



**GALIANO ISLAND
LOCAL TRUST COMMITTEE
BUSINESS MEETING AGENDA
TO COMMENCE AT 1:00 PM, SEPTEMBER 17, 2012
AT THE SOUTH COMMUNITY HALL
141 STURDIES BAY ROAD, GALIANO ISLAND, B.C**

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

	Page #	*Approx. Time*
1. CALL TO ORDER		1:00 pm
2. APPROVAL OF AGENDA		1:05 pm
2.1 Questions on Agenda Items		
2.2 Town Hall Session		
3. COMMUNITY INFORMATION MEETING - none		
4. PUBLIC HEARING - none		
5. PREVIOUS MEETINGS		1:15 pm
5.1 Local Trust Committee Minutes for Adoption (attached)		
5.1.1 Minutes of July 9, 2012 Local Trust Committee Business Meeting	1	
5.1.2 Minutes of July 23, 2012 Local Trust Committee Special Meeting	18	
5.2 Public Hearing Records and Community Information Meeting - none		
5.3 Section 26 Resolutions-without-meeting none		
5.4 Advisory Planning Commission		
5.4.1 Minutes of June 28, 2012 Advisory Planning Commission Meeting (attached)	25	
6. BUSINESS ARISING FROM THE MINUTES		
6.1 Follow-up Action Report (attached)	30	
7. DELEGATIONS - none		

8. CORRESPONDENCE - (attached) 1:30 pm
[correspondence received concerning applications and/or projects is considered with the application/project]

8.1	J. Patterson email dated July 24, 2012 re: Galiano Land Use Bylaw	33
8.2	R. & R. Moyle dated July 31, 2012 re: Dionisio Park (Coon Bay)	34
8.3	Anthony Nolan & Agathe Nolan dated August 23, 2012 re: STVRs	35
8.4	C. Bastedo dated August 6, 2012 re: STVRs	36

8. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS 1:45 pm

9.1	GL-RZ-2011.1 (GLCHT) Progress Report (attached)	37
9.1.1	C. Dishaw dated August 2, 2012 re: Bylaws 233 & 234 (attached)	47
9.2	GL-DP-2012.1 (Ferguson) (attached)	49

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

10. LOCAL TRUST COMMITTEE PROJECTS - none

11. REPORTS 3:30 pm

11.1	Work Program Reports - for Information	
11.1.1	Galiano Island Local Trust Committee Work Program - Report dated September 2012 (attached)	107
11.2	Applications Report - for information	
11.2.1	Galiano Island Applications Report– September 2012 (attached)	110
11.3	Expense/Budget Reports - for information	
11.3.1	LTC Expense Report - (attached)	115
11.3.2	LTC Budget 2012-2013 (attached)	116
11.3.3	Budget Submissions 2013-14 (memo attached)	117
11.4	Bylaw Enforcement	
11.4.1	Short Term Vacation Rentals – Staff Report (attached)	121
11.5	Policies and Standing Resolutions Report (attached) – for information	123
11.6	Galiano Island LTC Web Page for Review (attached) – for information	125
11.7	Chair's Report	
11.8	Trustee Report	

12. OTHER BUSINESS

4:30 pm

12.1 Upcoming Meetings

12.1.1 Local Trust Committee Business Meeting at
1:00 p.m. Monday, October 15, 2012, North
Community Hall, Galiano Island

13. TOWN HALL MEETING

16. ADJOURNMENT

5:00 pm

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

DRAFT

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE MEETING
HELD ON MONDAY, JULY 9, 2012 AT 1:00 PM
AT THE SOUTH ISLAND COMMUNITY HALL,
GALIANO ISLAND, B.C.**

<u>PRESENT:</u>	Ken Hancock	Chair
	Louise Decario	Local Trustee
	Sandy Pottle	Local Trustee
	Robert Kojima	Regional Planning Manager
	Kaitlin Kazmierowski	Island Planner
	David Millership	Recording Secretary

There were approximately fifteen (15) members of the public present.

1. CALL TO ORDER

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

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

2. APPROVAL OF AGENDA

Chair Hancock asked for any additions or changes to the agenda; amendments were as follows:

- *Added Item 8.1* – Jeffrey Patterson correspondence dated November 2011 re: Accessory Building Entitlements In The Gulf Islands
- *Added to Item 11.3.1* – June 2012 LTC Expense Summary Report
- *Added to Item 12.1.1* – Discussion re: Upcoming Meeting Dates

The agenda was Approved as amended by consent.

2.1 Questions on Agenda Items

None

2.2 Town Hall Session

Chair Hancock invited the public to make comment.

Andrew Loveridge stated support for GL-RZ-2011.1 (Galiano Land and Community Housing Trust (GLCHT)) and the application moving forward. Mr. Loveridge stated support for GL-RZ-2011.2 (Dewinetz) and commented that the application benefits the elderly as well as

parks. Mr. Loveridge asked what the Trustees Galiano office hours are.

Trustee Decario responded that her office hours are on Fridays from 11:00 a.m. to 2:00 p.m.

Trustee Pottle responded that her office hours are on Tuesdays from 4:00 p.m. to 6:00 p.m. Trustee Pottle commented that she would not be in the office on July 10, 2012 due to a meeting with BC Parks at that time.

Planner Kazmierowski responded that her office hours are twice a month on Thursdays from 12:00 p.m. to 5:00 p.m.

Tom Hennessy stated; that the Galiano Land and Community Housing Trust (GLCHT) process with the Agricultural Land Commission (ALC) is almost complete, that the GLCHT's ALC covenant/survey has been submitted, that the GLCHT housing agreement is almost complete, that the GLCHT land purchase is complete, that the GLCHT commercial appraisal is complete, that three GLCHT qualifying applicants can begin building, that 20 GLCHT clustered building sites have been identified, that a hydrologist has been contacted and water levels will be monitored, that GLCHT will explore private water systems and above ground septic solutions, that GLCHT will explore Canada Mortgage And Housing Corporation (CMHC) and Capital Regional District (CRD) grant opportunities.

Doug Latta stated support for the GLCHT housing agreement being approved by lawyers and the Local Trust Committee (LTC) in a timely manner.

Trustee Decario responded that the Local Trust Committee (LTC) is waiting to receive necessary information from GLCHT and hence can't make any final decisions until all information has been received. Trustee Decario stated that the LTC has been working hard and respects GLCHT timeline pressures.

Tom Hennessy stated that the GLCHT has been delayed in submitting certain information to the LTC due to delays with legal counsel.

Jeffrey Patterson stated support for Jeffrey Patterson correspondence dated November 2011 re: Accessory Building Entitlements In The Gulf Islands and requested that the LTC add Accessory Building Entitlements to the Land Use Bylaw (LUB) review terms of reference.

Chair Hancock responded that Accessory Building Entitlements would be further considered and discussed under item 11.1.1.

Doug Latta stated support for GLCHT related processes moving forward before September 2012.

Chair Hancock responded that GLCHT related matters would be further discussed later in today's meeting.

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

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes for Adoption

5.1.1 Minutes of June 11, 2012 Local Trust Committee Business Meeting

Amendments:

- *Global edit* – replace “Paige Drive” with “Page Drive”
- *Page 10 Item 10.2 third paragraph* – replace “cemetery has been” with “cemetery is being”
- *Page 15 Item 11.7* – replace “many events are planned including a workshop on the National Marine Conservation Area and ways for the Province” with “many events are planned. He attended a workshop on the proposed National Marine Conservation Area exploring ways for the Province”
- *Page 15 Item 11.8 second paragraph first sentence* – replace “stated that she that she” with “stated that she”

The Minutes of June 11, 2012 Local Trust Committee Business Meeting were Adopted as amended by consent.

5.2 Public Hearing Records and Community Information Meeting

None

5.3 Section 26 Resolutions-without-meeting

None

5.4 Advisory Planning Commission

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

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

Planner Kazmierowski stated that items one and two have been completed.

Trustee Decario stated support for inviting a BC Parks representative to attend a Community Information Meeting (CIM) relating to GL-RZ-2011.2 (Dewinetz) and specifically to provide the public with information pertaining to their plan(s) for Bodega Ridge.

Resolution GL-LTC-73-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to invite representatives from BC Parks to participate in a Community Information Meeting for application GL-RZ-2011.2 (Dewinetz).

CARRIED

Regional Planning Manager (RPM) Kojima stated that with regards to item four and progress with the Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) relating to proposed amendments and consultation pertaining to Private Managed Forest Land (PMFL), there has been communication with Garth Webber Atkins indicating that things are advancing internally with further consultation happening in the Fall of 2012 at the earliest.

There was some discussion regarding PMFL, zoning, section 21 and tax classification(s).

Richard Dewinetz stated that his understanding regarding zoning and PMFL tax classification is that when a house is built on PMFL land(s), the designated home plate area is re-classified as residential while the remaining surrounding land(s) retains PMFL status.

There was some discussion regarding PMFL legislation having ambiguities and hence being considered poorly crafted.

Planner Kazmierowski stated that she contacted the party concerned with possible sawmilling on Gossip Island and is waiting to hear back from them. Planner Kazmierowski stated that Gossip Island Sawmill follow-up would be added to the Follow Up Action list as item No. 11.

7. DELEGATIONS

None

8. CORRESPONDENCE

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

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

8.1 Jeffrey Patterson correspondence dated November 2011 re: Accessory Building Entitlements InThe Gulf Islands

Received by virtue of being on the agenda.

See item 11.1.1 for further discussion.

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 GL-SUB-2012.1 (Taylor) 10% Frontage Waiver – Memorandum

Planner Kazmierowski provided information from *Memorandum dated June 19, 2012 (File Number GL-SUB-2012.1) Re: Ten percent lot frontage waiver for GL-SUB-2012.1 (Taylor)*.

There was some discussion regarding the 10% Frontage Waiver, conditions, the trickiness/difficulty of the lot in question, the applicant agreeing to a covenant, and a future variance application.

Resolution GL-LTC-74-12

It was Moved and Seconded that the Galiano Island Local Trust Committee waives the 10% frontage requirement for proposed Lot 2 for subdivision application GL-SUB-2012.1.

CARRIED

9.2 GL-RZ-2011.1 (GLCHT) Bylaws No. 233 and 234 for re-consideration for First Reading – Staff Report

Planner Kazmierowski provided information from *Staff Report dated June 19, 2012 (File No.: GL-RZ-2011.1 (GLCHT)) Re: Proposed Bylaws 233 and 234 – Amendments for First Reading.*

Tom Hennessy was in attendance and spoke on behalf of the application.

There was some discussion regarding groundwater, recommendations, the need for GLCHT to provide the LTC with outstanding requested information, maximum and other square footage sizes, accessory buildings, site coverage percentage, a CIM, private water systems, rain catchment, a well test, septic systems, water overflow concerns, building code requirements relating to fire fighting capacity and sprinkler systems, overall site plan and the need for further discussion.

Resolution GL-LTC-75-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to schedule a Community Information Meeting once in receipt of: confirmation of the Agricultural Land Commission covenant on title before final adoption; comprehensive site plan; housing agreement and land lease agreement; hydrological assessment of the availability of sustainable long-term groundwater as per Official Community Plan policy 2e).

CARRIED

Resolution GL-LTC-76-12

It was Moved and Seconded that Galiano Island Local Trust Committee First Reading of Proposed Bylaw No. 233 cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 15, 2011” be Rescinded.

CARRIED

Resolution GL-LTC-77-12

It was Moved and Seconded that Galiano Island Local Trust Committee First Reading of Proposed Bylaw No. 234 cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 4, 2011” be Rescinded.

CARRIED

Resolution GL-LTC-78-12

It was Moved and Seconded that Galiano Island Local Trust Committee revised Draft Bylaw No. 233 cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 15, 2011” be given First Reading.

CARRIED

Resolution GL-LTC-79-12

It was Moved and Seconded that Galiano Island Local Trust Committee revised Draft Bylaw No. 234 cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 4, 2011” be given First Reading.

CARRIED

Chair Hancock stated that today’s action(s) relating to GL-RZ-2011.1 (GLCHT) Bylaws No. 233 and 234 would not trigger a new bylaw referral process.

9.3 GL-RZ-2011.2 (Dewinetz) Application – Verbal Update

Planner Kazmierowski provided information and stated that legal counsel estimates \$1400.00 in fees and that Mr. Dewinetz has agreed to cost recovery.

Resolution GL-LTC-80-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to enter into a cost recovery agreement pertaining to GL-RZ-2011.2 (Dewinetz).

CARRIED

Richard Dewinetz was in attendance and spoke on behalf of the application.

There was some discussion regarding an APC recommendation to remove the road easement(s) that runs across the properties in question.

Mr. Dewinetz stated that he and most of the property owners would agree to remove the easement(s) but that it might be difficult to get all owners to agree do so. Mr. Dewinetz stated that access to the properties would be from Bodega Beach Drive and asked why the easement(s) needs to be removed. Mr. Dewinetz stated that the easement(s) on the property for BC Parks would be removed.

RPM Kojima stated that the easement(s) in question are private and questioned the LTC's concern with such.

Sheila Anderson, APC Chair stated that there was some concern regarding the private easement(s) as they are not subject to a sunset clause that would deem them void upon road frontage access (i.e. Bodega Beach Drive). Ms. Anderson stated concern with possible increased fragmentation so close to parkland and stated support for protection of nature corridors. Ms. Anderson stated support for the property owners finding new solutions in an effort for all to agree to have the easement(s) removed.

Mr. Dewinetz stated that he would work on finding new solutions in an effort for all property owners to agree to have the easement(s) removed.

RPM Kojima requested that Mr. Dewinetz submit information to Planner Kazmierowski showing the easement(s) as they are now.

Chair Hancock stated the need to address/explore all possible issues associated with this application.

There was some discussion regarding the location of the statutory right of way (SRW's) for emergency access.

9.4 GL-DP-2012.1 (Ferguson) Application Information – Staff Report

Planner Kazmierowski provided information from *Staff Report dated June 27, 2012 (File No.: GL-DP-2012.1 (Ferguson)) Re: Development Permit Application Information Report*.

Jack Ferguson was in attendance and spoke on behalf of the application.

There was some discussion regarding the Development Permit Areas (DPA's) and Development Permit Variances (DVP's) and an old/rotten deck that a biologist's preliminary report recommends retaining.

There was some discussion and confusion as to why the biologist's preliminary report does not recommend the old/rotten deck be removed.

Trustee Pottle stated that she attended a site visit of the property and noted that there is a rockfish conservation area there. Trustee Pottle stated that it appeared as though the ecosystem would benefit from the removal of the old/rotten deck and that if there was to be a new one then it might be best for it to meet setback requirements. Trustee

Pottle stated support for the protection of Garry Oak Meadows on the property.

Trustee Decario stated that she was not able to attend a site visit of the property and needs more information than what has been provided. Trustee Decario stated support for the applicant providing a survey of the property and questioned the need for the new house to be three stories.

Mr. Ferguson stated that he had a site plan/survey with him and hence showed it to the LTC. Mr. Ferguson stated that whilst the elevation plans of the house make it appear to be three stories it is not really for the reason that the top floor is a loft space. Mr. Ferguson stated that the application is asking for a height variance of 18 inches and is preferable to doing any blasting to compensate for the difference.

Chair Hancock stated the proposed application needs to support/meet Islands Trust environmental objectives and that related development guidelines are subjective and also need to meet LTC approval. Chair Hancock stated some difficulty with the environmental development permit and discretionary/non-discretionary findings in *Staff Report dated June 27, 2012 (File No.: GL-DP-2012.1 (Ferguson)) Re: Development Permit Application Information Report*.

There was some discussion regarding the application being complicated by variances and the staff report being a bit confusing.

Chair Hancock stated concern with the term limited blasting and opposed any blasting taking place in a sensitive area.

There was some discussion regarding height, a cottage not being permitted, the garage not being replaced, the studio reverting to an accessory building and square footage.

Mr. Ferguson stated that the current house that is to be removed is approximately 1,800 square feet and that the proposed new house would be approximately 2,000 to 2,200 square feet and would be using the same foundation as the current one.

There was some discussion regarding the potential variances.

Mr. Ferguson stated that it might be best to remove the deck from the variances and that his objective is to move process forward so that he can obtain a building permit from the CRD. Mr. Ferguson stated that he only recently became aware of the new DPA regulations introduced in November 2011.

There was further discussion regarding the height and deck variances.

RPM Kojima stated that the LTC should consider whether or not the application advances the objectives of DPAs.

There was some discussion regarding the complexity of the application and challenges in dealing with such via resolution without meeting (RWM), and the LTC possibly needing more information.

Note: there was a break at 3:00 p.m. and the meeting reconvened at 3:20 p.m.

There was further discussion regarding the requested height variance of 18 inches and that if such was granted then the applicant would agree to no blasting.

There was further discussion regarding the old/rotten deck being removed in order to protect Garry Oak Meadows on the property.

There was some discussion regarding revised permits and conditions, process and timeline.

The LTC requested staff to make the following revisions to GL-DP-2012.1 (Ferguson): 2. (l) No blasting, 2. (n) Deck as shown will be removed, 2. (o) Specific barge landing location should be determined and needs to be shown on the plan, 2. (p) Materials storage location to be depicted on the plan, 3. Variance for an 18-inch height increase.

Mr. Ferguson stated that his clients are very eco-friendly people.

Resolution GL-LTC-81-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend draft GL-DP-2012.1 (Ferguson) as instructed and to forward such to the Galiano Island Local Trust Committee for consideration by resolution without meeting.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Galiano Land Use Bylaw Review – Special Meeting Schedule - Memorandum

Planner Kazmierowski provided information from *Memorandum dated June 22, 2012 (File No.: GL 650020 (LUB Review)) Re: Land Use Bylaw Review – Special Meeting Dates*.

There was some discussion regarding proposed July 23, 2012 and August 29, 2012 special meeting dates.

Chair Hancock stated that he would be unable to attend the July 23, 2012 special meeting and would canvas the Executive for an alternate Chair. Chair Hancock stated that meeting via quorum is also an option for the LTC on July 23, 2012.

10.2 Development Approval Information Bylaw – Staff Report

RPM Kojima provided information from *Staff Report dated June 27, 2012 (File No.: GL-6500-20 (DPA Implementation)) Re: Development Permit Area Implementation – Development Information (DAI) Bylaw.*

There was some discussion regarding the legal means of obtaining information from applicants, the assigned planner, the clarity such provides to applicants and LTCs, the allowance for discretion as each application is different in scope, importance of awareness, mitigating potentially biased information and the ability for LTCs and Planners to request second opinions.

Resolution GL-LTC-82-12

It was Moved and Seconded that the Galiano Island Local Trust Committee gives notice to Trust Council that it intends to forward a new Development Approval Information Bylaw for Trust Council's consideration at the regularly scheduled September 2012 Trust Council meeting for the purpose of allowing the Local Trust Committee to obtain information on the anticipated impacts of development permit applications.

CARRIED

Resolution GL-LTC-83-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to prepare a draft Development Approval Information Bylaw, consistent with the version attached to Staff Report dated June 27, 2012, and intended to replace current Development Approval Information Bylaw No. 58, 1999.

CARRIED

Resolution GL-LTC-84-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to prepare a Request For Decision for submission to the Executive Committee.

CARRIED

11. REPORTS

11.1 Work Program Reports

11.1.1 Galiano Island Local Trust Committee Work Program - Report dated July 2012

Provided for information purposes only.

Resolution GL-LTC-85-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend Work Program Top Priorities Item No. 1 by adding Activity No. 12. Review Accessory Building Entitlements and Activity No. 13. Examine Cottage Floor Area.

CARRIED

There was some discussion regarding DPA Implementation, Islands Trust Geographic Information System (GIS) mapping and public communications.

Ron Taylor asked if it is possible for DPA/GIS mapping information to be made available to the public.

RPM Kojima responded that the Islands Trust does make such information available to the public and also offers realtors a condensed version.

Trustee Pottle stated that a committee has been formed relating to Short Term Vacation Rentals (STVR's) and concerns associated with bylaw enforcement.

The LTC briefly discussed STVR's and acknowledged that STVR policy is currently under review with enforcement being held in abeyance for the time being and only nuisance or safety issues being investigated.

RPM Kojima stated that Bylaw Enforcement Manager (BEM) Drew would provide the LTC with policy for consideration at a future date.

There was some discussion regarding some members of the public wrongly connecting STVR enforcement with the new Bylaw Enforcement Notification (BEN) bylaw and that such is unfortunate.

11.2 Applications Report

11.2.1 Galiano Island Applications Report – July 2012

Planner Kazmierowski provided information and applications were discussed with regards to status and action.

Chair Hancock stated that he circulated the minutes of the North Galiano Fire Department (NGFD) pertaining to SRW's for emergency access.

11.3 Expense/Budget Reports

11.3.1 LTC Expense Report

The June 2012 LTC Expense Summary Report was provided for information purposes only.

11.3.2 LTC Expense Budget 2012-2013

Provided for information purposes only.

11.4 Bylaw Enforcement

None

11.5 Policies and Standing Resolutions Report

Provided for information purposes only.

11.6 Galiano Island LTC Web Page for Review

Chair Hancock asked for any additions or changes to the LTC web page; amendments were as follows:

- *Add to Latest News* – Composite DPA Map
- *Add/Update* – Bylaws 233 and 234 new readings
- *Update* – Staff Reports
- *Delete from Latest News* – October 2010 heading and information

11.7 Chair's Report

Chair Hancock stated that the Trust Council meeting on June 12-14, 2012 on North Pender Island was great.

11.8 Trustee Report

Trustee Decario stated that she had nothing to report.

Trustee Pottle stated that she attended Trust Council on June 12-14, 2012 on North Pender Island. Trustee Pottle stated that she is looking into the BEN bylaws regarding STVR's for the Galiano Island Chamber of Commerce. Trustee Pottle stated that she is having a general meeting with Don Cadden of BC Parks on July 10, 2012 whereby District Lot 87, Nature Protection and management practices would most likely be discussed. Trustee Pottle stated that it is good to be communicating with BC Parks.

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 Local Trust Committee Business Meeting at 1:00 p.m. Monday, September 10, 2012, South Community Hall, Galiano Island

There was some discussion regarding meeting dates.

Resolution GL-LTC-86-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to reschedule Local Trust Committee Business Meeting at 1:00 p.m. Monday, September 10, 2012, South Community Hall, Galiano Island to 1:00 p.m. Monday, September 17, 2012, South Community Hall, Galiano Island.

CARRIED

12.2 Local Trust Committee meeting with First Nations

There was some discussion regarding follow up from Trust Council and any meetings the LTC might like to have with First Nations.

Trust Pottle stated support for an annual meeting with the Penelakut Tribe.

RPM Kojima stated that such a meeting should be added to the Follow-up Action list.

Resolution GL-LTC-87-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to schedule a meeting with the Penelakut Tribe in the fall of 2012.

CARRIED

13. TOWN HALL MEETING

Chair Hancock invited the public to make comment.

Sheila Anderson stated support for the BC Parks meeting on July 10, 2012 and asked the LTC to emphasize to BC Parks how important it is for BC Parks to engage the Galiano community regarding their management and planning processes. Ms. Anderson stated support for the LTC inviting BC Parks to attend and provide information at a CIM relating to GL-RZ-2011.2 (Dewinetz). Ms. Anderson stated the importance for clarification regarding STVR policy and enforcement. Ms. Anderson asked if the LTC is still able to grant Temporary Use Permits (TUP's) for industrial use.

Chair Hancock responded that the LTC can issue TUP's for up to three years and that such are also renewable for up to another three years via application.

Gary Coward stated that STVR's were discussed and opposed to during the Official Community Plan (OCP) review. Mr. Coward encouraged STVR owners to solve their money problems elsewhere. Mr. Coward stated that it is the community's OCP and BC Parks giving the proceeds of Lot 12 (Dewinetz) to Page Drive not Mr. Dewinetz and that the cheque to Page Drive should reflect such. Mr. Coward stated support for GLCHT having a square footage limit of 1,000 square feet, using private water systems and not being permitted accessory/out buildings. Mr. Coward stated support for the GLCHT well being not being considered a water system for the reason that it might be a good/needed source of potable/drinking water for those using private water systems. Mr. Coward stated support for the GLCHT application being approved by the LTC without surprises/difficulties.

Ron Taylor stated concern that a business owner on Galiano was issued a warning and/or possible \$150.00 fine for a sign violation while LTC LUB sign regulation policy is under review.

Sheila Anderson stated that complaint driven bylaw enforcement is unfair and that tickets/warnings should not be issued until the LUB sign regulation policy review has concluded.

Chair Hancock responded that it is difficult to create an all-encompassing sign regulation policy but that most people in the community would probably

not support a “Little Las Vegas” approach. Chair Hancock stated that the business owner in question has been given ample opportunity to rectify the issue and become legal. Chair Hancock requested staff to have BEM Drew report back to the LTC regarding this particular issue.

Tom Hennessy stated that 200 square foot GLCHT accessory buildings would not be needed if permitted residential roof sizes are double the size of their floor area square footage. Mr. Hennessy stated that there is conflicting direction on the Gulf Islands regarding rain water/groundwater catchment policy and recommended that wording such as “in lieu of groundwater ...” be considered. Mr. Hennessy stated that the Islands Trust should be encouraging GLCHT to do things the right way. Mr. Hennessy stated concern with GLCHT proving water supply for up to 20 dwellings. Mr. Hennessy stated support for the LTC addressing GLCHT outstanding issues via RWM.

RPM Kojima responded that once the LTC has received the remaining required information from GLCHT then a CIM would be scheduled.

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

14. MOTION TO CLOSE MEETING

Resolution GL-LTC-88-11

It was Moved and Seconded THAT, pursuant to Section 90(a) of the Community Charter, the Galiano Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting February 13, 2012 Galiano LTC In Camera Minutes and to consider Board of Variance appointments; and further that staff and Recording Secretary David Millership remain present.

CARRIED

Note: the public was asked to adjourn at 5:10 p.m.

See separate In Camera Meeting minutes dated July 9, 2012.

Note: the public reconvened at 5:15 p.m.

15. RECALL TO ORDER

15.1 Rise and Report from Closed Meeting

Chair Hancock stated that the Minutes of February 13, 2012 Local Trust Committee In Camera Meeting were considered and adopted and that Priscilla Ewbank, James Petrie and Sara Steil were appointed to the Galiano Island Board Of Variance.

16. ADJOURNMENT

Resolution GL-LTC-91-12

It was Moved and Seconded that the Galiano Island Local Trust
Committee meeting be adjourned at approximately 5:15 p.m.

CARRIED

RECORDER

CHAIR

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE SPECIAL MEETING
HELD ON MONDAY, JULY 23, 2012 AT 1:00 PM
AT THE SOUTH ISLAND COMMUNITY HALL,
GALIANO ISLAND, B.C.**

<u>PRESENT:</u>	Sheila Malcolmson	Acting Chair
	Sandy Pottle	Local Trustee
	Louise Decario	Local Trustee
	Robert Kojima	Regional Planning Manager
	Kaitlin Kazmierowski	Island Planner
	David Millership	Recording Secretary
<u>REGRETS:</u>	Ken Hancock	Chair

There were approximately eight (8) members of the public present.

1. CALL TO ORDER

Chair Malcolmson called the meeting to order at 1:00 p.m. Introductions were made and the meeting introduced.

Chair Malcolmson stated that she would be Acting Chair for this meeting, as Chair Ken Hancock could not attend.

Chair Malcolmson acknowledged members of the public and former Trustee Roy Smith who was in attendance.

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

Chair Malcolmson thanked all members of the public for their attendance and observation of the Local Trust Committee's (LTC's) work.

2. APPROVAL OF AGENDA

Chair Malcolmson asked for any additions or changes to the agenda; amendments were as follows:

- *Added Item 3.1 – George and Corinne Loeppky correspondence dated July 22, 2012 re: Sawmilling*
- *Changed Item 4 to Item 5 – Adjournment*
- *Added Item 4 – Next Meeting*

The agenda was Approved as amended by consent.

3. GALIANO ISLAND LAND USE BYLAW REVIEW – TOPIC AND SCOPE REFINEMENT

Planner Kazmierowski provided information from *Staff Report dated July 19, 2012 (File No.: GL 6500-20 (LUB Review)) Re: Discussion and Refinement of Scope for Land Use Bylaw Review*.

There was some discussion regarding process, timeline and public consultations.

The LTC thanked Planner Kazmierowski for her hard work and organization.

Attachment 1 – Topics List for LUB Review item numbers one (1) through forty-five (45) were each discussed by the LTC in relation to agreement with staff recommendations for inclusion or removal from the Land Use Bylaw (LUB) review.

Chair Malcolmson welcomed occasional comments from the public throughout the following discussion(s).

1. *Include according to staff recommendation.*

There was some discussion regarding keeping things simple and the need to identify an inventory of properties with changed land statuses to conservation.

2. *Include according to staff recommendation.*

There was some discussion regarding defining what types of animals might be permitted.

3. *Include according to staff recommendation.*

There was some discussion regarding the Waterline Resources Report.

4. *Remove according to staff recommendation and put under LUB Review Phase Two of the Work Program Top Priorities List.*

5. *Include according to staff recommendation.*

There was some discussion regarding mobile versus manufactured homes.

Andrew Loveridge stated that Galiano Land and Community Housing Trust (GLCHT) is not enthusiastic about mobile and/or manufactured homes. Mr. Loveridge asked Planner

Kazmierowski to provide insight as to her experience(s) working with homelessness.

Planner Kazmierowski responded that that her experience(s) revolved around single occupancy use.

6. *Remove according to staff recommendation.*

7. *Remove according to staff recommendation.*

There was some discussion regarding addressing this on a case by case basis, the need for public consultation(s), a simple amendment and the Agricultural Land Commission's (ALC) cautious approach to such.

8. *Include according to staff recommendation.*

There was some discussion regarding the need to define "community garden" and to formally permit the location for the farmers market.

9. *Include according to staff recommendation.*

10. *Include according to staff recommendation.*

11. *Include according to staff recommendation (SIMPLE).*

12. *Include according to staff recommendation.*

There was some discussion regarding retails sales, water catchment and conservation methods.

13. *Include according to staff recommendation.*

14. *Remove according to staff recommendation.*

15. *Remove according to staff recommendation.*

16. *Include according to staff recommendation.*

17. *Include according to staff recommendation.*

18. *Include according to staff recommendation.*

19. *Remove according to staff recommendation and put under LUB Review Phase Two of the Work Program Top Priorities List.*

There was some discussion regarding the potential complexity of involving multiple jurisdictions.

20. *Include according to staff recommendation.*

Roy Smith stated that there is some sort of agreement with Bodega Ridge to provide an emergency helicopter landing service for the north end of Galiano.

21. *Include according to staff recommendation.*

There was some discussion regarding the Waterline Resources Report.

22. *Include according to staff recommendation.*

The LTC requested that staff report back with draft language.

23. *Include according to staff recommendation.*

There was some discussion regarding desalination processes.

24. *Remove according to staff recommendation.*

25. *Remove according to staff recommendation and put under LUB Review Phase Two of the Work Program Top Priorities List.*

There was some discussion regarding community docks.

26. *Remove according to staff recommendation and make it a new item on the Work Program Projects List.*

27. *Include with staff seeking permission to use Galiano Conservancy Association mapping.*

There was some discussion regarding setbacks versus Development Permit Area(s) (DPA).

28. *Include according to staff recommendation with an emphasis on small amendments only.*

29. *Include according to staff recommendation.*

There was some discussion regarding parking at Sturdies Bay and new commercial areas.

30. *Not Applicable*

31. *Include according to staff recommendation.*
32. *Include with staff identifying inventory/effectuated lots and reporting back with suggested revised wording for regulation 13.9.*

There was some discussion regarding possible contentiousness.

Roy Smith stated support for excluding certain properties.

33. *Remove according to staff recommendation and put under LUB Review Phase Two of the Work Program Top Priorities List.*
34. *Include according to staff recommendation.*
35. *Include according to staff recommendation.*

There was some discussion regarding including such under the current light-industrial zone.

36. *Include according to staff recommendation.*

There was some discussion regarding a walking path, the need for feedback from the Lions Hall and Community Facility (CF).

37. *Include according to staff recommendation.*
38. *Include according to staff recommendation.*
39. *Include with staff reporting back to the LTC with more options and information.*

There was some discussion regarding the need for further public consultation, examples of what other islands do, small versus large lots, woodsheds, process, implementation and setbacks.

40. *Remove according to staff recommendation and put under LUB Review Phase Two of the Work Program Top Priorities List.*
41. *Include according to staff recommendation with a focus on small/simple amendments.*
42. *Include according to staff recommendation.*
43. *Include according to staff recommendation.*

44. *Include according to staff recommendation.*

45. *Include according to staff recommendation.*

3.1 George and Corinne Loeppky correspondence dated July 22, 2012 re: Sawmilling

There was some discussion regarding bylaw language, this being a singular case and milling being permitted for on-site residential construction but not for removal.

The LTC directed staff to add "Sawmilling For Residential Construction" to *Attachment 1 – Topics List for LUB Review* as item number forty-six (46).

Roy Smith stated that it is important to determine if timber is being imported/exported and that a Bylaw Enforcement Officer (BEO) told him that sawmilling is difficult to enforce. Mr. Smith stated support for the LTC focusing on water discharge and protection of aquifers with regards to desalination processes. Mr. Smith stated support for F1 small lots accessory building entitlements being determined by lot coverage in respect to overall envelope.

Resolution GL-LTC-92-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to prepare draft Land Use Bylaw amendment bylaws based on items in the Tables attached to the staff report of July 19, 2012 that have been endorsed by the Galiano Island Local Trust Committee.

CARRIED

There was some discussion regarding *Attachment 2 – LTC Endorsed Time Line of Staff Report dated July 19, 2012 (File No.: GL 6500-20 (LUB Review)) Re: Discussion and Refinement of Scope for Land Use Bylaw Review.*

Resolution GL-LTC-93-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to report back with a revised timeline and scope of work relating to the Land Use Bylaw Review.

CARRIED

Chair Malcolmson stated that Planner Kazmierowski is resigning from the Islands Trust and expressed the LTC's gratitude to her and the planning team for all their hard work. The LTC wished Planner Kazmierowski all the best in the future.

Planner Kazmierowski responded by thanking the LTC and stating that the Islands Trust is a really wonderful place to work.

4. NEXT MEETING

Resolution GL-LTC-94-12

It was Moved and Seconded that the Galiano Island Local Trust Committee August 29, 2012 Special Meeting be cancelled.

CARRIED

5. ADJOURNMENT

Resolution GL-LTC-95-12

It was Moved and Seconded that the Galiano Island Local Trust Committee meeting be adjourned at approximately 2:55 p.m.

CARRIED

RECORDER

CHAIR

GALIANO ISLAND ADVISORY PLANNING COMMISSION MEETING
Thursday, June 28th 2012 at 10AM
At the Local Trust Office, 23 Madrona Drive, Galiano Island BC

COPIED TO

APC Present: Sheila Anderson, Chair
 Keith Erickson, Vice Chair
 Karen Harris
 Jeffrey Patterson
 Tahirih Rockafella

APC Absent: Barry New
 Ursula Deshield

LTC Present: Louise Decario, Local Trustee

Applicant Present: Richard Dewinitz

Recording Secretary: Patricia Joyce

☒ **PLANNER**
☒ **LTC**
☒ K Jones



1. **Call to Order**
 The Meeting was called to order at 10:05 AM.
2. **Approval of Agenda**
Resolution 1 June 28 2012:
 It was Moved and Seconded that the Agenda be amended by moving Election of Officers as third item under "General APC Business" and renumbering agenda accordingly. CARRIED

3. **Previous Minutes**
 The previous minutes of GIAPC were approved by email prior to submission to LTC in response to that referral.

4. **Referral of Proposed Bylaws 235 and 236**
 4.a. Presentation by Applicant, Mr. Richard Dewinitz

The applicant provided some changes regarding route of the access road from Vineyard Way. He explained this was done due to some additional pockets of wetland discovered. He said the map would be revised.

He provided some information about the various wells drilled to date indicating overall yields were high.

He reported that BC Parks were pleased to find a plateau area just above Bodega Beach drive which would serve as a good location for public parking linked to a trail leading up and into the Bodega Ridge Provincial Park. The applicant noted this would take the pressure off Cottage Way which is presently the main access to Bodega Ridge Provincial Park.

Mr. Dewinitz spoke about the addition of a twelfth lot, and how the proceeds of its sale, after lot preparation expenses are deducted, would go to the Galiano Housing Society for an addition to the Page Drive facility for affordable seniors housing.

The applicant also mentioned the proposed trail dedication between proposed lot 12 and the adjacent private land leading into the proposed NP zone from Vineyard Way.

The applicant reported he has agreed to grant a statutory right of way for emergency access on the road accessing the RR lots, emphasizing this SRW would be strictly for use in an emergency.

- 4.b. Questions and Discussion with the applicant covered:

Processes involved in the transfer of land to the Crown when for the purpose of a Provincial park land and the need for an Order in Council

Likely benefits of NP proposed area going to BC Parks in exchange for increased density within a clustered residential area.

Lack of certainty about BC Parks plans for the land in future, and the inability therefore to predict impacts and benefits to the island.

The importance of community involvement in the Management Plan development process of BC Parks on Galiano.

Trustee Decario reported that there is a meeting planned for the LTC and BC Parks in July, and she will be seeking answers regarding BC Parks plans for informing and involving the community.

The importance of minimizing impact by roads whether private easement, or BC Parks, within the NP area, particularly in the corridor linking to the Georgia Strait shore frontage.

Further discussion of pros and cons of additional trail access from Vineyard Way in terms of pedestrian access only.

Chair Anderson asked the applicant about the private road easement that existed on DL 72 (EJ047028) which serves several lots of F1 parcels beyond to the north. Since this road access easement depends on first crossing the parcels of land involved in this proposal it must be presumed that there is a similar agreement applied to those lands, although there was no mention in Staff Reports of its existence. She recommended that it should be verified as removed. Discussion explored the importance of supporting the NP zone proposed by ensuring that additional private road easement crossing that area will not occur. The value of protecting the corridor connecting Bodega Ridge Park to the Georgia Strait shore was referenced.

There was further discussion of what the future could mean for the proposed NP, Bodega Ridge Provincial Park, and the rest of BC Parks holdings, since local zoning does not apply to BC Parks. Trustee Decario commented it is the LTC's hope that by zoning it NP it will send a message to BC Parks of the wishes of the community.

The applicant left the meeting at the conclusion of this question and discussion period.

4.c. BC Parks authority in relation to OCP and LUB

The Chair reminded members of the email sent by the Planner on this topic. It was observed that neither the APC nor the community have received direct information from BC Parks.

The APC is asked to consider the public/community benefit that is being offered by the applicant in exchange for increased residential density, yet we have no information of what the benefits in the end may be because nothing is really known of plans for future on BC Parks land.

Discussion continued regarding the trail dedication proposed leading in from Vineyard and whether it was needed or not. A question of why it should be offered to the Galiano Parks and Recreation Commission to hold and maintain, when it is clearly a trail serving BC Parks.

4.d. Consideration of consistency or conflict with OCP

The following points were covered in discussion:

- Clustering the development where it is will provide protection of the shore and waters adjacent as per Section IV, 2. Shoreline and Marine Protection.
- Lot configuration could be seen as ribbon development because it creates a line of lots along the road, which could appear in conflict with Section II Land Use, 1. Residential Policy f).

- Section II Land Use, Land Use Policy a) xiii) supports LTC ensuring no private road easements serving lands beyond impact the NP zone portion.
- Section II Land Use, 1. Residential, Objective 1) contains language about residential development supporting social diversity, yet this development is creating for the most part view lots of a uniform size in a similar price range. The only housing diversity perhaps is the added lot 12 which indirectly will serve to advance additional affordable housing for seniors therefore meeting Objective 2).
- Conflict with new OCP Section IV, 6. Climate Change Mitigation and Adaption, Objective 2, and policy b) if "*in areas accessible to existing transportation and services*" means South end near Sturdies Bay. It was noted that from anyplace on Galiano services available can be reached in 25 minutes drive. Policy wording seems meaningless on an island this size. It was suggested that the LTC may want to revisit its wording. The proposal may also offer support for protection from climate change if the NP zoned area is kept in forest and supports Objective 3)
- Section II Land Use, 7. Nature Protection objectives appear to be met, and policy d) too, however until we know what the management of the park will be it is hard to say whether the NP policy c) will be addressed.
- No specific OCP policy stating that the NP/RR site specific zoning given to DL 72 should be repeated on other lands, just a general ability of an LTC to do site specific zoning.
- OCP Section II Land Use, 6. Parks and Recreation Policy e) supports BC Parks consultation with LTC and Community re creating or reviewing management plans for park. (supports resolution in 4.c)
- Public access to the shore is addressed by the portion proposed for NP and Park designation that fronts on the Georgia Strait shore.

4.e. Consideration of consistency or conflict with Trust Policy and Directives:

In relation to the need to ensure no additional roads serving lands beyond fragment the NP area the following Trust Policies were cited:

- Trust Policy 3.2 Forest Ecosystems, Directive 3.2.2 speaks to protection of un-fragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development and land-use. Staff report has indicated the proposal is consistent with this, but if private road easements to lands beyond do still exist then there would be a conflict.
- Trust Policy 4.2 Forests, Directive 4.2.7 supports minimizing fragmentation of forests by roads and utility and communication corridors. In this case the forest proposed is to be NP zoned. This directive is considered by Staff to not be applicable, however as above if LTC does not ensure private road access easements are removed over the NP portion then the proposal may be in conflict with this directive.

4.f. Referral Response

In discussion regarding the form of our response, Keith Erickson suggested the GIAPC include in their response a list of any positive attributes we see in this proposal. He offered to prepare a draft list of these positive aspects and circulate to members for further input and consensus agreement before submission. All members involved in this referral have by email reached consensus regarding this list.

The GIAPC agreed by consensus that our referral response should highlight some of the potential benefits of Bylaws 235 and 236 in terms of nature protection:

- Protects several hectares of sensitive and rare wetland and riparian ecosystems in accordance with Galiano Island OCP Land Use Policy xiv) (the protection of riparian habitat), and xvi) (the protection of sensitive and rare ecosystems, and habitat for rare and endangered species).
- Protects the seasonal stream flowing into Laughlan Lake (headwaters of salmonid bearing Greig Creek) in accordance with Galiano Island OCP Land Use Policy xvi) (the protection of sensitive and rare ecosystems, and habitat for rare and endangered species).
- Protects a significant portion of the remaining unprotected area of the Greig Creek Watershed in accordance with Galiano Island OCP Land Use Policies xiv) (the protection of riparian habitat), and xvi) (the protection of sensitive and rare ecosystems, and habitat for rare and endangered species).
- Contributes an additional 65 hectares of parkland including roughly 800 meters of shoreline to the Mid Island Protected Network which includes lands managed by BC Parks, Galiano Conservancy Association, Islands Trust Fund and Crown Land in accordance with Galiano Island OCP Land Use Policies viii) (the desirability of providing public access to beaches and other natural areas for residents and visitors alike) and xvii) (the creation and expansion of a network of protected areas).
- Generally clusters residential areas along existing roadways and adjacent to existing subdivided areas to maximize contiguity of the proposed NP area with existing adjacent protected areas. The proposed layout also provides a protected buffer around sensitive stream and riparian ecosystems in accordance with Galiano Island OCP Land Use Policies xii) (the importance of forest cover and the retention of unfragmented forest ecosystems) and xiv) (the protection of riparian habitat).

The following three resolutions numbered 2, 3 and 4 arose out of discussion of Bylaws 235 and 236 and describe conditions of our approval.

Resolution 2 June 28 2012:

It was Moved and Seconded that the GIAPC recognizes that the proposed transfer of lands zoned Nature Protection to BC Parks is in consideration of a local community benefit in exchange for increased residential density on a portion of the original parcels. As a result, the GIAPC recommend that the Galiano Local Trust Committee and the Islands Trust pursue assurance that BC Parks provide information to the community about their present vision for BC Parks holdings on Galiano, including Bodega Ridge Provincial Park, and outlining how they will engage the Galiano community meaningfully in a management planning process for BC Parks lands on Galiano. Further this information should be available to the community as part of the Community Information Meeting associated with the Public Hearing for proposed Bylaws 235 and 236. **CARRIED**

Resolution 3 June 28 2012

It was Moved and Seconded that due to the fact that all the parcels of land in this proposal have frontage on existing public road (Vineyard Way and/or Bodega Beach Drive), and due to the desire to prevent forest fragmentation in the proposed Nature Protection zone according to OCP policies and Trust Policy directives, the GIAPC recommend that the LTC ensure that any private road access easements over the proposed NP area are removed from title prior to final adoption of Bylaws 235 and 236 should they be advanced. **CARRIED**

Resolution 4 June 28 2012:

It was Moved and Seconded that the GIAPC Chair complete the referral forms for bylaws 235 and 236 by recommending approval of the bylaws subject to the conditions outlined in resolutions 2 and 3. CARRIED

5. General GIAPC Business

5.a Background information for APC referrals.

Resolution 5 June 28 2012:

It was Moved and Seconded that the Local Trust Committee be asked to arrange that any referrals sent to the GIAPC be accompanied by complete background information and readable maps. CARRIED

5.b. Resolution regarding APC Orientation document for all APC members.

It was noted that in the past all new APC members were given a document titled "Advisory Planning Commission Orientation Notes", but more recently new members have not been given this. It was suggested that an updated version of this document could be very useful to all APC members.

Resolution 6 June 28 2012:

It was Moved and Seconded that the Local Trust Committee arrange that an updated version of "Advisory Planning Commission Orientation Notes" be prepared and sent to all present members of this commission.

CARRIED

5.c. Election of Officers

Following a short discussion, Sheila Anderson was acclaimed to continue as the Chair, Keith Erickson resigned as Vice Chair, and Jeffrey Patterson agreed to serve as Vice Chair.

6. Next Meeting Date

No meeting date set.

7. Adjournment

The meeting was adjourned by consensus at 12:25 pm



Islands Trust

Follow Up Action Report w/ Target Date

Galiano Island Jun-11-2012

No.	Activity	Responsibility	Target Date	Status
1	Chair Hancock designated to sign and execute the S. 219 covenant, the S. 218 SRW and the sustainable forestry covenant for GL-RZ-2005.2 (Romagnoli-Smith).	Robert Kojima Gary Richardson	Jul-09-2012	On Going
2	BE Manager directed to bring a draft policy regarding nuisance complaints that relate to STVRs to the next LTC meeting and be in attendance for discussion.	Miles Drew Stephanie Somers	Sep-17-2012	On Going

Jul-09-2012

No.	Activity	Responsibility	Target Date	Status
3	Minutes of the June 11, 2012 regular business meeting adopted as amended.	Kathy Jones Sharon Lloyd-deRosario	Sep-17-2012	Done
4	Staff to amend draft DP for GL-DP-2012.1 (Ferguson) as discussed and forward to LTC .	Kris Nichols	Sep-17-2012	Done
5	GL-RZ-2011.1 (GLCHT) First Reading rescinded for Proposed Bylaws 233 and 234. done First Reading given of revised Bylaws 233 and 234 given by LTC. Done Staff directed to schedule a CIM upon receipt of: confirmation of ALC covenant on title, comprehensive site plan, housing agreement and land lease, and assessment of the availability of sustainable long-term groundwater.	Kathy Jones Kris Nichols	Sep-17-2012	On Going

6	GL-RZ-2011.2 (Dewinetz): -Staff to invite representatives from BC Parks to attend a future CIM for this application. - Staff to enter into cost recovery with the applicant for a legal review of the agreement between the applicant and the Galiano Island Housing Society. -Staff to work with the applicant to obtain the required groundwater assessment as per OCP policy 2e) -Staff to schedule a CIM and Public Hearing -Staff to work with the applicant to draft a S. 219 covenant and enter into cost recovery with the application for associated legal work	Kris Nichols	Sep-17-2012	On Going
7	DAI Bylaw Update: - LTC to give notice to Trust Council that it intends to to forward a new DAI Bylaw for Trust Council's consideration at the regularly scheduled September 2012 Trust Council meeting for the purpose of allowing the LTC to obtain information on the anticipated impacts of development permit applications. -Staff to prepare a draft DAI Bylaw, consistent with the version attached to the staff report dated June 27, 2012, and intended to replace the current Bylaw. - Staff to prepare an RFD for submission to the Executive Committee.	Robert Kojima	Sep-17-2012	Done
8	LUB Review: Staff to add 'review of accessory building entitlements' and 'examination of cottage floor area' as new action items #12 and #13 to Top Priorities list.	Kaitlin Kazmierowski	Aug-31-2012	Done
9	Staff to re-schedule LTC's regular September meeting to September 17, 2012.	Kathy Jones Kaitlin Kazmierowski	Sep-17-2012	Done
10	Staff to schedule an meeting with the Penelakut Tribe in the fall.	Robert Kojima	Oct-15-2012	On Going
11	Staff to update LTC on Gossip island saw milling issue once information is received.	Kaitlin Kazmierowski	Sep-17-2012	Done
Jul-23-2012				

No.	Activity	Responsibility	Target Date	Status
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12	LUB review: Staff to prepare draft LUB amendment bylaws based on items in the Tables attached to the staff report of July 19, 2012 that has been endorsed by the LTC. Staff to report back to LTC with options and recommendations for more complex topics for LTC direction Staff to report back with a revised timeline and scope of work related to the LUB review.	Kris Nichols	Oct-15-2012	On Going
13	Staff to cancel the August 29th special meeting.	Kathy Jones Kaitlin Kazmierowski	Jul-31-2012	Done

Kathy Jones

From: Kaitlin Kazmierowski
Sent: July-24-12 9:42 AM
To: Kathy Jones
Cc: Robert Kojima
Subject: FW: Galiano LUB

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Kathy,

Could you please put this correspondence on the next Galiano agenda under the LUB review.

Thanks,

Kaitlin

From: First Last [<mailto:jeffpatterson@xplornet.ca>]
Sent: July-24-12 9:04 AM
To: Ken Hancock; ldecario@telus.net; sandypottle@hotmail.com; Louise Decario
Cc: Kaitlin Kazmierowski; Robert Kojima
Subject: Galiano LUB

Folks,

At Monday's meeting (July 23, 2012) I was asked about larger public response to my short information piece on accessory building entitlements in the Gulf Islands. All I replied was that there seemed to be agreement with the overall thrust that entitlements on Galiano Island were more restricted - generally half of the Island with the next smallest entitlements - than on other islands.

On reflection, I should have recalled that Roger Pettit had been in attendance at the beginning of the meeting, and he may have wanted to say something about his own entitlements on an R2 parcel of 16 ac where he also farms. If he'd had an opportunity to speak, he might have emphasized the OCP change about encouraging or accommodating small scale animal husbandry and horticulture on residential parcels. This of course demands that entitlements acknowledge special needs related to food production. Roger farms over 10 of his 16 acres and perhaps does more farm sales business at Galiano's Saturday market than anyone else and of course has far greater accessory building needs.

In my own case and I don't think it's exceptional, we have two green houses and a chicken coop (flock = 17 chickens) in addition to other requirements geared to the 10 ac (4 ha) zoning.

While I appreciate that you and staff have a huge job ahead, I do also believe there are simple solutions that would meet Galiano Island's needs. Looking forward to reviewing the draft report in the near future.

Jeffrey

Kathy Jones

From: Robert Kojima
Sent: August-01-12 7:59 AM
To: Kathy Jones
Subject: FW: Galiano Island Local Trust Committee

Hi Kathy,

Correspondence for next Galiano agenda

From: rmoyle@gulfislands.com [mailto:rmoyle@gulfislands.com]
Sent: July-31-12 10:05 PM
To: glltcwebmail
Cc: rmoyle@gulfislands.com
Subject: Galiano Island Local Trust Committee



Islands Trust

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

July 31, 2012

From: Ralph and Rocky Moyle
Email: rmoyle@gulfislands.com

Subject: Galiano Island Local Trust Committee

We have owned property and paid taxes on Galiano Island since 1979 and have been permanent residents since 1997. During the 1980's we would often drive out to Dionisio Park (Coon Bay) to enjoy its unheralded beauty.

Since the mid nineties we have been shut out of one of British Columbia's most unique beach/park areas due to a dispute between the Forest Lot Owners and the Islands Trust. 17 years of unresolved dispute is long enough. this dispute needs to be resolved so the many citizens of BC as well as visitors from all over the world can have access to this natural beauty. Please do what is required so that all can enjoy this park not just those with boat access.

www.islandstrust.bc.ca

**Anthony Nolan
 Agathe Nolan
 S12 C17, RR#1
 2060 Ellis Rd.,
 Galiano Island, BC
 Canada
 V0N 1P0
 Tel/Fax:250-539-5905.
 e-mail: anthonymolan@telus.net
 agathenolan@telus.net**

By e-mail.

August 23rd, 2012.

Dear Trustees,

Re: Short Term Vacation Rentals (STVR)

This issue does not currently affect us directly, except for the fact that two of our neighbours rent out on a short term basis. One neighbour resides on her property and takes full responsibility for her renters and we have, over several years, had no problems whatsoever with her guests; she is also a major contributor to island welfare. The other is not an island resident and we do have noise issues, generally on long weekends in the summer/fall, and there is no resident owner with whom to discuss such problems.

With prices of island properties unreasonably high, few newer residents of Galiano can afford to buy property without availing themselves of a mortgage. Renting out a guest cottage, either short or long term, can transform a property from unaffordable to (in practical terms) affordable. Non-residents who avail themselves of STVR are frequently in better economic circumstances than island residents. We would suggest that a ban on STVR would economically penalise the resident more than the non-resident.

If, therefore, STVR are to be regulated in some way we would suggest that any proposed regulations distinguish between those who reside on their property and those who do not.

Yours Sincerely,
 Anthony & Agathe Nolan.

Cheryl Bastedo
S14, C20, RR1
109 Sticks Allison Road West
Galiano Island, BC V0N 1P0



6 August, 2012

Galiano Island Local Trust Committee
200 - 1627 Fort Street
Victoria, BC V8R 1H6

Re: ABEYANCE OF ENFORCEMENT ON SHORT TERM VACATION RENTALS

Dear Trustees:

I am writing to register my disappointment with regard to your instruction to the Bylaw Enforcement Officer not to issue tickets for illegal commercial rentals on residential property.

The fine of \$175 for each month is only one night's rental on most STVRs and would serve as a reminder that they are not legal. Annually, these fines would add up to only \$2,100 which is far less than the additional taxes paid by the legal commercial enterprises from which they are appropriating business.

Short term rentals are encouraged in resorts such as Whistler where tourism is its raison d'être and zoning is appropriate. STVRs on Galiano are operating in Rural Residential zones.

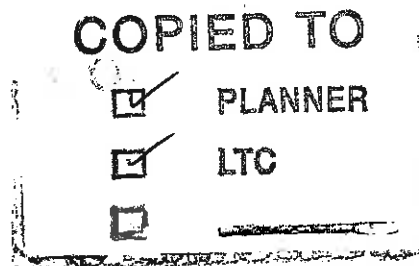
Many people are afraid to speak out against neighbours who break the law and disregard their right to peace and quiet in their own homes. I feel strongly that the community should be given the opportunity to decide by referendum whether we want Galiano to become a resort rather than have it imposed on us by non-resident property owners and a few residents who think their quantity of money is more important than their neighbours' quality of life. It is only by secret ballot that people can make their voices heard without fear of reprisal.

If there is any way to impose a moratorium on any new STVRs until the community is properly consulted I urge you to do so.

Sincerely,


Cheryl Bastedo

Cc: Islands Trust Executive Committee
Island Tides





STAFF REPORT

File No.: GL-RZ-2011.1
(GLCHT)

To: Galiano Island Local Trust Committee
For meeting of September 17, 2012

From: Kris Nichols
Island Planner

CC: Robert Kojima
Regional Planning Manager

Re: Progress Report on Requirements Prior to Community Information Meeting

PROGRESS REPORT

The intent of this report is to provide the LTC with a status update on the requirements that the LTC requested be met prior to a Community Information Meeting (CIM) being scheduled. Only those documents received at the time of writing this report will be considered in the report. Those documents are a comprehensive site plan(s) and a residential well sample (See Attachments). Staff will mention those items that were not submitted in time.

BACKGROUND:

At the July 9, 2012 LTC meeting, Bylaw No. 234 (Land Use Bylaw) and Bylaw No. 233 (Official Community Plan) were given First Reading as an initial step to permit the project to proceed. As well, the LTC requested that the following four items be met:

- Confirmation of the ALC covenant being registered on title
- Comprehensive site plan/survey (also showing clustering of housing in support for OCP)
- Housing Agreement
- Assessment of the availability of sustainable long-term ground water as per OCP Water Supply policy 2 e)

The July 9th, 2012 report stated that staff wanted to ensure that the above items were received and that the LTC was satisfied with them prior to providing a date for a public meeting. The Housing Agreement will be considered as a separate bylaw and once it meets the satisfaction of the LTC, it would be required to be adopted and forwarded to a public hearing along with Bylaws No. 233 and No. 234.

The applicant has submitted documents to meet some of the requirements stated above.

COMMUNITY INFORMATION MEETING(S):

At the time of drafting this report, only the detailed site plan(s) and a well record have been received. Staff is aware that both the applicant's lawyer and the Islands Trust's lawyer have been in discussions as they have been working on the Housing Agreement, the attached schedules and registering the Agricultural Land Commission covenant. These items may be provided to the LTC as late items for review and discussion if received prior to the meeting.

If all the items mentioned above are received in time and are in a form to the satisfaction of the LTC, it may be possible to schedule a community information meeting (CIM). Should a CIM be considered, staff would recommend that it be held separate from a regularly scheduled LTC meeting on a Saturday.

STAFF COMMENTS:

Staff walked the property on August 30, 2012. Members of GLCHT showed the various residential building sites, the common building sites, the well and the accesses. The applicants have cleared most of the sites determined for building and have dug holes for power poles (primary and secondary) and cleared the accesses. They have also delineated on the site by ribbon the area of the no build covenant (30 m).

On September 3, 2012, staff were sent an e-mail containing a copy of the well report (see Attachment 1) which stated that it produced 5 gallons per minute. GLCHT is still determining whether they will be providing a community well or whether each individual lease holder will be responsible for the provision of potable water through a rain collection system. The concept for rainwater harvesting is that a leaseholder could build a roof that is 200% the footprint of the house. GLCHT have stated that this could provide on average 113 gallons a day. According to the CRD Building each house will have to provide engineering for the potable water systems prior to a building permit being issued. The applicants were going to meet with Erwin Dyck, VIHA, to discuss the community water system. This well record does not adequately address the OCP requirement.

Staff were also provided with a number of site plans showing the following:

- Lease Lots with Suggested Building Footprints (See Attachment 2)
- Black Water Only Septic System (See Attachment 3)
- Standard Practice Site Septic System (See Attachment 4)

They also provided copies of charts indicating the attributes for each lease lot (See Attachment 5) and the associated lease rate and indicating the lease lots and their estimated water usage (See Attachment 6).

Staff understand that the Section 219 Covenant has been sent to the Agricultural Land Commission for their review and comment. Staff have not received any confirmation that this has been registered.

The Housing Agreement is still with the lawyers at this time and has not been reviewed by staff.

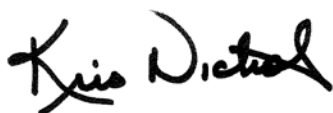
Given that one of the four requirements have been met with the provision of the comprehensive site plan(s), staff will not recommend moving forward to a CIM until all information is received and reviewed by staff and Trustees.

RECOMMENDATIONS:

There is no recommendation being made as staff at the time of writing this report had not received the necessary information to proceed to a Community Information Meeting.

However, if the requested information is received by the time of the meeting with sufficient time for staff and Trustees to review, and it be deemed suitable, then it will be recommended that a Community Information Meeting be proposed.

Prepared and Submitted by:



September 6, 2012

Date

Concurred in by:



September 6, 2012

Date

Attachments:

1. Residential Well Record
2. Lease Lots with Suggested Building Footprints
3. Black Water Only Septic System
4. Standard Practice Site Septic System
5. Chart showing Lease Lots and Lot Lease Rate (Galiano Green Attainable Housing Project)
6. Chart showing Lease Lot Water and Septic Usage



Ministry of
Environment

☐ Well Construction Report
☐ Well Closure Report
☒ Well Alteration Report

Ministry Well ID Plate Number: 23204
Ministry Well Tag Number: 91453
☐ Confirmation/alternative specs. attached
☐ Original well construction report attached

Red lettering indicates minimum mandatory information. See reverse for notes & definitions of abbreviations.

Owner name: GALIANO LAND AND COMMUNITY HOUSING TRUST
Mailing address: MANZANITA Mall Town: GALIANO Island Prov. BC Postal Code: V0N 1P0
Well Location (see note 2): Address: Street no. 409 Street name: FORSTER PASS DR Town: GALIANO Island
Legal description: Lot 1 Plan 29196 D.L. 3 Block _____ Sec. _____ Twp _____ Rg. _____ Land District 16
PID: _____ (and) Description of well location (attach sketch, if nec.): 60 FEET FROM EAST BOUNDARY

NAD 83: Zone: 10 (and) UTM Easting: 474291 m Latitude (see note 4): _____
(see note 3) UTM Northing: 5415324 m Longitude: _____
Method of drilling: ☒ Air rotary ☐ dual rotary ☐ cable tool ☐ mud rotary ☐ auger ☐ driving ☐ jetting ☐ other (specify): _____
Orientation of well: ☒ vertical ☐ horizontal Ground elevation: 195 ft (asl) Method (see note 5): GPS HANDHELD +/- 40'
Class of well (see note 8): Water Supply Sub-class of well: DOMESTIC
Water supply wells: indicate intended water use: ☐ private domestic ☐ water supply system ☐ irrigation ☐ commercial or industrial ☐ other (specify): _____

Lithologic description (see notes 8-13) or closure description (see notes 14 and 15)

From ft (bgl)	To ft (bgl)	Surficial Material					Bedrock Material					Colour					Hardness					Water Content					Observations (e.g. other geological materials (e.g. boulders), est. water bearing flow (USgpm), or closure details)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
		Silt	Sand with clay/silt	Sand, med-coarse	Sand with pebbles	Siltstone/shale	Sandstone	Conglomerate	Basalt	Granite	Crystalline	Metasedimentary	Metavolcanic	Red	Grey	Light Grey	Dark Grey	Green	Very Hard	Hard	Dense/Stiff	Loose	Dry	Quick	Wet	High Plasticity		Low Plasticity	Not Measured																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
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Casing details

From ft (bgl)	To ft (bgl)	Dia in	Casing Material/Open Hole (see note 17)	Wall Thickness in	Drive Shoe
0	9	6	STEEL	.188	-

Screen details

From ft (bgl)	To ft (bgl)	Dia in	Type (see note 18)	Slot Size
------------------	----------------	-----------	-----------------------	-----------

Surface seal: Type: _____ Depth: _____ ft
Method of installation: ☐ Poured ☐ Pumped Thickness: _____ in
Backfill: Type: _____ Depth: _____ ft
Liner: ☐ PVC ☐ Other (specify): _____
Diameter: _____ in Thickness: _____ in
From: _____ ft (bgl) To: _____ ft (bgl) Perforated: From: _____ ft (bgl) To: _____ ft (bgl)

Intake: ☐ Screen ☐ Open bottom ☐ Uncased hole
Screen type: ☐ Telescope ☐ Pipe size
Screen material: ☐ Stainless steel ☐ Plastic ☐ Other (specify): _____
Screen opening: ☐ Continuous slot ☐ Slotted ☐ Perforated pipe
Screen bottom: ☐ Ball ☐ Plug ☐ Plate ☐ Other (specify): _____
Filter pack: From: _____ ft To: _____ ft Thickness: _____ in
Type and size of material: _____

Developed by:

☐ Air lifting ☐ Surging ☐ Jetting ☐ Pumping ☐ Bailing
Other (specify): _____ Total duration: _____ hrs
Notes: _____

Well yield estimated by:

☐ Pumping ☐ Air lifting ☒ Bailing ☐ Other (specify): _____
Rate: ≈ 5 USgpm Duration: ≈ 1 hrs
SWL before test: _____ ft (btoc) Pumping water level: _____ ft (btoc)

Obvious water quality characteristics:

☒ Fresh ☐ Salty ☒ Clear ☐ Cloudy ☐ Sediment ☐ Gas
Colour/odour: _____ Water sample collected: ☐

Well driller (print clearly):

Name (first, last) (see note 19): W.J.S. Williams
Registration no. (see note 20): WD 95081901
Consultant (if applicable; name and company): _____

DECLARATION: Well construction, well alteration or well closure, as the case may be, has been done in accordance with the requirements in the Water Act and the Ground Water Protection Regulation.

Signature of

Driller Responsible: W.J.S. Williams

PLEASE NOTE: The information provided in this well report describes the works and hydrogeologic conditions at the time of construction, alteration or closure, as the case may be. Well yield, well performance and water quality are not guaranteed as they are influenced by a number of factors, including natural variability, human activities and condition of the works, which may change over time.

Final well completion data:

Total depth drilled: 3 ft Finished well depth: 247 ft (bgl)
Final stick up: 12 in Depth to bedrock: _____ ft (bgl)
SWL: _____ ft (btoc) Estimated well yield: 5 USgpm
Artesian flow: _____ USgpm, or Artesian pressure: _____ ft
Type of well cap: _____ Well disinfected: ☐ Yes ☐ No

Where well ID plate is attached: TOP OF CASING

Well closure information:

Reason for closure: _____
Method of closure: ☐ Poured ☐ Pumped
Sealant material: _____ Backfill material: _____
Details of closure (see note 16): _____

Date of work (YYYY/MM/DD):

Started: 2012/08/09 Completed: 2012/08/09

Comments: Well was evaluated for approx 1 hour @ approx 5 gallons per minute

white: Customer copy
cyan: Driller copy
pink: Ministry copy
Sheet 1 of 1

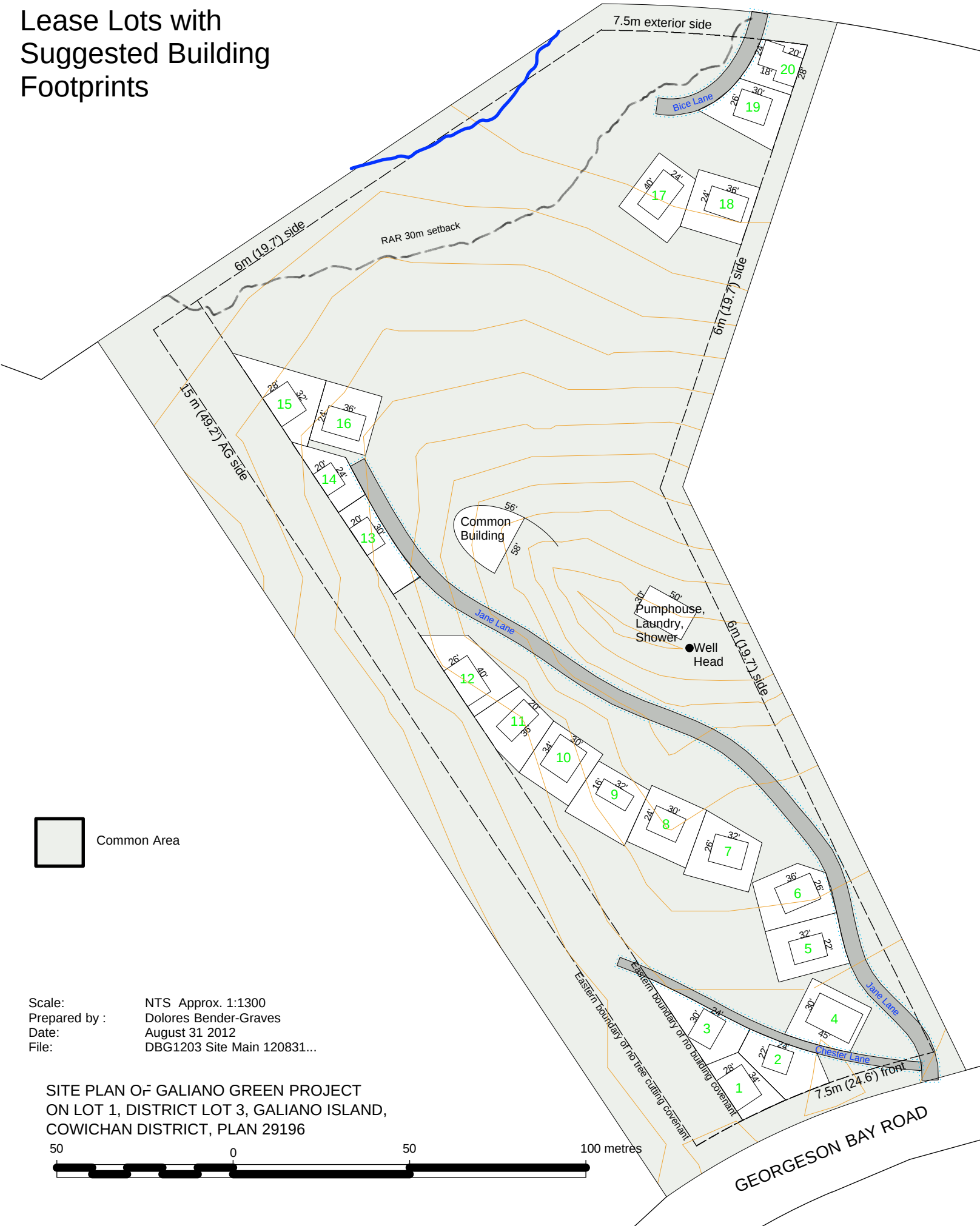
PORLIER PASS ROAD

Lease Lots with Suggested Building Footprints



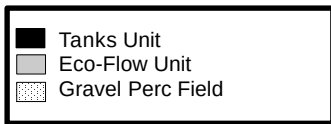
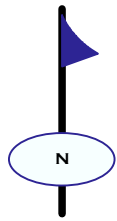
Scale: NTS Approx. 1:1300
 Prepared by : Dolores Bender-Graves
 Date: August 31 2012
 File: DBG1203 Site Main 120831...

SITE PLAN OF GALIANO GREEN PROJECT
 ON LOT 1, DISTRICT LOT 3, GALIANO ISLAND,
 COWICHAN DISTRICT, PLAN 29196



GEORGESON BAY ROAD

Grey water sand-filtered and re-introduced to ground-water at individual lots.



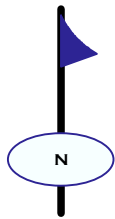
SITE PLAN OF GALIANO GREEN PROJECT
ON LOT 1, DISTRICT LOT 3, GALIANO ISLAND,
COWICHAN DISTRICT, PLAN 29196



A-D 2x600
E-F 400
G-H 800

Sizing based on:
4 flushes per day
1 gal per flush
persons per household
x 3 (safety margin)

Standard Practice Site Septic System



SITE SEPTIC SYSTEMS

Scale: NTS Approx. 1:1300
 Prepared by : Dolores Bender-Graves
 Date: Sept 1, 2012
 File: DBG1203 Site Main 120901...

SITE PLAN OF GALIANO GREEN PROJECT
 ON LOT 1, DISTRICT LOT 3, GALIANO ISLAND,
 COWICHAN DISTRICT, PLAN 29196



PORLIER PASS ROAD

7.5m exterior side

Bice Lane

RAR 30m setback

6m (19.7') side

15m (49.2') AG side

Common Building

Jane Lane

Pumphouse,
Laundry,
Shower

Well Head

SEPTIC TANK &
ECO-FLOW SIZING
(gallons)

A:	1100	650
B:	1700	750 *
C:	1700	750
D:	1100	650
E:	1700	750 *
F:	1700	750 *
G:	1100	650
H:	1700	750
I:	1700	750
J:	1100	650

■ Septic Tanks
 ■ Eco-Flow Units
 ■ Gravel Perc Field

* Time dosed tanks

GEORGESON BAY ROAD

7.5m (24.6') front

Eastern boundary of no tree cutting covenant

Eastern boundary of no building covenant

Chester Lane

Jane Lane

Galiano Green Attainable Housing Project

LOT NUMBER ON MAP	ADDRESS	APPROX. BLDG SITE AREA	HOUSE FOOTPRINT	LEASE LOT SIZE	LOT LEASE RATE (\$24.00 / 100 SQFT)
1	#1 Chester Lane	28x34	900	2250	\$275.00
2	#2 Chester Lane	22x24	500	3000	\$175.00
3	#3 Chester Lane	24x30	700	2850	\$225.00
4	#4 Chester Lane	30x45	1000	3250	\$300.00
5	#5 Jane Lane	22x32	700	3300	\$225.00
6	#6 Jane Lane	26x36	900	3350	\$275.00
7	#7 Jane Lane	26x32	800	3350	\$250.00
8	#8 Jane Lane	24x30	700	3300	\$225.00
9	#9 Jane Lane	16x32	500	3350	\$175.00
10	#10 Jane Lane	34x30	1000	3200	\$300.00
11	#11 Jane Lane	20x36	700	3050	\$225.00
12	#12 Jane Lane	26x40	1000	3350	\$300.00
13	#13 Jane Lane	20x30	600	2600	\$200.00
14	#14 Jane Lane	20x24	500	1900	\$175.00
15	#15 Jane Lane	28x32	900	3400	\$275.00
16	#16 Jane Lane	24x36	900	3100	\$275.00
17	#17 Bice Lane	24x40	1000	3200	\$300.00
18	#18 Bice Lane	24x36	800	3300	\$250.00
19	#19 Bice Lane	26x30	700	3000	\$225.00
20	#20 Bice Lane	20x28+20x22	1000	2000	\$300.00

Community Building/ Commercial Kitchen/Woodshop	Unit D Jane Lane		1500		
Pump-house/Laundry>Showers/ Washrooms	Unit A Jane Lane		1500		

--

House #	Size	Roof sq. ft	Total Max	Average US	Gallons/day toilet flushes	Septic System	Amount remaining per day into grey water sand filter	
		up to	Gallons/day	Gallons/day	8 x 1 - 3 pt. per flush*	Safety margin per day x 3		
1	900	1800	37,026	101	1 - 3 gallons	3 - 9 gallons	92-98 gallons	
2	500	1000	20,570	56	1 - 3 gallons	3 - 9 gallons	47-53 gallons	
3	700	1400	28,798	79	1 - 3 gallons	3 - 9 gallons	70-76 gallons	
4	1000	2000	41,140	113	1 - 3 gallons	3 - 9 gallons	104-110 gallons	
5	700	1400	28,798	79	1 - 3 gallons	3 - 9 gallons	70-76 gallons	
6	900	1800	37,026	101	1 - 3 gallons	3 - 9 gallons	92-98 gallons	
7	800	1600	32,912	90	1 - 3 gallons	3 - 9 gallons	81-87 gallons	
8	700	1400	28,798	79	1 - 3 gallons	3 - 9 gallons	70-76 gallons	
9	500	1000	20,570	56	1 - 3 gallons	3 - 9 gallons	47-53 gallons	
10	1000	2000	41,140	113	1 - 3 gallons	3 - 9 gallons	104-110 gallons	
11	700	1400	28,798	79	1 - 3 gallons	3 - 9 gallons	70-76 gallons	
12	1000	2000	41,140	113	1 - 3 gallons	3 - 9 gallons	104-110 gallons	
13	600	600	24,684	68	1 - 3 gallons	3 - 9 gallons	59-65 gallons	
14	500	1000	20,570	56	1 - 3 gallons	3 - 9 gallons	47-53 gallons	
15	900	1800	37,026	101	1 - 3 gallons	3 - 9 gallons	92-98 gallons	
16	900	1800	37,026	101	1 - 3 gallons	3 - 9 gallons	92-98 gallons	
17	1000	2000	41,140	113	1 - 3 gallons	3 - 9 gallons	104-100 gallons	
18	800	1600	32,912	90	1 - 3 gallons	3 - 9 gallons	81-87 gallon	
19	700	1400	28,798	79	1 - 3 gallons	3 - 9 gallons	70-76 gallons	
20	1000	2000	41,140	113	1 - 3 gallons	3 - 9 gallons	104-110 gallons	

Kathy Jones

From: Louise Decario <ldecario@islandstrust.bc.ca>
Sent: September-01-12 10:54 AM
To: Kris Nichols; Kathy Jones
Cc: Ken Hancock; Sandy Pottle
Subject: Fw: Bylaws 233 and 234

Follow Up Flag: Follow Up
Flag Status: Flagged

I'm not sure whether I sent this email to you that was addressed to both Sandy and I. It should go under correspondence on the Sept LTC agenda.

Thanks, Louise

----- Original Message -----

From: "Charlene Dishaw" <charldish@shaw.ca>
To: "Louise Decario" <ldecario@islandstrust.bc.ca>
Sent: Thursday, August 02, 2012 4:54 PM
Subject: Fwd: Bylaws 233 and 234

>

> Hello Louise and Sandy. I wanted to send my opposition to the change
 > of 15 to 20 density. In a community that is so committed to perserving
 > and protecting the island, this seems not be in the spirit preserving
 > and protecting the island. I am in favour of having affordable housing
 > so people can work and live on the island affordably, but we need to
 > also protect their right to have the a piece of property to gives them
 > the same opportunity to enjoy the nature around them without city
 > density. I think this kind of development contributes to
 > marginalization of a population when those who do not have the economic advantage are
 > relegated to a area.

> It is too bad that the properties were not distributed through the
 > community.

>

> I have to admit that I'm working only on what I have heard about the
 > forest lot owners and do not have all the facts, but it seems to me
 > that if the Trust is opposed to one house per forest lot, but is okay
 > with a city subdivision in the middle of the island this an unjust inequity.

>

> I hope you will not consider changing from the 15 lots that is
 > currently the density.

>

> If I need to write a letter to a certain address, please let me know.

>

> Thank you
 > Charlene Dishaw
 > 70 Cayzer Rd.
 > 539-2439

> charldish@shaw.ca

>

> (Louise, I did send this to Sandy and yourself but I had your email

> incorrect so I am resending to you)

>



STAFF REPORT

File No.: GL-DP-2012.1
(Ferguson)

To: Galiano Island Local Trust Committee
For the meeting of September 17, 2012

From: Kris Nichols
Island Planner

CC: Robert Kojima
Regional Planning Manger

Re: Development Permit – Supplementary Report.

Owner: Mark and Patricia Mustacich
Applicant: Jack Ferguson
Location: Lot 1, District Lot 6, Wise Island, Cowichan District , Plan 19676
Lot 1 Wise Island

SUPPLEMENTARY REPORT

This is a supplementary report for LTC review and decision. A preliminary report (See Attachment 1 for full report) was received by the LTC at the July 9th, 2012 meeting. The preliminary report was to enable the LTC to approve the development permit by Resolution Without Meeting (RWM) should it chose to at a later date after additional information was received. Additional information that was required was the full biologist's report and a new survey. Subsequently, given the time when the additional information was received, the LTC decided that it would not grant the development permit by RWM, but preferred that a supplementary report be drafted for consideration at the September 17th, 2012, meeting.

This report contains any new information that was not included in the preliminary report. The preliminary report is attached.

THE PROPOSAL:

The proposal is for the construction of a single family house on Wise Island which is northwest of Montague Harbor and Parker Island. The construction will replace an existing single family house which will be dismantled. The building is located within two development permit areas: Development Permit Area 2 – Shoreline and Marine DPA and Development Permit Area 5 – Sensitive Ecosystems. The proposed development includes the demolition/dismantling of an existing single family dwelling and a detached garage and the construction of a single family dwelling. The plan is to predominantly maintain the same footprint for the new single family building as the previous, with the construction of an additional 37 m² (400 ft²) in a previously disturbed area. There will be two damaged Douglas-fir trees that will be removed as part of the

development otherwise the applicant proposes to work within the guidelines of the development permit areas.

The proposed single family dwelling will require a height variance given that it is proposed to be approximately 0.46 m (1.5 ft.) above the permitted 9.0 m (29.5 ft.). Variances are permitted within the framework of a Development Permit provided that it helps to advance the DPA objectives and guidelines. The height variance requested supports the development permit objectives in that it permits the applicant to build the single family house without having to blast a rock outcrop to meet the height requirement. The variance permits the rock outcrop to remain, thereby causing less damage to the ecosystem.

Biologist's Report:

The final biologist's report is attached as Schedule 'B'. It builds on the preliminary biologist's report previously submitted, but provides more detail describing the nature of the property and what needs to be protected. Subsequent to the preliminary staff report being written, the biologist agreed with the requirement to sensitively remove the existing deck as requested by the LTC if there is a possibility that the deck may need to be removed in the near future.

Draft Development Permit:

A draft Development Permit is attached as Schedule 'A' for the LTC's consideration and includes the recommended changes proposed by the LTC at the last meeting. The applicant submitted the final biologist's report and a survey, and site plan to accompany the development permit, which is attached as Schedules 'B', 'C' and 'D'.

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Bylaw Enforcement:

There is a cottage (identified as "existing studio") on the property that is not permitted in its current form (e.g. containing a kitchen) and currently does not meet the setback requirements. This will become a bylaw enforcement file to be addressed at a later date.

STAFF COMMENTS:

At the July 9th, 2012 LTC meeting there was discussion around various aspects of the proposed development permit. As a result, the LTC requested revisions to the draft permit. Such revisions would include clauses that state no blasting, deck to be removed that is adjacent the water, and that barge landing and material storage areas to be shown on the plan. These changes have been made. The draft development permit now reflects the requested changes and the full biologist's report.

The survey/site plan now shows the location of the barge landing area and the material storage areas and has marked those structures (deck, garage and existing house) to be removed.

The development permit as per the direction of the July 9, 2012 meeting is now ready for consideration for issuance by the LTC.

Staff were contacted by the owner and the applicant on September 4th regarding the consideration of the application at the September 17, 2012 meeting. They would like the LTC to reconsider the condition requiring removal of the deck as they would like to keep it and therefore request that a variance be included to permit it to remain. The biologist's report states that to remove the deck would likely cause more harm than to leave it and do periodic maintenance even if restoration activity followed its removal. Staff and Trustee Pottle have visited the site and believe that the deck is in need of replacement due to its apparent age (see Pictures 1,2 and 3 below). Staff also noticed Gary Oaks and other vegetation were in some areas growing through the deck area where space was available which lead staff to believe that the removal of this wood structure would indeed permit for natural restoration to occur. This position was also put forward by Trustee Pottle when the Preliminary Report was discussed on July 9, 2102. This will be for discussion at the meeting as the development permit drafted is based on the resolution of the July 9, 2012 meeting.



Picture 1 – Deck surface with tree growing through



Picture 2 – Deck



Picture 3 – Gary Oak growing through deck

RECOMMENDATIONS:

THAT Development Permit GL-DP-2012.1 (Ferguson) **BE APPROVED.**

Prepared and Submitted by:



Kris Nichols, Island Planner

September 4, 2012

Date

Concurred in by:



Robert Kojima, RPM

September 5, 2012

Date

Schedule 'A' - Preliminary Report (July 9th, 2012)

Schedule 'B' – Biologist's Report

Schedule 'C' - Survey

Schedule 'D' – Draft Development Permit



STAFF REPORT

File No.: GL-DP-2012.1
(Ferguson)

To: Galiano Island Local Trust Committee
For the meeting of July 9, 2012

From: Kris Nichols
Planner

CC: Kaitlin Kazmierowski
Island Planner

Re: Development Permit Application Information Report

Owner: Mark and Patricia Mustacich
Applicant: Jack Ferguson
Location: Lot 1, District Lot 6, Wise Island, Cowichan District , Plan 19676
Lot 1 Wise Island

PRELIMINARY REPORT

This is a preliminary report for LTC review and discussion. The final development permit will be forwarded for LTC consideration pending provision of complete information from the applicant.

THE PROPOSAL:

The proposal is for the construction of a single family house on Wise Island which is northwest of Montague Harbor and Parker Island. The construction will replace an existing single family house which will be dismantled. The building is located within two development permit areas: Development Permit Area 2 – Shoreline and Marine DPA and Development Permit Area 5 – Sensitive Ecosystems. The proposed development includes the demolition/dismantling of an existing single family dwelling and a detached garage and the construction of a single family dwelling (See Figure 2). The plan is to maintain the same footprint for most of the new single family building as the previous, but to build out into a previous disturbed area for an additional 37 m² (400 ft²). There will be two damaged Douglas-fir trees that will be removed as part of the development otherwise the applicant proposes to work within the guidelines of the development permit areas.

The proposed single family dwelling will require a height variance given that it is proposed to be approximately 0.46 m (1.5 ft) above the permitted 9.0 m (29.5 ft). Variances are permitted within the framework of a Development Permit provided that it helps to advance the DPA objectives and guidelines. The height variance supports the development permit objectives in that otherwise the applicant will have to blast a rock outcrop to meet the height requirement, whereas a variance would permit the rock outcrop to remain, thereby causing less damage to the ecosystem.

In addition to the height variance the applicant wishes to maintain a deck that was built within the setback from the sea and internal lot line setback as well as being within the DPAs. As part of the application the applicant has hired a registered biologist to evaluate the development in conjunction with the DPA guidelines. A preliminary biological report is attached as Schedule B. This preliminary report states that to move the deck and rehabilitate would impact the natural habitat greater than if it were left in place and periodically updated.

It should be noted that while development permits are largely nondiscretionary in their approval if they meet the guidelines, variances requested as a part of the Development Permit can be considered through a separate DVP application. This would be recommended where the variance would clearly not support or advance the objectives or other guidelines of the DPA, or where notification of neighbours was a concern.

This report is dealing with a Development Permit application, but is preliminary in nature given that all the information required (i.e. surveys, biologist's report, etc.) has not been received from the applicant. This limits the amount of detail and analysis in this report. Additional information may be presented at the LTC meeting to augment this report. The reason that a preliminary report is being considered rather than waiting for all the information to be submitted is two fold. The introduction of Development Permit Areas (DPA) on Galiano Island is new and this is the first application for Galiano made under the new DPA guidelines. Secondly, there is generally a limited window of opportunity for building and the intent is to ensure that the Local Trust Committee has the general information in advance of a decision being required. This may help to expedite the consideration regarding the issuance of the development permit and permit the LTC to consider a Resolution Without Meeting (RWM) to decide upon the application before the next scheduled meeting in September thereby permitting the applicant to proceed with construction.

A draft Development Permit is attached as Schedule 'A' for the LTC's consideration. The applicant submitted a preliminary biologist's report to accompany the development permit, which is attached as Schedule 'B'.

Development Permits - Overview

British Columbia's *Local Government Act* enables communities to designate parts of their planning area as Development Permit Areas so they can set objectives and guidelines for development within those areas. No building construction, demolition, land alteration, or subdivision of land may occur in a Development Permit Area without a Development Permit. Development Permits are a planning tool for sites, buildings and structures in specific areas that warrant special protection or development control. There are different from zoning in that zoning outlines the land use (i.e. single family residential, etc.) whereas a development permit may be used to guide a specific development within that special area (development permit area) in that zone. The Development Permit Areas guidelines and maps are found in the Galiano Island Official Community Plan (OCP) Bylaw No. 108. There are seven (7) development permit areas designated in the OCP. A number are new DPA adopted at the end of last year.

A development permit application is evaluated based on how it meets the objectives and guidelines. The decision to grant a development permit is nondiscretionary providing it meets the Development Permit Area objectives and guidelines and is based on fact. Once they are issued, notice of the development permit is registered on title of the property.

SITE CONTEXT:

The subject site is located at the northern tip of Wise Island, to the west of Galiano Island. The lot is approximately 0.25 ha (0.63 acres). Most of the lots on Wise Island appear to be similar in size. The property contains a two storey single family dwelling, a studio, a garage building and a detached deck.

Staff will be conducting a site inspection with the applicant on July 5th. The subsequent report will contain more specific details and analysis currently absent from this report.

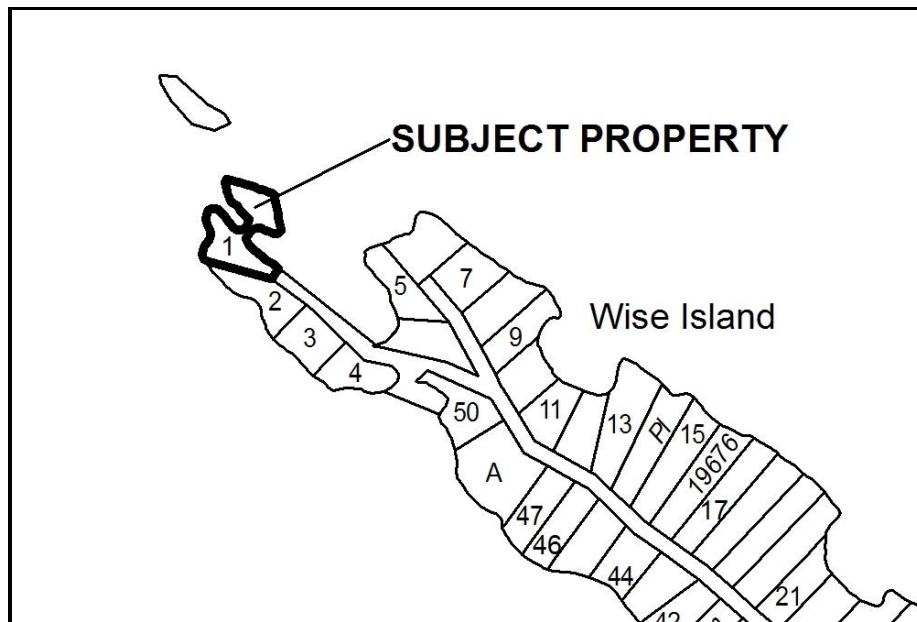


Figure 1 – Subject Map



Figure 2 – Ortho map of subject property

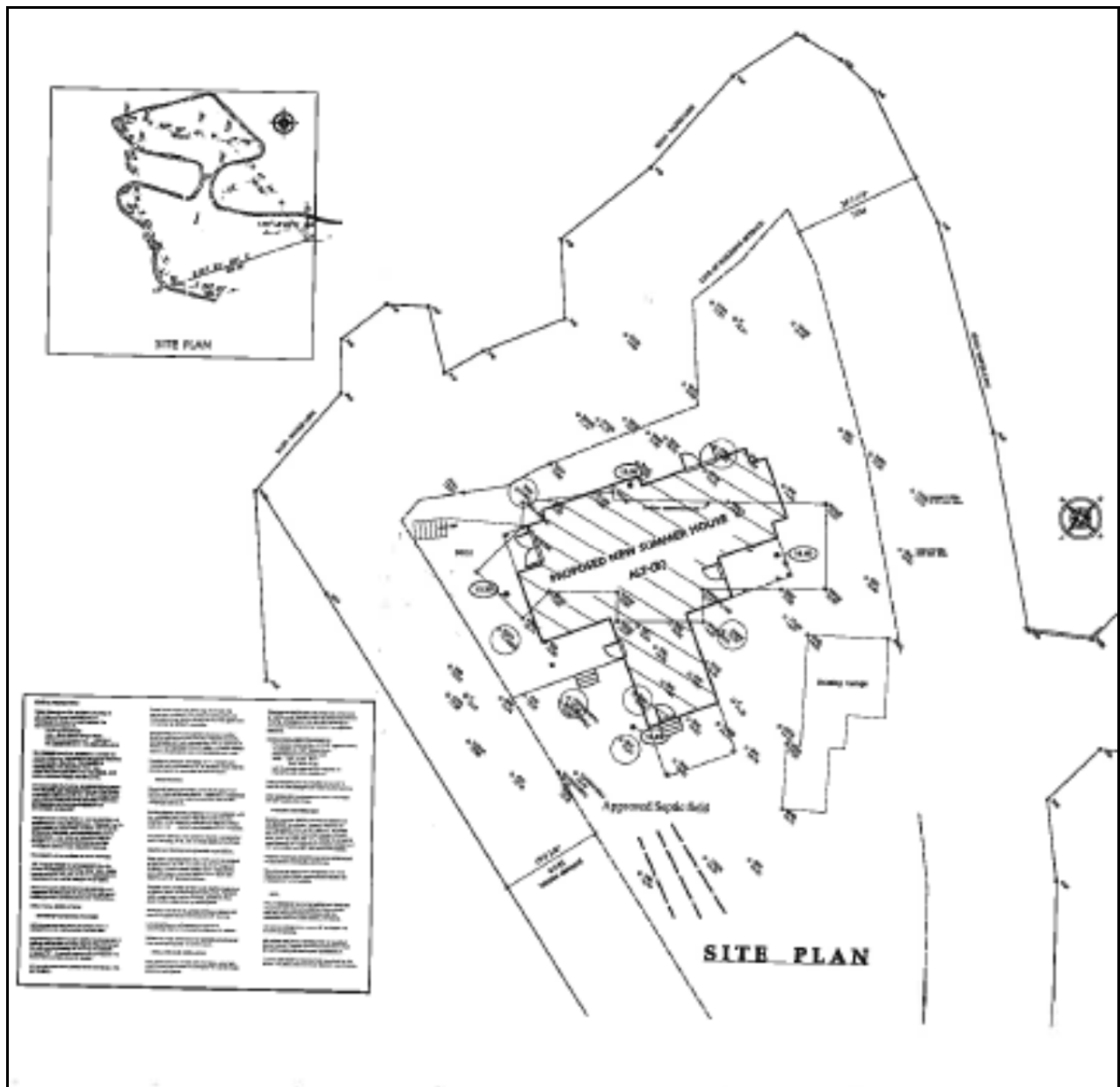


Figure 2 – Partial Survey with New House Overlay



Picture 1 – Existing Single Family Residence



Picture 2 – Existing Single Family Dwelling



Picture 3 – Existing deck within setback to the sea



Picture 4 – Douglas-Fir trees to be removed with new construction.

Proposed Building Elevations – Single Family Dwelling

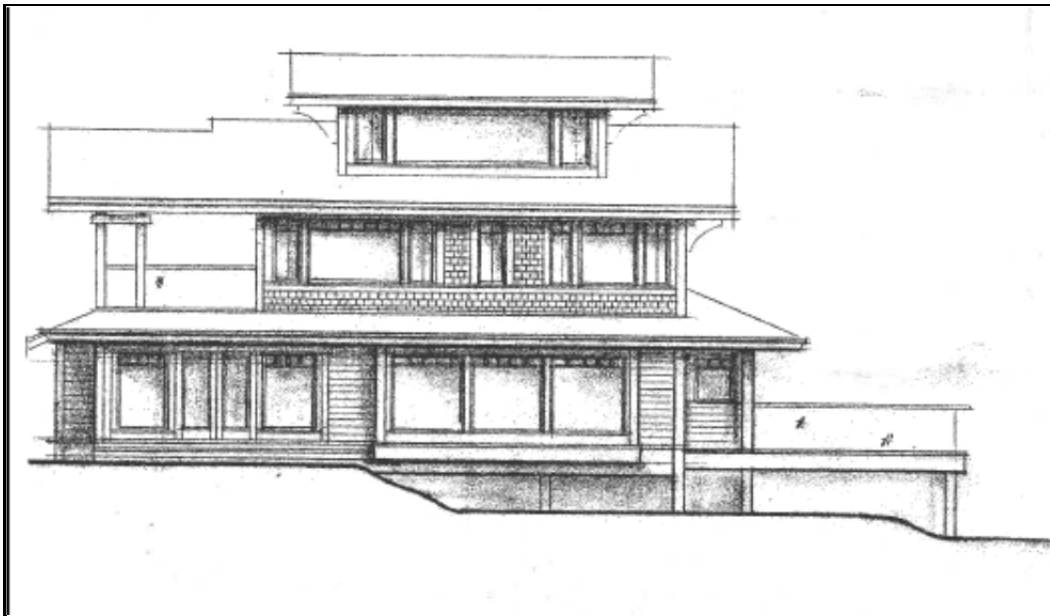


Figure 3 - Back Elevation (north west)



Figure 4 – Side Elevation (north east)



Figure 5 - Side Elevation (south west)

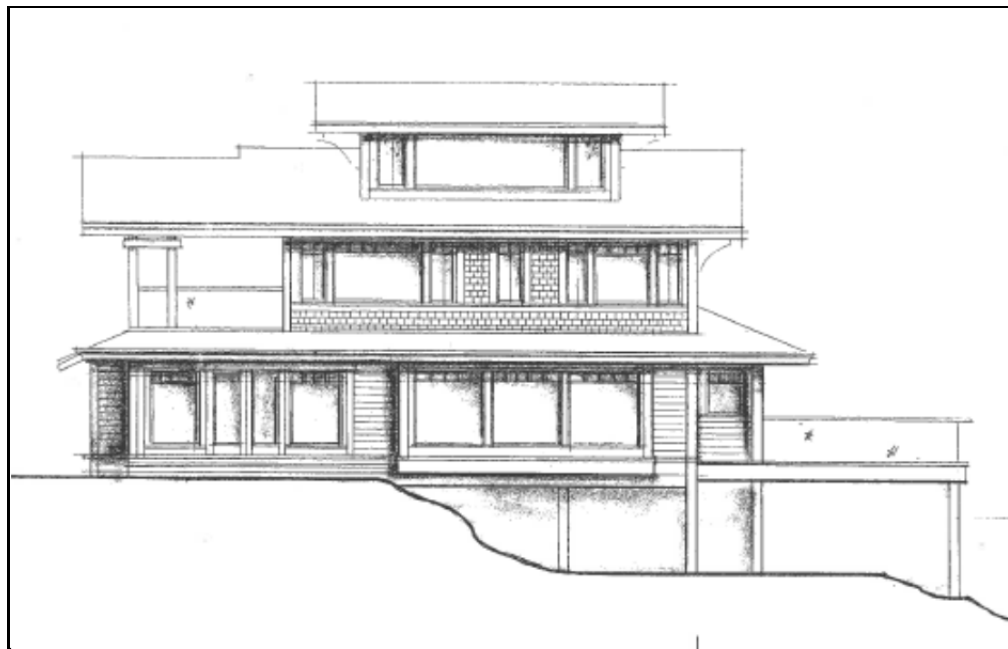


Figure 6 - Front Elevation (north west)

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement: Applicable policies in the Islands Trust Policy Statement include:

3.2.1 – Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development and land-use.

Official Community Plan: The subject property is designated Small Lot Residential (SLR). The property is located within the Shoreline and Marine DPA and the Sensitive Ecosystems DPA.

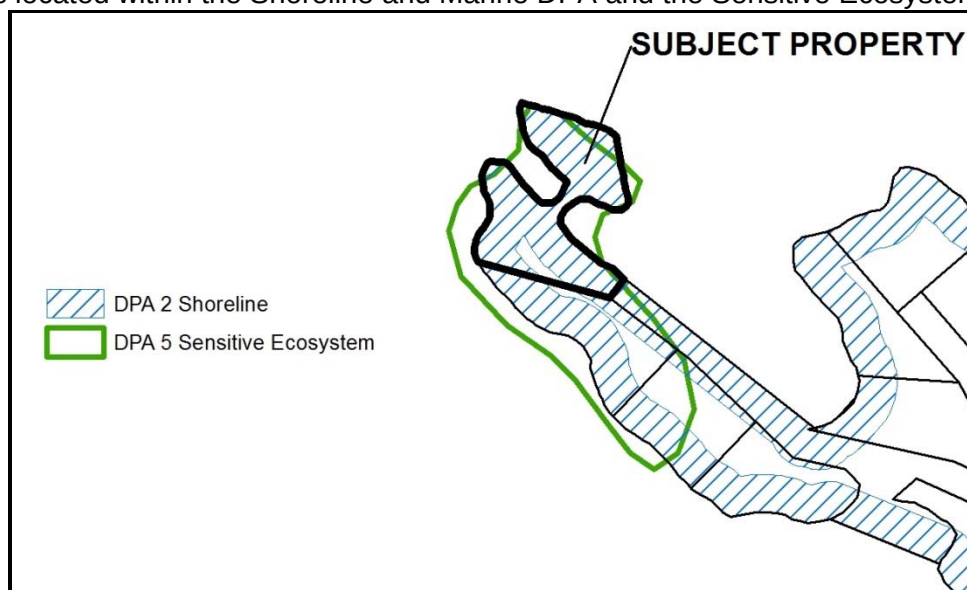


Figure 7 – Development Permit Areas

Land Use Bylaw: The subject property is zoned Small Lot Residential (SLR). All the properties immediately adjacent are similarly zoned. The permitted height for principal buildings is 9.0 m (29.5 ft). The setback from the sea is 7.5 m (24.6 ft) for all buildings and structures. It is uncertain at the time of writing this report what the variance amounts being requested will be.

Islands Trust Fund: There are no Trust Fund covenants or properties on or near the subject property.

Sensitive Ecosystems and Hazard Areas: there is a woodland sensitive area identified on the property, which is the basis of the Sensitive Ecosystem designation (see Figure 8). The property is also surrounded by a Rock Fish Conservation Area. There are no steep slope hazard areas identified on the property.



Figure 8 – Woodland Area (Sensitive Ecosystem Mapping)

Archaeological Sites: There are no archaeological sites on or in the vicinity of the subject property registered in the provincial database.

Covenants: There are no restrictive or conservation covenants on the subject property.

Bylaw Enforcement: Currently, there is no bylaw enforcement files related to this property. The applicant wants to rectify the issue with the deck being within the setback from the sea by including it with the development permit application. Should the LTC not permit the deck as part of the development permit application, a bylaw enforcement file will be initiated.

Climate Change Mitigation and Adaption: The subject property is already developed with the area proposed for new construction having been historically disturbed. The proposed new work at higher elevations on the site.

Other:

A preliminary report by a Registered Professional Biologist (Linneaus Consulting) evaluating the proposed development within the Sensitive Ecosystem and Shoreline DPA is attached as Schedule 'B'. The preliminary report outlines the ecological values of the property and briefly describes the proposed development and the intended impact.

A checklist indicating how the development will address the DPA guidelines for the Shoreline and Marine DPA and the Sensitive Ecosystems DPA has been attached as Schedule C.

COMMUNITY INFORMATION MEETING(S):

A community information is not required or recommended for development permit applications.

RESULTS OF CIRCULATION:

Development Permit applications do not require circulation, nor do variances where they are being considered within the DP application.

STAFF COMMENTS:

A complete application had not been received at the time of writing this information report. The intent of this preliminary report is to give the LTC enough background information at a regular meeting to permit discussion and the option considering issuance through an RWM when all the information is submitted. This is being done in an effort to not delay the application until the next scheduled meeting in September and permit the applicant to begin construction. In order to better understand the application staff will be meeting with the applicant on-site on July 5.

The proposed development (new summer house) is being constructed primarily on the footprint of the existing house (which will be dismantled) except for a portion (approximately 400 ft²) that will be constructed on a historically disturbed area. The applicant is also applying for two variances in support of the DP guidelines. One is to address the height of the proposed house to reduce the need for blasting and another is to address the existing location of a deck that may be within the interior side lot line setback and the setback from the sea (currently undetermined due to lack of detailed survey). A preliminary biologists report has been submitted (attached as schedule B) which supports the retaining of the deck for future use. This is based on the fact that the report states that to remove it would cause a greater disturbance and destruction to the natural habitat than if left intact. The granting of the associated variances

is discretionary whereas the issuance of the permit is nondiscretionary providing it meets the objectives and guidelines of the DPA.

The applicant has stated that they will be dismantling the existing single family house and the detached garage in hopes of reusing some of the materials from both buildings in the new construction. The garage will not be rebuilt, and it will be recommended that the area left by the garage deconstruction be rehabilitated with natural native vegetation. It will also be recommended that the area left from the deconstruction be used to stockpile building materials so as to not impact the sensitive ecosystems or shoreline DPAs.

A more detailed biologist's report should be available by the beginning of July and will be considered in the subsequent Development Permit report and permit conditions.

Based on the information received to date, conditions in the proposed permit would include the following points. Some of the draft conditions are stated broadly, and will be replaced with specific conditions once additional information is received.

- the removal of two Douglas-fir trees (both are damaged) in the footprint of the new proposed dwelling
- deck maintenance should meet the guidelines established for both DPAs in protecting the surrounding habitat, plus not permit any sealants or paint to be used.
- removal of building debris and transportation of materials for construction (e.g. barge landing area) should be done so as to lessen the impact on the ecosystem.
- deconstruction materials and materials for construction should be stored so as to not impact the ecosystem.
- construction of a sewage disposal system be supervised by a qualified professional to ensure that the objectives and guidelines of the development permit area are met (Note: currently unsure if new system is required).
- habitat areas of plant communities that are dependant on marine shoreline habitat and identified by a qualified professional should be left undisturbed (i.e. Garry Oak ecosystem).
- development should be undertaken and completed in such a manner as to prevent the release of sediment to the marine shore.
- trees and shrubs to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
- vegetation species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should be native to the area.
- any temporary barge docking facility should be sited to minimize impacts on sensitive ecosystems such as eelgrass beds, fish habitat and natural processes such as currents and littoral drift
- A defined minimal area cleared and disturbed for development.
- Buildings and associated infrastructure sited to allow sufficient undisturbed space around significant mature or established trees to protect root systems.
- Maintain identified native grasses, rare plants, and wildflower ecosystems and associated soils free of development.
- Plant drought-resistant and native plants in landscaping and avoid planting or introduction of non-native plants.
- Pervious surfaces in new construction
- Construct new decks with sufficient spacing or materials to be permeable to water

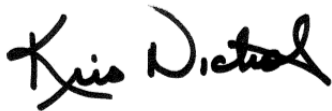
- Diffused discharge of storm water
- Limit removal of mature and old trees, dead and declining trees and the root systems of trees.
- No or limited blasting in sensitive areas
- Soil, gravel or rock is only to be removed or deposited, as minimally necessary, within that area for the proposed dwelling.
- Limit the area cleared and disturbed for development to that identified in the plan
- Post-construction the disturbed area to be restored to as near the pre-existing natural condition as is feasible,
- Post-construction the disturbed area shall be maintained free of invasive species, particularly Scotch Broom,
- The protection of the arbutus trees and their root systems during construction with temporary fencing,

Again, it is important to point out that this is only a preliminary information report which does not require any decisions to be made by the LTC. In addition, a new survey and a more detailed biological report should be available by the beginning of July and will be considered in the subsequent Development Permit report and permit conditions. They may also be provided, if available, as late items to the July meeting. The complete Development Permit report will be submitted to the LTC, with the option to consider issuance of a permit through an RWM once a thorough analysis has taken place and all the information has been submitted.

RECOMMENDATIONS:

No recommendation: this is an information report to provide background information for future consideration by the LTC for issuance of the development permit by a possible RWM.

Prepared and Submitted by:

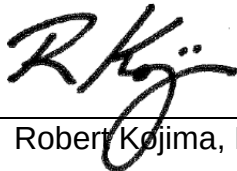


Kris Nichols, Planner 1

June 27, 2012

Date

Concurred in by:



Robert Kojima, RPM

June 28, 2012

Date



GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GL-DP-2012.1

[NOTE: This proposed permit is based on limited information and will likely change prior to final consideration]

To: Mark and Patricia Mustacich

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

Lot 1, District Lot 6, Wise Island, Cowichan District, Plan 19676
2. This Development Permit authorizes the construction of a single family dwelling and the maintenance of an existing deck within the development permit area, subject to the following requirements and conditions:
 - (a) Construction and land alterations shall be consistent with Schedule A attached to and forming part of this permit.
 - (b) Two Douglas fir trees in the footprint of the proposed construction of the dwelling may be removed including root system.
 - (c) No snags or wildlife trees are to be removed.
 - (d) For those trees that must be removed, the trunks and large limbs from removed trees to be left within the development permit area as large woody debris (branches and small limbs with a diameter less than 20 cm may be removed to reduce fire fuel loads).
 - (e) Arbutus trees and their root systems shall be protected during construction by installing temporary fencing at a minimum distance of 2.0 m from the trunk.
 - (f) The surface of any deck shall be constructed with sufficient spacing or materials to be permeable to water.
 - (g) Design of storm water discharge from any structures or surface within the development permit area shall ensure diffused discharge (in a semi-natural manner).
 - (h) No irrigation systems are to be placed within the development permit area.
 - (i) Once construction is completed, the disturbed land within the development permit area shall be maintained free of invasive species, particularly Scotch Broom.

- (j) Within the development permit area soil, gravel or rock is only to be removed or deposited, as minimally necessary, within the area of the proposed dwelling.
- (k) Once construction is completed, the disturbed land within the development permit area shall be restored to as near the pre-existing natural condition of the sensitive and shoreline ecosystems as feasible.
- (l) Blasting of rock is not anticipated; however, should it be necessary, any rock removed shall not be deposited within the development permit area. Mitigation shall include the use of blast mats to contain materials.
- (m) Temporary fencing should be constructed around the building sites to limit intrusion into DPAs during construction.
- (n) Deck maintenance shall meet the guidelines established for both DPAs in protecting the surrounding habitat, plus not permit any sealants or paint to be used.
- (o) Removal of building debris and transportation of materials for construction (e.g. barge landing area) shall be done so as to lessen the impact on the ecosystem [Note: specific barge landing and other accesses may be designated based on additional professional report].
- (p) Deconstruction materials and materials for construction shall be stored on previously disturbed areas, specifically the building expansion area or garage area.
- (q) Construction of a sewage disposal system shall be supervised by a qualified professional to ensure that the objectives and guidelines of the development permit area are met [Note: currently undetermined if a new system is required].
- (r) Habitat areas of plant communities that are dependant on marine shoreline habitat and identified by a qualified professional shall be left undisturbed [Note: specific areas to remain free of development may be identified in the pending professional report].
- (s) Development shall be undertaken and completed in such a manner as to prevent the release of sediment to the marine shore [Note: specific condition such as siting of silt fencing may be included based on recommendations of professional report].
- (t) Trees and large shrubs within the construction area that are to be retained shall be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
- (u) Any new plantings within the development permit area must be drought-tolerant, native vegetation species.

3. The Galiano Island Land Use Bylaw No. 127, 1999 is varied as follows:
- [Note: height and deck variance to be incorporated]
4. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of Galiano Island Land Use Bylaw No. 127, 1999 and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS xxth day of July, 2012.

Deputy Secretary, Islands Trust

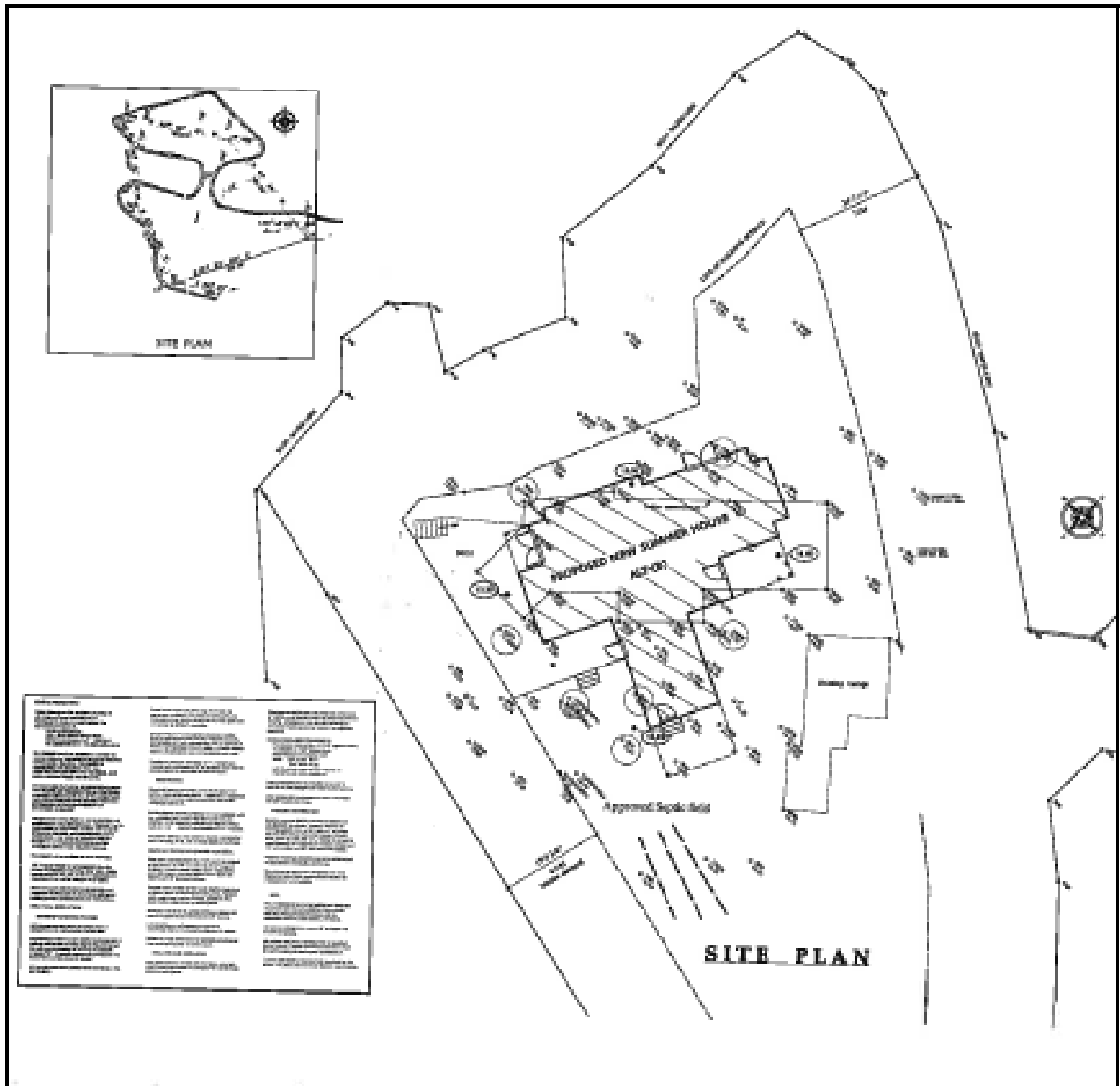
Date Issued

IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE x DAY OF xxxx, 2014 THIS PERMIT AUTOMATICALLY LAPSES.

GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GL-DP-2012.2

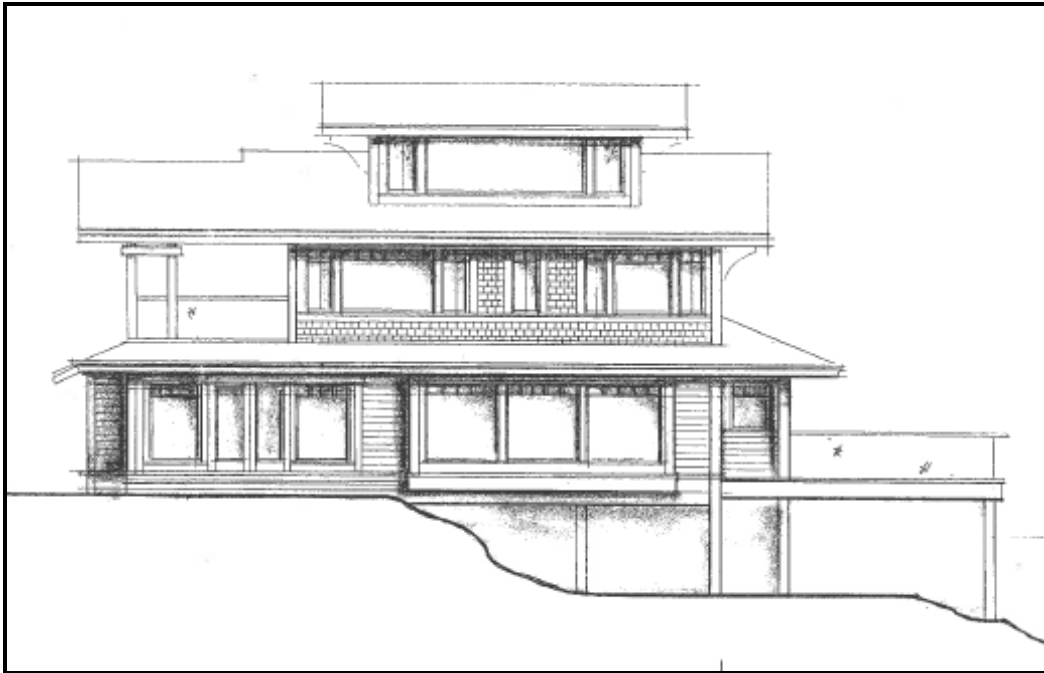
Schedule "A"



Note: new survey is required

Schedule "B"

Proposed Building Elevations – Single Family Dwelling



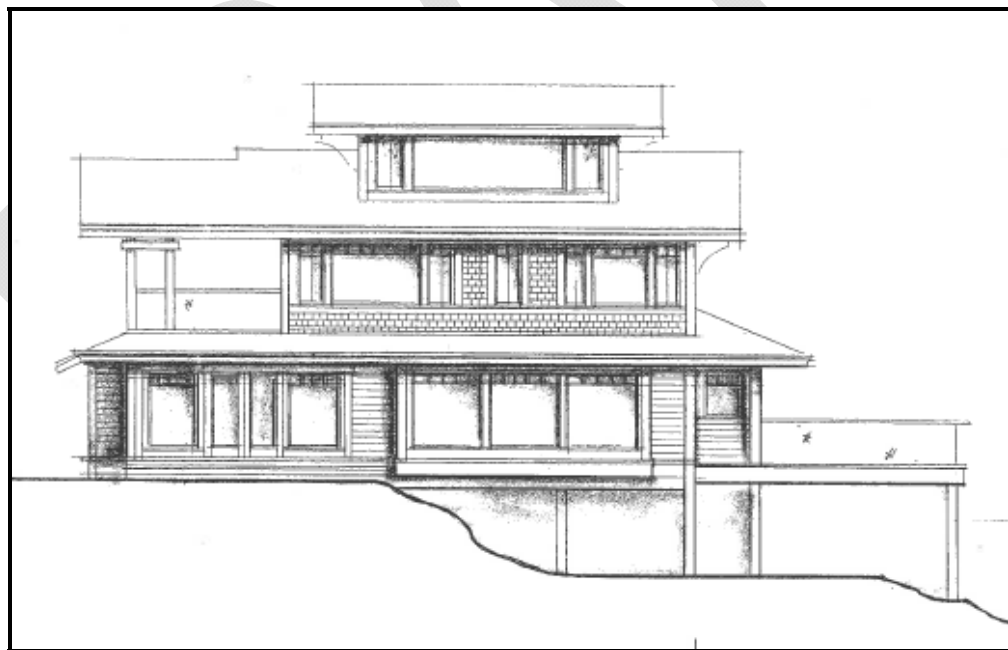
Back Elevation (north west)



Side Elevation (north east)



Side Elevation (south west)



Front Elevation (north west)

June 22, 2012

Preliminary Comments Regarding the Mustacich Property on Wise Island

I viewed the Mustacich property on June 17 to evaluate potential impacts on proposed house construction at the site. In the photo below that looks at the property from the northwest, you can see the rocky shoreline with a studio on the left and the existing house on the right. No activity is planned for the point of land on which the studio is situated.

The absence of deer on Wise Island is evident, and has allowed the full complement of species associated with coastal Douglas-fir/Arbutus/Garry oak to flourish. The property as a whole is in fairly good condition, with Garry oak regeneration not seen in areas heavily browsed by deer. There is very little Scotch broom on the property.

The plan is to carefully dismantle the existing house and garage using an existing barge docking area (in a non-sensitive area), using a backhoe only. All of this activity will take place in a previously disturbed, non-sensitive portion of the property visible in Photo 2. This disturbed area has been filled in the past, a rock wall constructed, and was formerly the site of a garden. The plan is to build a new house on the footprint of the old house, with an added 400 sq. ft. of space that will be constructed within the disturbed area.

Photos 3&4 show the location of an existing weathered deck that is located within the current setback, which the owners prefer to keep. This deck is surrounded by healthy regenerating Garry oak, and it is my opinion that dismantling and removal of this deck would cause more disturbance and destruction of natural habit than if left intact, even if followed by restoration activity. Periodic maintenance (replacing boards) would not compromise the surrounding ecosystem if done in a sensitive manner. I would recommend that no sealants or paint be used on this deck.

Photo 5 shows the location of the proposed new deck on the northwest side of the house. The two Douglas-fir trees visible in the photo are the only trees slated for removal as part of the property development. The smaller Douglas-fir has been damaged (top broken off), and the larger Douglas-fir is also missing the top of its trunk.

The full DPA report on this property will be submitted on June 29, 2012.

Respectfully,
Jan Kirkby



Photo 1 View from west looking east



Photo 2 Disturbed area to be used for construction



Photo 3 Existing deck in setback area



Photo 4 Deck showing healthy regeneration of Garry oak



Photo 5 Douglas-fir trees proposed for removal on northwest side of house



DPA Checklist: GL-DP-2012.1
Construction of Single Family Dwelling – Wise Island
Sensitive Ecosystems DPA

Guidelines	Comments
a) Avoid development being located in areas containing important, rare or fragile sensitive ecosystems or habitat where reasonable alternative sites exist.	Will be addressed in the permit
b) Minimize the area cleared and disturbed for development.	Will be addressed in the permit
c) Retain large, connected undisturbed areas, with connections and corridors providing continuity between sensitive ecosystems and important habitat.	n/a
d) Site buildings and associated infrastructure to allow sufficient undisturbed space around significant mature or established trees to protect root systems.	Will be addressed in permit
e) Retain undeveloped buffer areas around sensitive ecosystems, features or habitat where feasible. Buffer areas should be of sufficient width to limit access by invasive plants.	Will be addressed in permit if such feature are identified in professional report
f) Natural features may be retained through incorporation into the design of the development. In particular, unique or special natural features such as native grasses, rare plants, unique land forms, rock outcroppings, mature trees, spits and dunes should be protected.	Will be addressed in permit if such feature are identified in professional report
g) Preserve native grasses, rare plants, and wildflower ecosystems and associated soils.	Will be addressed in permit
h) Avoid the planting or introduction of non-native plants. The use of drought resistant and native plants in landscaping should be encouraged.	Will be addressed in permit
i) Avoid removal of mature and old trees, dead and declining trees and the root systems of trees.	Will be addressed in permit
j) Protect denning and nesting sites of rare, threatened or endangered species.	n/a
k) Minimize soil removal and deposit.	Will be addressed in permit
l) Avoid alteration of natural drainage systems in ways that increase or decrease the amount of water available to a sensitive ecosystem.	Will be addressed in permit
m) Locate septic fields in a manner that minimizes potential impacts on sensitive ecosystems or habitat.	Uncertain if new field will be required with new development
n) Limit driveways and other accesses to the number required for safe access, with shared driveway access where feasible. Driveway lengths and widths should be limited to the minimum necessary. The use of impervious surfaces should be	Limiting impervious surfaces will be addressed in the permit

discouraged.	
o) Limit shoreline structural modifications in scale and extent to structures necessary to support or protect an existing use or structure.	Conditions for maintenance of existing deck will be addressed in permit. (If deck is permitted)
p) Preference should be given to shoreline modifications that have a minimal impact or enhance ecological functions, including vegetation enhancement, upland drainage control, beach enhancement or nourishment, anchor trees, or gravel placement. Harder construction measures should be avoided.	n/a
q) Shoreline stabilization should not interrupt natural processes solely to reduce erosion of undeveloped land. Vegetation which helps stabilise banks, reduce erosion and provides habitat should be retained or enhanced.	n/a
r) Limit stairs, walkways and other access within a sensitive ecosystem adjacent to the shoreline to those required for safe access, with shared access where feasible. Stairs should incorporate landings, follow the existing contours of the site, utilize small concrete pilings and have gaps between boards.	Will be addressed in permit.
s) In addition to the other guidelines, the following guidelines apply specifically to applications within a woodland sensitive ecosystem:	Will be addressed in permit.
i) Protect large mature and old trees, trees containing cavities, the root systems of trees, rare plant species, native grasses and associated under-storey vegetation.	
ii) Avoid unnecessary removal of dead or declining trees, downed logs, snags and leaf litter.	
iii) Where feasible, cut dangerous trees to a level where they are safe rather than removed entirely.	
t) In addition to the other guidelines, the following specific guidelines apply to applications within a wetland ecosystem:	N/A
i) Avoid filling or draining of permanent or seasonally wet areas.	
ii) Retain wetland vegetation and structure.	
iii) Avoid locating roads, driveways and utility corridors through wetland ecosystems; where crossings have to be located within the ecosystem the crossing should, to the extent feasible:	
• Be narrow and perpendicular to a wetland ecosystem;	
• Share facilities;	
• Minimize impacts on water bodies;	
• Conform to topography to	

minimize cut and fill;	
Not restrict the natural movement of surface and groundwater;	
Have appropriate native vegetation planted on shoulders to provide screening and assist soil stability.	
iv) Conduct construction involving disturbance of soil in such a manner as to avoid direct run-off into wetlands.	n/a
v) Avoid disruption of natural hydrologic cycles and natural aquatic processes, including water flows, seasonal flooding, channel movements, windthrow or natural slope.	Will be addressed in the permit
vi) Maintain vegetation cover which helps stabilize banks and reduce erosion and provides habitat.	Maintaining natural vegetation will be addressed in permit
vii) Avoid removal of vegetation that would reduce the natural functions of the sensitive ecosystem.	Will be addressed in permit
viii) Avoid alteration of vernal pools to create year-round water features.	n/a
u) In addition to the other guidelines, the following specific guidelines apply to applications within a cliff ecosystem:	N/A
i) Maintain talus and rock debris that occurs at the base of rock outcroppings.	
ii) Protect the faces of rock outcrops and cliffs.	
v) The following guidelines are applicable to any subdivision proposal within the Sensitive Ecosystem development permit area:	N/A
i) Where feasible, protect sensitive ecosystems and habitat by clustering lots in areas with disturbed or modified ecosystems.	
ii) Proposed lots containing sensitive ecosystems and habitats should be of sufficient size to accommodate the permitted level of development, including driveway access and septic disposal systems, while also avoiding alteration and fragmentation of the sensitive ecosystems and habitat.	
iii) Protect sensitive ecosystems and habitat from clearing, grading and filling during the land development and construction phases of subdivision. Permit conditions may include requirements for fencing, signs and timing of work.	
iv) Make provision for any recommended buffer areas adjacent to sensitive ecosystems and habitat.	
v) Configure lots to minimize driveway lengths within sensitive ecosystems. The provision of shared driveways may be considered as a condition of a	

permit if it can reduce impacts on sensitive ecosystems and habitat.	
vi) A community water system, as an alternative to individual wells, may be considered as a condition of a permit where this would result in reduced impacts on sensitive ecosystems and habitat.	
vii) Locate septic disposal sites in a manner that minimizes potential impacts on sensitive ecosystems and habitat.	
viii) Design storm water management systems, where proposed, in a manner that avoids the impacts of run-off on sensitive ecosystems and habitat.	
ix) Where applicable, configure lots to allow the siting of docks and stairs to the foreshore with minimal impact on sensitive shoreline and intertidal areas.	
x) Pre-designation of building sites, septic disposal fields and driveways may be considered as a condition of a permit where this would result in reduced impacts on sensitive ecosystems and habitat.	
w) In general, where a professional's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Conditions of a permit may include:	
i) the designation of areas within which no development shall occur;	Will be addressed in permit
ii) requirements of building siting, size, design or construction that would minimize impacts, protect or enhance sensitive ecosystems or habitat;	Will be addressed in the construction, deconstruction and storage of building materials
iii) use of native vegetation in landscaping;	Will be addressed in permit
iv) the use of pervious surfaces;	Will be addressed in permit
v) the placement of permanent or temporary fencing around sensitive features;	Will be addressed in permit
vi) fencing, flagging and posting of notices during construction;	Will be addressed in permit if recommended by professional
vii) limits on blasting in sensitive areas;	Will be addressed in permit
viii) limits on construction timing;	Will be addressed in permit if recommended by professional
ix) provision of works to maintain or restore the quantity or quality of water reaching environmentally sensitive areas or habitat;	Will be addressed in permit if recommended by professional
x) restoration or enhancement of disturbed sensitive ecosystems and habitat;	Will be addressed in permit for disturbed areas during construction and where garage was located.
xi) the layout of lots, including clustering, driveways, access routes, and septic disposal facilities in a plan of	n/a

subdivision.	
x) Where restoration or enhancement work is required as a condition of a permit, the applicant may be required to provide to the Islands Trust a security deposit, in the form of an irrevocable letter of credit, equal to 125% of the estimated costs of all materials and labour, as determined by a professional with relevant experience.	Will be addressed in permit if recommended by professional
y) The Local Trust Committee may consider variances to subdivision or building siting or size regulations where the variance may result in protection of a sensitive ecosystem or habitat.	Two variances are being proposed. One is for the height of the single family dwelling and one is for the location of the existing deck within the setback area.

DPA Checklist: GL-DP-2012.1
Construction of Single Family Dwelling – Wise Island
Shoreline and Marine DPA

****Note: this is very preliminary as all information has not been received nor site inspection conducted****

Guidelines	Comments
General Guidelines:	
1. In general, development of the shoreline area should be limited, should minimize negative impacts on the ecological health of the immediate area, and should not impede public access.	There is no new development proposed with this application just the possible maintenance of an existing deck (if permitted to remain)
2. Shoreline protection measures should be limited to those necessary to prevent damage to existing structures or established uses on the adjacent upland. Softer shore protection measures should be considered first, and only if all options to locate and design without the need for shore protection works are exhausted should such works be considered.	n/a
3. Sea level rise, storm surges, and other anticipated effects of climate change should be addressed in all applications.	Proposed addition would be at higher elevations
4. The Local Trust Committee may consider variances to subdivision or building and structure siting or size regulations to meet the objectives of the development permit area.	Two variances are being requested one for height of the new dwelling and one to permit an existing deck to remain in a setback area.
5. New upland structures or additions to existing structures should be located and designed to avoid the need for shore protection works.	No protection works required
6. When required, shore protection measures should:	n/a
a. Apply the 'softest' possible shore protection measure that will still provide satisfactory protection; and	
b. Limit the size of shore protection works to the minimum necessary.	
7. 'Hard' structural shore protection measures (e.g. concrete walls, lock block, stacked rock) may be considered in support of existing development only when a geotechnical and biophysical analysis demonstrates that:	n/a
a. an existing structure is at immediate risk from shoreline erosion caused	

by tidal action, currents, or waves. Evidence of normal sloughing, erosion or steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not sufficient demonstration of need;	
b. the erosion is not being caused by upland conditions, such as the loss of vegetation and uncontrolled drainage. The geotechnical analysis should evaluate on-site drainage problems and investigate drainage solutions away from the shoreline edge before considering structural shoreline stabilization;	
c. non-structural measures, such as locating new buildings and structures further from the shoreline, planting vegetation, or installing on-site drainage improvements, are not feasible or sufficient to address the stabilization issues; and	
d. unavoidable damage to shoreline ecological function is mitigated as much as feasible and restoration is undertaken when feasible.	
8. All structural shore protection measures should be installed within the property line or upland of the natural boundary of the sea, whichever is further inland. 'Soft' shoreline protection measures that provide restoration of previously damaged ecological functions may be permitted seaward of the natural boundary subject to obtaining necessary approvals from the provincial and federal governments.	n/a
9. New development on steep slopes or bluffs shall be set back sufficiently from the top of the bluff to ensure that shore protection measures will not become necessary during the life of the structure, as demonstrated by a geotechnical assessment of the site.	n/a
10. Shore protection measures that are likely to cause erosion or other physical damage to adjacent or down-current properties shall not be supported.	n/a
11. Shore protection measures should not be considered for solely the purpose of providing a sufficient setback to meet	n/a

other land use bylaw requirements.	
12. New driveways and sewage disposal systems should not be located in the development permit area. If such a location cannot be avoided, the encroachment into the development permit area must be minimized, and the development permit may require that the assessment, design and construction of the road or sewage disposal system be supervised by a qualified professional to ensure that the objectives and guidelines of the development permit area are met.	There is an existing septic system. It is uncertain whether it will be upgraded as part of the development.
13. Where this development permit area includes native plant species or plant communities dependent on a marine shoreline habitat that are identified locally, provincially, or federally as sensitive, rare, threatened or endangered, or have been identified by a qualified professional as worthy of particular protection, their habitat areas should be left undisturbed. If disturbance cannot be entirely avoided, development and mitigation / compensation measures shall be undertaken only under the supervisions of a qualified professional with advice from provincial and federal environmental agencies.	Will be addressed in the permit
14. Shore protection measures should not be allowed for the purpose of extending lawns or gardens, or to provide space for additions to existing structures or new outbuildings.	n/a
15. Existing shore protection works may be replaced if the existing works can no longer adequately serve their purpose provided that:	n/a
a. The replacement shore protection works are of the same size and footprint as the existing works, unless required to prevent shoreline erosion as determined by a qualified professional;	
b. The replacement shore protection works are designed, located, sized, and constructed to mitigate the loss of ecological functions, and include habitat restoration measures when feasible;	

c. Replacement walls or bulkheads do not encroach seaward of the natural boundary or the seaward limit of the existing shore protection works unless there are significant safety or environmental concerns that could only be addressed via such an encroachment. In such cases, the replacement of shore protection works should utilize the 'softest' approach possible and should abut the existing shore protection works; and	
d. Where impacts to critical marine habitats would occur by leaving the existing works in place, they can be removed as part of the replacement measure.	
Guidelines for Subdivisions:	N/A
16. All lots in a proposed subdivision must be configured to have sufficient area for permitted principal and accessory uses without encroaching into land use bylaw setbacks, the Development Permit Area, or creating a likelihood of shoreline protection measures for the permitted level of development.	
Guidelines for Commercial and Industrial Development:	N/A
17. Boat maintenance and repair facilities shall be designed and sited in a manner that minimizes the potential for the discharge of toxic materials from boats (e.g. fuels, oils, maintenance by-products).	
18. Lighting of commercial and industrial developments built over the water surface should be kept to the minimum necessary for safety and visibility. Light fixtures on such sites should focus light on the area to be illuminated and avoid spillage of light into other areas. Fixtures should not result in glare when viewed from areas that overlook the sea. Low-glare fixtures with a high-cut off angle should be used. Full-spectrum fixtures are preferred. Neon lighting should not be used outside buildings.	
19. Signs on commercial and industrial developments built over the water surface should not move or be audible and should not incorporate lighting that moves or flashes or gives the	

impression of doing so.	
20. Offshore log storage should be located such that natural flushing and water circulation will disperse waste materials, and log dumping facilities should be designed and operated to prevent bark and other debris from accumulating on the sea bed.	
Guidelines for Specific Shoreline Types:	
21. Because of their extreme sensitivity to disturbance and slow rate of recovery, dredging or filling of estuaries should not be permitted, sea walls and rip rap embankments should not be permitted in estuaries, and when shore protection measures are necessary "beach nourishment" designs are preferred, which add appropriately sized material to the upper beach, creating a natural beach slope and beach armour.	n/a
22. New structures on steep slopes or bluffs shall be set back sufficiently from the top of the bluff to ensure that shore protection measures will not become necessary during the life of the structure, as demonstrated by a geotechnical analysis for the structure.	n/a
23. Removal of trees or other vegetation from steep slopes or bluffs should only be allowed where necessary and where replacement vegetation / erosion control measures are established. If possible, stumps should be left in place to provide some soil stabilizing influence until replacement vegetation is established. Plans delineating extent of vegetation / tree removal (location, species and diameter of trees) and location of proposed construction, excavation and / or blasting, may be required.	n/a
Guidelines for Construction Practices:	
Erosion Control:	
24. All development within this development permit area should be undertaken and completed in such a manner as to prevent the release of sediment to the shore or to any watercourse or storm sewer that flows to the marine shore. An erosion and sediment control plan, including actions to be taken prior to	Will be addressed in the permit

land clearing and site preparation and the proposed timing of development activities to reduce the risk of erosion, may be required as part of the development permit application.	
Monitoring:	
25. A development permit may require monitoring by a qualified professional of the implementation of environmental mitigation, restoration or enhancement planting or other measures required by a development permit, until all such measures have been completed and the professional has provided a report confirming completion to the standard specified in the permit.	n/a
Guidelines for Vegetation Management, Restoration and Enhancement:	
26. Existing, native vegetation should be retained wherever possible to minimize disruption to habitat and to protect against erosion and slope failure.	Will be addressed in the permit
27. Existing trees and shrubs to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.	Will be addressed in the permit
28. If the area has been previously cleared of native vegetation, or is cleared during the process of development, replanting requirements may be specified in the development permit. Areas of undisturbed bedrock exposed to the surface or natural sparsely vegetated areas should not require planting.	Will be addressed in the permit
29. Vegetation species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should preferably be native to the area, and should be selected for erosion control and/or fish and wildlife habitat values as needed. Suitably adapted, non-invasive, non-native vegetation may also be considered acceptable.	Will be addressed in the permit
30. All replanting should be maintained by the property owner for a minimum of 2 years from the date of completion of the planting to ensure survival. This may require removal of invasive, non-native	Will be addressed in the permit

weeds (e.g., Himalayan blackberry, Scotch broom, English ivy) and irrigation. Unhealthy, dying or dead stock should be replaced at the owner's expense in the next regular planting season. Permits may include, as a condition, the provision of security to guarantee the performance of terms of the permit.	
Guidelines for Shore Protection Measures Design:	N/A
31. Materials used for shoreline stabilization should be inert. Stabilization materials should not consist of debris or contaminated material that could result in pollution of tidal water.	
32. Revetments (rip rap slopes) and bulkheads (retaining walls) should only be constructed if no other alternative exists.	
33. Where revetments are proposed:	N/A
a. They should not result in the loss of shoreline vegetation or fish habitat;	
b. The size and quantity of materials used should be limited to that necessary to withstand the estimated energy of the location's hydraulic action and prevent collapse; and	
c. Filter cloth should be used to aid drainage.	
34. Where bulkheads are proposed:	N/A
a. They should not be located where geomorphic and hydrologic processes are critical to shoreline conservation. Feeder bluffs, marshes, wetlands, spits and hooks should be avoided;	
b. They should be located parallel to and landward of the natural boundary of the sea, as close to any natural bank as possible;	
c. They should allow the passage of surface or groundwater without causing ponding or saturation; and	
d. They should be constructed of stable, non-erodible materials that preserve natural shoreline characteristics. Adequate toe protection including proper footings	

and retention mesh should be included. Beach materials should not be used for fill behind bulkheads.	
Guidelines for Beach Nourishment and Fill:	N/A
35. Fill upland of the natural boundary greater than 10 cubic metres in volume should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Such fills should be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration.	
36. Fill below (seaward of) the natural boundary should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, typically as part of a beach nourishment design.	
37. Fill should not be placed at or below the natural boundary for the purposes of providing a trail or walkway.	
38. All upland fill and beach nourishment materials should be clean and free of debris and contaminated material. All fill and beach nourishment proposals are subject to review and approval by provincial and federal authorities having jurisdiction.	
Guidelines for Shore Access and Parking:	
39. Roads, driveways, trails and pathways should follow the contours of the land, appropriately manage drainage, not require retaining walls, and only use stairs as a last resort.	Will be addressed in the permit
40. Accesses in extremely sensitive areas or hazardous areas should be restricted or prohibited.	Will be addressed in the report around the existing deck
41. Parking areas should be located away from the shore, buffered or landscaped, and constructed so as to minimize erosion and water pollution by controlling storm runoff. Structural measures such as catch basins, oil separators, filtration trenches or swales, unpaved or permeable all weather surfaces should be considered for this	n/a

purpose.	
Guidelines for the Construction and Replacement of Docks and Boat Launch Facilities:	
42. For residential properties, preference is to be given to the placement of mooring buoys and floats instead of docks.	n/a
43. Docks and wharves should be designed to ensure that public access along the shore is maintained except where such access is determined to be infeasible because of incompatible uses, safety, security, or harm to ecological functions.	Will be addressed in permit with regards to barge landing area
44. Docks and wharves should be sited to minimize impacts on sensitive ecosystems such as eelgrass beds, fish habitat and natural processes such as currents and littoral drift.	Will be addressed in permit with regards to barge landing area
45. Docks should be constructed in a manner that permits the free flow of water beneath. Supports should be located on a hard substrate.	n/a
46. Floating docks should not rest on the sea bed at any time and a minimal, moveable ramp rather than a fixed wharf or pier should be utilized to connect the dock with the shore.	n/a
47. Piers and pilings and floating docks are preferred over solid-core piers.	n/a
48. Docks should not use unenclosed plastic foam or other non-biodegradable materials that have the potential to degrade over time. Docks should be constructed of stable materials that will not degrade water quality. The use of creosote-treated pilings is discouraged.	n/a
49. Boat launch ramps are the least desirable of all water access structures and should be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary. Ramps should be kept flush with the slope of the foreshore to minimize interruption of natural geo-hydraulic processes.	n/a
50. Construction of a private ramp on an individual residential lot or parcel is discouraged. Owners are urged to seek opportunities to use public ramps or to share existing private ramps.	n/a

51. Residential docks should be located and designed to avoid the need for shore defence works or breakwaters.	n/a
52. Residential docks should not extend from shore any further than necessary to accommodate a small pleasure craft. Residential docks should not be designed to accommodate boats with a draft greater than 2.2 metres or have floats more than 35 square metres total surface area unless more than two parcels have legal access to the dock, in which case permitted total surface area should be a multiple of the number of lots the dock serves.	n/a

June 24, 2012

Evaluation of Proposed Development within Development Permit Areas Two (Shoreline and Marine) and Five (Sensitive Ecosystems) on Mustacich Property Lot 1, District Lot 6, Wise Island

A site visit was made to the Mustacich property on Wise Island on June 17, 2012 to evaluate potential impacts to sensitive Shoreline, Marine, and Woodland ecosystems from proposed deconstruction of an existing house and garage, and construction of a new house on the same footprint plus an additional 400 sq. ft.

Ecological Values of Development Permit Areas Two and Five on Mustacich Property

The subject property on Wise Island occupies the exposed west-facing tip of the island, and consists of two small rocky land masses (~0.4 ha) connected by a narrow isthmus as can be seen clearly in the inset on the top left of Figure 1 (note that North orientation is different from inset on larger site plan). Almost all of the property is covered by both the Shoreline and Marine DPA and the Sensitive Ecosystems DPA (Woodland Polygon 5446 in the Islands Trust Sensitive Ecosystem mapping).

The absence of deer on Wise Island is evident, and has allowed the full complement of species associated with the Coastal Douglas-fir moist maritime biogeoclimatic zone Woodland ecosystem to flourish in a mosaic of ecological community types associated with Douglas-fir, Garry oak, and arbutus. The Garry oak-associated ecological community types represented here are provincially at risk and red-listed, and include in addition to mature Garry oak trees, a krummholz (stunted) form of Garry oak seen in this type of sea-edge wind-exposed site. The site includes typical shrub layer species such as salal, dull Oregon grape, baldhip rose, ocean spray, honeysuckle, snowberry, and falsebox. A large specimen of Rocky Mountain juniper on the western tip of the northern point of land is significant (see Photo 1, left side on point).

The herb layer is comprised of species associated with Woodland ecosystems, and includes Pacific sanicle, stonecrop, and miner's lettuce, as well as exotics such as rose campion, hairy vetch, and non-native grasses such as Kentucky bluegrass, orchard grass, and sweet vernalgrass. The property as a whole is in fairly good condition, with Garry oak regeneration not seen in areas heavily browsed by deer. There is very little Scotch broom on the property; however, the disturbed areas contain high cover values of non-native grass species.

No raptor nests were observed at the site, and aside from the at-risk ecological community occurrences described above, no at-risk plant or animal species were observed, and the BC Conservation Data Centre has no occurrence records for Wise Island. Intact Woodland ecosystems such as represented on the subject property are rare in the Gulf Islands. Garry oak Woodlands support a diverse assemblage of plant and animal species, and it is estimated that less than 5% of original Garry oak Woodlands remain in a natural state.



Description of Proposed Development

Photo 1 below looks at the property from the northwest. The property's rocky shoreline can be seen, with the studio on the left and the existing house on the right. No activity is planned on the portion of the property on which the studio is situated, nor is any activity proposed in the shoreline and marine areas other than the rocky shoreline area that has previously been used for barge landing.

The plan is to carefully dismantle the existing house and garage using the existing barge docking area, which is adjacent to a disturbed, non-sensitive area (visible in Photo 2) that has been used previously to move materials to and from a barge. The existing house will be deconstructed using a backhoe rather than heavier machinery, and no blasting is planned to prepare for the construction of the new house. The disturbed area in Photo 2 has been filled in the past, a rock wall constructed, and was formerly the site of a garden. The plan is to build a new house primarily on the footprint of the old house, with an added 400 sq. ft. of space that will be constructed within the disturbed area (see Figure 1 showing existing house footprint and proposed new house footprint).

Photos 3&4 and Figure 1 show the location of an existing weathered deck that is located on the west side of the house and within the current setback, which the owners prefer to keep intact. This deck is surrounded by healthy regenerating Garry oak.

Photo 5 shows the location of the proposed new deck on the northwest side of the house. The two Douglas-fir trees visible in the photo are the only trees slated for removal as part of the property development. The smaller Douglas-fir has been damaged (top broken off), and the larger Douglas-fir is also missing the top of its trunk.

Evaluation of Environmental Impacts from Proposed Development

The proposed development plan locates a new house primarily on the footprint of the old house, with the additional 400 sq. ft. additional to be constructed in a previously disturbed area, thus resulting in minimal impacts to the intact sensitive Woodland Shoreline and Marine ecosystems at the site. The barge landing area is adjacent to a previously disturbed area (Photo 2) that is not a good candidate for restoration activity due to the location of the septic field, extensive fill deposited in the past, and subsequent colonization by non-native grasses. Movement of materials will take place in this non-sensitive area.

The owners have modified the original siting of the house in an attempt to minimize removal of mature Douglas-fir trees. The current plan calls for the removal of a total of only two Douglas-fir trees, both of which have been compromised by storm damage.

Regarding the existing deck on the west side of the house located within the setback, dismantling and removal of this deck would likely cause more disturbance and destruction of natural habit than if left intact, even if followed by restoration activity. Periodic maintenance (replacing boards) would not compromise the surrounding ecosystem if done in a sensitive manner.

Given that the majority of development activity will take place in previously disturbed and non-sensitive areas, the proposed development at the site will not substantially impact natural processes, habitats, or species, nor will it result in the loss of marine or coastal habitat.

Recommendations for Mitigation of Impacts from Development

The owners have trimmed the Garry oak around the existing deck on the west side of the house to maintain the view. It is recommend that no further pruning of Garry oak be done in the future. In addition, a rope was observed wrapped around a Garry oak sapling to anchor a solar panel. It is

recommended that other means to secure the panel be found, and that the rope be removed from the Garry oak tree.

If the existing non-conforming deck on the west side of the house is to be retained, it would be recommended that no sealants, paint, or pressure-treated wood be used on this deck.

There is a small amount of Scotch broom on the property. Its removal is recommended. In addition, although the area proposed for development activity and movement of materials was previously disturbed, the further disturbance caused during construction may result in increased colonization of this area and beyond by invasive alien plant species, including Scotch Broom. Removal of non-native invasive plant species is an important follow-up activity after site disturbance, especially in open-canopied ecosystems such as Woodlands. It is important to maintain, and where possible, improve the quality and condition of these rare ecosystems, and therefore development and implementation of a long-term invasive species removal plan for the property is recommended.

Care should be taken during clearing and construction to avoid impacting arbutus and Garry oak trees. Arbutus trees are particularly sensitive to injury, and open wounds encourage the introduction of pathogenic fungi that can lead to the death of the tree. When using fill in treed areas, care should be taken to avoid damaging or burying trunks of existing trees. Temporary fencing near Garry oak and arbutus trees during house dismantling and construction is recommended to avoid unintended damage. Snags and wildlife trees on the property should be retained for their wildlife habitat value.

Drainage systems should be constructed in such a way as to avoid negatively impacting the hydrology of the Woodland ecosystem by concentrated runoff. Distribution of runoff in a semi-natural manner is important in naturally dry Woodland ecosystems.

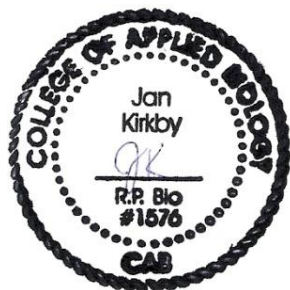
The areas disturbed by construction (including the area where the garage will be removed) as well as the adjacent Woodland areas offer a good opportunity for restoration activity. In addition to ongoing Scotch broom removal, replanting the area with native species would be a good way to improve the quality and condition of the Woodland ecosystem. Naturescape BC offers booklets with information on species appropriate to the Woodland ecosystem found at this site, as does the *Garry Oak Gardener's Handbook*, available from the Garry Oak Ecosystem Recovery Team in Victoria.

Conclusion

The proposed plan makes maximum use of existing disturbed areas of the property and avoids development in the most sensitive portions of the property. Shoreline and marine areas will not be affected by the proposed development, and no further development of any kind is planned within the larger Woodland ecosystem.

The landowners have modified their original plan to ensure that the proposed development and associated activity are concentrated in previously disturbed, non-sensitive areas. They have minimized the area cleared and disturbed for development, kept tree removal to a minimum, and avoided development in the sensitive portions of the property. This type of thoughtful development and stewardship that leaves natural areas intact is consistent with the policies, intent, and guidelines of the Galiano Local Trust Area Development Permit Area legislation.

Respectfully submitted,



Jan Kirkby, M.Sc., R.P.Bio.
Principal, Linnaeus Environmental Consulting

Figure 1 Site Plan

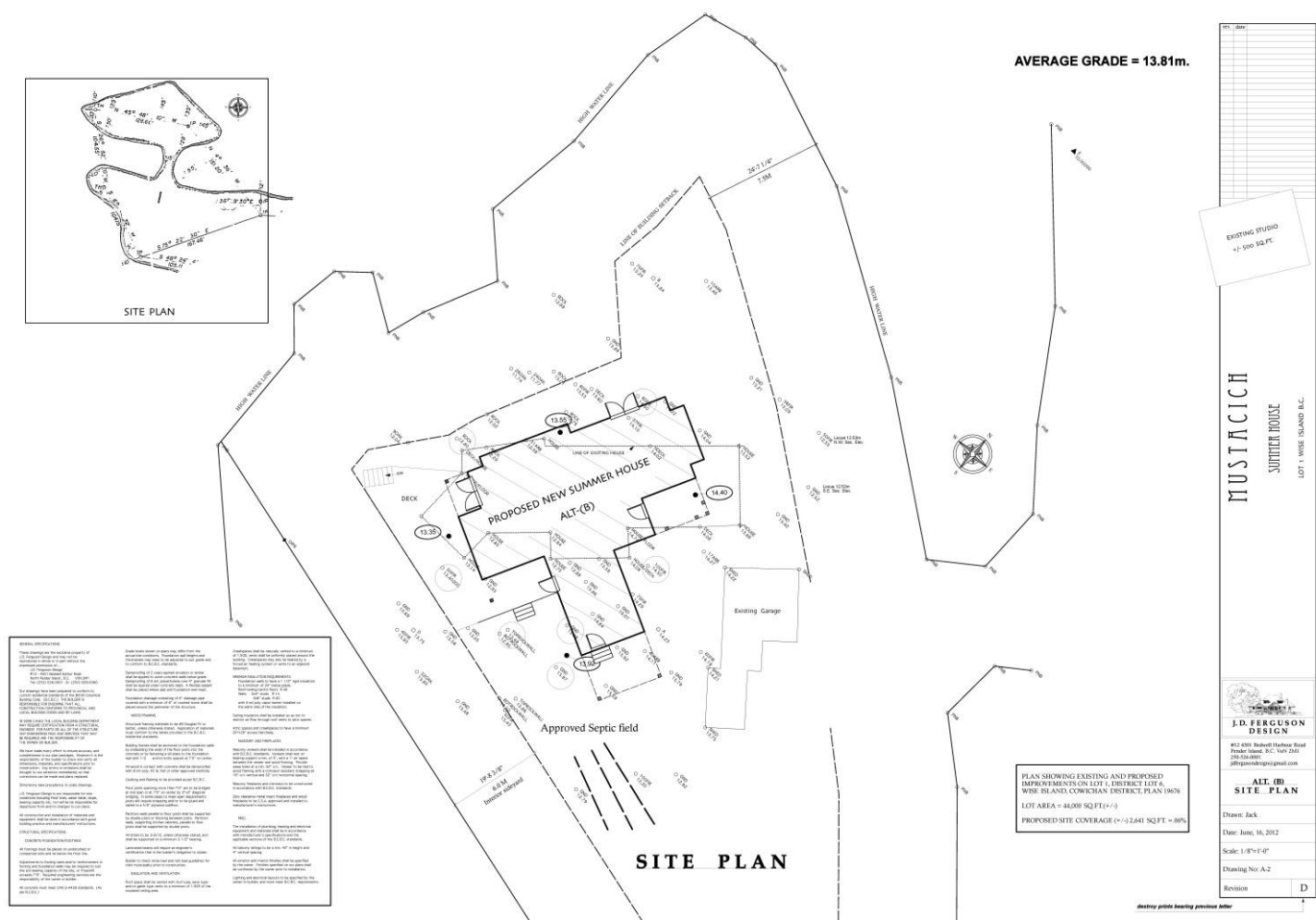


Photo 1 View from west looking east—studio on left, house proposed for deconstruction on right



Photo 2 Disturbed area to be used for construction activity



Photo 3 Existing deck in setback area



Photo 4 Deck on west side of house showing healthy regeneration of Garry oak



Photo 5 Two Douglas-fir trees (foreground) proposed for removal on northwest side of house



BRITISH COLUMBIA LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE

PARCEL IDENTIFIER: 003-610-292

LEGAL DESCRIPTION:

LOT 1, DISTRICT LOT 6, WISE ISLAND, COWICHAN DISTRICT, PLAN 19676

This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners.

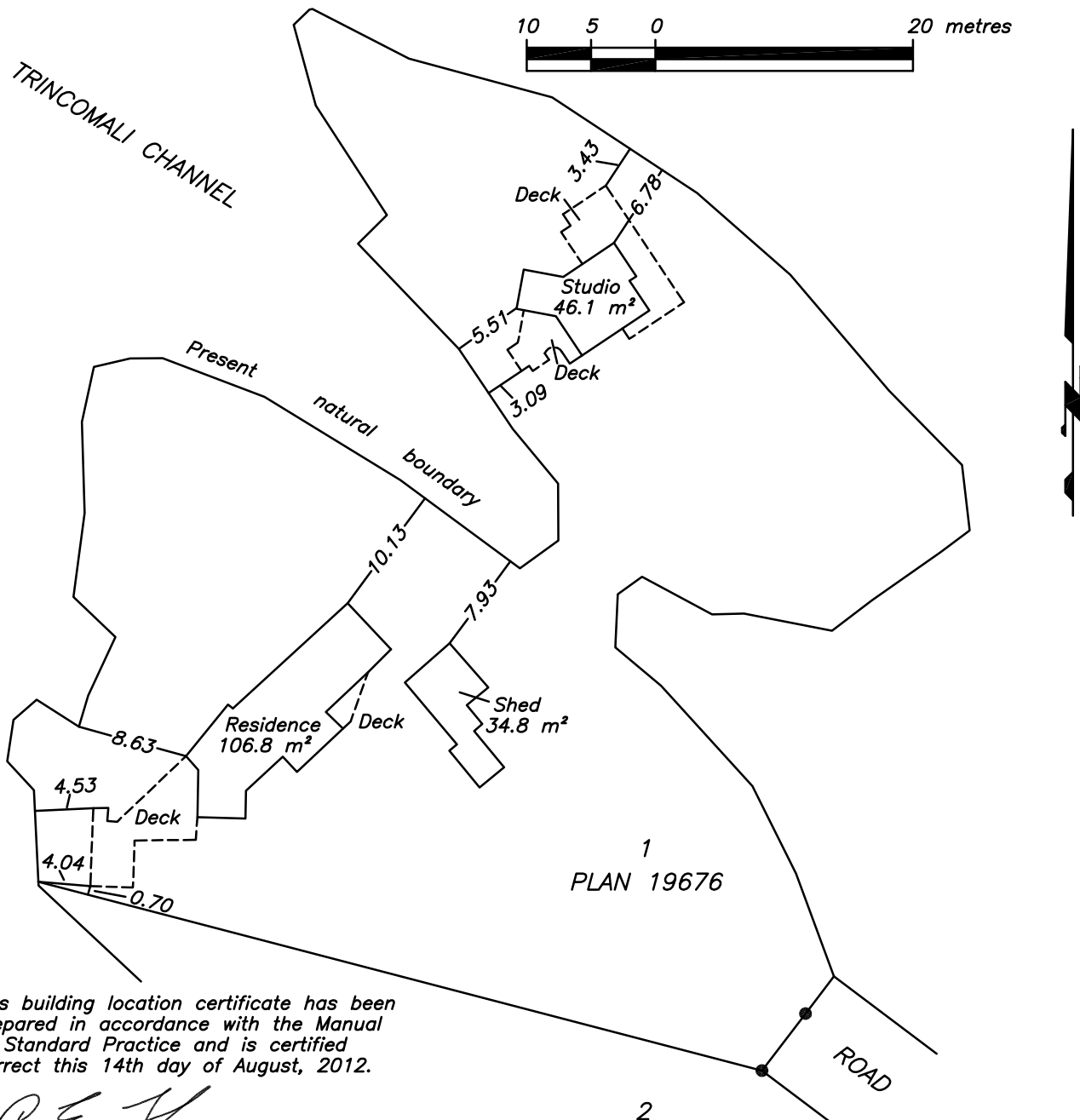
Survey post found shown thus ●

All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or in part without the consent of the signatory.

This plan was prepared for the registered owner and is for the exclusive use of our client.

Dimensions to buildings are to the outside of the siding.

Scale 1:500



This building location certificate has been prepared in accordance with the Manual of Standard Practice and is certified correct this 14th day of August, 2012.

P. E. Thomson

Peter E. Thomson, BCLS CLS

2
PLAN 19676

Peter Thomson, BCLS CLS
Galiano Island, BC
Peter.Thomson@telus.net



GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GL-DP-2012.1

To: Mark and Patricia Mustacich

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

Lot 1, District Lot 6, Wise Island, Cowichan District, Plan 19676

2. This Development Permit authorizes the construction of a single family dwelling within the development permit area, subject to the following requirements and conditions:
 - (a) Construction and land alterations shall be consistent with Schedules "A" and "B" attached to and forming part of this permit.
 - (b) Two Douglas fir trees in the footprint of the proposed construction of the dwelling may be removed including root system.
 - (c) No snags or wildlife trees are to be removed.
 - (d) For those trees that must be removed, the trunks and large limbs from removed trees to be left within the development permit area as large woody debris (branches and small limbs with a diameter less than 20 cm may be removed to reduce fire fuel loads).
 - (e) Arbutus trees and their root systems shall be protected during construction by installing temporary fencing at a minimum distance of 2.0 m from the trunk.
 - (f) The surface of any deck shall be constructed with sufficient spacing or materials to be permeable to water.
 - (g) Design of storm water discharge from any structures or surface within the development permit area shall ensure diffused discharge (in a semi-natural manner).
 - (h) No irrigation systems are to be placed within the development permit area.
 - (i) Once construction is completed, the disturbed land within the development permit area shall be maintained free of invasive species, particularly Scotch Broom.
 - (j) Within the development permit area soil, gravel or rock is only to be removed or deposited, as minimally necessary, within the area of the proposed dwelling.

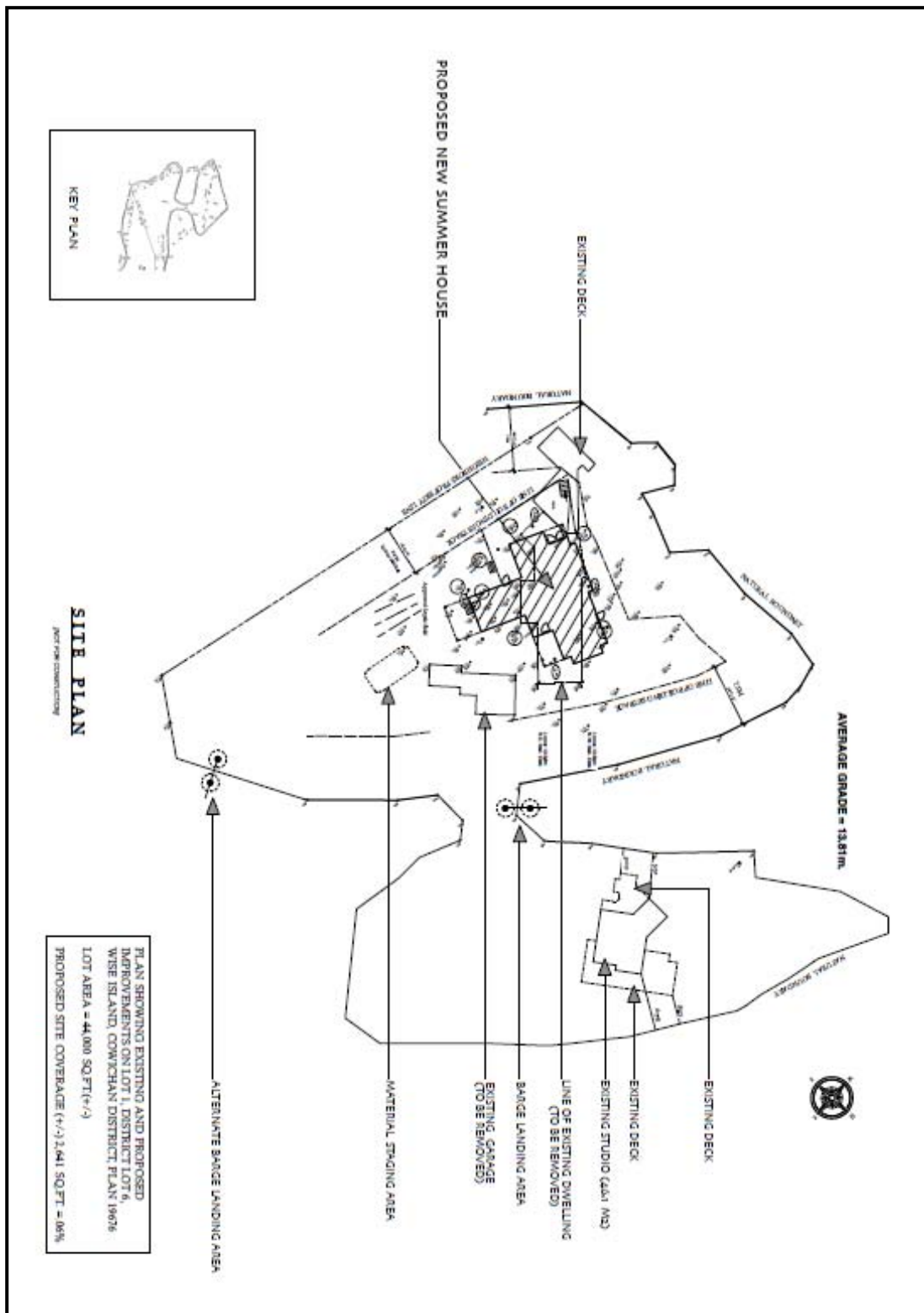
- (k) Once construction is completed, the disturbed land within the development permit area shall be restored to as near the pre-existing natural condition of the sensitive and shoreline ecosystems as feasible.
 - (l) Blasting of rock is not permitted in the development permit area.
 - (m) Temporary fencing should be constructed around the building sites to limit intrusion into DPAs during construction.
 - (n) The southwest facing deck as shown in Schedule "A" will be deconstructed and removed in a manner that does not negatively impact the surrounding ecosystem or shoreline.
 - (o) Removal of building debris and transportation of materials for construction shall be done so as to lessen the impact on the ecosystem and the designated barge landing area will be located as shown on Schedule "A".
 - (p) Deconstruction materials and materials for construction shall be stored on previously disturbed areas as designated material storage area in Schedule "A".
 - (q) Habitat areas of plant communities that are dependant on marine shoreline habitat and identified by a qualified professional shall be left undisturbed.
 - (r) Development shall be undertaken and completed in such a manner as to prevent the release of sediment to the marine shore.
 - (s) Trees and large shrubs within the construcion area that are to be retained shall be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
 - (t) Any new plantings within the development permit area must be drought-tolerant, native vegetation species.
3. The Galiano Island Land Use Bylaw No. 127, 1999 is varied as follows:
- Subsection 5.3.7 is varied to permit the height of the principal dwelling to be 9.46 metres in order to avoid the blasting of bedrock. Current bylaw regulation states that the maximum height of a dwelling is 9.0 metres.
4. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of Galiano Island Land Use Bylaw No. 127, 1999 and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS xxth day of July, 2012.

Deputy Secretary, Islands Trust

Date Issued

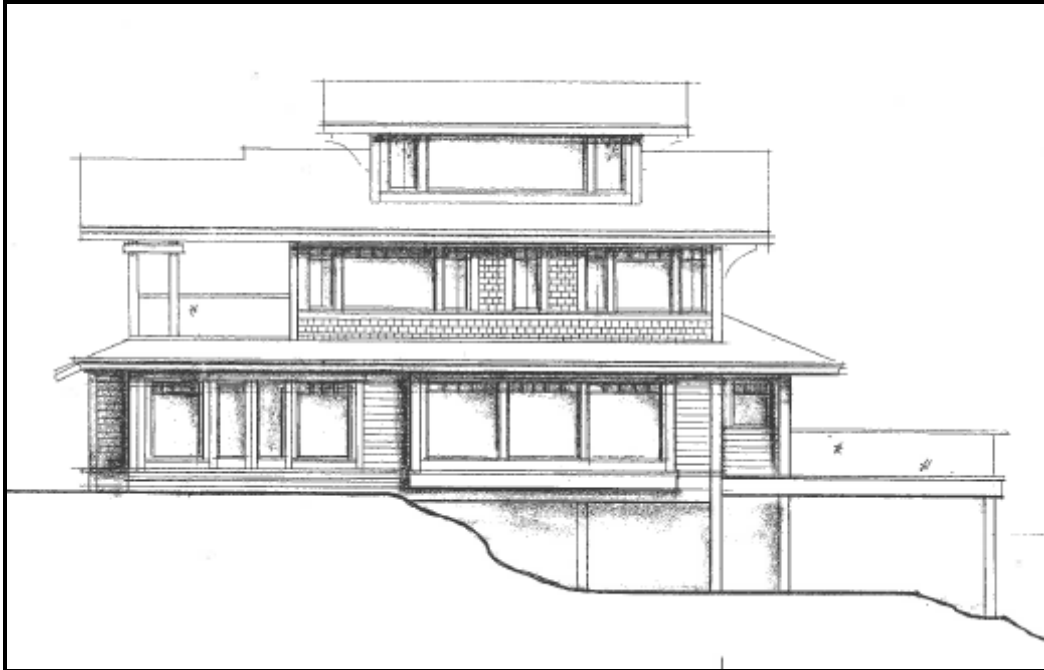
IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE x DAY OF xxxx,
2014 THIS PERMIT AUTOMATICALLY LAPSES.



Schedule "B"

Proposed Building Elevations – Single Family Dwelling

Note: Variance Granted for Height Relaxation



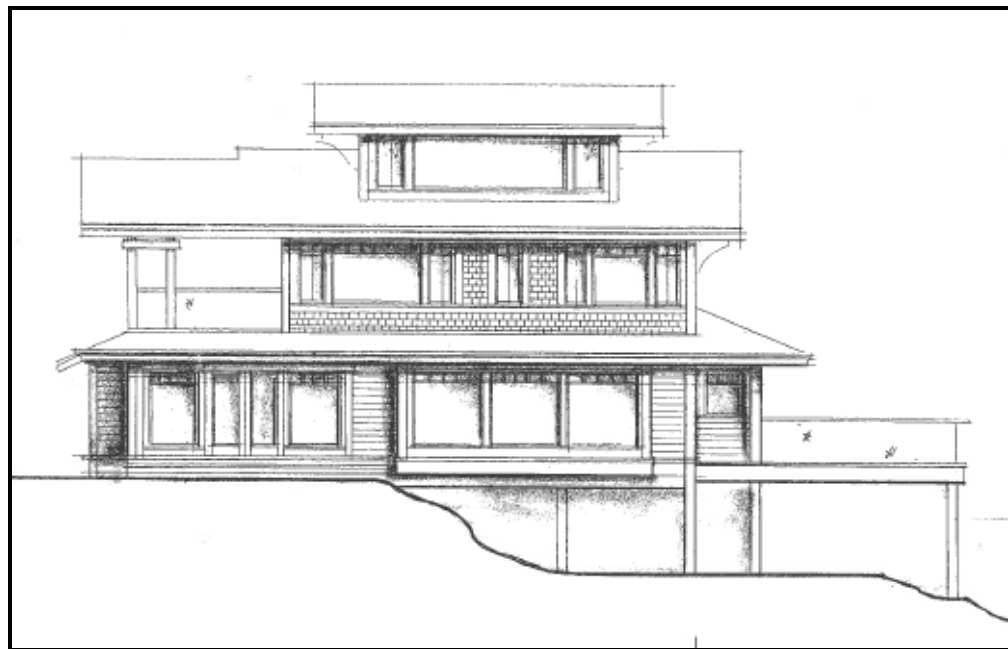
Back Elevation (north west)



Side Elevation (north east)



Side Elevation (south west)



Front Elevation (north west)



Islands Trust

Print Date: Sep-06-2012

Top Priorities

Galiano Island

No.	Description	Activity	Received / Initiated	Responsibility	Target Date	Status
1	LUB update	1. Amendments resulting from OCP review 2. Review of regulations for docks and structures in setback from the sea and geo-thermal 3. Review of split-zoned lot regulations 4. review of regulations pertaining to strata common property 5. Review of Parking Regulations - on-site parking and public parking issues generated from associated islands (see correspondence from P. Midgely on agenda of Apr/12) 6. Sign Regulations 7. Waste transfer station regulations 8. Review of zoning regulations for Lions' Hall 9. Review of FLR and F2 zoning and Land Transportation policy (o) requirement 10. Review zoning of small F1 lots that were in existence at the time of their purchase from Mac Blo.	Apr-16-2012	Robert Kojima	Mar-31-2013	On Going

11.1.1

- 11. Standards for potable water supply
- 12. Accessory building entitlements
- Phase II items:
 - 1. Secondary suites
 - 2. Dock review
 - 3. Cottage floor area

2	DPA Implementation	1. Update of Development Approval Information Bylaw - ON-GOING 2. Public communications 3. Development of Administrative procedures: ON-GOING	Dec-12-2011	Robert Kojima	Mar-31-2012	On Going
3	Ground water protection DPA policy review	Review detailed recommendations of Waterline Report, review existing DPA provisions, prepare options for amendments	Jun-13-2011	Robert Kojima	Apr-02-2012	On Going



Islands Trust

Print Date: Sep-06-2012

Projects

Galiano Island

No.	Description	Activity	Received/Initiated	Status
1	Soil Removal and Deposit Bylaw	Review need and options for implementation of soil removal and deposit bylaw	Sep-12-2011	On Going
2	OCP amendment to review definition of "tree"		Dec-12-2011	On Going
3	Short Term Vacation Rentals		Dec-12-2011	On Going
4	Provincial Advocacy	- Letter from Steve Thomson, Minister of Forests dated Nov 2, 2011 to be brought forward for action at the appropriate time - Staff directed to request meetings with the following:	Feb-13-2012	On Going
5	Amendments to Forest designation and F1 zone -	consider options for amendments to Forest Land Designation and policies and F1 zoning for lands without Managed Forest Status. Draft bylaws have been prepared, project deferred at meeting of April/12	Apr-16-2012	On Going
6	Associated Island parking issues	issue for future discussion with MoTI	Jul-23-2012	On Going
7	Heritage conservation		Jul-23-2012	On Going



Islands Trust

Print Date: Sep-06-2012

Applications w/ Status - Galiano Island Status: Open

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GL-DP-2012.1	Jack Ferguson	Jun-18-2012	WISE ISLAND Dismantel existing dwelling and detached garage - studio & deck remain Construct new dwelling

Planner: Kris Nichols

Planning Status

Status Date: Sep-04-2012

Supplemental Report drafted for consideration of LTC at September meeting. Applicant has requested that deck variance be reconsidered by LTC.

Status Date: Aug-29-2012

Trustees decide to consider application at September 17 LTC meeting and not by RWM.

Status Date: Jul-09-2012

LTC agreed to consider this application by RWM once all required information is submitted to staff and an amended DP is drafted. Staff are waiting for a complete survey and delineation of barge and materials storage areas. The DP will also include a variance on the height of the dwelling.

Development Variance Permit

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

Planner: Kris Nichols

Planning Status

Status Date: May-02-2012

Met with applicant. He is waiting for a survey and will submit it when completed.

Status Date: Jan-25-2012

Sent a letter requesting a survey by Feb 24, 2012. If no survey is submitted, bylaw enforcement will be notified.

Status Date: Jun-27-2011

Requested survey June 21, 11

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2004.6	Crystal Mountain Society	Jun-14-2004	OCP and LUB amendments to allow a Retreat Centre and Forest Retreat.
Planner: Kris Nichols			

Planning Status

Status Date: Jul-27-2012

application on-hold to fall 2012

Status Date: Mar-01-2012

Applicants are interested in pursuing a rezoning. Will meet with planning staff to discuss options in March 2012

Status Date: Feb-03-2012

Sent a letter requesting indication that applicant would still like to continue with their application. Deadline to respond is March 2 2012.

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

Planning Status

Status Date: Mar-01-2012

Staff working with CRD to determine emergency access status.

Status Date: Nov-04-2011

Staff working on final cov. edits and securing emergency road as per RNP.

Status Date: Sep-30-2011

Public hearing on proposed bylaw 210 being held Oct 17.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2008.2	KIng	Feb-22-2008	To amend the zoning from F1 to F3
Planner: Kaitlin Kazmierowski			

Planning Status

Status Date: Jul-24-2012

Sent request fo refunding to Finance

Status Date: Jul-23-2012

Applicant sent letter to staff requesting that the file be closed and fees refunded.

Status Date: Mar-01-2012

Met with applicant who is still interested in pursuing a rezoning. Staff currently working with the applicant to determine the best course of action.

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

Planning Status**Status Date:** Sep-03-2012

Progress report drafted. Requirements still needed. Lawyers reviewing Housing Agreement and Schedules. ALC reviewing covenant. Applicants talking to VIHA about community water.

Status Date: Aug-30-2012

Met with applicants to walk the site

Status Date: Jul-09-2012

Re-reading of first reading given to amended bylaws.

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

Planning Status**Status Date:** Sep-04-2012

Cost recovery initiated with lawyer to draft undertaking with the Galiano Housing Society.

Status Date: Jul-09-2012

Staff directed to entre into cost recovery for legal review of the undertaking between the applicant and the Galiano Housing Society

Status Date: Jun-01-2012

Draft bylaws that include the community housing lot presented for first reading at June 11, 2012 LTC meeting. Legal undertaking between applicant and Galiano Island Housing Society underway.

Subdivision

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

Planning Status

Status Date: May-03-2012

Applicants to vary the location of the easement slightly and will prepare an updated survey to replace the one in the current covenant.

Status Date: Apr-03-2012

Applicant has responded with several comments on the draft covenant. Planner working with applicant and legal counsel to satisfy these.

Status Date: Mar-01-2012

Planner waiting applicant's comments on draft covenant.

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

Planning Status

Status Date: Feb-09-2012

PLA received from MoTI dated April 1, 2011

Status Date: Oct-29-2010

Status Date: Sep-13-2010

Response sent to MOTI September 13, 2010.

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

Planning Status

Status Date: Jul-09-2012

Status Date: May-17-2012

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

Status Date: May-03-2012

Sent a letter to applicant requesting the Sub referral form be completed and submitted along with the fees.

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

Status Date: Jul-31-2012

Referral response sent to MOT

Status Date: Jul-25-2012

Planner initiating review of application

Status Date: Jul-24-2012

Application form and fees received

Kathy Jones

From: Nancy Roggers
Sent: September-06-12 3:20 PM
To: Kaitlin Kazmierowski; Ken Hancock; Kris Nichols; Louise Decario; Robert Kojima; Sandy Pottle; Kathy Jones; Sharon Lloyd-deRosario
Cc: Cindy Shelest
Subject: Galiano LTC Expense report - Aug/12

Islands Trust
LTC EXP SUMMARY REPORT F2012
Invoices posted to August 31, 2012

625 Galiano	Invoices posted to August 31, 2012	Budget	Spent	Balance
65000	LTC "Trustee Expenses"	1,100.00	-	1,100.00
65200	LTC Local Exp LTC Meeting Expenses	3,900.00	1,259.31	2,640.69
65210	LTC Local Exp APC Meeting Expenses	500.00		500.00
65220	LTC Local Exp Communications	800.00	457.93	342.07
65230	LTC Local Exp Special Projects	1,000.00	-	1,000.00
65240	LTC Local Exp Miscellaneous	300.00	-	300.00
TOTAL LTC Local Expense		6,500.00		4,782.76
73001-625-4002	Galiano Groundwater Protection	10,000.00	3,159.33	6,840.67
73001-625-2002	Galiano OCP/LUB	6,500.00		6,500.00

Thanks!

Nancy Roggers
Finance Officer

PROPOSED

Galiano Island Local Trust Committee Expense Budget

2012-2013

\$6500

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



Memorandum

Date August 2, 2012 File Number

To Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
EC as an LTC

From Robert Kojima
Regional Planning Manager
Local Planning Services

Re 2013-14 Budget Submissions

Local trust committees have been requested to submit budget requests for the next fiscal year.

What is Different this Year?

Local Trust Committee Expense Budgets

1. This year the Director of Administrative Services is recommending allocation of all the Local Expense Account lines based on historical spending. Currently some LTCs prepare their own budgets, others don't allocate the amounts to specific lines. For most LTCs there would be minimal or no change in the total funds allocated for LTC expenses such as meetings, APCs, communications, etc.
2. A re-allocation of some funding from OCP/LUB and Programs to the Special Projects line item in each Local Trust Committee Expense Account. This Special Projects funding is intended to support local planning initiatives at the discretion of the LTC. It is currently proposed that this budget line be \$3000 (more for Salt Spring and Gabriola). Generally, these funds would be for smaller projects, particularly issues that emerge on the LTC work program after the budget is approved. An example would be minor LUB or OCP amendments where there is not anticipated to be significant additional costs for meetings or consultants reports. LTCs could also continue to use this line to purchase reports from community groups. LTCs would not need to make budget requests in advance for these projects and would not need any approval for expenditure of these funds beyond an LTC resolution if needed. The increase in LTC expense budgets because of the additional discretionary Special Projects funding is expected to be off-set by a matching decrease in the OCP/LUB and Programs budget.
3. Combining the "OCP/LUB" and "Program" budgets into a single "Projects" budget. All LTC initiatives are considered projects, regardless of whether it involves an OCP or LUB amendment or not.

Project Budgets

Local trust committees will still have to make a funding request to support OCP and LUB or other project work that is identified in advance or that cannot be undertaken with the money available in the LTC Special Projects line. These projects would typically be major OCP or LUB reviews or other projects.

Un-used Funding

By November, 2013, any OCP/LUB or project funding that has not been committed to be used by the end of the fiscal year may be reallocated to other projects.

Budget Request Guidelines:

When making budget requests for the 2013/14 fiscal year, local trust committees and staff should consider the following in order to obtain support for the requested budget item:

1. the budget item is required to meet Provincial legislation (in other words, not undertaking the project means that the OCP or LUB would not comply with Provincial legislation);
2. the budget item advances one of the objectives of the Islands trust Strategic Plan;
3. the budget item is a continuation of an existing OCP or LUB program and is required to continue or complete the program; or
4. the budget item implements newly adopted policies in the OCP.

Budget Request Timeline:

1. July 2012 Regional Planning Managers develop detailed budget estimates for consideration by Local Trust Committees
2. Aug to Sept Local trust committees review and approve budget requests at an LTC meeting
3. Sept 28, 2012 Budget requests submitted to the Director of Local Planning Services

LTC Budget Requests

For each LTC, I have included in the attached worksheet all Top Priority work program items which are currently anticipated to commence in, or to carry, into the next fiscal year. I have also included items from the Projects List which I have anticipated to commence in the coming year. Generally speaking, where the project is to complete current work, I have estimated \$2000, for a new project not involving significant consultation or external consultants I have estimated \$4000, and I have added an additional amount to projects that could involve extraordinary consultation. The LTC should identify any other projects it is currently considering and add them to the budget request (and the work program if necessary) and identify an additional expenses associated with the identified projects. The LTC should keep in mind that with the proposed changes to the LTC expense budget allocation, more discretionary funding will be available to LTCs to support smaller projects that are either not anticipated or which arise during the course of the year.

Resolution Wording

U:\Budgets\2013-14 fiscal\LTC Memo.docx

1. THAT the ____ Island Local Trust Committee approve and forward the draft 2013-14 LTC Project Budget submission to Financial Planning Committee as presented; or
2. THAT the ____ Island Local Trust Committee revise the draft 2013-14 LTC Project Budget submission and forward to Financial Planning Committee as revised.

Attachments:

1. Project Budget Submission worksheet

pc Island Planners

GALIANO		Project	Budget					Notes			
				Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP		Approved by LTC	Approved by FPC	Approved by
Project #1	LUB Update - completion	\$	4,000.00	x	x	x		Amendments to LUB to implement OCP			
Project #2	Groundwater DPA	\$	4,000.00	x	x	x		Amendment to DPA to implement recommendations of consultant report			
Project #3	TOTAL PROJECTS	\$	8,000.00								



STAFF REPORT

File No.:

To: Galiano Island Local Trust Committee

From: Miles Drew, Bylaw Enforcement Manager

Date: For the Galiano Island Local Trust Committee meeting of September 17, 2012

Re: **Galiano Island Bylaw Enforcement Policy for Short Term Vacation Rentals in Residential Zones**

THE PROPOSAL:

At the the June 11, 2012 regular business meeting, the Galiano island Local Trust Committee (LTC) requested the Bylaw Enforcement Manager to report back to the Galiano Island Local Trust Committee with a policy regarding nuisance complaints in relation to Short Term Vacation Rentals. This report will outline the need for such a policy and propose a draft for consideration by the LTC.

Issues Summary:

On Galiano Island, as is common on most gulf islands, some private residential homes are offered for rent on a weekly or daily basis. This is not a permitted use in the Galiano Island Land Use Bylaw No. 127. The only lawful visitor accommodation for paying guests is found in the Visitor Accommodation zones C4, C5 and C5A. Restricted guest accommodation uses are permitted in residences as a home occupation if it operates as a Bed and Breakfast. The definition of a "Bed and Breakfast in the Galiano land use bylaw is "a home occupation comprising the provision of sleeping accommodation and a morning meal only, to paying guests". This means that paying guests staying in dwellings in residential zones must not be offered lunch or dinner or have access to a kitchen to prepare there own meals. Additionally, persons that rent dwellings in residential zones for fewer than 30 consecutive days are not using the dwellings for residential purposes and are therefore in violation of the Land Use Bylaw. Rental of a dwelling in a residential zone for fewer than 30 days is typically called a short term vacation rental (STVR).

On Galiano Island there are currently five open enforcement files on STVRs that were initiated as a result of a complaint. However, a quick review of the internet indicates that there are at least 25 such unlawful operations.

The current Trust Council policy says that any advertised activity that is not permitted in the local land use bylaw may be subject to enforcement without complaint. Therefore, any STVR that advertises on Galiano is potentially subject to immediate enforcement action.

The proposal outlined in this report is to establish an enforcement policy which will postpone enforcement against all STVRs except those causing safety and nuisance problems. This delay will allow time for the Galiano LTC to complete a review of the current regulations for tourist accommodation on Galiano Island. Currently the LTC lists a review as number three on its projects list and it may be sometime before the project becomes a top priority and the review is completed. Examples of health, safety, and nuisance issues may be building or health regulation violations, septic field problems, ongoing noise disturbances and traffic congestion caused by too many vacationers.

The Galiano Island Local Trust Committee resolves:

1. There are issues related to health and safety;
2. There is a written complaint by owners or residents of two properties about bona fide serious nuisance issues such as noise or parking congestion related to the STVR;
3. The owner of the property uses more than one property on Galiano Island as a STVR.

2. THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Galiano Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time;
3. That unless the Galiano Island Local Trust Committee extends the effective period on this enforcement policy it expires on September 30, 2012 or when the regulation review is complete, whichever is the sooner.

Miles Drew
Bylaw Enforcement Manager

Galiano Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: May 16, 2012

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

No	Meeting Date	Resolution No.	Issue	Policy
5.	June 29, 2005	n/a	Subdivision Applications	Staff are requested to prepare a report that provides wording for standing resolution to refer subdivision applications to the Galiano Fire Department and the Parks and Recreation Commission.
6.	May 11, 2009	GL-LTC-85-09	Parks Commission Referral	THAT the Galiano Island Local Trust Committee direct Staff to send rezoning applications to the Galiano Island Parks and Recreation Commission for referral.
7.	October 18, 2010	GL-LTC-115-10	Publishing Notices beyond legal requirements	THAT the Galiano Island Local Trust Committee will advertise Public Hearing Notices in either the Active Page Magazine or Islands Tides Newspaper in addition to the legally required advertising in the Driftwood Newspaper.
8.	October 17, 2011	GL-LTC-205-11	Special Occasion Liquor Licenses	THAT where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property on which Galiano Island Land Use Bylaw No. 127, 1999 permits public assembly uses, such as restaurants or community halls, and where there have been no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.

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



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

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Population (2011):

Approximately 1,138

Size:

5,810 hectares (14,356 acres)

Location:

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

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Galiano Island Local Trust Committee

Latest News

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

July 2012

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

September 2011

- [Parks Canada Letter date June 30, 2011 re: Heritage Lighthouse Protection Act](#)

July 2011

- ["Guide to Environmentally Friendly Building and Renovating in the Southern Gulf Islands"](#)
- Fact sheet: ["Choosing a Building Site on your Lot"](#)
- Fact sheet: ["Making Changes to your Lot Line"](#)
- Fact sheet: ["Applying for a Variance"](#)

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Planner Office Hours on Galiano Island

- Thursday, August 30th from 12 noon till 2 pm
- Thursday, September 13th from 12 noon till 2 pm
- Wednesday, September 26th from 12 noon till 2 pm

Galiano Island Local Trust Committee Projects

General

- [Potential Amendments to Forest Designation and F1 Zone - Staff Report dated October 4, 2011](#)
- ["A Guide to Environmentally Friendly Building and Renovating in the Southern Gulf Islands" booklet](#)
- [A "Choosing a Building Site on your Lot" fact sheet](#)
- [A "Making Changes to your Lot Line" fact sheet](#)
- [An "Applying for a Variance" fact sheet](#)
- [Geological Hazard Mapping Project- Final Consultant report March 31, 2010](#)

Climate Change Action

- [Staff Report - October 2009](#)
- [Community Engagement Tools](#)
- [Climate Wise Islands](#)
- [Staff Report - January 29, 2010](#)
- [Adopted Bylaw No. 206](#)

Groundwater Study

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

Official Community Plan Review

Committee Links

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[Associated Islands](#)
[Land Use Application Forms](#)

Consolidation

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

Land Use Bylaw Review

- [Staff Report- June 11, 2012](#)
- [Staff Report -July 23, 2012](#)

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

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

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

- [Staff Report dated November 3, 2011](#)
- [Staff Report dated November 28, 2011](#)
- [Staff Memo dated January 31, 2012](#)
- [Staff Report dated April 16, 2012](#)
- [Staff Report dated July 9, 2012](#)
- [Proposed Bylaw No. 233](#)
- [Proposed Bylaw No. 234](#)

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

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

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