trust committee.
- The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical.
- The public consultation process shall be determined by the local trust committee after initial review of the proposal.
- However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information:
 - Name of the applicant and a description of the proposal in general terms
 - The location of the proposed establishment and the subject site
 - The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered.
 - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application
 - How public comments may be submitted to the local trust committee.

CARRIED

GL-2019-015

It was Moved and Seconded,

that the Galiano Local Trust Committee request that staff prepare a draft bylaw to amend the fees bylaw to specify a separate fee for Liquor and the Cannabis Regulation Branch non-medicinal Cannabis retail license applications in the amount of \$2000.00.

CARRIED

GL-2019-016

It was Moved and Seconded,

that the Galiano Island Trust Committee review the Land Use Bylaws and Official Community Plan for: scale, number of operations, water use, lot coverage, structures, security issues, soil removal, light pollution, possible loss of land-base for food production, pesticide use and anything else that the LTC would like to review further, relating to the production of cannabis and add this to the project list.

CARRIED

13.2 Coastal Douglas-fir Workshop

Trustee Wolverton asked how to influence people to improve practices. She would like an educational workshop where all of the island would be invited.

GL-2019-017

It was Moved and Seconded,

that the Galiano Local Trust Committee hosts an education workshop on the Coastal Douglas Fir toolkit and groundwater.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for April 1, 2019, at the South Community Hall, Galiano Island

15. TOWN HALL

A member of the public mentioned that McNamara had been confused about RV's and tiny homes. To move tiny homes, they need to have wheels.

Member of the public said they used to work for transport Canada, there is a RV standard to allow tiny homes to be moved safely on the roadways.

A question is asked if anyone assessed if people with TUP's are meeting the requirements of the TUP.

Member of the public mentions the ad hoc telecommunications committee and that it should be advertised so both sides can participate.

Mention was made of clear cutting in the PMFL and that bylaws pre-date the PMFL.

Member of the public explains tiny houses can be built cheaply, they have some degree of stability and suitability. Tiny homes appeal since they are affordable.

Member of the public spoke of members their family living in a tiny home and that they are affordable homes that people can own and can be attractive.

Member of the public mentions about the tiny house issue: don't allow the lack of affordable housing to just drag on.

Member of the public spoke about tiny homes and agrees with what everyone's said.

A member of the public mentioned after the recent storm the risk to public safety by lack of Telus landlines and the lack of another way to contact "911". CRD has responsibility for the "911" system and the LTC and CRD need to collaborate to make improvements to the phone system.

16. CLOSED MEETING (Distributed Under Separate Cover)

16.1 Motion to Close the Meeting

GL-2019-018

It was Moved and Seconded,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (a,d) for the purpose of considering:

- *Adoption of In-Camera Meeting Minutes Dated February 4, 2019*
- *BOV Memberships*

AND that the recorder and staff attend the meeting.

CARRIED

16.2 Recall to Order

16.3 Rise and Report

It was reported that the minutes of February 4th were adopted as presented and that the LTC appointed Jim Petrie, Priscilla Ewbank, and Priscilla Zimmerman to the Board of Variance.

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:00 p.m.

Dan Rogers, Chair

Certified Correct:

Yasemin Schnorr Von Carolsfeld, Recorder

Follow Up Action Report

Galiano Island

04-Feb-2019

Activity	Responsibility	Target Date	Status
GL-RZ-2017.1 Stevens Staff to work with the applicant in order to amend the covenant to: 1. provide connectivity between the two road reservation areas on DL37. 2. Grant a SROW for emergency access as a condition of rezoning. 3. Consider changing the location for the Georgia View extension (Road Reservation #2). 4. Staff to clarify how to move forward with the application in relation to OCP Land Transportation Policy 'F'.	Robert Kojima	30-Apr-2019	On Going
Staff to prepare a report outlining specific options for the Top Priority List based on the CIM held on January 27th and comments received at the February 4th LTC meeting.	Kim Stockdill	29-Mar-2019	Done
In-Camera: 1. Adoption of the In-Camera minutes dated July 9, 2018 as presented. (Done) 2. Appointed new Secretary to the Galiano APC. - MH sent out package. (Done)	Sharon Lloyd-deRosario Maple Hung	28-Feb-2019	Done

04-Mar-2019

Activity	Responsibility	Target Date	Status
6.1 Minutes 1. Minutes of January 27th special meeting adopted as presented 2. Minutes of February 4th regular meeting adopted as presented	Maple Hung	11-Mar-2019	Done

Follow Up Action Report

13.1 Cannabis Retail:

1. Standing resolution adopted - update and post to webpage (DONE)
2. Initiate bylaw to amend fees bylaws - Done
3. Add review of cannabis retail and production regulations and policies to projects list (DONE)

Sharon Lloyd-deRosario 25-Mar-2019 Done
Robert Kojima

8.1 Delegation: trustee Rockafella to draft letter of support under the Chair's signature for improved cell service on galiano

22-Mar-2019 Done

9.1 Correspondence: staff to inform correspondent that LTC may consider amendments as part of an affordable housing project

Kim Stockdill 08-Mar-2019 Done

13.2 Schedule an educational workshop on CDF toolkit and groundwater

Robert Kojima 26-Apr-2019 On Going

16.3 In-camera Rise and Report:

1. Minutes February 4th adopted as presented - MH (Done)
2. LTC appointed Jim Petrie, Priscilla Ewbank, and Priscilla Zimmerman to the Board of Variance

Sharon Lloyd-deRosario 11-Mar-2019 On Going
Maple Hung



North Galiano Volunteer Fire Department
19400 Porlier Pass Road
Galiano Island, BC
V0N 1P0
(250) 539-5453

1 March 2019

To the Galiano Local Trust Committee,

I am writing this letter in support of improved cell service on Galiano Island. As an emergency first responder, I have been aware of many instances where the ability to contact emergency services without access to a land-line has been essential to allowing timely intervention for medical, fire and other types of emergencies. Unfortunately, I am also aware of large areas on Galiano Island where these cellular services do not exist.

Cellular service was also (and will be in the future) critical to communication during the wind-storm event on December 20th, which knocked out land-line service on our island for weeks. Many people were unable to access information about safety and other matters when their home telephone service was knocked out. Our Emergency Program telephone trees were rendered almost useless. Valuable time was spent by RCMP and Fire Service Volunteers locating "missing" persons, who turned up safe and sound, but unable to communicate their location to family members. Those who were fortunate enough to have cellular service at their home were able to use it to communicate to Emergency Program volunteers and loved ones, and to receive updates via phone or internet.

Besides allowing community members and visitors to contact one another and emergency services, adequate cellular service is extremely valuable to Emergency Service personnel who can use it to discuss complex or sensitive information that may be inappropriate or difficult to convey over radio.

In one example, while I was assisting BCAS in transporting a critically ill patient, it became necessary to contact the Emergency Physician on Call to approve a life-saving intervention. Unfortunately, almost the entire length of Porlier Pass Road (our main North-South artery) is a cellular dead zone, meaning that we were unable to contact the EPOC

until we reached the Ambulance Station, almost 25 km from the start of the journey. Critical time was lost for applying this essential treatment.

The long, narrow geography of our island will make it difficult to provide a single solution to our cellular service coverage. Galiano's North end may need improved service solutions from other islands and the mainland to achieve complete coverage. Any provider wishing to locate on Galiano should be encouraged to make those improvements, as well as part of a complete package for Galiano.

While I am aware that cell tower approval is a federal matter, I also know that Industry Canada consults with local government for support when these applications are made, and that the most recent application did not receive the support of the Local Trust Committee, despite the fact that the Galiano Community have shown a strong desire for improved cellular service. I hope that the new LTC will do whatever they can to support and encourage the provision of reliable and complete service coverage on Galiano.

Thank you,

A handwritten signature in black ink, appearing to read "Karen Harris". The signature is fluid and cursive, with the first name "Karen" and last name "Harris" clearly distinguishable.

Karen Harris
Fire Chief, NGVFD

File No.: GL-RZ-2017.1 (Stevens)

DATE OF MEETING: April 1, 2019
TO: Galiano Island Local Trust Committee
FROM: Robert Kojima, Regional Planning Manager
Southern Team

SUBJECT: GL-RZ-2017.1 (Stevens) Bylaws 265 and 266
Applicant: Fred and Isobel Stevens
Location: 303 Betty Ann Drive

REPORT SUMMARY

The purpose of this report is to provide the Galiano Island Local Trust Committee (LTC) with an update on the application and emergency access issues generally.

BACKGROUND

The application was initiated in 2017 to amend the zoning and land use designation on the F1 zoned lot to permit the existing contractor yards and an accessory dwelling on a portion of the property. As a condition of consideration of adoption of the bylaws, the LTC resolved that the applicant agree to enter into a covenant with the LTC, acceptable to the Ministry of Transportation (MoTI) to reserve future road dedication consistent with the Road Network Plan and Transportation policies. The LTC held a public hearing on Bylaws 265 and 266 in July 2018. The OCP amendment bylaw was approved by the Minister of Municipal Affairs and Housing on October 22, 2018. The covenant was executed by all parties (LTC Chair, applicant and MoTI) and submitted for registration on October 29, 2018.

s. 219 Covenant

Islands Trust legal counsel prepared the draft covenant, based on the direction of the LTC, and agreed to by the applicant and MoTI, that includes the following key elements:

- Establishes reserved areas for future highway dedication and/or emergency access routes.
- Provides an option to purchase (for a dollar) the reservation area by the Province.
- Provides for the Province to acquire the reservation area as a highway.
- Allows for portions of the reserved area that may not be required by the Ministry for a highway, to be granted as a statutory right of way for emergency access or as a trail.
- Prohibits future subdivision and restricts hours of operation of the business.

Further background and analysis of the application is available in previous staff reports posted on the [webpage](#).

Post Public Hearing

As the bylaws have already been subject to a public hearing, the LTC is constrained in hearing new information following the close of the hearing: the LTC may not hear further submissions without holding a new hearing.

The principle applies to a covenant as well: prior to the hearing the LTC stated its intention that it would make final approval of the bylaws conditional upon the granting of a covenant that would reserve future highway dedication and emergency access routes, require a statutory right-of-way for trails, restrict future subdivision, and restrict hours of operation. The specifics of the covenant can be discussed by the LTC following the hearing and modifications can be made. However, like a bylaw, the LTC should not receive new information or public input on the covenant, but can receive advice from staff.

ANALYSIS

At the February meeting the LTC considered the application and adopted the following resolution:

GL-2019-002

It was Moved and Seconded,

that the Galiano Island Local Trust Committee hold the application in abeyance and that staff be directed to work with applicant to amend the covenant to:

- Provide connectivity between the two road reservations areas on DL 37.
- Grant a statutory right-of-way for emergency access as a condition for rezoning.
- Consider changing the location for the Georgia View extension (Road Reservation #2).

CARRIED

Since the February meeting, staff and trustees have conducted a site visit to review the reservation areas established in the covenant and to familiarize themselves with the site.

Staff also recently met with local emergency service providers and CRD Emergency Management Program staff to discuss emergency access routes generally and options for the CRD to obtain emergency access across properties. Three general options were considered:

- An access agreement between property owners and the CRD, this would be a relatively simple agreement but would only be applicable to the current owner(s), when a property changes owners the CRD would have to enter into an agreement with the new owners
- A surveyed statutory right-of-way granted to the CRD, this would grant emergency access along a defined route through a property. A statutory right-of-way is registered on title and is applicable regardless of ownership.
- An unsurveyed or “blanket” statutory right of way, this would grant emergency access to the property generally, avoiding the need for a survey and also providing flexibility if conditions on a property change.

CRD staff and Galiano emergency service providers were in agreement that the preferred tool is the general statutory right-of-way, or what was commonly called a “blanket easement”, this would be granted to the CRD and provide access under specific circumstances, but as it would provide general access for emergency providers it would not require surveyed routes to be attached. CRD staff are in the process of developing a standard right-of-way document that could be used. CRD has also obtained a grant for emergency evacuation route planning throughout the electoral areas and will be undertaking a project in the next few months that could inform a future LTC initiative.

If the LTC is also supportive of the approach preferred by the CRD and Galiano emergency services, the LTC should consider a resolution requesting that the applicant grant to the CRD a statutory right of way for

emergency access that is acceptable to the CRD. The LTC should also decide if, following the site visit, it still wishes the applicant to consider modifying the covenant to alter the reservation areas.

Options and Alternative

1. Rescind resolution GL-2019-002 and resolve that the LTC requests the applicant grant a covenant acceptable to the CRD for general emergency access to the CRD.

Submitted By:	Robert Kojima Regional Planning Manager	March 21, 2019
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File No.: GL-DVP-2019.1 (Sepp & Kinney)

DATE OF MEETING: April 1, 2019

TO: Galiano Island Local Trust Committee

FROM: Kim Stockdill, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: Development Variance Permit (GL-DVP-2019.1)
Applicant: Christoph Sepp & Darlene Kinney
Location: 188 Harris Road (Lot A, District Lot 6, Galiano Island, Cowichan District, Plan 21961)

RECOMMENDATION

1. That the Galiano Island Local Trust Committee approve issuance of Development Variance Permit GL-DVP-2019.1 (Sepp & Kinney).

REPORT SUMMARY

This report is to consider a Development Variance Permit (DVP) application to legalize the height of an accessory building/structure (tree house).

BACKGROUND

The property owners are in the process of finalizing the construction of a tree house on the subject property. The tree house is considered an accessory building/structure in the Galiano Island Land Use Bylaw (LUB) and therefore must meet maximum height regulations. The maximum height permitted for an accessory building is 5.0 metres and must be one-storey in height. As the accessory building is approximately 8.6 metres in height (from finished grade to highest point) a variance is required.

The applicant applied for a building permit for the structure in 2018 for the tree house. It was during this process that the property owners were made aware that the structure was over height and a variance was required. The building permit was subsequently cancelled.

The applicants have now applied to request a variance for the height of the structure. Photographs of the tree house (Attachment 2) were provided by the applicant as the planner was unable to attend a scheduled site visit due to weather conditions. The tree house structure was designed using a geodesic dome concept and was built using the support of a tree. A stair ramp connects the tree house structure to another tree at which point the stairs descend to the ground. The structure is located approximately 14.0 metres away from the interior side lot line and is situated behind a cottage when viewed from the foreshore.

The property owners have now applied to vary the following provisions in the Galiano Island Land Use Bylaw No. 127, 1999 (LUB):

- a) Section 2.5 which states that accessory buildings and structures must not exceed a height of 5 metres to permit an existing accessory building (tree house) with a height of 8.6 metres.
- b) Subsection 5.3.7 which states that accessory buildings and structures must not exceed one storey and a height of 5 metres to permit an existing accessory building (tree house) with a height of 8.6 metres.

A copy of the notice and proposed permit GL- DVP-2019.1 (Sepp & Kinney) are Attachments 3 & 4.

ANALYSIS

Official Community Plan (OCP)

The property is designated Small Lot Residential (SLR) in the Galiano Island OCP.

Land Use Bylaw (LUB)

The subject property is zoned Small Lot Residential (SLR) in the Galiano Island LUB. Section 498 of the *Local Government Act* enables a Local Trust Committee to issue (approve) a Development Variance Permit (DVP) in order to vary a siting regulation in the LUB; although a DVP may not be used to vary density or land use.

Issues and Opportunities

The applicant has provided the following rationale for the variance:

The height cannot be met because of the nature of a treehouse (to be built up in a tree). The design of the treehouse is to utilize a geodesic dome concept. The treehouse is a family project that he i's conducting with his eight year old son.

The applicant does not see any impacts caused by the structure on surrounding lands. It is located in a forest on the property.

[The applicant's] consultation with neighbours has not be done as the [subject] property is very private and secluded. The neighbours to the left and to the right are both separated by mature grown forest, trees and brush. The treehouse does not cause any obstructed views as it simply is not visible by neighbours to the left or to the right. Since the treehouse is located north behind the existing cottage, neighbours across the bay also have no obstructed view.

The Overall Intent of the Regulation (s) being Varied

The overall purpose of the regulation for height restrictions is to minimize impacts related to:

- Limiting the visual impact of development on adjacent properties.
- Establishing a consistent development pattern within a local area.
- Protecting views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- Maintaining a rural character.

Potential Impacts of Granting the 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 each application should be evaluated on its own merits.

Consultation

DVP Notices were circulated to surrounding property owners and residents. The notification period will end at 4:30 p.m. March 29, 2019.

One submission has been received to date and is attached to the staff report. The submission included the following three concerns:

1. Use of cladding material that does not blend into the natural visual landscape;
2. Short term vacation rental use on the property; and
3. The design of the stairs to decrease footprint.

The applicant stated that the roof material for the tree house is a matte grey colour and the geodesic dome siding will also be mostly that colour when completed. The base of the structure is planned to consist of cedar shingles with a natural stain. Staff note that the structure has already been constructed so redesigning the stairs to reduce the footprint at this time is not an option.

In regards to the second concern, short term vacation rentals (human habitation) are not permitted in accessory buildings as per Subsection 2.3.1 of the Galiano Island Land Use Bylaw.

Any other submissions received prior to the LTC meeting will be forwarded to Trustees and reported at the meeting.

Agencies

A referral was sent to the Capital Regional District (CRD) Building Inspection to comment on the draft permit. The CRD responded by stating a Building Permit with engineered drawings would be required for the structure. It is the responsibility of the applicant to ensure the tree house meets structural standards of the BC Building code.

Rationale for Recommendation

The proposed variance of 8.6 metres is a substantive difference from the maximum height restriction of 5.0 metres for an accessory building/structure. However, despite it being 3.6 metres over height, the design (supported by a tree and adjoining stairs), and the limited floor area of the structure make it more unobtrusive than a conventional accessory building/structure of the same height. In addition, the topography and the well forested nature of the property, the location of the treehouse on the property, and the location of neighbouring dwellings reduces the impacts.

It should be noted that Development Variance Permits cannot be approved with conditions; for example, the DVP cannot be approved based on a condition that the applicant only use natural looking siding. A DVP is either approved or denied.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should be advised to describe the specific information needed and the rationale for this request.

Resolution:

That the Galiano Island Local Trust Committee request that the applicant submit to the Islands Trust
_____.

2. Deny the application

The LTC may deny the application.

Resolution:

That the Galiano Island Local Trust Committee deny application GL-DVP-2019.1 (Sepp & Kinney).

Submitted By:	Kim Stockdill, Island Planner	March 5, 2019
Concurrence:	Robert Kojima, Regional Planning Manager	March 8, 2019

ATTACHMENTS

1. Site Context
2. Maps & Photographs
3. Notice
4. Development Variance Permit
5. Public Submission

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot A, District Lot 6, Galiano Island, Cowichan District, Plan 21961
PID	003-368-998
Civic Address	188 Harris Road
Lot Size	0.98 ha

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential, Marine

HISTORICAL ACTIVITY

File No.	Purpose
N/A	N/A

POLICY/REGULATORY

Official Community Plan Designations	Galiano Island OCP No. 108, 1995 Designations: SLR - Small Lot Residential Development Permit Areas (DPAs): - DPA 2 – Shoreline and Marine - DPA 3 – Tree Cutting and Removal
Land Use Bylaw	Galiano Island LUB No. 127, 1999: Small Lot Residential (SLR)
Other Regulations	N/A
Covenants	F90762, Statutory Right of Way, BC Hydro EK15603, Statutory Right of Way, BC Hydro EK15604, Statutory Right of Way, BC Tel
Bylaw Enforcement	No active BE files.

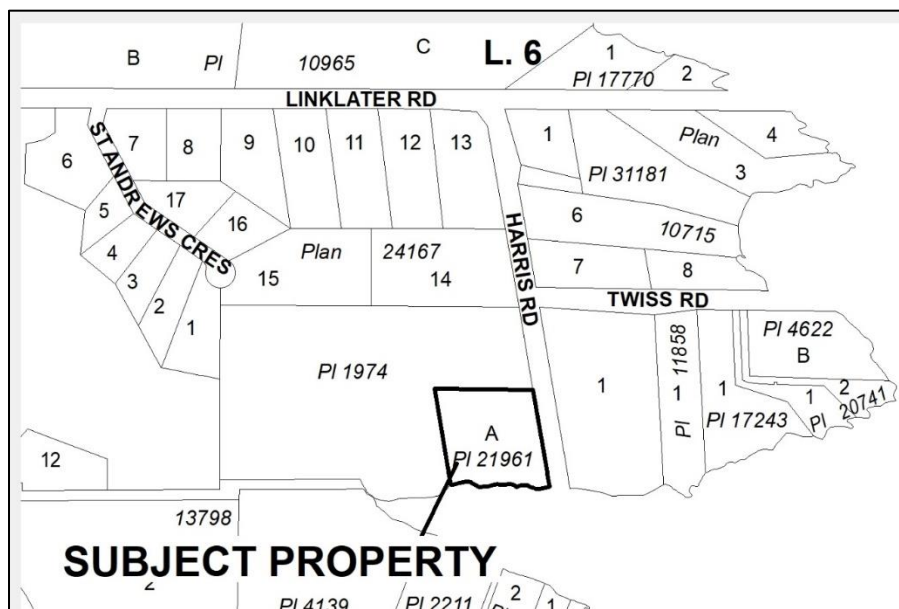
SITE INFLUENCES

Islands Trust Fund	There are no Trust Fund Board or Conservancy covenants or properties in the direct area; therefore no referral has been made to the Board.
Regional Conservation Strategy	The proposal does not impact the objectives and priorities of the Islands Trust Fund regional conservation plan.
Species at Risk	N/A
Sensitive Ecosystems	N/A
Hazard Areas	N/A
Archaeological Sites	There are no archaeological sites identified on the provincial RAAD site. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . This would most likely be indicated by

	the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads or other stone tools, or even buried human remains. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	N/A
Shoreline Classification	Sediment Shoreline - Pebble/Sand
Shoreline Data in TAPIS	No evidence of Eelgrass Beds.

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

2.1 SUBJECT PROPERTY MAP



2.2 PHOTOGRAPHS (TAKEN IN JANUARY 2019 BY APPLICANT)





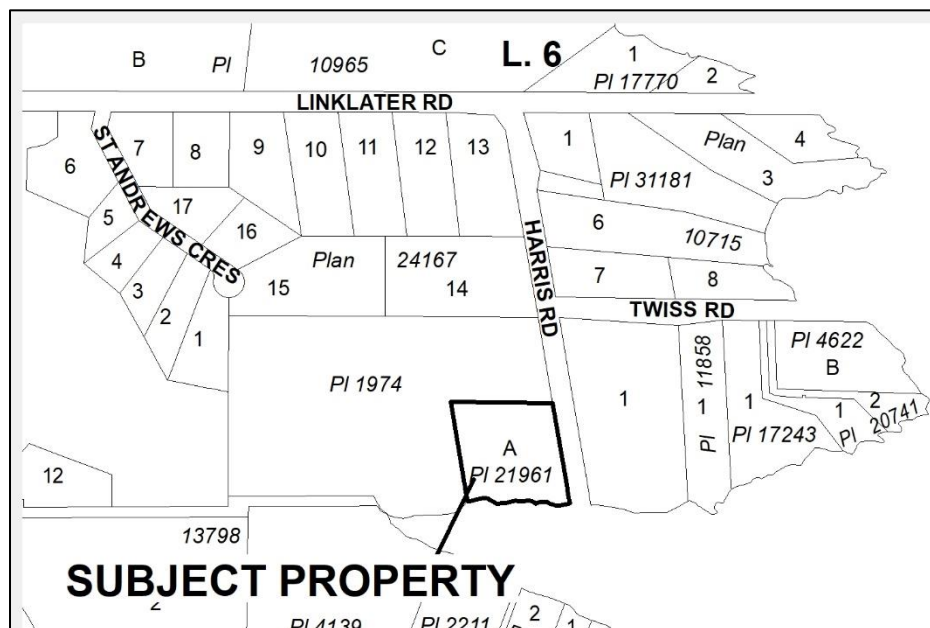
NOTICE
GL-DVP-2019.1
GALIANO ISLAND LOCAL TRUST COMMITTEE

NOTICE is hereby given that the Galiano Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 499 of the *Local Government Act*. The proposed permit would vary the Galiano Island Land Use Bylaw No.127, 1999, by varying:

- a) Section 2.5 which states that accessory buildings and structures must not exceed a height of 5 metres to permit an existing accessory building (tree house) with a height of 8.6 metres.
- b) Subsection 5.3.7 which states that accessory buildings and structures must not exceed one storey and a height of 5 metres to permit an existing accessory building (tree house) with a height of 8.6 metres.

The property is located at **188 Harris Road** and is legally described as Lot A, District Lot 6, Galiano Island, Cowichan District, Plan 21961 (PID: 003-368-998).

The general location of the subject properties is shown on the following sketch.



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **March 18, 2019** and continuing up to and including **March 29, 2019**.

For the convenience of the public only, and not to satisfy Section 499 (2) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Galiano Island.

Enquiries or comments should be directed to Kim Stockdill, Island Planner at (250) 405-5194, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: information@islandstrust.bc.ca before 4:30 pm, **March 29, 2019**.

The Galiano Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **12:30 p.m., April 1, 2019**, at the **South Community Hall**, 141 Sturdies Bay Road, on Galiano Island.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.



PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT GL- DVP-2019.1

To: Christoph Sepp & Darlene Kinney

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

Lot A, District Lot 6, Galiano Island, Cowichan District, Plan 21961
(PID: 003-368-998)

2. Galiano Island Land Use Bylaw 127, 1999 is varied as follows:

- a) Section 2.5 which states that accessory buildings and structures must not exceed a height of 5 metres to permit an existing accessory building (tree house) with a height of 8.6 metres.
- b) Subsection 5.3.7 which states that accessory buildings and structures must not exceed one storey and a height of 5 metres to permit an existing accessory building (tree house) with a height of 8.6 metres.

The development shall be consistent with Schedules 'A', 'B', and 'C' attached to and forming part of this permit.

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 the "Galiano Island Land Use Bylaw 127,1999" and to obtain other approvals necessary for completion of the proposed development, including approval of the Capital Regional District, Island Health and Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS ##th DAY OF MONTH, YEAR.

Deputy Secretary, Islands Trust

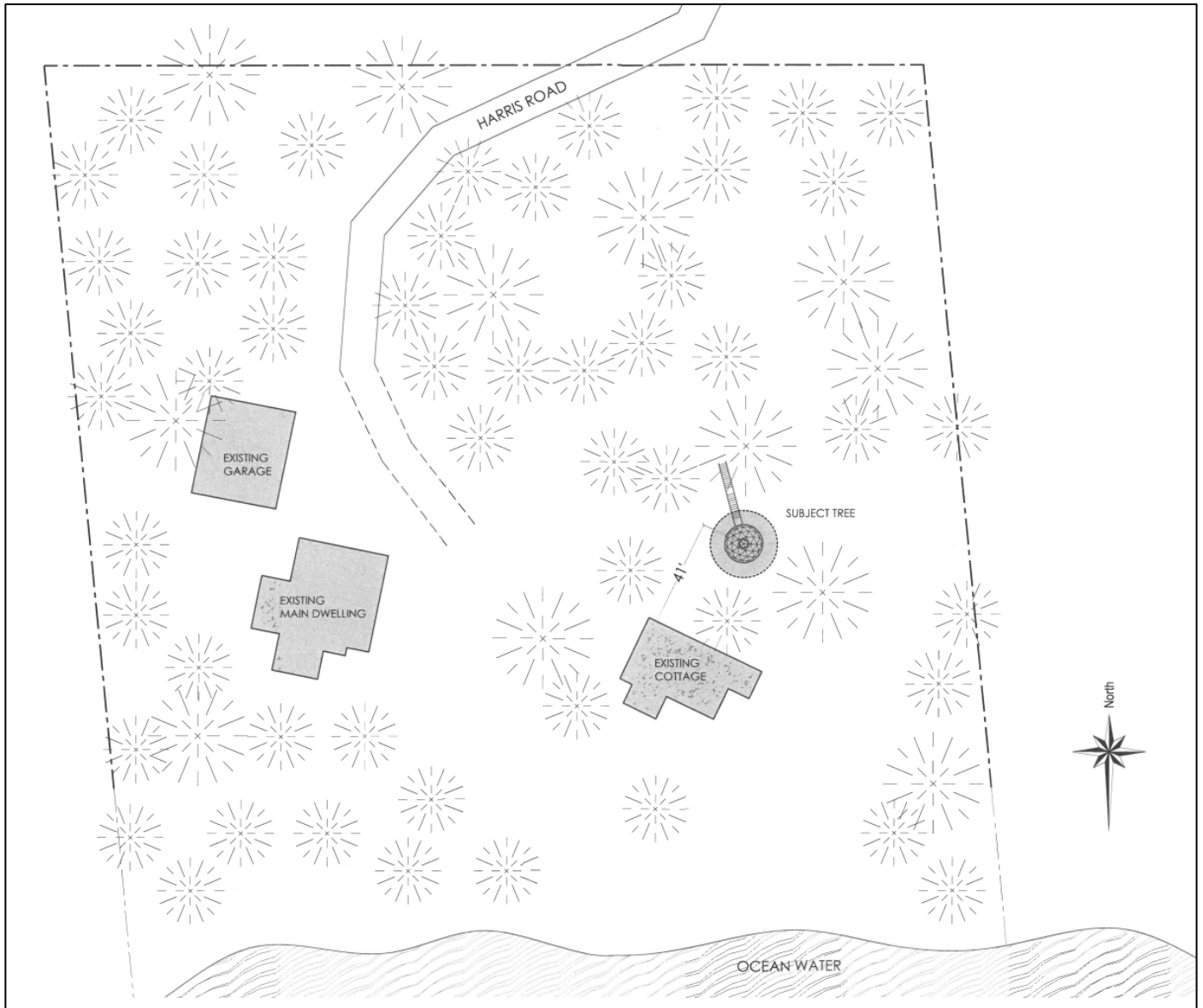
Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF MONTH, YEAR , THIS PERMIT AUTOMATICALLY LAPSES.

GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-DVP-2019.1

SCHEDULE 'A'

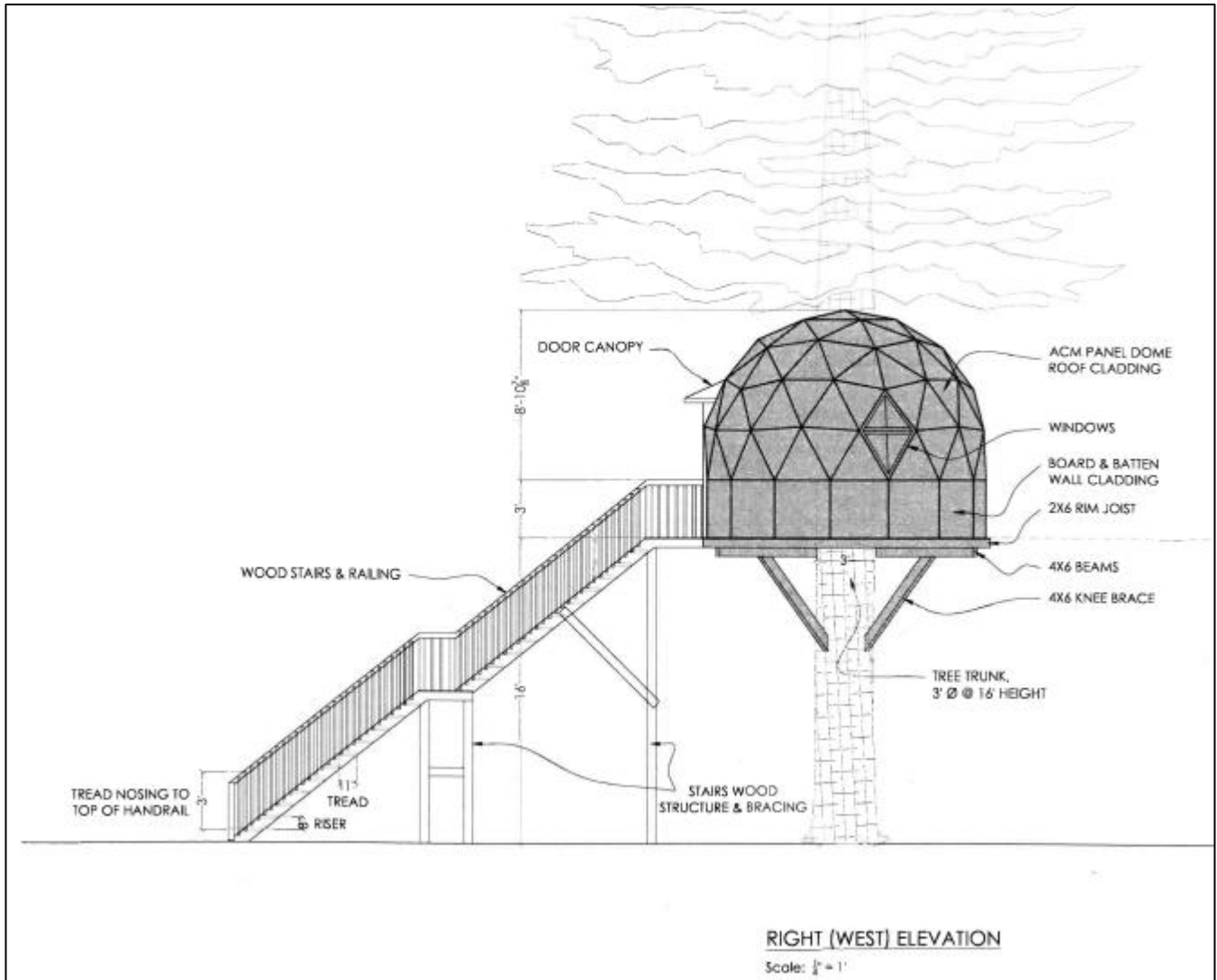
Site Plan



GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-DVP-2019.1

SCHEDULE 'B'

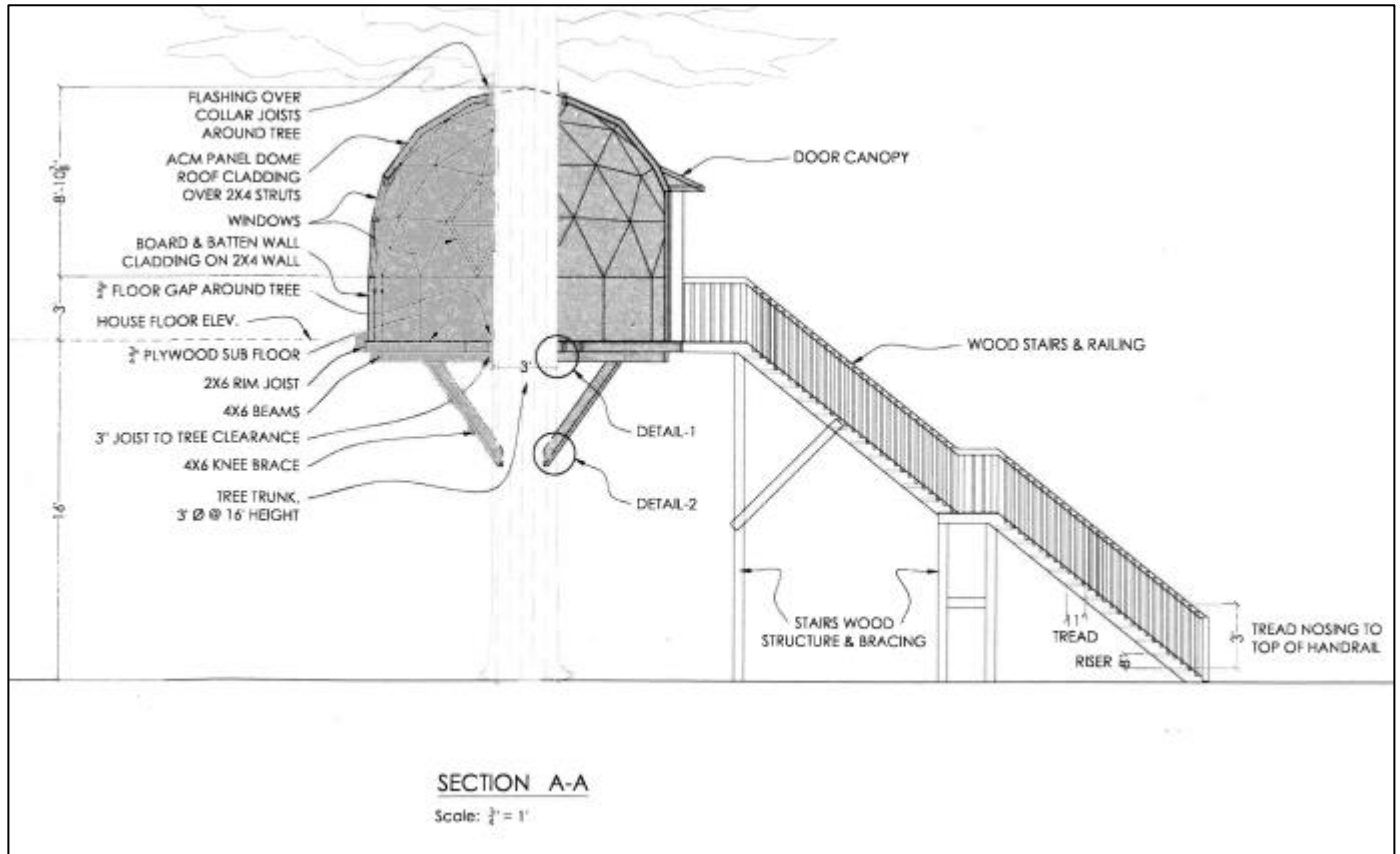
West Elevation



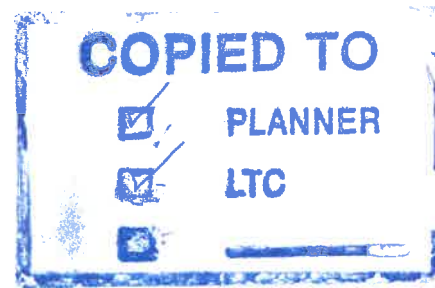
GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-DVP-2019.1

SCHEDULE 'C'

East Elevation



From: Monica and Doug Burrow <[REDACTED]>
Sent: Monday, February 11, 2019 2:46 PM
To: information <information@islandstrust.bc.ca>
Subject: Re 188 Harris Road GL-DVP-2019.1



Hello,

Thank you for the letter of notice letting us know about the proposed variance for the existing tree house on the property at 188 Harris Road.

We have some concerns with the proposed tree house staying in place.

Firstly: we are not in favour of any cladding in any material that is at all reflective or in a colour that does not blend into the natural visual landscape. A matt black, matt dark green or matt dark brown would be ok - but anything that doesn't blend will give the appearance of a small version of Science World in a place where such a structure should be as unobtrusive in appearance as possible. Since receiving the letter, we have looked at ACM online for examples and some of it is very very industrial and urban looking and would not blend.

Secondly: it has to do with the appearance of short term rentals taking place already on the property, where some of the guests have been disruptive.

If it is to be used as another sleeping unit for a short term rental we aren't in favour of that.

Thirdly: hoping it is built with the tree's health in mind and would hope that perhaps the stairs could be made to curl around below the outer perimeter of the structure (not the tree trunk) so that they take up less visual space than the many foot, long footprint of the proposed stairs which is shown in the plans as sticking straight out.

Sincerely
Monica and Doug Burrow



File No.: GL-RZ-2019.2 (Colwell)

DATE OF MEETING: April 1, 2019

TO: Galiano Island Local Trust Committee

FROM: Kim Stockdill, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager
Warren Dingman, Bylaw Enforcement Officer

SUBJECT: Temporary Use Permit for a Bed & Breakfast in an Accessory Building
Applicant: Alison Colwell
Location: 127 Manzanita Rd – Lot 1, Section 5, Galiano Island, Cowichan District, Plan 14682 (PID 002-469-405)

RECOMMENDATION

1. That the Galiano Island Local Trust Committee deny application GL-TUP-2019.2 (Colwell) as human habitation (Bed and Breakfast use) is not permitted in accessory buildings as per Subsection 2.3.1 of the Galiano Island Land Use Bylaw.

REPORT SUMMARY

The purpose of this staff report is to consider a Temporary Use Permit (TUP) for a Bed & Breakfast use within an accessory building.

BACKGROUND

This application is the result of the bylaw enforcement action for an illegal vacation rental on Galiano Island (GL-BE-2018.4). The property owner runs a Bed and Breakfast operation in an accessory building on the subject property. Through the bylaw enforcement process, the property owner was notified that the vacation rental is not permitted within an accessory building. Her response was that she believed the building had been built prior to land use bylaws (1972) and was grandfathered as a 'cottage' not an accessory building. She has also stated that the accessory building was also used as a recording studio at one point.

"Grandfathering" regulations are outlined in the Local Government Act (LGA) (Section 528):

"528 (1) Subject to this section, if, at the time a land use regulation bylaw is adopted,
(a) land, or a building or other structure, to which that bylaw applies is lawfully used, and
(b) the use does not conform to the bylaw, the use may be continued as a non-conforming use.
(2) If a non-conforming use authorized under subsection (1) is discontinued for a continuous period of 6 months, any subsequent use of the land, building or other structure becomes subject to the land use regulation bylaw."

As per Section 528 of the LGA the cottage use would only be legal non-conforming ("grandfathered") if the building was constructed and used as a cottage prior 1972 and the use was not discontinued for a continuous period of 6 months. It is also the property owner's responsibility to prove the use meets Section 528 of the LGA.

In other words, the property owner must supply substantial proof that the building was originally constructed as a cottage prior to 1972 and has been used continuously as a cottage.

The property owner stated she was unable to prove the building is legal non-conforming as the Capital Regional District (CRD) did not have building plans for the accessory building.

Staff are of the opinion that the 'cottage' use of the building does not meet Section 528 of the LGA for the following reasons:

1. The property owner was unable to provide building plans for the building which would show the date of construction.
2. The property owner stated that the use of the building hasn't always been a cottage; it was once used as a recording studio. Section 528(2) of the LGA requires the use to not be discontinued for a continuous period of 6 months for it to keep its legal non-conforming status.
3. Bylaw Enforcement is of the opinion that the building was constructed as an accessory building and then converted to a cottage at a later point.

Based on the points above, staff are of the opinion that the property owner has not proven that the building is legal non-conforming and therefore would not be considered a cottage; the building would be considered an accessory building.

The property owner was given the following four options in order to proceed:

- 1) Prove the cottage is grandfathered (legal non-conforming). Based on the above, the property owner was unable to do this.
- 2) Apply for a Temporary Use Permit in order to allow the use of a STVR in the building. The property owner was made aware that staff would not support this application as an accessory building is not permitted to be used for human habitation.
- 3) Apply to rezone the property in order to permit the use of the cottage; or
- 4) Cease the use of the Bed & Breakfast within the building.

The property owner has now applied for a TUP for a Bed & Breakfast use in an accessory building. The draft permit is attached for the LTC's review.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

- 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.
- 5.2.5 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.

- 5.7.2 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.

The proposal for a Temporary Use Permit to allow for a Bed and Breakfast use within an accessory building is consistent with the above policies.

Official Community Plan:

The subject property is designated Village Residential 1 (VR1) in the OCP. The Galiano Island OCP includes TUP guidelines specific to commercial vacation rentals. Although this application is not for a commercial vacation rental, some of the guidelines can be applicable to a Bed & Breakfast use and have been incorporated into the draft permit.

The following are applicable OCP policies that are relevant to this application:

Home Occupation Policy:

- b) A home occupation shall be conducted entirely within the dwelling unit or within legal structures with exceptions for horticultural uses.

Visitor Accommodation Policies:

- a) Where Bed and Breakfast, Short Term Vacation Rental, and Commercial Vacation Rental are permitted, the residential character of the site shall be maintained.
b) Bed and Breakfast with 1 to 3 rental rooms accommodating up to three persons per room shall be accessory to a residential use.
c) The number of rooms permitted for the Bed and Breakfast shall be determined by lot size.

Land Use Bylaw:

The property is zoned as Village Residential 1 (VR1) in the Galiano Island Land Use Bylaw No. 127, 1999 (LUB). The property is also located within the Water Management Area established in the LUB (see 'Water' – below).

The VR1 zone permits a dwelling unit on each lot and one cottage on each lot having an area of 0.4 hectares or more. The subject property is 0.37 hectares in area and is only permitted one dwelling unit. A cottage is not permitted on the subject property as it is not 0.4 ha or more in area.

By definition in the Galiano Island LUB, a Bed and Breakfast means “*means a home occupation comprising the provision of sleeping accommodation and a morning meal only, to paying guests.*” Although the property owner (B&B operator) lives on the property which meets the definition of a home occupation, the Bed and Breakfast use within an accessory building is not supported for the following reasons:

1. Subsection 2.3.1 of the Galiano Island LUB states that the use of an accessory building or structure, other than a cottage, for human habitation is prohibited in all zones.
2. Home occupation must be contained within a legal dwelling unit or cottage. Human habitation (B & B) is not permitted within an accessory building.

Issues and Opportunities

Water

The subject property is located within the Water Management Area (WMA) as outlined in the Galiano Island LUB.

By standing resolution, the LTC has resolved that TUPs for Commercial Vacation Rentals being considered in Water Management Areas should include conditions requiring cisterns with a minimum capacity of 16,000 litres and a water meter. As this application is for a Bed & Breakfast, the requirement for a cistern or a water meter was not included in the draft permit. The applicant has also stated that a large rainwater cistern has been installed that is used for non-potable water but the applicant did not state how many litres the cistern could hold. If the LTC decides to approve the TUP, it may want to consider requiring adding a requirement to the permit (Alternative no. 2). The resolution is worded as such that the applicant would be required to prove that a rainwater storage cistern of 16,000 litres capacity is installed on the subject property within twelve months of the date of issuance for the permit. If the current rainwater system is less than 16,000 litres, this resolution would require the applicant to add the additional capacity so it totals 16,000 litres.

Applicant's Rational for the Proposed Use

The applicants has provided the following additional information in support of their application:

"The cabin is approximately 400 ft² with an open plan concept. There is only one bed therefore the maximum guests is two people. There is also a kitchen in the cabin. The building has been used as a cabin on an off for the last 60 years.

The Bed and Breakfast provides a morning meal to all the guests and there is no intention for the use to be a Short Term Vacation Rental.

Neighbours have always welcomed the Bed & Breakfast guests as they go out for meals in the area.

There was no well log provided for the well. There is an ultra violet filter system installed on the well and it is believed the well was drilled in the 1950s when the house was built. They have never run out of water. There is also a large rainwater cistern (non-potable) for use to water the garden.

There is off street parking in front of the cabin."

Permit Conditions

The proposed TUP incorporates most of the conditions that have been used for previous Commercial Vacation Rental TUPs. The permit includes a definition of a Bed and Breakfast which means: "the provision of sleeping accommodation and morning meal only to paying guests."

The LTC can add additional conditions to the permit but it cannot remove conditions without requiring a new notification process (notice in newspaper and notification to neighbours).

Consultation

Statutory Requirement – Notification

TUP Notices were circulated to surrounding property owners and residents and published in the Driftwood newspaper on March 20, 2019. The notification period will end at 4:30 p.m. on March 29, 2019.

At the time of writing, staff have received no submissions.

Rationale for Recommendation

The rationale for staff's recommendation on page 1 of the staff report is that the Galiano Island Land Use Bylaw does not permit human habitation within an accessory building. If the permit is not approved the property owner would be required to comply with the Galiano Island Land Use Bylaw regulations. This would mean ceasing the operation of a Bed & Breakfast in the accessory building. The kitchen in the accessory building would also be required to be removed.

ALTERNATIVES

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

1. Request further information

The LTC may request further information prior to making a decision. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee request that the applicant submit the following information prior to proceeding with application GL-TUP-2019.2 (Colwell)...

2. Add requirement for Rainwater Catchment System to TUP

The LTC may wish to add the requirement for a 16,000 L rainwater catchment cistern to be installed.

That the Galiano Island Local Trust Committee amend proposed Temporary Use Permit GL-TUP-2019.2 (Colwell) by including the requirement for proof that a rainwater storage cistern of 16,000 litres capacity is installed on the subject property within twelve (12) months of the date of issuance for the permit.

3. Add requirement for well meter to TUP

The LTC may wish to add the requirement for a water meter be installed on the well.

That the Galiano Island Local Trust Committee amend proposed Temporary Use Permit GL-TUP-2019.2 (Colwell) by including the requirement for proof that a water meter has been installed on the existing well within twelve (12) months of the date of issuance for the permit.

4. Approve the application

The LTC may approve the application and Temporary Use Permit. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee approve issuance of Temporary Use Permit GL-TUP-2019.2 (Colwell).

Submitted By:	Kim Stockdill, Island Planner	March 8, 2019
Concurrence:	Robert Kojima, Regional Planning Manager	March 8, 2019

ATTACHMENTS

1. Site Context
2. Maps/plans
3. TUP Checklist
4. Permit
5. Notice

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 1, Section 5, Galiano Island, Cowichan District, Plan 14682
PID	002-469-405
Civic Address	127 Manzanita Road
Lot Area	0.37 ha

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential, Agriculture, and Commercial

HISTORICAL ACTIVITY

File No.	Purpose
GL-BE-2018.4	Operating a short term vacation rental without a permit.

POLICY/REGULATORY

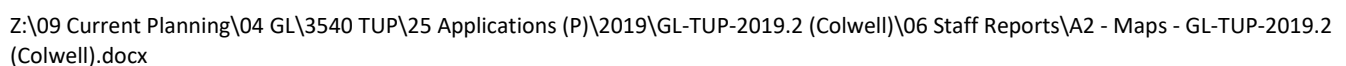
Official Community Plan Designations	The property is designated as in the Galiano Island Official Community Plan No. 108, 1995 (OCP). The property is not located within any Development Permit Areas (DPAs)
Land Use Bylaw	The property is zoned as Village Residential 1 (VR1) in the Galiano Island Land Use Bylaw No. 127, 1999 (LUB).
Other Regulations	Subject property is within Water Management Area - LTC resolution to require applicant/operator to provide 16000 gallon cistern for TUP issuance
Covenants	
Bylaw Enforcement	See above – Historical Activity

SITE INFLUENCES

Islands Trust Fund	This application has no considerations for the Islands Trust Fund at this time.
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan at this time.
Species at Risk	N/A
Sensitive Ecosystems	N/A
Hazard Areas	N/A
Archaeological Sites	No archaeological sites are noted within the property or within 100 metres on the provincial RAAD database. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected

	under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	There is no development associated with this application therefore GHG emission changes resulting from approval and anticipated or possible climate change include mainly the increase in the use personal motor vehicles by guests travelling to the property and for transport on the island during their stay.
Shoreline Classification	Not Applicable

2.1 SUBJECT PROPERTY MAP



ATTACHMENT 3: TUP Checklist for Commercial Vacation Rental
GL-TUP-2019.2 (Colwell)
127 Manzanita Rd

Guidelines	Comments
Overall TUP Guidelines	Although this application is for a Bed & Breakfast use in an accessory building, the TUP CVR guidelines will still be used.
a) Time Period - For the purpose of a temporary use permit, “commercial vacation rental” means the use of <i>residence</i> as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier. Note: by standing resolution: the LTC will consider only one dwelling per lot for CVR use.	Use is for a Bed & Breakfast in an accessory building.
b) Cumulative Effects - The Local Trust Committee should consider the cumulative effects on the neighborhood and Island of all the temporary use permits issued for commercial vacation rentals.	There are four approved TUPs for Commercial Vacation Rental use within a 500 metre radius of the subject property.
c) Residential Appearance - The Local Trust Committee may consider issuance of a temporary use permit for a commercial vacation rental provided the proposal would not alter the residential appearance of the residence.	No alterations proposed.
d) Neighbour Concerns - The Local Trust Committee may require mitigating measures to address neighbours’ concerns, such as retention of existing screening and fencing, or installation of additional screening.	At the time of writing, notification has not generated any comments.
e) Water Supply - The landowner should demonstrate an adequate supply of water and septic capacity for the duration of the proposed use. Note: By standing resolution, the LTC has resolved that permits being considered in Water Management Areas* should include conditions requiring cisterns with a minimum capacity of 16,000 litres and a water meter.	This property is within a Water Management Area. The LTC resolved that permits for Commercial Vacation Rental (CVR) use within the WMA should include the installation of a 16000 Litre cistern is included as a condition of the permit. As this application is not for CVR use but a Bed & Breakfast this condition was not included in the permit circulated. If the LTC approves the permit, staff recommends adding the condition for the installation of a 16000 L cistern to the permit. See Alternatives in staff report.
f) Parking - the landowner should demonstrate that the property is able to accommodate off-street parking for a minimum of two vehicles	Minimum two (2) spaces is a condition in Draft Permit.

Guidelines	Comments
Permit Conditions	
g) Conditions - In addition to any other conditions the LTC may consider appropriate, the permit may:	
i. require that the owner or other contact be available on Galiano by telephone 24 hours/day, seven days per week and include the name and contact information in the conditions of the permit	Condition in Draft Permit.
ii. require the owner or manager to provide neighbours within a 100 metre radius of the vacation rental with the owner or manager's phone number, and a copy of the temporary use permit	Condition in Draft Permit.
iii. require the landowner to post for guests information on noise bylaws, water conservation, fire safety, storage and disposal of garbage and recycling, septic care and control of pets (if pets are permitted), and remind guests that the property is located in a residential area	Condition in Draft Permit.
iv. establish a maximum number of people that can stay	Maximum of 2 is a condition in Draft Permit.
v. establish a maximum number of guests per bedroom	Maximum of 2 is a condition in Draft Permit.
vi. prohibit camping or occupancy of RVs on the property	Condition in Draft Permit.
vii. restrict advertising to one unilluminated sign, with a maximum area	0.4 m ² , unilluminated and on subject property as a condition in Draft Permit.
viii. prohibit the rental or provision of motorized personal watercraft	Condition in Draft Permit.
ix. prohibit outdoor fires	Condition in Draft Permit.
x. establish the dates during which the use may occur	The residence is intended to be rented from May to October annually.
xi. include a provision stating that the bylaw enforcement officer may enter the property between certain hours without prior consultation if a complaint is received	Between 9 a.m. and 5 p.m. of any day as a condition in Draft Permit.
xii. require that the landowner/operator post for guests emergency service contact information and to provide a means for contacting them	Condition in Draft Permit.
xiii. require the landowner/operator to post contact information and permit information at the entrance to the property	Condition in Draft Permit.
Agriculture Land Reserve	
h) Agriculture Land Reserve - A temporary use permit respecting a parcel in the Agricultural Land	N/A

Guidelines	Comments
Reserve may require the approval of the Agriculture Land Commission prior to the permit being issued.	

***Water Management Areas** – as established on Schedule C of the *Galiano Island Land Use Bylaw No. 127, 1999*



Islands Trust

**GALIANO ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
GL-TUP-2019.2 (Colwell)**

127 Manzanita Road, Galiano Island

To: Alison Colwell

1. This Permit applies to the land described below:

Lot 1, Section 5, Galiano Island, Cowichan District, Plan 14682 (PID: 002-469-405)

2. This Permit is issued for the purpose of permitting the owner to conduct the following use on their property:

a) a Bed and Breakfast within an accessory building. A Bed and Breakfast is defined as the provision of sleeping accommodation and morning meal only to paying guests.

3. and is subject to the following conditions:

- a) the property owner or Bed & Breakfast operator must provide guests with a morning meal.
- b) the property owner or other contact person be available on Galiano Island by telephone 24 hours/day, seven days per week. The name and contact number of property owner and on island contact person must be provided to guests upon arrival;
- c) the property owner or Bed & Breakfast operator must provide neighbours within a 100 metre radius of the Bed & Breakfast with the contact person's phone number, and a copy of the temporary use permit;
- d) the property owner or Bed & Breakfast operator must post for guests information on noise bylaws, water conservation, fire safety, storage and disposal of garbage and recycling, septic care, and control of pets. The guest information must also remind guests that the property is located in a residential area;
- e) the maximum number of guests is limited to two (2) persons;
- f) camping and occupancy of recreational vehicles is prohibited;
- g) a maximum of one unilluminated sign not exceeding a total sign area of 0.4 square metres advertising the Bed & Breakfast is permitted. The sign must be located on the lot occupied by the Bed & Breakfast use;
- h) the rental or provision of motorized personal watercraft is prohibited;
- i) the owner must provide two onsite parking for vehicles on the property;
- j) the property owner or Bed & Breakfast operator must post for guests emergency service contact information and provide a means for contacting them;
- k) the property owner or Bed & Breakfast must post the name and contact number of property owner and on-island contact person, and permit information at the entrance to the property; and

- l) the holder of this Permit, will be held accountable for any violation of the conditions of this Permit. The Islands Trust Bylaw Investigations Officer may enter the property between the hours of 9:00 am and 5:00 pm on any day without prior consultation with the holder of the Permit, or commercial vacation renter for the purpose of investigating a complaint.
- 4. This permit is valid for three years from date of issuance of the permit and upon expiry of the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust.
- 5. 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 approvals from the Capital Regional District, Island Health and Ministry of Transportation and Infrastructure.

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

Deputy Secretary, Islands Trust

Date Issued



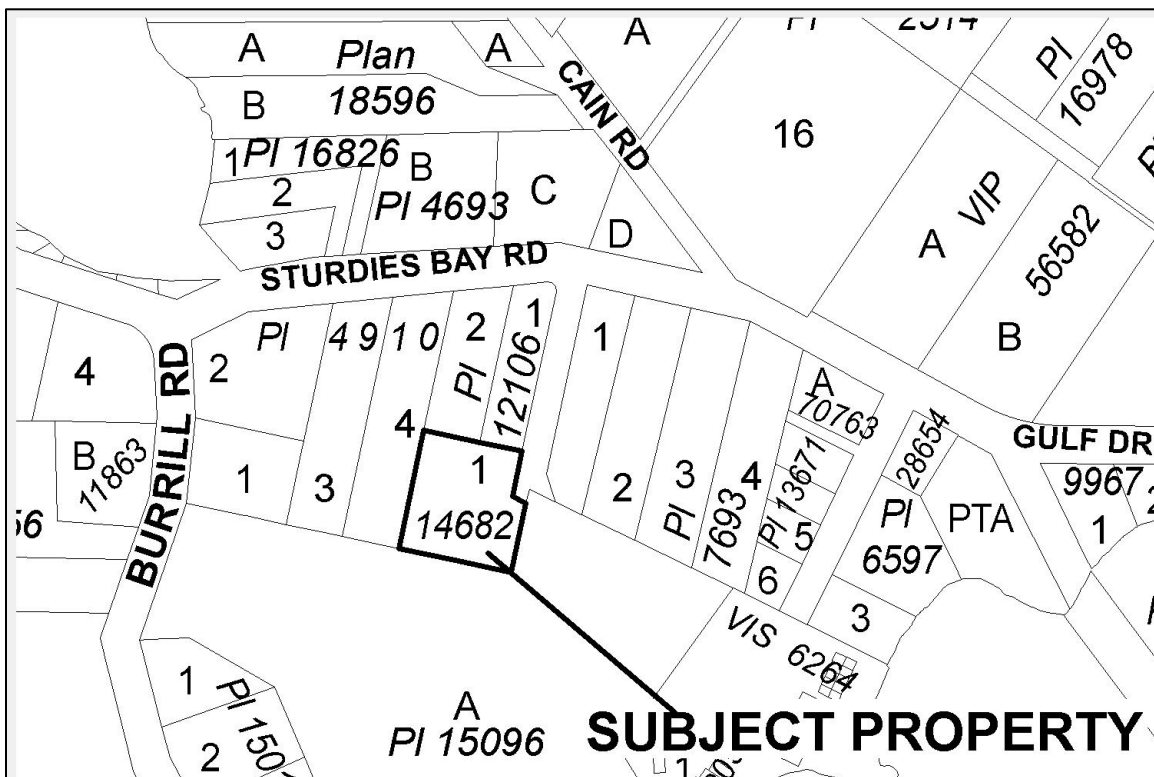
Islands Trust

**NOTICE
GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-TUP-2019.2**

NOTICE is hereby given that the Galiano Island Local Trust Committee will be considering a resolution allowing for the issuance of a Temporary Use Permit pursuant to Section 493 of the *Local Government Act*. The proposed permit would apply to LOT 1, SECTION 5, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 14682 (PID: 002-469-405) – **127 Manzanita Road**.

The purpose of this temporary use permit would be to permit a “bed and breakfast” in an accessory building on the subject property. The establishment of the temporary use would be subject to a number of conditions specified in the permit. The permit would be issued for up to three years and the owner may apply to the Galiano Island Local Trust Committee to have it renewed once for up to an additional three years.

The general location of the subject property is shown in the following sketch:



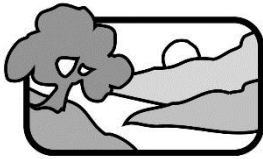
A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C., V8R 1H8, between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday inclusive, excluding Statutory Holidays, commencing **March 18, 2019** and up to and including **March 29, 2019**.

For the convenience of the public only, and not to satisfy Section 494(1) (a) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Galiano Island, B.C., commencing **March 18, 2019**.

Enquiries or comments should be directed to Phil Testemale, Planner at 250-405-5170, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: information@islandstrust.bc.ca, before **4:30 p.m., March 29, 2019**. The Galiano Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **12:30 pm, April 1, 2019**, at the South Community Hall, 141 Sturdies Bay Road, Galiano Island, BC.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Sharon Lloyd-deRosario
Deputy Secretary



Islands Trust

BYLAW REFERRAL FORM

Island: Thetis Island Local Trust Area Bylaw Nos.: 103 Date: March 19, 2019

You are requested to comment on the attached Bylaws for potential effect on your agency's/organization's interests. We would appreciate your response by **April 9, 2019**. If no response is received by that date, it will be assumed that your agency's/organization's interests are unaffected.

APPLICANTS NAME / ADDRESS:

THETIS ISLAND LOCAL TRUST COMMITTEE

PURPOSE OF BYLAWS:

The intent of bylaw no. 103, if adopted, would be to amend the Thetis Associated Islands Land Use Bylaw No. 94, 2014 (LUB) regulations for private moorage structures, boat ramps, walkways, floats and other structures in order to reduce their environmental and visual impact and to accommodate public access to the foreshore.

GENERAL LOCATION:

Ruxton Island, BC

OTHER INFORMATION:

Responses should be addressed to bmcerlean@islandstrust.bc.ca or northinfo@islandstrust.bc.ca

Any questions or concerns regarding the proposed bylaw, please contact Miles Drew, Bylaw Enforcement Manager at mdrew@islandstrust.bc.ca or 250-886-6716.

Please fill out the *Response Summary* attached to 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.

Marnie Eggen

(Signature)

Name:

Title

Marnie Eggen

Island Planner

This referral has been sent to the following agencies:

First Nations

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

Provincial Agencies

Ministry of Forests, Lands and Natural Resources Operations and Rural Development (MFLNRORD) – Crown Land and Resources & Archaeology Branch
Ministry of Environment – BC Parks

Regional Agencies

Cowichan Valley Regional District – Parks, Planning, building inspection

Adjacent Local Trust Committees

Gabriola Island Local Trust Committee
Galiano Island Local Trust Committee
Salt Spring Island Local Trust Committee

Federal Agencies

Transport Canada
Department of Fisheries and Oceans

Non-Agency Referrals

Ruxton Island Property Owners Association

PLEASE TURN OVER

**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

Thetis Island Local Trust Area – Ruxton Island

(Island)

(Signature)

(Date)

Bylaw No. 103 (LUB Amendment)

(Bylaw Number)

(Title)

(Agency)

DATE OF MEETING: April 1, 2019
TO: Galiano Island Local Trust Committee
FROM: Kim Stockdill, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Report Subject: Top Priorities Report

RECOMMENDATION

1. That the Galiano Island Local Trust Committee add Groundwater Sustainability to the Galiano Island LTC Top Priority List and that staff report back with a project charter.
2. That the Galiano Island Local Trust Committee request staff report back with an updated Project Charter for the Affordable Housing Project that would identify vacation rental review as the first phase.
3. That the Galiano Island Local Trust Committee remove the Dock Review from the Galiano Island LTC Top Priority List and place on the Projects List.
4. That the Galiano Island Local Trust Committee add Emergency Access Planning to the Galiano Island LTC Projects List.

REPORT SUMMARY

The purpose of this report is to provide options to the Galiano Island Local Trust Committee (LTC) on how to proceed with their Top Priorities.

BACKGROUND

The start of a new term is the opportunity for the LTC to establish its work program. The following steps are generally followed in the process to initiate a project:

- Early in the term, the LTC identifies potential projects and priorities, this may involve community consultation.
- Planners and the Regional Planning Manager (RPM) by a subsequent staff report review the potential projects and report back to the LTC on the feasibility of the projects.
- The LTC identifies its Top Priority projects by resolution. Up to three Top Priorities may be identified, but it is unlikely that resources would permit more than one major and one smaller project to proceed simultaneously. Other potential future projects can be added to Projects list for future consideration.
- Staff report back on each identified Top Priority project with a project scope, timeline and budget, which are summarized in a Project Charter to be considered for endorsement by the LTC.
- Once the LTC endorses the project charter, the RPM initiates a budget request from the LPS projects portion of the annual budget.

- Once approved, the planner assigned to the project team will proceed with the work, reporting regularly to the LTC. The RPM ensures that there are sufficient resources assigned to the project and that the timeline is being met.

The following are the top priorities from the previous Galiano Island LTC 2014 to 2018 term:

- Cottage Review - completed
- Secondary Suites - completed
- Contractor Home Base - completed
- Telecommunication Strategy - completed
- Affordable Housing Strategy (on going)
- Dock Review (on going)

At the February 4, 2019 regular Galiano Island LTC meeting, the LTC passed the following resolution:

GL-2019-006

It was Moved and Seconded,

that the Galiano Island Local Trust Committee request staff to provide comments and recommendations on which projects to place on the Top Priorities List and options on how to proceed with each project.

CARRIED

The Galiano Island LTC held a Special Meeting on January 27th in order to gather comments from the community to determine which projects should be placed on the Top Priority List. Comments from this meeting and from the February 4, 2019 LTC meeting were used to guide the analysis below. Four major themes emerged from these discussions: emergency road/access planning; climate change/wildfire plan, groundwater review, and affordable housing. The minutes from the January 27th meeting are attached to this staff report.

ANALYSIS

Top Priority List

The Top Priorities list defines the LTC's work program. An LTC can identify up to three top priorities at any given time, however given limited resources it is unlikely that three significant projects can be managed and delivered simultaneously. It is more effective for an LTC to focus on one or two projects. When proposing new Top Priorities the LTC should be aware of available resources, including budget and staff, and relevance of the project. Resources may not be available for all projects. Once a project is proposed as a Top Priority, direction should be given to staff to draft a project charter. The draft project charter must then be endorsed by the LTC and Regional Planning Manager prior to a budget being allocated and the project proceeding.

Projects List

The purpose of the Projects List is to keep a record of topics raised for future work by the LTC. The Projects list also provides a basis for budget requests for the next fiscal year. Before any work beyond basic scoping or preliminary discussion with other agencies begins, the item should be moved to the Top Priorities list to ensure that staff resources are not diverted from other priorities. An LTC can have any number of projects on a projects list, however staff recommends this list be reviewed periodically to ensure the projects can be feasibly initiated in the term. Attachment 2 appends the project list that was endorsed by the LTC in the previous term. The LTC may wish to amend the projects list to add or remove potential topics. New topics should have a clear objective and be within the jurisdiction of the Islands Trust.

Potential Project Topics

Staff are aware of emerging issues and some policy priorities of the newly elected LTC. This is not a thorough analysis but rather an introduction to the issues. More information on scope, budget, and timelines would require the kind of review that goes into creating a project charter. Nevertheless, staff can offer the following introductions to the topics to assist with deliberations:

1. Emergency Planning/Emergency Road Access
2. Groundwater Review
3. Affordable Housing
4. Coastal Douglas-Fir Protection
5. Climate Change/Wildfire Risk Reduction
6. Dock Review

Emergency Planning/Emergency Road Access

Emergency planning and road access has become a pertinent topic for the Galiano community due to the destructive storm of December 2018 which resulted in a number of road closures, fallen trees, and other emergency scenarios. The Province of British Columbia delegates its authority to manage emergency programs planning to the Capital Regional District (CRD). Therefore the CRD is responsible for emergency planning for the southern gulf islands and specifically Galiano Island. The CRD has recently received funding to for evacuation planning within the electoral areas in order to outline primary and secondary access routes.

The Road Network Plan (RNP) was incorporated into the Galiano Island Official Community Plan (OCP) in 2002 with the objective of outlining existing and proposed roads, potential emergency access routes, as well as potential bike routes. As of late, due to road closures during storm event, securing emergency access over private property is of a heightened importance for the safety of the community.

To date emergency access has not been granted as a condition of a rezoning application although there are three current rezoning applications where emergency access could be granted. Planning staff are in the process of discussing the particulars of how to obtain emergency access in relation to these rezoning applications with the CRD, emergency service providers, and rezoning applicants. There has also been discussions between the CRD and Islands Trust planning staff on a mechanism in which property owners can voluntarily enter into to grant emergency access over their property when there's an emergency situation but a local state of emergency is not declared.

Summary/Recommendation: Staff does not recommend placing emergency planning or emergency road access on the Top Priority List until such time the CRD has completed their review of evacuation planning. Emergency road access is also being addressed at a larger scale between the CRD and planning staff, and also at a localized scale by requesting emergency access be granted as a condition of rezoning for current applications. Staff do recommend placing Emergency Access on the Project List. This project could then be placed on the Top Priority List later in the term after the CRD have completed their review.

Groundwater Review

Groundwater protection continues to be a reoccurring theme that is discussed by the community during land use applications, projects, and town hall sessions. There have been a number of studies completed in the past regarding groundwater studies and protection which have led to policies and plans in the Official Community Plan,

Water Management Areas in the Land Use Bylaw, and the development of Development Permit Area 4: Elevated Groundwater Catchment.

The Islands Trust has hired a Senior Freshwater Specialist to provide expertise on freshwater issues related outreach, and engagement with government agencies, and to provide professional advice to staff and LTCs. This position provides an opportunity for internal professional expertise on groundwater protection.

The North Pender LTC recently added Groundwater Sustainability to their Top Priority List with William Shulba, Islands Trust Senior Freshwater Specialist, guiding the project as the Project Manager. In his recent report he outlined the objectives of the proposed Groundwater Sustainability Project which can be classified into four categories:

- Data Stewardship and Information Inventory:
 - Provide access to aquifer and groundwater use information for member agencies and the public.
- Monitoring and Analysis
 - Coordinate monitoring and analysis strategies to address how natural and anthropogenic changes will impact aquifer function and groundwater use for North Pender Island.
- Policy and Planning:
 - Develop tools to protect aquifer function and preserve North Pender Island's limited groundwater resources.
- Education and Outreach:
 - Communicate to the public and associated agencies, the state of the North Pender Island's aquifers, groundwater resource, and groundwater use.

The North Pender LTC is in the beginning stages of the project with only one staff report completed which can be viewed here: <http://www.islandstrust.bc.ca/islands/local-trust-areas/north-pender/projects-initiatives/>

Summary/Recommendation: Staff recommend the Galiano Island LTC place Groundwater Sustainability on the Top Priority List as the project can work simultaneously with the North Pender project. The Islands Trust Senior Freshwater Specialist can also guide the project similar to the North Pender project.

Affordable Housing

Local Trust Committees have a limited amount of tools to address affordable housing. At the LTC level those are secondary accommodation (cottages, secondary suites, etc.), density bonus, zoning, etc. Previous LTCs have completed projects related to cottages, secondary suites, and short term vacation rentals. The LTC has received a report from the Advisory Planning Commission, along with a staff report recommending a phased approach.

Approaching the affordable housing project in phases would make the project easier to manage by focusing on one theme at a time. Themes identified could be Short Term Vacation Rentals (STVRs), secondary accommodation (secondary suites, tiny homes, etc.), and other Land Use Bylaw and Official Community Plan amendments.

The previous LTC placed a one year moratorium on vacation rental TUP applications, which recently expired. Although there is not a large number of pending new TUP applications, there are several enforcement files and also the LTC will shortly be considering renewals of several TUPs issued three years ago. Given the concerns about the impacts of vacation rentals on affordable housing, along with concerns about neighbourhood impacts, including those identified by the Advisory Planning Commission, staff recommend the LTC review the effectiveness of Temporary Use Permit (TUPs) regulation for Commercial Vacation Rentals (CVRs), STVR regulations in the Land Use Bylaw, and the cumulative effects of vacation rentals to date, as the first phase.

Summary/Recommendation: Staff recommend keeping Affordable Housing on the Top Priority List and have provided a recommendation for the LTC's consideration for staff to report back with an updated Project Charter. The project would be broken down into a phased approach with the first phase addressing Vacation Rental policies and regulations in the Land Use Bylaw and Official Community Plan.

Coastal Douglas-Fir Protection

At the February 4, 2019 Galiano Island LTC meeting a staff report was presented that requested the LTC to consider implementation of the *Protection of the Coastal Douglas-Fir (CDF) and Associated Ecosystems: An Islands Trust Tool Kit (2018)* as a Top Priority work program item. The Local Planning Committee developed the CDF tool kit for protection of the sensitive ecosystem. The tool kit includes a number of recommendations that the LTC could implement; most specifically amendments to the OCP which could include, but not limited to:

- Including stronger language to protect the CDF zone.
- Including specific policies supporting park dedication that protects CDF forests.
- Amending DPAs to include specific guidelines for CDF forests (for Galiano, add Mature Forest to the Sensitive Ecosystem DPA).
- Identifying protection of the CDF zone as an amenity that can be provided at the time of rezoning.
- Including enabling policies for conservation subdivision, amenity zoning, density transfers and density bonusing.
- Including language and policies that reference and honour the cultural heritage of Coast Salish stewardship.

This project could also be supported by staff from the Islands Trust Conservancy to help develop a Project Charter, provide mapping and CDF specific information, as well as feasible objectives for the project. Although there is interest in placing this project on the Top Priority List, the existing sensitive ecosystem development permit areas on Galiano provide a level of regulation that does not exist in other local trust areas, as does the LTC's approach to amenity zoning applications requiring protection of 75% of land being rezoned. As there are other projects that could be addressed before this topic staff recommend keeping the topic on the Project List and possibly placing it on the Top Priority List later in the term when other projects are completed.

Summary/Recommendation: Coastal Douglas-Fir Protection is listed on the Project List. The LTC should consider placing this project on the Top Priority List.

Climate Change/Wildfire Risk Reduction

The effects of climate change, extreme weather events, drought, and fire hazards, have and will continue to impact the Galiano community. Staff understand the importance of addressing this topic but recommend integrating it into other projects rather than placing it on the Top Priority List. Aspects of climate change would be a major theme in the Groundwater Sustainability discussion. Similarly, wildfire risk could be addressed in the Emergency Road/Access project if it is placed on the Top Priority List later in the term.

Summary/Recommendation: Staff recommend addressing climate change and wildfire risk in Top Priority projects were applicable.

Dock Review

The Dock Review project has been on the Top Priority List since March 2016. Last year Islands Trust staff were unable to secure a consultant in order to identify locations of specific interest or importance to the Penelakut First Nation along the shoreline of Galiano Island which may be impacted by development or installation of private docks. There has also been a lack of community interest to continue this project as the project was not highlighted

as a top priority at the January 27th special meeting. Staff are of the opinion that this project should be removed from the Top Priority List and placed on the Project List until such time there is more interest to address dock policies and regulations.

The initial impetus for the project was concerns from neighbours about the visual impacts of proposed new docks. If a Development Permit application is received for the construction of a dock within the foreshore, the LTC should be aware the project can only be reviewed on the basis of environmental impacts as outlined in the Development Permit Area 2: Shoreline & Marine Protection.

Summary/Recommendation: Staff recommend removing the Dock Review from the Top Priority List and placing it on the Projects List.

Other Emerging Issues

The following emerging issues the LTC may consider to be placed on the Projects List:

1. First Nation Consultation
2. Sensitive Ecosystem/Protection Areas Review
3. Technical LUB Amendments (could include split zoning review).

Rationale for Recommendation

In summary staff is recommending the two major projects for the Top Priority List to be: Groundwater Sustainability and Affordable Housing. These are two projects that are current topics that have repeatedly expressed by the community as topics that LTC should address. The LTC should also take advantage of in-house staff expertise, the Senior Groundwater Specialist.

Staff does not recommend adding a third project to the list limited budget and staff resources. Two projects which could be placed on the Top Priority List later in the term: Emergency Road/Access Planning and Coastal Douglas-Fir Protection.

ALTERNATIVES

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

1. Request further information

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

That the Galiano Island Local Trust Committee request that the staff provide further information regarding...

2. Remove Affordable Housing Strategy from the Top Priority List

The LTC may choose to remove the Affordable Housing Strategy project from the Top Priorities List and move it to the Project List. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee remove the Affordable Housing Strategy from the Top Priority List and place it on the Projects List.

NEXT STEPS

Once the Galiano Island LTC has given direction on the Top Priority List, staff can report back with information on scope, budget, and timelines for each Top Priority project.

Submitted By:	Kim Stockdill, Island Planner	March 8, 2019
Concurrence:	Robert Kojima, Regional Planning Manager	March 19, 2019

ATTACHMENTS

1. CIM Minutes – January 27, 2019
2. Projects List

ADOPTED



Galiano Island Local Trust Committee

Minutes of Special Meeting

Date: January 27, 2019
Location: Lions Park Society
992 Burrill Road, Galiano Island, BC

Members Present: Dan Rogers, Chair, Island Trustee
Tahirih Rockafella, Island Trustee
Jane Wolverton, Island, Island Trustee

Staff Present: Kim Stockdill, Islands Planner
Colleen Doty, Minute-Taker

Public: There were approximately (50) members of the public.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 12:35 p.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Introductions were made.

Chair Rogers outlined the parameters and agenda of the meeting, and explained the rules around post-public hearing.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. COMMUNITY INFORMATION MEETING RE: STRATEGIC PLANNING

3.1 Brainstorming:

Chair Rogers prefaced the discussion by noting that the Fred Stevens' rezoning application is post Public Hearing and the Galiano Island Local Trust Committee (LTC) cannot hear new information regarding the application. The public was invited to offer top priorities. The following items were identified:

- a. Advisory Planning Commission's affordable housing recommendations should be prioritized and actioned; with respect to an affordable housing strategy more generally, consider both rental and ownership affordability.

- b. The transportation plan should be enabled. Review transportation options; foot and bike paths for sections of the island.
- c. The emergency section of the Road Network Plan should be immediately opened.
- d. Consideration of the Dock review, which was on hold pending review with the Penelakut.
- e. Review the rezoning guide and consider whether we still want to use it.
- f. Local, sustainable economy.
- g. Food security.
- h. Consultation with First Nations.
- i. Future of short term vacation rental policy (STVR); currently TUP's for STVR's are in a moratorium. Development of a tourism strategy policy, as opposed to just dealing with STVR's.
- j. Community wildfire emergency plan that would include dealing with the number of dead trees.
- k. Climate change risk reduction plan.
- l. Implementing recommendations from the 2012 Galiano Groundwater Regulation Review by Waterline Resources. Managing potable water; focus on water recharge areas and evaluate how efficient we are on that level; well-monitoring.
- m. Communications on island; cell towers.
- n. Review Development Permit Areas (DPA) zones and whether they are achieving their intent.
- o. Develop an education backgrounder, a package of information for Galiano-specifically, about the Trust, LTC, policies, and what influences land-use decisions here for newcomers.
- p. Role that BC Ferries could play in helping people understand how to be good visitors.
- q. Galiano has one of the lowest percentages of protected areas in South Gulf Islands; review biodiversity beyond the DPA's.
- r. Disaster resiliency.
- s. Review policy documents to clarify the intent; split-zoning is an example of an issue that came up because there seems to be discrepancy between what community members understood and what it could mean.
- t. Official Community Plan (OCP) review: consideration of the benefits of a targeted review versus a comprehensive one.
- u. Policing, parking, unsafe driving.
- v. Longer term access to Dionisio Park.
- w. Arts and culture.
- x. Health care and health services.

Chair Rogers noted that the Islands Trust is not a service organization. He stated that many of the issues identified above, have come up at Trust Council (ie: First Nations advisor, climate change). The Islands Trust has a freshwater specialist on contract who is available to the LTC to discuss ways to address freshwater issues. With respect to whether we can do something to protect ground water on our island alone, he noted how there are potentially, special requisition authorities available. An example is the Salt Spring Island Water Protection Authority.

Trustee Wolverton noted there is a meeting scheduled for the following day (Jan. 28th, 2019, 1:45 p.m. at the library). The meeting will discuss cell communications, the Connected Coast, and how to improve communications on the island.

3.2 Conversation Clusters

Community members were invited to assign dots to their top three priorities. Table talks broke out based on attendees' most commonly identified priorities.

3.3 Brief Presentations from Table Discussions

The larger meeting reconvened and each table reported out on the highlights of their discussions.

A) **Climate change:** There was general acknowledgement that the community was feeling the impacts of climate change, as evidenced by the recent wind storm. Concerns and points raised included:

- Need to assess and mitigate ongoing fire risks; the need to access expertise on forest management. Workshops on forest management?
- Biodiversity is part of our resilience; importance of having nature-based solutions to climate change; importance of having a sustainable land and sea shore;
- Need for overlapping strategies and back-up plans.
- Under preserve and protect mandate, we should address what is being exported off island (ie: salal, water).
- Support for solar farm.
- Need to update the Road Network Plan; need to open up east side plan (for emergency access and fire-fighting), as part of an effort to make inaccessible areas more accessible.
- Encourage large property owners to open up for public access.
- Ongoing need for public transportation: more electric bikes, car-charging stations. Support for community bus.

B) **Affordable Housing:**

- LTC was encouraged to prioritize and action the Advisory Planning Commission (APC) recommendations as contained within the 2018 Affordable Housing Report.
- The "Whistler model" was referred to as a way of protecting residences from speculation.
- There is a pressing need for affordable rental housing as well as affordable home ownership. Funding and grants are available from Capital Regional District (CRD) and Province.
- Housing as a basic human right should be at forefront of OCP and LTC planning; OCP restrictions on trailer parks and houses on wheels should be removed.

- Concern about the prevalence of empty houses. Questions were raised about having a means of taxing them, since the Gulf Islands are now exempt from the BC Speculation Tax (on empty homes).

C) First Nations Consultation:

- First Nations (FN's) should have authority to have more input into what decisions are passed.
- Bring FN's to Galiano LTC meetings; consider having a FN representative or seat at LTC.

D) Emergency Planning/Resiliency/Emergency Road Access:

- Education is needed on how to react in emergency situations.
- Close the gaps in our communication systems where improvement is needed.
- Road access is important to everyone; trail network; each neighbourhood should have two routes in and out to avoid dead ends.
- Tree management; conditions around fire smart and trees
- Rain water catchment to get through periods of no power.

E) OCP and Water Review:

- Incorporate into the OCP the Waterline study done for Galiano in 2012.
- Need education and regulatory support with respect to water recharge areas; review upper elevation catchment areas.
- Register commercial and private wells (as per the Water Sustainability Act (WSA) on February 29, 2016).
- Galiano LTC to publish/make transparent all studies.
- Funding for groundwater studies; determine water resiliency; need for groundwater planning prior to development. Keep groundwater specialist on staff at trust.
- Request groundwater specialist to make a presentation to Galiano.
- Provide an introduction package to new residents.
- Education on catchment systems is needed; incentivize benefits to individuals using these systems.
- With respect to an OCP targeted review, one downside is that the review could seem never-ending.
- Include climate change and resiliency in OCP

Chair Rogers reminded the public of the March 1, 2019 deadline for registering a well that is used for non-domestic (ie: agricultural or commercial) purposes, to protect one's first rights to access. The registration, as per the *Water Sustainability Act*, is online and requires a BC id to access; all commercial business owners have been approached. What qualifies as farm use? Irrigation area is defined online. For more information visit

<https://www2.gov.bc.ca/gov/content/environment/air-land-water/water/water-licensing-rights/water-licences-approvals/new-requirements-for-groundwater-users>

Residents are encouraged to register their private wells. The first one in gets first priority. Registration is not mandatory.

3.4 Closing and Next Steps

Trustee Wolverton noted that the Trustees would come back with all information on top priorities, likely at the March 2019 meeting.

Planner Stockdill noted there will be a staff report going forward on Affordable Housing at the February 4, 2019 LTC meeting.

At the February meeting, the LTC could ask staff to provide a summary and/or staff report based on today's discussions, and potentially have a staff report for the March LTC agenda.

Alternatively, the LTC has the option at the February LTC meeting to make decisions based on today's discussions.

Trustee Rockafella thanked everyone for attending.

4. **ADJOURNMENT**

The meeting adjourned at 2:29 p.m.

Dan Rogers, Chair

Certified Correct:

Colleen Doty, Recorder

**Projects****Galiano Island**

Description	Activity	R/Initiated
Soil Removal and Deposit Bylaw	Review need and options for implementation of soil removal and deposit bylaw	12-Sep-2011
Comprehensive Watershed Planning	?	01-Oct-2016
Commercial Vacation Rental (TUP) Review	Review the Temporary Use Permit (TUP) guidelines in the Official Community Plan in relation to commercial vacation rentals.	05-Dec-2016
Review of split zonings.		05-Mar-2018
Coastal Douglas-Fir Protection	Review 'Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)' and provide recommendations from toolkit.	04-Feb-2019
Cannabis Retail and production	Consider review of policies and regulations to address cannabis retail sales and production	05-Mar-2019
Amendments to Forest designation and F1 zone -	Consider options for amendments to Forest Land Designation and policies and F1 zoning for lands without Managed Forest Status. Draft bylaws have been prepared, project deferred at meeting of April/12	16-Apr-2012
Parking Issues	Issue for discussion with MoTI and public parking issues generated from associated islands. (see correspondence from P. Midgely on agenda of Apr/12)	23-Jul-2012
Bike Trails and Camping	Letter dated July 8, 2013 received from Galiano Parks and Recreation Commission regarding bike safety on Galiano roads (See Transportation policy U of Section 1.1) and for the allowance of non-commercial camping on private lots.	15-Jul-2013
Ocean Based Geo-Exchange Systems	Review of regulations for geo-thermal exchange use.	18-Nov-2013



Projects

Galiano Island

Description	Activity	R/Initiated
Information Note Addition	Add in Information Note on Archeological Sites under General Regulations	18-Nov-2013
Light Industrial Zoning	A review and inventory assessment of existing and potential light industrial zones.	18-Nov-2013
Land Use Bylaw Amendments	To review LUB for: any technical/administrative bylaw amendments (e.g. definition references and numbering), shoreline zoning wording, crown lot rezonings, and review park zoning (specifically to allow stairs in setbacks).	07-Jul-2014
Community Benefit Review for Forest Lands	Staff to prepare preliminary report for new LTC	08-Sep-2014
Consider amendments to re-designate and rezone crown owned Forest lots.- Bylaws 231, 232 at First Reading	re-refer to FLNRO for comment	

File No.: 6500-20
(LTC Cannabis Regulation)

DATE OF MEETING: April 1, 2019
TO: Galiano Island Local Trust Committee
FROM: Robert Kojima, Regional Planning Manager
Southern Team
SUBJECT: Bylaw to Amend Fees Bylaw for Cannabis Retail Sales License Referrals

RECOMMENDATION

1. That Galiano Island Local Trust Committee Bylaw No. 270, cited as “Galiano Island Local Trust Committee Fees Bylaw No. 196, 2007, Amendment No. 1, 2019”, be read a first time.
2. That Galiano Island Local Trust Committee Bylaw No. 270, cited as “Galiano Island Local Trust Committee Fees Bylaw No. 196, 2007, Amendment No. 1, 2019”, be read a second time.
3. That Galiano Island Local Trust Committee Bylaw No. 270, cited as “Galiano Island Local Trust Committee Fees Bylaw No. 196, 2007, Amendment No. 1, 2019”, be read a third time.
4. That Galiano Island Local Trust Committee Bylaw No. 270, cited as “Galiano Island Local Trust Committee Fees Bylaw No. 196, 2007, Amendment No. 1, 2019”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

This report provides a summary of a proposed bylaw that would amend the Galiano Island Local Trust Committee (LTC) fees bylaw to establish a new fee for Retail Cannabis sale application referrals.

BACKGROUND

At the last meeting the LTC adopted a standing policy regarding processing notices of retail cannabis applications that may be received from the Liquor & Cannabis Regulation Branch and requested staff to bring back an amendment to the fees bylaw to establish a fee of \$2000 for cannabis retail referrals.

The attached bylaw would amend the fees bylaw to include a new fee for cannabis retail applications, also update the agency name for liquor referrals, as well as correct numbering in the subsequent section of the bylaw.

As an administrative bylaw, a public hearing is not part of the legislative process for such a bylaw, the LTC can give the bylaw three readings at a single meeting and refer it to Executive Committee for approval. Following EC approval the bylaw would be considered for adoption by the LTC.

RATIONALE FOR RECOMMENDATION

Local trust committees must be referred notice of any cannabis license proposals from the provincial agency, and are obliged to respond to such notices. Because of the likelihood that these applications will attract significant public interest and involve significant staff resources to process, staff have recommended that LTCs amend their fees bylaws to include a specific fee for LCRB cannabis retail applications, which is distinct from and higher than liquor license applications.

ALTERNATIVES

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

1. Do not amend the fees bylaw

The fee for any referrals would remain at the current amount for liquor referrals.

2. Request further information

Submitted By:	Robert Kojima, Regional Planning Manager	March 19, 2019
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Attachments: Bylaw 270

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 270

A BYLAW TO AMEND THE GALIANO ISLAND LOCAL TRUST COMMITTEE FEES BYLAW NO 196, 2007

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections;

NOW THEREFORE the Galiano Island Local Trust Committee, being the local trust committee having jurisdiction in respect of the Galiano Island Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. Citation:

This bylaw may be cited for all purposes as “Galiano Island Local Trust Committee Fees Bylaw No. 196, 2007, Amendment No. 1, 2019”.

2. Galiano Island Local Trust Committee Fees Bylaw No. 196, 2007, is amended as shown on Schedule 1 attached to and forming part of this bylaw.

READ A FIRST TIME THIS DAY OF , 201X

READ A SECOND TIME THIS DAY OF , 201X

READ A THIRD TIME THIS DAY OF , 201X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST

THIS DAY OF , 201X

ADOPTED THIS DAY OF , 201X

Chair

Secretary

Galiano Island Local Trust Committee

Bylaw No. 270

Schedule 1

1. Part 3, **Application Fees**, Section 3.1, **TABLE 4 – Other Applications**, is amended by deleting row 3 and replacing it with the following new rows:

3.	Liquor & Cannabis Regulation Branch – Liquor Licensing Applications	\$825
4.	Liquor & Cannabis Regulation Branch – Non-Medical Cannabis Retail License Applications	\$2,000

2. Part 3, **Application Fees**, Sections 3.3 through 3.6 are renumbered as Sections 3.2 through 3.5.

Top Priorities

Galiano Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Affordable Housing Strategy	Special APC to review options	07-Mar-2016	Kim Stockdill	31-Oct-2018
2	Dock Review	Review issues regarding docks and new shoreline information and whether changes are required to the LUB.	07-Mar-2016	Kim Stockdill	31-Oct-2018

**Projects****Galiano Island**

Description	Activity	R/Initiated
Soil Removal and Deposit Bylaw	Review need and options for implementation of soil removal and deposit bylaw	12-Sep-2011
Comprehensive Watershed Planning	?	01-Oct-2016
Commercial Vacation Rental (TUP) Review	Review the Temporary Use Permit (TUP) guidelines in the Official Community Plan in relation to commercial vacation rentals.	05-Dec-2016
Review of split zonings.		05-Mar-2018
Coastal Douglas-Fir Protection	Review 'Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)' and provide recommendations from toolkit.	04-Feb-2019
Cannabis Retail and production	Consider review of policies and regulations to address cannabis retail sales and production	05-Mar-2019
Amendments to Forest designation and F1 zone -	Consider options for amendments to Forest Land Designation and policies and F1 zoning for lands without Managed Forest Status. Draft bylaws have been prepared, project deferred at meeting of April/12	16-Apr-2012
Parking Issues	Issue for discussion with MoTI and public parking issues generated from associated islands. (see correspondence from P. Midgely on agenda of Apr/12)	23-Jul-2012
Bike Trails and Camping	Letter dated July 8, 2013 received from Galiano Parks and Recreation Commission regarding bike safety on Galiano roads (See Transportation policy U of Section 1.1) and for the allowance of non-commercial camping on private lots.	15-Jul-2013
Ocean Based Geo-Exchange Systems	Review of regulations for geo-thermal exchange use.	18-Nov-2013



Projects

Galiano Island

Description	Activity	R/Initiated
Information Note Addition	Add in Information Note on Archeological Sites under General Regulations	18-Nov-2013
Light Industrial Zoning	A review and inventory assessment of existing and potential light industrial zones.	18-Nov-2013
Land Use Bylaw Amendments	To review LUB for: any technical/administrative bylaw amendments (e.g. definition references and numbering), shoreline zoning wording, crown lot rezonings, and review park zoning (specifically to allow stairs in setbacks).	07-Jul-2014
Community Benefit Review for Forest Lands	Staff to prepare preliminary report for new LTC	08-Sep-2014
Consider amendments to re-designate and rezone crown owned Forest lots.- Bylaws 231, 232 at First Reading	re-refer to FLNRO for comment	



Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2018.2	ERIK S MEDEN	29-Aug-2018	4121 Porlier Pass Rd

Planner: Phil Testemale

Planning Status

Status Date: 15-Nov-2018

Applicant requested application be put in abeyance.

Status Date: 04-Oct-2018

Applicant requested deferral to December LTC to address neighbour concerns and siting issues.

Status Date: 20-Sep-2018

Permit & Notice to DC for mailout and delivery. October 15 LTC agenda.

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2019.1	Darlene Kinney	07-Jan-2019	A rejected BP Referral initiated a DVP application for a treehouse project.

Planner: Kim Stockdill

Planning Status

Status Date: 25-Feb-2019

Application to be placed on April 1st LTC agenda

Status Date: 05-Feb-2019

Draft permit and notice completed.

Status Date: 23-Jan-2019

Planner reviewing file.

Rezoning

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

Planner: Robert Kojima

Planning Status

Applications

Status Date: 05-Feb-2019

Applicant to work on new sustainable forestry covenant draft and Baseline Report. Applicant to also secure third party for covenant. Staff is in the process of discussing granting emergency access by SROW with CRD. No new public hearing required.

Status Date: 21-Jan-2019

Application placed on Feb 4/19 agenda. Direction from LTC required to proceed with or without holding a new Public Hearing.

Status Date: 18-Jul-2018

Applicants requested to provide information on how to proceed with their application. Application will be closed August 31, 2018 if staff do not hear back.

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

Planner: Robert Kojima

Planning Status

Status Date: 01-May-2018

Applicants asked to have a preliminary subdivision layout plan prepared for review

Status Date: 25-Apr-2018

Applicants provide preliminary comments for staff review and s.99 subdivision for Trust Fund review

Status Date: 12-Mar-2018

Meeting with applicant representatives, more information and plans required before reporting back to LTC

Subdivision

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2017.2	PETER THOMSON	22-Dec-2017	409 Porlier Pass Drive - proposed 20-lot bare land strata subdivision

Planner: Robert Kojima

Planning Status

Status Date: 15-Oct-2018

DP and DVP related to subdivision application approved.

Applications

Status Date: 09-Aug-2018

SD referral response sent to MOTI. Applicant required to apply for a DP and DVP.

Status Date: 19-Jul-2018

Emailed Applicant's completed Subd Ref Review form to LTC cc Planner, MoTI; gave folder to Planner.

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
GL-TUP-2019.1	Brigitte Finnie	02-Jan-2019	To obtain a permit to use a cottage and main house as a short term vacation rental.

Planner: Kim Stockdill

Planning Status

Status Date: 26-Feb-2019

Applicants to contact staff (Warren and Robert) at end of March 2019 to set up site visit.

Status Date: 05-Feb-2019

Further information requested from applicant.

Status Date: 23-Jan-2019

Application on hold until TUP moratorium lifted.

File Number	Applicant Name	Date Received	Purpose
GL-TUP-2019.2	Colwell, Alison	04-Feb-2019	use cottage/ accessory building as a bed and breakfast, needing approval

Planner: Kim Stockdill

Planning Status

Status Date: 08-Mar-2019

Application to be placed on April 1, 2019 agenda.

Status Date: 19-Feb-2019

Further information requested from applicant.

Status Date: 06-Feb-2019

PTA created file, fees recieved, emailed to LTC, given to Planner

File Number	Applicant Name	Date Received	Purpose
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Applications

GL-TUP-2019.3

Graham & Linda
Coleman

06-Mar-2019

Holiday rental permit extension

Planner:

Planning Status

Status Date:

Islands Trust
LTC EXP SUMMARY REPORT F2019
Invoices posted to Month ending January 2019

625 Galiano	Invoices posted to Month ending January 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-625	LTC "Trustee Expenses"	750.00	473.24	276.76
LTC Local				
65200-625	LTC - Local Exp - LTC Meeting Expenses	5,500.00	3,157.91	2,342.09
65210-625	LTC - Local Exp - APC Meeting Expenses	500.00	1,564.32	-1,064.32
65220-625	LTC - Local Exp - Communications	250.00	989.25	-739.25
65230-625	LTC - Local Exp - Special Projects	500.00	400.00	100.00
TOTAL LTC Local Expense		<u>6,750.00</u>	<u>6,111.48</u>	<u>638.52</u>
Projects				
73001-625-4051	Galiano Affordable Housing	3,000.00	313.20	2,686.80
73001-625-4065	Galiano Dock Review	8,000.00	400.28	7,599.72
TOTAL Project Expenses		<u>11,000.00</u>	<u>713.48</u>	<u>10,286.52</u>

Galiano Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: March 4, 2019

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

No	Meeting Date	Resolution No.	Issue	Policy
5.	April 7, 2014	GL-2014-029	Community Wells as a Community Benefit	That the Galiano Island Local Trust Committee will consider as a community benefit for all rezoning applications where there is an increase in density, the establishment of an instrumented observation well.
6.	December 5, 2016	By consent	TUP for Commercial Vacation Rentals	Without fettering its discretion, the LTC provided the following guidance with respect to its consideration of TUP applications for Commercial Vacation Rentals: 1. A Commercial Vacation Rental use should only be considered in one dwelling per lot 2. Permits being considered in Water Management Areas should include conditions requiring cisterns with a minimum capacity of 16,000 litres and a water meter. 3. In order to assist in assessing cumulative impacts, staff are requested to continue to provide an updated map showing the location, status, and maximum number of guests of all Commercial Vacation Rental TUP applications.
7.	March 5, 2018	GL-2018-023	TUPs for Short Term Vacation Rental use	That the Galiano Island Local Trust Committee place a 12 month moratorium on the issuance of new temporary use permits for Short Term Vacation Rental (STVR). (EXPIRED)
8.	September 17, 2017	GL-2018-65	Antenna System Siting & Consultation	That the Galiano Island Local Trust Committee Adopt the Galiano Island Antenna System Siting & Consultation Protocol as the tool for the review and consideration of antenna system proposals with the Galiano Island Local Trust Area.
9.	March 4, 2019	GL-2019-	Cannabis Retail Referrals	• Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. • The public consultation process shall be determined by the local trust committee after initial review of the proposal. • However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: ○ Name of the applicant and a description of the proposal in general terms

No	Meeting Date	Resolution No.	Issue	Policy
				○ The location of the proposed establishment and the subject site ○ The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. ○ The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application ○ How public comments may be submitted to the local trust committee.

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File No.:

4050-03/BEN
Amendments

DATE OF MEETING: April 1, 2019
TO: Galiano Island Local Trust Committee
FROM: Miles Drew Bylaw Enforcement Manager, Local Planning Services
SUBJECT: Bylaw Enforcement Notification Bylaw Amendments

RECOMMENDATION

1. That Galiano Island Local Trust Committee Bylaw No. 269, cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 228, 2011, Amendment No. 1, 2018”, be adopted.

REPORT SUMMARY

This report recommends that Galiano Island Local Trust Committee amend Galiano Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 288, 2011 (BEN) so that recent changes to the Galiano Island Land Use Bylaw (LUB) are included and so that various housekeeping amendments can be made.

Background:

At the February 4, 2019 meeting, Galiano Island Local Trust Committee gave three readings to Bylaw No. 269 making the following resolutions:

1. That Galiano Island Local Trust Committee Bylaw 269, cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 228, 2011, Amendment No. 1, 2018”, be read a first time.
2. That Galiano Island Local Trust Committee Bylaw 269, cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 228, 2011, Amendment No. 1, 2018”, be read a second time.
3. That Galiano Island Local Trust Committee Bylaw 269, cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 228, 2011, Amendment No. 1, 2018”, be read a third time.

At its regular business meeting on February 13, 2019, the Executive Committee approved Bylaw No. 269.

Rationale for Adoption

The BEN Bylaw was last updated in February of 2017. Since that time various amendments have been made to the LUB causing the BEN Bylaw to be out of sync with the LUB. This amendment bylaw updates the Schedule A to reflect changes in the LUB.

The amending bylaw changes the name and address of the Adjudication Registry from the North Shore to the Islands Trust to reflect Trust Council’s recent decision that the Islands Trust will run its own Bylaw Notice Adjudication Registry.

Penalty amounts have also been adjusted so that there are now only three amounts. This is to simplify the fee structure and to accentuate the benefits of seeking a compliance agreement and thereby obtaining the 100% reduction in the penalty amount.

Proposed Bylaw No.269 is consistent with Islands Trust Council policies and approved by the Executive Committee.

Submitted By:	Miles Drew Bylaw Enforcement Manager	February 13, 2019
Concurrence:	Robert Kojima, Regional Planning Manager	Select Date.

ATTACHMENT

1. GL-LTC-BEN-Amendment-Bylaw-269

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 269

A BYLAW TO AMEND THE GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW ENFORCEMENT NOTIFICATION BYLAW, NO. 228, 2011

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

1. Galiano Island Local Trust Committee Bylaw cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 228, 2011” is hereby amended as follows:
 - i. By deleting the words “A BYLAW TO RESPECT THE ENFORCEMENT OF BYLAW NOTICES WITHIN THE GALIANO ISLAND LOCAL TRUST AREA” and substituting the words “A BYLAW WITH RESPECT TO THE ENFORCEMENT OF BYLAW NOTICES WITHIN THE GALIANO ISLAND LOCAL TRUST AREA”;
 - ii. By deleting the words “North Shore Bylaw Notice Adjudication Registry” within section 1.2 and substituting the words “Islands Trust”;
 - iii. By deleting the words within section 4.0(2) and substituting the following: “if received by the Islands Trust within 14 days of the person receiving or being presumed to have received the bylaw violation notice, is the Discounted Penalty Amount set out in column A2 of Schedule “A” and Schedule “B” as attached to this bylaw applies”
 - iv. By deleting the words within section 4.0(3) and substituting the following: “if more than 28 days after the person has received or is presumed to have received the bylaw violation notice, is subject to a late payment surcharge in addition to the penalty under paragraph (1) , and is the Late Payment Penalty Amount set out in column A3 of Schedule “A” as attached to this bylaw or”;
 - v. By deleting the words within section 6.2 and substituting the following: “The civic address of the Registry is Suite 200 – 1627 Fort Street, Victoria, BC V8R 1H8”;
 - vi. By removing Schedule A – Galiano Island Land Use Bylaw No. 127, 1999 Contraventions and Penalties and substituting the attached: Schedule A – Galiano Island Land Use Bylaw No. 127, 1999 Contraventions and Penalties.
2. This Bylaw may be cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 228, 2011, Amendment No. 1, 2018.”

READ A FIRST TIME THIS 4TH DAY OF FEBRUARY, 2019

READ A SECOND TIME THIS 4TH DAY OF FEBRUARY, 2019

READ A THIRD TIME THIS 4TH DAY OF FEBRUARY, 2019

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST
THIS 13TH DAY OF FEBRUARY, 2019

ADOPTED THIS DAY OF ,20__

SECRETARY

CHAIR

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 1999
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.1.1	Non-Permitted Use Of Conduits/Poles/Towers In Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
2.1.2	Non-Permitted Bicycling And Equestrian Trails In Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
2.1.3	Non-Permitted Accessory Use/Building/Structure Or Non-Permitted Agricultural And Horticultural Use Or Non-Permitted Farm Animals in Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
2.1.4	Non-Permitted Sawmilling In Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
2.2	Non-Permitted Use Of Accessory Building/Structure As Home Occupation Prior To Primary Building/Structure Constructed And Occupied	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.1	Non-Permitted Use Of Accessory Building/Structure, Other Than Cottage, For Human Habitation	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.2	Non-Permitted Use Of Land/Building/Structure For Mobile Home Parks/Manufactured Home Parks/Commercial Campgrounds	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.3	Non-Permitted Use Of Land/Building/Structure For Commercial Aquaculture	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.4	Non-Permitted Use Of Land/Building/Structure For Airports Other Than Float Plane Bases	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.5	Non-Permitted Use Of Boat Launching Ramp/Marina/Dock For Launching Personal Watercraft	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.6	Non-Permitted Use Of Land/Building/Structure For Helipads	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.7	Non-Permitted Use Of Land/Building/Structure For Private Golf Courses/Marinas	\$350.00	\$262.50	\$525.00	Yes	100%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 1999
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.3.8	Non-Permitted Use Of Land/Building/Structure For Waste Disposal On Land/Marine Areas	\$500.00	\$375.00	\$750.00	Yes	100%
2.4	Wrecking/Storage Of Derelict Automobiles/Used Or Discarded Machinery/Equipment.	\$200.00	\$150.00	\$300.00	Yes	100%
2.5	Exceed Height Restriction For Accessory Building/Structure	\$350.00	\$262.50	\$525.00	Yes	100%
2.6	Accessory Building/Structure Exceeds One Story	\$350.00	\$262.50	\$525.00	Yes	100%
2.8	Fence exceeds permitted height.	\$350.00	\$262.50	\$525.00	Yes	100%
2.9	Exceed Floor Area Restriction For Cottage	\$350.00	\$262.50	\$525.00	Yes	100%
2.12	Non-Permitted residential design of forestry use building or structure.	\$350.00	\$262.50	\$525.00	Yes	100%
2.14	Non-Permitted Siting Of Building/Structure In Set Back From Sea/Lake/Swamp/Watercourse.	\$350.00	\$262.50	\$525.00	Yes	100%
2.15	Non-Permitted Siting Of Sewage Absorption Field In Set Back From Sea/Lake/Swamp/Watercourse/Well.	\$350.00	\$262.50	\$525.00	Yes	100%
2.16	Non-Permitted Siting Of Building/Structure For Farm Animals In Set Back From Sea/Lake/Swamp/Watercourse/Well	\$350.00	\$262.50	\$525.00	Yes	100%
2.17	Non-Permitted Siting Of Building/Structure Used For Human Habitation/Occupancy In Agriculture Zone	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.1	Non-Permitted Secondary Suite	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.2	Non-Permitted Secondary Suite/Cottage	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.3	Secondary Suite Too Large	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.4	Secondary Suite Not Located In Principal Dwelling	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.5	Secondary Suit Without Separate Entrance	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.6	Secondary Suite Without Adequate Rainwater Storage	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.8.1	Non Resident Employee In Suite Home Occupation	\$350.00	\$262.50	\$525.00	Yes	100%

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GALIANO ISLAND LAND USE BYLAW NO. 127, 1999
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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.28.9	No Parking Provided For Secondary Suite	\$350.00	\$262.50	\$525.00	Yes	100%
3.2	Home Occupation On Premise Not Being Occupied As Dwelling	\$200.00	\$200.00	\$300.00	Yes	100%
3.3	Home Occupation Not Conducted Entirely Within Operator's Dwelling Unit Or Accessory Building/Structure	\$200.00	\$200.00	\$300.00	Yes	100%
3.3	Non-Permitted Exterior Storage Of Materials/Products/Equipment	\$200.00	\$150.00	\$300.00	Yes	100%
3.4	Not Retaining Residential Appearance Due To Home Occupation	\$200.00	\$150.00	\$300.00	Yes	100%
3.5	Non-Permitted Home Occupation Sign/ Lighting	\$200.00	\$150.00	\$300.00	Yes	100%
3.6	More Than Three Persons Employed In Home Occupation Or No Employee Residing Permanently	\$200.00	\$200.00	\$300.00	Yes	100%
3.7	Non-Permitted Home Occupation Activity	\$200.00	\$200.00	\$300.00	Yes	100%
3.8	Non-Permitted Home Occupation	\$200.00	\$200.00	\$300.00	Yes	100%
3.9	Home Occupation Producing Waste/Noise/Vibration/Glare/Fumes/Odours/Illumination/Electrical Interference Detectable Off Lot Or Home Occupation Consumes Excessive Groundwater	\$200.00	\$200.00	\$300.00	Yes	100%
3.10	Exceed Maximum Number Bedrooms In B&B	\$200.00	\$200.00	\$300.00	Yes	100%
3.12	Vehicle/Equipment for Home Occupation in Setback Unscreened.	250.00	\$187.00	\$300.00	Yes	100%
3.13.1	More Than One STVR in Use	\$350.00	\$262.50	\$525.00	Yes	100%
3.13.2	Too Many Bedrooms/Beds in STVR/B&B	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.1	Non-Permitted Use In Village Residential 1 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.1.2	More Than One Dwelling On Lot In Village Residential 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.3	Non-Permitted Cottage In Village Residential 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.4	Exceed Lot Coverage Restriction In Village Residential 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.1.5	Exceed Height Restriction For Building/Structure In Village Residential 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.6	Encroachment Of Building/Structure Into Setback In Village Residential 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.7	Encroachment Of Building/Structure For Animals Into Setback In Village Residential 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.1	Non-Permitted Use In Village Residential 2 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.2	More Than One Dwelling On Lot In Village Residential 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.3	Non-Permitted Cottage In Village Residential 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.4	Exceed Lot Coverage Restriction In Village Residential 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.5	Exceed Height Restriction For Building/Structure In Village Residential 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.6	Encroachment Of Building/Structure Into Setback In Village Residential 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.7	Encroachment Of Building/Structure For Animals In Village Residential 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
5.3.1	Non-Permitted Use In Small Lot Residential Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.3.2	Non-Permitted Cottage On Lot 1, District Lot 83 In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.3.3	Non-Permitted Use On District Lot 145 In Small Lot Residential Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.3.4	Non-Permitted Additional Dwelling In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.3.5	Non-Permitted Cottage On Lots Smaller Than 0.4 Hectares In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.3.6	Exceed Lot Coverage Restriction In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.3.7	Exceed Height Restriction For Building/Structure In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.3.8	Encroachment Of Building/Structure Into Setback In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.3.10	Encroachment Of Building/Structure For Farm Animals Into Setback In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.1	Non-Permitted Use In Rural Residential Zone	\$500.00	\$350.00	\$750.00	Yes	100%
5.4.2	Non-Permitted Additional Dwelling In Rural Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.3	Non-Permitted Cottage In Rural Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.4	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.5	Exceed Height Restriction For Building/Structure In Rural Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.6	Encroachment Of Building/Structure Into Setback In Rural Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.7	Encroachment Of Building/Structure For Farm Animals Into Setback In Rural Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.1	Non-Permitted Use In Rural 2 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.4.8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.13	Building/ Structure/Paved Area Outside Developable Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.15	Building/Structure/Paved Area Outside Designated Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.17	Building/ Structure/Paved Area Outside Developable Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.1	Non Permitted Use in Rural 2 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.5.2	Non-Permitted Additional Dwelling In Rural 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.5.3	Non-Permitted Cottage In Rural 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.4	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.5	Exceed Height Restriction For Building/Structure In Rural 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.6	Encroachment Of Building/Structure Into Setback In Rural 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.7	Encroachment Of Building/Structure For Farm Animals Into Setback In Rural 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.1	Non-Permitted Use In Rural 3 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.6.2	Non-Permitted Additional Dwelling In Rural 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.3	Non-Permitted Cottage In Rural 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.4	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.5	Exceed Height Restriction For Building/Structure In Rural 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.6	Encroachment Of Building/Structure Into Setback In Rural 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.7	Encroachment Of Building/Structure/Use Permitted Under Article 5.6.1 Into Setback In Rural 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.8	Encroachment Of Building/Structure For Animals Into Setback In Rural 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.9	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.1	Non-Permitted Use In Agriculture Zone	\$500.00	\$375.00	\$750.00	Yes	100%
6.1.2	Non-Permitted Additional Dwelling In Agriculture Zone	\$500.00	\$375.00	\$750.00	Yes	100%
6.1.4	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.5	Exceed Height Restriction For Building/Structure In Agriculture Zone	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.6	Encroachment Of Building/Structure Into Setback In Agriculture Zone	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.7	Encroachment Of Non-Residential Building/Structure Into Setback In Agriculture Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
6.1.10	Agri-tourist Accommodation Not Accessory To Working Farm	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.11	Agri-Tourist Accommodation Not In AG Zone and ALR.	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.12	Agri-tourist Accommodation Not Situated In Dwelling or Cottage	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.13	Agri-tourist Accommodation With Unpermitted Restaurant/Commercial Or Retail Sales And Services	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.14	Agri-tourist Operation Exceed Maximum Guests/Bedrooms	\$500.00	\$375.00	\$750.00	Yes	100%
7.1.1	Non-Permitted Use In Forest 1 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
7.1.2	Non-Permitted Building/Structure Or Permitted Building/Structure Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Forest 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.1.3	Exceed Height Restriction For Building/Structure In Forest 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.1.4	Encroachment Of Building/Structure Into Setback In Forest 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.1.5	Encroachment Of Building/Structure Into Setback Of Lot Line That Does Not Abut Highway In Forest 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.1	Non-Permitted Use In Forest 2 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
7.2.2	Non-Permitted Additional Dwelling Accessory To Timber Production And Harvesting In Forest 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.3	Non-Permitted Building/Structure Or Permitted Building/Structure Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Forest 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.4	Exceed Height Restriction For Building/Structure In Forest 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.5	Encroachment Of Building/Structure Into Setback In Forest 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.6	Encroachment Of Building/Structure Into Setback In Forest 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.7	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.1	Non-Permitted Use In Forest 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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7.3.2	Non-Permitted Building/Structure Or Permitted Building/Structure Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Forest 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.3	Non-Permitted Additional Dwelling Or Dwelling/Accessory Building/Structure Exceed Maximum Floor/Lot Area In Forest 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.4	Exceed Height Restriction For Building/Structure In Forest 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.5	Encroachment Of Building/Structure Into Setback In Forest 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.6	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
7.4.1	Non-Permitted Use In Heritage Forest Zone	\$500.00	\$375.00	\$750.00	Yes	100%
7.4.2	Building/Structure For Timber Production Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Heritage Forest Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.4.3	Permitted Building/Structure For Forestry Research Uses Exceed Maximum Floor/Lot Area In Heritage Forest Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.4.4	Exceed Height Restriction For Building/Structure In Heritage Forest Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.4.5	Encroachment Of Building/Structure Into Setback In Heritage Forest Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.4.6	Encroachment Of Building/Structure Into Setback From Lot Line That Does Not Abut A Highway In Heritage Forest Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.5.1	Non-Permitted Use In Forest Land Reserve Zone	\$500.00	\$375.00	\$750.00	Yes	100%
7.5.2	Building/Structure Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Forest Land Reserve Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.5.3	Dwelling Does Not Have Highway Access In Forest Land Reserve Zone	\$500.00	\$375.00	\$750.00	Yes	100%

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7.5.4	Exceed Height Restriction For Building/Structure In Forest Land Reserve Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.5.5	Encroachment Of Building/Structure Into Setback In Forest Land Reserve Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.5.6	Encroachment Of Building/Structure Into Setback From Lot Line That Does Not Abut Highway In Forest Land Reserve Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.5.7	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
8.1.1	Non-Permitted Use In Senior Citizen Residential Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.1.2	Exceed Density In Senior Citizen Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.1.3	Exceed Lot Coverage In Senior Citizen Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.1.4	Exceed Height Restriction For Building/Structure In Senior Citizen Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.1.5	Encroachment Of Building/Structure Into Setback In Senior Citizen Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.1.6	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
8.2.1	Non-Permitted Use In Community Facility Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.2.2	Fail To Meet Site Specific Usage Regulations In Community Facility Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.2.3	Exceed Density Restriction Of Affordable And Special Needs Housing In Community Facility Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.2.4	Exceed Lot Coverage Restriction On Lot 2 In Community Facility Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.2.5	Exceed Height Restriction For Building/Structure In Community Facility Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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8.2.6	Encroachment Of Building/Structure Into Setback In Community Facility Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.2.7	Fail To Meet Site Specific Setback Regulations In Community Facility Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.3.1	Non-Permitted Use In Emergency And Health Services Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.3.2	Exceed Height Restriction For Building/Structure In Emergency And Health Services Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.3.3	Encroachment Of Building/Structure Into Setback In Emergency And Health Services Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.3.4	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
8.4.1	Non-Permitted Use In Utility Service Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.4.2	Exceed Height Restriction For Building/Structure In Utility Service Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.4.3	Encroachment Of Building/Structure Into Setback In Utility Service Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.4.4	Inadequate Landscape Screen For Storage Areas In Utility Service Zone	\$200.00	\$150.00	\$300.00	Yes	100%
8.5.1	Non-Permitted Use In Environmental Education and Nature Protection Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.5.2	Non-Permitted Building/Structure In Environmental Education and Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.5.2.2	Excess Tent Platforms/Pavilions/Fire Pit Areas	\$350.00	\$262.50	\$525.00	Yes	100%
8.5.2.3	Campsites and Tent Platforms Outside Designated Area/ Exceed Combined Total	\$350	\$262.50	\$525.00	Yes	100%
8.5.3.1	Permanent Structures Exceed 2,250 SQ Metres In Environmental Education and Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.5.3.2	Total Lot Coverage Exceeded In Environmental Education and Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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8.5.3.4	More Than One Dwelling In Environmental Education and Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.5.4	Exceed Height Restriction For Building/Structure In Environmental Education and Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.5.5.1	Encroachment Of Building/Structure Into Setback In Environmental Education and Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.5.5.2	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.1	Non-Permitted Use in Community Housing 1 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.6.2	More than One Dwelling on Lot in Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.3	Exceed Maximum Floor Area of Dwelling in Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.4	Exceed Maximum Number of Accessory Buildings and/or Maximum Floor Area of Accessory Buildings in Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.5	Exceed Maximum Number of Communal Accessory Buildings and/or Maximum Floor Area of Communal Accessory Buildings in Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.6	Exceed Height Restriction for Building/Structure in Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.7	Encroachment of Building/Structure in Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.8	Encroachment of Building/Structure Used for Human Habitation into Agriculture Zone Setback	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.1	Non-Permitted Use In Retail Commercial Zone	\$500.00	\$350.00	\$750.00	Yes	100%
9.1.2	Fail To Meet Site Specific Usage Regulations In Retail Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.3	Exceed Lot Coverage Restriction In Retail Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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9.1.4	More Than One Dwelling On Lot In Retail Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.5	Exceed Height Restriction For Building/Structure In Retail Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.6	Encroachment Of Building/Structure/Unenclosed Accessory Storage Areas Into Setback In Retail Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.7	Encroachment Of Building/Structure Used For Farm Animals Into Setback In Retail Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.10	Fail To Meet Site Specific Vegetation Regulations In Retail Commercial Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.1.11	Inadequate Landscape Screen For Unenclosed Storage Areas In Retail Commercial Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.1.12	Fail To Provide Compliant Area For Unloading Of Goods From Commercial Vehicles In Retail Commercial Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.2.1	Non-Permitted Use In Visitor Accommodation (Inn) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.2.2	Accommodation Facility Exceeds Maximum Rooms/ Does Not Contain Accommodation/Restaurant And Dwelling In Single Building In Inn Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.3	Accommodation Facility In Lot A District Lot 26 In Visitor Accommodation (Inn) Zone Does Not Meet Site Specific Regulations	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.5	More Than One Inn On Lot In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.6	Exceed Maximum Lot Coverage In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.7.1	Exceed Floor Space Ratio Restriction In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.7.2	Exceed Maximum Floor Area Restriction For Visitor Accommodation	\$350.00	\$262.50	\$525.00	Yes	100%

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	Rooms In Visitor Accommodation (Inn) Zone					
9.2.7.3	Exceed Maximum Floor Area Restriction For Accessory Retail Sales In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.8	Exceed Maximum Height Restriction For Building/Structure In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.9	Encroachment Of Building/Structure Into Setback In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.10	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.12	Inadequate Landscape Screen For Unenclosed Storage Areas In Visitor Accommodation (Inn) Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.3.1	Non-Permitted Use In Visitor Accommodation (Resort) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.3.3	More Than One Resort On Lot In Visitor Accommodation (Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3.4	Exceed Maximum Lot Coverage Restriction In Visitor Accommodation (Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3.5	Exceed Maximum Height Restriction Of Building/Structure In Visitor Accommodation (Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3.6	Encroachment Of Building/Structure Into Setback In Visitor Accommodation (Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3.7	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.3.9	Inadequate Landscape Screen For Unenclosed Storage Areas In Visitor Accommodation (Resort) Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.3(A).1	Non-Permitted Use In Visitor Accommodation (Rural Resort) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.3(A).2	More Than One Resort On Lot In Visitor Accommodation (Rural Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
9.3(A).3	Exceed Total Floor Area For Buildings/Structures In Visitor Accommodation (Rural Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).4	Exceed Maximum Floor Area Restriction For Accessory Buildings Other Than Barn In Visitor Accommodation (Rural Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).5	Exceed Maximum Height Restriction Of Building/Structure In Visitor Accommodation (Rural Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).6	Encroachment Of Building/Structure Except Fence/Pumphouse Into Setback In Visitor Accommodation (Rural Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).7	Encroachment Of Building/Structure For Animals Into Setback In Visitor Accommodation (Rural Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).10	Inadequate Landscape Screen For Unenclosed Storage Areas In Visitor Accommodation (Rural Resort) Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.3(B).1	Non-Permitted Use In Galiano Inn (Comprehensive Resort) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.3(B).3	More Than One Comprehensive Resort On Lot In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).4	Exceed Maximum Lot Coverage Restriction Of Building/Structure In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).5	Exceed Maximum Lot Coverage Restriction Of Asphalt And Concrete Paving In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).6	Visitor Accommodation Sleeping Rooms Exceed Maximum Total Combined Floor Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
9.3(B).7	Visitor Accommodation Units Exceed Maximum Total Combined Floor Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).8	More Than One Restaurant Or Restaurant Exceeds Maximum Seating Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).9	More Than One Retail Area Or Retail Area Exceeds Maximum Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).10	More Than One Dwelling For Owner/Operator Or Dwelling Exceeds Maximum Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).11	More Than One Laundry Area Or Laundry Area Exceeds Maximum Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).12	Non-licenced Lounge Or More Than One Licenced Lounge Or Lounge Exceeds Maximum Seating Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).13	Exceed Maximum Height Restriction Of Building/Structure In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).14	Encroachment Of Buildings/Structures/Tanks/Sheds/Replacement Parking Sites Into Setback In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).15	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).17	Inadequate Landscape Screen In Galiano Inn (Comprehensive Resort) Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.4.1	Non-Permitted Use In Public House Commercial Land Zone	\$500.00	\$375.00	\$750.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
9.4.2	Exceed Maximum Lot Coverage Restriction In Public House Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.4.3	More Than One Accessory Dwelling On Permitted Lot In Public House Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.4.4	Floor Area For Serving Customers/ Seating Capacity Exceeds Maximum Restriction In Public House Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.4.5	Exceed Maximum Height Restriction For Building/Structure In Public House Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.4.6	Encroachment Of Building/Structure/Unenclosed Storage Areas Into Setback In Public House Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.4.7	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.4.9	Inadequate Landscape Screen For Unenclosed Storage Areas In Public House Commercial Land Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.4.10	Fail To Provide Compliant Area For Unloading Of Goods From Commercial Vehicles In Public House Commercial Land Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.5.1	Non-Permitted Use In Commercial Private Film School Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.5.2	More Than One Commercial Private Film School Or School Exceeds Total Floor Area Restriction In Commercial Private Film School Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.3	Overnight Accommodation Of Students/Staff Exceed Maximum Restriction In Commercial Private Film School Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.4	More Than One Accessory Dwelling On Permitted Lot In Commercial Private Film School Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
9.5.5	Exceed Maximum Lot Coverage Restriction In Commercial Private Film School Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.6	Exceed Maximum Height Restriction For Building/Structure In Commercial Private Film School Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.7	Encroachment Of Building/Structure/Unenclosed Accessory Storage Area Into Setback In Commercial Private Film School Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.10	Inadequate Landscape Screen For Unenclosed Storage Areas In Commercial Private Film School Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.6.1	Non-Permitted Use In Light Industrial Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.6.2	Exceed Maximum Lot Coverage Restriction In Light Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6.3	More Than One Dwelling On Lot In Light Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6.4	Exceed Maximum Height Restriction For Building/Structure In Light Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6.5	Encroachment Of Building/Structure Into Setback In Light Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6.6	Encroachment Of Building/Structure For Animals Into Setback In Light Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6.8	Inadequate Landscape Screen In Light Industrial Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.6(A).1	Non-Permitted Use In Forest Industrial Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.6(A).2	Exceed Maximum Lot Coverage Restriction In Forest Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6(A).3	More Than One Dwelling On Lot In Forest Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6(A).4	Exceed Maximum Height Restriction For Building/Structure In Forest Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
9.6(A).5	Encroachment Of Building/Structure Into Setback In Forest Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6(A).6	Encroachment Of Building/Structure For Animals Into Setback In Forest Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6(A).7	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.6(A).9	Inadequate Landscape Screen On Lots On Which Light Industrial Uses Are Conducted In Forest Industrial Zone	\$200.00	\$150.00	\$300.00	Yes	100%
10.1.1	Non-Permitted Use in Public Recreation Zone	\$500.00	\$375.00	\$750.00	Yes	100%
10.1.2	Exceed Accessory Dwellings Number	\$350.00	\$262.50	\$525.00	Yes	100%
10.1.3	Exceed Maximum Height	\$350.00	\$262.50	\$525.00	Yes	100%
10.1.4	Encroachment of Buildings/Structures Into Setback In Public Recreation Zone	\$350.00	\$262.50	\$525.00	Yes	100%
10.1.5	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
11.1.1	Non-Permitted Use In Nature Protection Zone	\$500.00	\$375.00	\$750.00	Yes	100%
11.1.2	Non-Permitted Building/Structure In Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.1.1	Non-Permitted Use In Marine Protection Zone	\$500.00	\$375.00	\$750.00	Yes	100%
12.1.2	Non-Permitted Building/Structure Or Residential Use Of A Watercraft In Marine Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.2.1	Non-Permitted Use In Marine Zone	\$500.00	\$375.00	\$750.00	Yes	100%
12.2.2	Private Float/Walkway Exceed Length Permitted In Marine Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.2.3	Non-Permitted Commercial/Industrial Activity In Connection With Use Of Docks/Floats/Wharves Or Non-Permitted Residential Use Of A Watercraft In Marine Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.2.4	Non-Permitted Siting Of Docks/Floats/Wharves In Marine Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.3.1	Non-Permitted Use In Marine Service Zone	\$500.00	\$375.00	\$750.00	Yes	100%
12.3.2	Non-Permitted Siting Of Structures In Marine Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
12.4.1	Non-Permitted Use In Marine Commercial Water Zone	\$500.00	\$375.00	\$750.00	Yes	100%
12.4.2	Exceed Maximum Height Restriction For Building/Structure In Marine Commercial Water Zone	\$350.00	\$225.00	\$525.00	Yes	100%
12.4.3	Non-Permitted Siting Of Building/Structure In Marine Commercial Water Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.4.4	Non-Permitted Residential Use Of Watercraft In Marine Commercial Water Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.5.1	Non-Permitted Use In Marine Commercial Land Zone	\$500.00	\$375.00	\$750.00	Yes	100%
12.5.2	More Than One Dwelling On Lot In Marine Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.5.3	Exceed Maximum Lot Coverage Area Restriction In Marine Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.5.4	Exceed Maximum Height Restriction Of Building/Structure In Marine Commercial Land Zone	\$350.00	\$225.00	\$525.00	Yes	100%
12.5.5	Encroachment Of Building/Structure/Unenclosed Storage Area From Setback In Marine Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.5.6	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
12.5.8	Inadequate Landscape Screen For Unenclosed Storage Areas In Marine Commercial Land Zone	\$100.00	\$262.50	\$200.00	Yes	100%
12.6.1	Movement Of Float Planes Other Than Taxiing Or Water Area Used For Recreational/Transportation Activities Involving Personal Watercraft In Montague Harbour	\$350.00	\$262.50	\$525.00	Yes	100%
13.22	Inadequate Rainwater Storage In Water Management Area/Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
14.1	Fail To Provide Minimum Parking Spaces As Per Table 2: Off Street Parking Standards	\$200.00	\$150.00	\$300.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
14.5	Non-Permitted Siting/Setback Of Parking Space	\$200.00	\$150.00	\$300.00	Yes	100%
14.6	Fail To Provide Sufficient Manoeuvring Area For Parking Space	\$200.00	\$150.00	\$300.00	Yes	100%
14.7	Parking Space Does Not Meet Size Requirements	\$200.00	\$150.00	\$300.00	Yes	100%
14.8	Fail To Provide Minimum Bicycle Parking	\$200.00	\$150.00	\$300.00	Yes	100%
15.1	Parking Areas Improperly Screened	\$200.00	\$150.00	\$300.00	Yes	100%
16.1	Non-Permitted Commercial Sign	\$200.00	\$150.00	\$300.00	Yes	100%
16.4	Sign Not On Lot Of Referred Use	\$200.00	\$150.00	\$300.00	Yes	100%
16.5	Non-Permitted/Too Large Sign	\$200.00	\$150.00	\$300.00	Yes	100%
16.6.1	Sign Projecting Over Highway/Public Property	\$200.00	\$150.00	\$300.00	Yes	100%
16.6.2	Sign Flashing Or Blinking	\$200.00	\$150.00	\$300.00	Yes	100%
16.6.3	Sign Making Noise To Attract Attention	\$200.00	\$150.00	\$300.00	Yes	100%
16.6.4	Sign With Misdirected Flood Light	\$200.00	\$150.00	\$300.00	Yes	100%
16.6.5	Sign Advertising Discontinued Business/Service/Activity	\$200.00	\$150.00	\$300.00	Yes	100%