



Galiano Island Local Trust Committee

Regular Meeting Agenda

Date: October 6, 2014
Time: 12:30 pm
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Pages

- | | | | |
|-------|---|---------------------|---------|
| 1. | Call to Order | 12:30 PM - 12:35 PM | |
| 2. | Approval of the Agenda | | |
| 2.1 | Questions on Agenda Items | | |
| 3. | Town Hall | 12:35 PM - 12:45 PM | |
| 4. | Community Information Meeting | | |
| | none | | |
| 5. | Public Hearing | | |
| | none | | |
| 6. | Previous Meetings | 12:45 PM - 1:00 PM | |
| 6.1 | Local Trust Committee Minutes for Adoption | | |
| 6.1.1 | Galiano Island Local Trust
Committee Draft Meeting Minutes of
September 8, 2014
(attached) | | 4 - 13 |
| 6.2 | Public Hearing Record and Community Information
Meeting | | |
| | none | | |
| 6.3 | Section 26 Resolutions without Meeting
RWM Report dated September 2014 (attached) | | 14 - 14 |
| 6.4 | Advisory Planning Commission | | |
| | none | | |

7.	Business Arising from the Report	1:00 PM - 1:10 PM	
7.1	Follow-up Action Report		15 - 16
	FUAL Report dated September 2014 (attached)		
8.	Delegations	1:10 PM - 1:20 PM	
8.1	Bob Campbell Speaking re Files: GL-DP-2014.1 and GL-DVP-2014.2 (Olson)		
9.	Correspondence		
	[Correspondence received concerning an application or project is considered with the application/project]		
	none		
10.	Applications, Permits, Bylaws and Referrals	1:20 PM - 1:30 PM	
10.1	Mayne Island Local Trust Committee Bylaw Nos. 161 & 162 Referral		17 - 19
	(attached)		
10.2	Salt Spring Island Local Trust Committee Bylaw No. 482 Referral		20 - 22
	(attached)		
10.3	GL-RZ-2011.1 (GLCHT) Staff Report	1:30 PM - 1:50 PM	23 - 29
	(attached)		
10.4	GL-RZ-2013.1 (Landworks) Staff Report	1:50 PM - 2:10 PM	30 - 43
	(attached)		
11.	Local Trust Committee Projects	2:10 PM - 2:15 PM	
	none		
	<u>-----BREAK-----2:15 PM - 2:30 PM</u>		
12.	Reports	2:30 PM - 3:00 PM	
12.1	Work Program Reports		44 - 46
	Work Program Report dated September 2014 (attached)		
12.2	Applications Reports		47 - 48
	Applications Report dated September 2014 (attached)		
12.3	Expense/Budget Reports		49 - 49
	LTC Expense Report dated Sept. 2014 (attached)		

12.4	Bylaw Enforcement	
	none	
12.5	Policies and Standing Resolutions Report	50 - 51
	(attached)	
12.6	Galiano Island LTC Web Page for Review	
	The Galiano Island Local Trust Committee webpage can be found at:	
	www.islandstrust.bc.ca/islands/local-trust-areas/galiano	
12.7	Chair's Report	
12.8	Trustee Report	
13.	Other Business	3:00 PM - 3:30 PM
13.1	Upcoming Meetings	
	The next meeting of the Galiano Island Local Trust Committee will be held November 3, 2014, at 12:30 PM, at the Galiano Island South Community Hall	
13.2	Stewardship Award - Presentation	
14.	Town Hall Meeting	3:30 PM - 3:45 PM
15.	Motion to Close Meeting	3:45 PM - 4:25 PM
	THAT, pursuant to Sections 90(1)(a) & (i) and 91(1) of the Community Charter, the Galiano Island Local Trust Committee resolves to close the meeting to the public for the purpose of Adopting July 7, 2014, Galiano Island LTC In-Camera minutes and for advice subject to solicitor - client privilege; and further that staff and Recording Secretary David Millership remain present. (distributed under separate cover)	
16.	Recall to order	4:25 PM - 4:30 PM
17.	Adjournment	4:30 PM - 4:30 PM



DRAFT

Galiano Island Local Trust Committee Minutes of a Regular Meeting

Date of Meeting: Monday, September 8, 2014, 12:30 p.m.
Location: South Island Community Hall,
Galiano Island, BC

Members Present: Ken Hancock, Chair
Louise Decario, Local Trustee
Sandy Pottle, Local Trustee

Regrets: None

Staff Present: Robert Kojima, Regional Planning Manager
Kim Farris, Island Planner
David Millership, Recorder

Staff Absent: None

Media and Others Present: Sixteen members of the public

1. CALL TO ORDER

The meeting was called to order at 12:35 pm. Chair Hancock acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. Trustees and staff were introduced; he welcomed Kim Farris as Galiano's Acting Island Planner.

2. APPROVAL OF THE AGENDA

By general consent the agenda was approved.

2.1 Questions on Agenda Items

None

2.2 Town Hall Session

Chair Hancock invited the public to make comment and asked that comments regarding Galiano Land and Community Housing Trust (GLCHT) be made under item 9.1.

There being no comments, 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 Galiano Island Local Trust Committee Special Meeting Minutes of July 5, 2014

By general consent the Galiano Island Local Trust Committee Special Meeting Minutes of July 5, 2014 were adopted.

5.1.2 Galiano Island Local Trust Committee Meeting Minutes of July 7, 2014

By general consent the Galiano Island Local Trust Committee Meeting Minutes of July 7, 2014 were adopted.

5.2 Public Hearing Record and Community Information Meeting

5.2.1 Galiano Island Local Trust Committee Community Information Meeting Notes of July 5, 2014

Amendments:

- Page 2, fourth paragraph – delete “in” after “within”.
- Page 4, fourth paragraph – replace “entire Galiano Island would have to go to DPA, and wondered whether the community would want to go to DPA.” with “entire Galiano Island would then be in a DPA area and wondered whether the community would support this change.”.
- Page 4, eighth paragraph – replace the whole paragraph with “Planner Nichols noted there were a number of studies done. The recommendation was made at the time for 50m but the Local Trust Committee of the day changed the elevation.”
- Page 4, ninth paragraph – replace “set it at 100m” with “set the elevation at 100m” and replace “wanted to maintain the setting.” with “want to maintain the 140m elevation.”.

By general consent the Galiano Island Local Trust Committee Community Information Meeting Notes of July 5, 2014 were received, as amended.

5.2.2 Galiano Island Local Trust Committee Public Hearing Record of July 5, 2014

By general consent the Galiano Island Local Trust Committee Public Hearing Record of July 5, 2014 was received.

5.3 Section 26 Resolutions without Meeting

None

5.4 Advisory Planning Commission

5.4.1 Adopted APC Meeting Minutes of June 18, 2014

Provided for information.

5.4.2 Adopted APC Meeting Minutes of June 26, 2014

Provided for information.

5.4.3 Draft APC Meeting Minutes of June 30, 2014

Provided for information.

6. BUSINESS ARISING FROM THE REPORT

6.1 Follow-up Action Report

Planner Farris provided information from FUAL Report dated August 2014.

Regarding No. 3, Regional Planning Manager (RPM) Kojima recommended that this item be moved to the Projects List.

Regarding No. 1, RPM Kojima commented that work is proceeding and covenant changes are underway.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Letter dated July 25, 2014 from R. Smith on behalf of Therah Village Developments Limited re Height Limit for Cottages

Roy Smith was in attendance and spoke on behalf of the letter.

The Local Trust Committee (LTC) received the letter for information, RPM Kojima stated that Planners are able to give advice but not legal certainty and Chair Hancock stated that the LTC has amended the LUB recently to address ambiguity with the issue(s).

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 GL-RZ-2011.1 (GLCHT) – Staff Report

RPM Kojima presented information from the staff report and emphasized that the LTC's primary concern with the project should be affordability. He also mentioned the importance of the project being phased.

Rob Barrs, Principal of Rob Barrs and Associates and Tom Hennessy were in attendance and spoke on behalf of the application.

There was some discussion regarding:

- Phase One being four to six units with GLCHT developing two of them and two to four of them being applicant/owner developed;
- Overall layout and Phase One being subject to a Section 219 covenant;
- GLCHT preferring that the Islands Trust not be involved in form and character decision making;
- Need for site plan to include the largest units;
- Issues, logistics and costs surrounding septic and water, including rainwater harvesting and extreme situations;
- Need for housing agreement process to move forward;
- Need for GLCHT to apply for a Regional Housing Trust Fund grant;
- Project viability being tied to a total build-out of 20 units;
- Project footprint totalling approximately 15% of the 10 acre site, resulting in a lot of green space.

Chair Hancock invited the public to make comment.

Art Moses stated support for GLCHT.

Avis Seads raised concerns made by the Galiano Estates Improvement District regarding water capacity and relating to GLCHT and stated that the GLCHT water study should have been done in the summer/dry season.

Tom Hennessy responded that such concerns were addressed via a professional hydrologist(s) report and that GLCHT would not impact the surrounding water supply, including that of the Galiano Estates Improvement District.

Andrew Loveridge stated support for GLCHT and commented that he favors the projects siting as well as rainwater harvesting plan(s).

Tom Hennessy stated that GLCHT water could be turned off from June to September if the Galiano Estates Improvement District has concern(s)/feels that their water usage is being negatively impacted by GLCHT.

A discussion ensued regarding **Allan Doty's** position regarding GLCHT and item 14 of the Minutes of July 7, 2014 was referenced – Mr. Doty's recorded comment(s) was as follows: "Allan Doty spoke regarding GLCHT and stated that: he supports the letter that was written by the Galiano Estates Improvement District, which expresses concerns regarding water capacity; he personally supports GLCHT and affordable housing and believes that concerns regarding water capacity are trying to be mitigated. He then spoke in support of increasing density around the Daystar Market area before expressing concern regarding noise coming from the Galiano Rod and Gun Club."

Gary Coward stated support for Phase One of GLCHT moving forward and commented that he favors the projects development/density plan(s) as well as ability to address water concerns that may or may not arise.

George Harris stated support for GLCHT and the application being approved within the LTC's current term. He commented that he favors the projects plan(s) regarding water.

Dave Ages stated support for Phase One of GLCHT moving forward and a Public Hearing (PH) being scheduled, pending housing agreement progress. He commented that he favors rainwater harvesting, the projects siting and that phasing the project seems reasonable in order to determine/evaluate and address any issues that might arise. Mr. Ages mentioned that the general monetary guideline for water storage development is one dollar per gallon and that sharing/filtering could be an option for GLCHT to reduce costs.

There being no further comments, Chair Hancock called for a break.

Note: there was a break at 2:15 p.m. and the meeting reconvened at 2:35 p.m.

GL-2014-095

It was MOVED and SECONDED,

That Proposed Bylaw No. 234 be amended by reducing the maximum floor area of dwellings to 100 square metres, the maximum floor area of accessory buildings to 10 square metres and including a parking requirement for 1 space per dwelling and 6 visitor spaces.

CARRIED

GL-2014-096

It was MOVED and SECONDED,

That Proposed Bylaw No. 234, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 4, 2011" be given Second Reading.

CARRIED

GL-2014-097

It was MOVED and SECONDED,

That Proposed Bylaw No. 233, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 15, 2011" be given Second Reading.

CARRIED

There was some discussion regarding:

- The housing agreement and wording related to eligibility;
- The housing agreement and amendments being possible after PH, prior to First, Second, and Third Readings;
- GLCHT project being affordable;
- Regional Housing Trust Fund application example(s).

GL-2014-098

It was MOVED and SECONDED,

That staff be directed to schedule a Public Hearing and Community Information Meeting once the housing agreement has been reviewed and revised by Capital Regional District staff and confirmation has been provided from the Capital Regional District Housing Secretariat that a housing agreement will be administered by the Capital Regional District and that the application to the Regional Housing Trust Fund has been submitted.

CARRIED

GL-2014-099

It was MOVED and SECONDED,

That staff be directed to work with the applicants on preparing a suitably worded Section 219 covenant that would phase the development, control layout and design, require construction of the first phase and provide for review of water supply feasibility at that stage; and further that legal review of the draft covenant be authorized by cost recovery.

CARRIED

9.2 GL-RZ-2013.1 / GL-DP-2013.6 / GL-SUB-2013.1 (Landworks) – Staff Report

Planner Farris presented information from the staff report and mentioned that the Forest Management Plan wasn't attached but had been sent to the LTC, by the applicant, ahead of today's meeting.

Applicant Bowie Keefer was in attendance and spoke on behalf of the application.

There was some discussion regarding mapping and driveways.

GL-2014-100

It was MOVED and SECONDED,

That the 10% road frontage requirement for Lots 1, 2, 3, and 4 in GL-SUB-2013.1 (Landworks) be waived.

CARRIED

GL-2014-101

It was MOVED and SECONDED,

That Development Permit GL-DP-2013.6 (Landworks) be approved.

CARRIED

GL-2014-102

It was MOVED and SECONDED,

That staff be directed to schedule a Community Information Meeting and Public Hearing for GL-RZ-2013.1 (Landworks) for the November 3, 2014 Galiano Island Local Trust Committee regular meeting.

CARRIED

There was some discussion regarding:

- The sustainable forestry covenant in general and the applicant approving the inclusion of wording to the effect of “no forestry activity within Development Permit (DP) areas”;
- Need for a third party covenant holder that knows forestry.

9.3 Experience the Southern Gulf Islands Cycling and Pedestrian Trail Plan – Memo

RPM Kojima presented information from the memorandum.

GL-2014-103

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee requests that staff provide the comments contained in Memorandum dated August 19, 2014 to the Capital Regional District concerning the draft Cycling and Pedestrian Trail Plan.

CARRIED

9.4 Salt Spring Island LTC Bylaw Referral No. 480

GL-2014-104

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee considered Salt Spring Island Local Trust Committee Bylaw No. 480 and decided Interests Unaffected by Bylaw.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Home-based Contractors Project – Staff Report

RPM Kojima presented information from the staff report.

GL-2014-105

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee request that no further work be done on the Home-based Contractor Project until January 2015, and that staff report back to the new Local Trust Committee at that time.

CARRIED

11. REPORTS

11.1 Work Program Reports

Work Program Report dated August 2014, provided for information.

GL-2014-106

It was MOVED and SECONDED,

That staff be directed to move Follow-up Action List item No. 3 (Community Benefit Discussion – Forest Lands) to the Projects List.

CARRIED

There was some discussion regarding:

- Short Term Vacation Rental (STVR) bylaws;
- Groundwater DPA bylaw is still at Minister's office.

11.2 Applications Reports

Applications Report dated August 2014, provided for information.

GL-2014-107

It was MOVED and SECONDED,

That GL-DP-2014.3 (Shaw Cablesystems G.P.) can be considered via Resolution Without Meeting.

CARRIED

RPM Kojima stated that GL-SUB-2012.1 (Gothier) is done.

11.3 Expense/Budget Reports

LTC Expense Report dated August 2014, provided for information.

11.3.1 2015-16 Budget Submissions – Staff Report

RPM Kojima presented information from the staff report.

GL-2014-108

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee approves and forwards the draft 2015-16 LTC Project Budget Request to the Financial Planning Committee as presented.

CARRIED

11.4 Bylaw Enforcement

None

11.5 Policies and Standing Resolutions Report

Provided for information.

11.6 Galiano Island LTC Web Page for Review

Chair Hancock asked for any additions or changes to the LTC web page (www.islandstrust.bc.ca/islands/local-trust-areas/galiano).

Specific updates are listed below and Planner Farris will update routine items as necessary.

- Add – Reports relating to the Landworks application.

11.7 Chair's Report

Chair Hancock stated that he has been prepping for and would be attending Trust Council (TC) on September 9-11, 2014, on Keats/Gambier Islands. He mentioned that there would be a conversation regarding mail-in ballots, a discussion regarding the elections bylaw and pertaining to the Capital Regional District (CRD), and a delegation regarding Howe Sound industrialization.

11.8 Trustee Report

Trustee Decario stated that she would be attending TC on September 9-11, 2014, on Keats/Gambier Islands. She mentioned that she has contacted Bylaw Enforcement (BE) regarding complaints not having been acknowledged and has been busy attending to regular business.

Trustee Pottle stated that she would be attending TC on September 9-11, 2014, on Keats/Gambier Islands. She mentioned that she has been busy attending to regular business while fielding questions regarding her upcoming election platform.

12. OTHER BUSINESS

12.1 Upcoming Meetings

The next meeting of the Galiano Island Local Trust Committee will be held on Monday October 6, 2014 at 12:30 p.m., at the Galiano Island South Community Hall.

13. TOWN HALL MEETING

Chair Hancock invited the public to make comment.

No specific comments were made but there was some discussion regarding TC, relating to mail-in ballots.

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

14. ADJOURNMENT

GL-2014-109

It was MOVED and SECONDED,

That the meeting be adjourned at 4:20 p.m.

CARRIED

Ken Hancock, Chair

CERTIFIED CORRECT:

David Millership, Recorder

RWM From: September 08, 2014 To: September 29, 2014

Galiano Island

Resolution #	Action	Resolution Description	Resolution Date
2014-04	In Favour	THAT Galiano Island Local Trust Committee Development Permit GL-DP-2014.3 (Shaw Cablesystems) be approved.	Sep 15, 2014



Follow Up Action Report w/ Target Date

Galiano Island Dec-03-2012

No.	Activity	Responsibility	Target Date	Status
1	Retreat Cove Farm (Covenant Amendment) Sept 22/14 - Owners reviewing estimate for legal work and will respond to staff on decision to proceed or not	Kim Farris	Oct-24-2014	On Going

Sep-08-2014

No.	Activity	Responsibility	Target Date	Status
2	Minutes adopted as presented	Lori Foster	Sep-19-2014	Done
3	1. revise July 5th CIM notes as shown in minutes 2. July 5th PH record received as presented	Lori Foster	Sep-19-2014	Done
4	1. Second Reading to bylaw 234 as amended - DONE 2. Second Reading to bylaw 233 - DONE 3. Schedule public hearing and CIM once housing agreement drafted 4. staff to work with applicants on s.219 covenant	Robert Kojima Sharon Lloyd-deRosario	Oct-24-2014	On Going
5	Landworks: 1. schedule CIM an PH for Nov 3 2. Issue GL-DP-2013.6 - DONE 3. work with applicant for a third party review of F3 covenant	Kim Farris Sharon Lloyd-deRosario	Oct-23-2014	On Going
6	staff to draft letter to CRD re ETGI trail plan	Robert Kojima	Sep-19-2014	Done
7	Salt Spring Island Bylaw no. 480 - interests unaffected	Sharon Lloyd-deRosario	Sep-11-2014	Done

8	10.1 Home-based Contractors Project Bring back in January for consideration	Kim Farris	Dec-19-2014	On Going
9	11.3.1 Budget Forward budget submission to FPC as submitted	Robert Kojima	Sep-19-2014	Done
10	GL-DP-2014.3 Staff to proceed with DP application as RWM	Sharon Lloyd-deRosario Phil Testemale	Oct-06-2014	Done



Islands Trust

BYLAW REFERRAL FORM

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

Island: Mayne Island Trust Area Bylaw No.: 161 & 162 Date: September 11, 2014

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaw will be held October 22, 2014.

APPLICANTS NAME / ADDRESS:

Mayne Island Local Trust Committee initiated

PURPOSE OF BYLAW:

The proposed bylaw amendments have been initiated by the Mayne Island Local Trust Committee to amend the Official Community Plan (OCP) and the Land Use Bylaw (LUB) to correct erroneous cross-references or typographical errors, update regulatory references, and improve clarity in the bylaw. A number of the amendments include:

- Updating population statistics in the OCP;
- Amending the Temporary Use Permit Guidelines in the OCP to conform with current legislation;
- Correcting a land designation error on the OCP Land Use Designation map;
- Adding and amending definitions to the LUB;
- Updating Acts or Regulations in the OCP and LUB; and
- Other typographical or erroneous cross-references errors in the OCP and LUB.

GENERAL LOCATION:

n/a

LEGAL DESCRIPTION:

n/a

SIZE OF PROPERTY AFFECTED:

n/a

ALR STATUS:

n/a

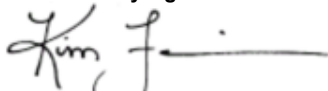
OFFICIAL COMMUNITY PLAN DESIGNATION:

n/a

OTHER INFORMATION:

More information on this project is available at: <http://www.islandstrust.bc.ca/islands/local-trust-areas/mayne/projects-initiatives/ocp-and-lub-amendments-project.aspx> or by contacting Kim Farris at kfarris@islandstrust.bc.ca or 250-405-5194

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


(Signature)

Name: Kim Farris

Title: Planner 1

This referral has been sent to the following agencies:

Federal Agencies

N/A

Provincial Agencies

Ryan Evanoff, Ministry of Transportation and Infrastructure

Non-Agency Referrals

Islands Trust Bylaw Enforcement

Regional Agencies

Capital Regional District - Building Inspection Services

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Salt Spring Island Local Trust Committee
North Pender Island Local Trust Committee
Saturna Island Local Trust Committee

First Nations

Chemainus First Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Pauquachin First Nation
Penelakut Tribe
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation

PLEASE TURN OVER →

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Approval Recommended Subject to Conditions Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Not Recommended Due to Reason Outlined Below

(DO NOT FILL OUT BEYOND THIS SECTION – REFERRAL AGENCY WILL COMPLETE SECTION)

Mayne Island Trust Area

(Island)

161

(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)

BYLAW REFERRAL FORM RESPONSE SUMMARY

- ☐

Approval Recommended for Reasons Outlined Below
- ☐

Approval Recommended Subject to Conditions Outlined Below
- ☐

Interests Unaffected by Bylaw
- ☐

Approval Not Recommended Due to Reason Outlined Below

(DO NOT FILL OUT BEYOND THIS SECTION – REFERRAL AGENCY WILL COMPLETE SECTION)

Mayne Island Trust Area

(Island)

(Signature)

(Date)

162

(Bylaw Number)

(Title)

(Agency)



Islands Trust

DRAFT BYLAW REFERRAL

1-500 Lower Ganges Road
Salt Spring Island, BC BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Prevost Island Bylaw No.: 482 Date: September 22, 2014

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 21 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaw will be held in the near future

APPLICANTS NAME / ADDRESS:

Salt Spring Island Local Trust Committee

PURPOSE OF BYLAW:

To implement the Riparian Areas Regulation on Prevost Island

GENERAL LOCATION:

Prevost Island

LEGAL DESCRIPTION:

This Bylaw applies to: Prevost Island and associated islands including Red Islets, Secret Island, Bright Islet, Hawkins Island, Acland Islands and the waters of Brentwood Bay.

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

OTHER INFORMATION:

Attached is a copy of DRAFT Bylaw No. 482 which amends Capital Regional District Bylaw No. 103.

A copy of the consolidated version of Capital Regional District Bylaw No. 103 is also attached for your reference. This Bylaw is relevant to the above noted Islands and Islets. It should be noted that Bylaw 103 was repealed for other Islands within the "Outer Gulf Island Electoral Area Boundary".

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

(Signature)

Name: Stefan Cermak

Title: Island Planner

This referral has been sent to the following agencies:

Federal Agencies

Fisheries & Oceans, Canada - Pacific Region

Regional Agencies

Capital Regional District – all referrals
Island Health (VIHA)
Cowichan Valley Regional District

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
Ministry of Environment
Ministry of Forests, Lands and Natural Resource Operations
Ministry of Transportation & Infrastructure
Ministry of Community Sport and Cultural Development

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee for Kuper Island

First Nations

Cowichan Tribes

Halalt First Nation

Hul'qumi'num Treaty Group (for information only)

Lake Cowichan First Nation

Lyackson First Nation

Malahat First Nation - Te'Mexw Treaty Association

Pauquachin First Nation

Penelakut Tribe

Stz'uminus First Nation

Te'Mexw Treaty Association

Tsartlip First Nation

Tsawout First Nation

Tsawwassen First Nation

Tseycum First Nation

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Local Trust Area

(Island)

482

(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)



Memorandum

Date: September 26, 2014

To: Galiano Island Local Trust Committee
For the meeting of October 6, 2014

From: Robert Kojima, Regional Planning Manager

CC: Kim Farris, A/Planner 2

Re: Rezoning Application GL-RZ-2011.1 (GLCHT)

File Number: GL-RZ-2011.1
(GLCHT)

This memo will provide an update on the status of this application and provide information on the attached Island Trust Policy Statement (ITPS) directives checklist. Background information on the property, the proposal and the earlier staff reports are available in past agendas and on the LTC webpage under [Current Applications](#).

At the September 8, 2014 regular meeting the Galiano Island Local Trust Committee (LTC) passed the following resolutions:

GL-2014-095

It was MOVED and SECONDED,

That Proposed Bylaw No. 234 be amended by reducing the maximum floor area of dwellings to 100 square metres, the maximum floor area of accessory buildings to 10 square metres and including a parking requirement for 1 space per dwelling and 6 visitor spaces.

CARRIED

GL-2014-096

It was MOVED and SECONDED,

That Proposed Bylaw No. 234, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 4, 2011" be given Second Reading.

CARRIED

GL-2014-097

It was MOVED and SECONDED,

That Proposed Bylaw No. 233, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 15, 2011" be given Second Reading.

CARRIED

GL-2014-098

It was MOVED and SECONDED,

That staff be directed to schedule a Public Hearing and Community Information Meeting once the housing agreement has been reviewed and revised by Capital Regional District staff and confirmation has been provided from the Capital Regional District Housing Secretariat that a housing agreement

will be administered by the Capital Regional District and that the application to the Regional Housing Trust Fund has been submitted.

CARRIED

GL-2014-099

It was MOVED and SECONDED,

That staff be directed to work with the applicants on preparing a suitably worded Section 219 covenant that would phase the development, control layout and design, require construction of the first phase and provide for review of water supply feasibility at that stage; and further that legal review of the draft covenant be authorized by cost recovery.

CARRIED

Islands Trust Policy Statement:

The policy statement checklist used for the Executive Committee bylaw submission report is attached to this report for the LTC to review. The proposed bylaws were either in compliance with or not applicable to the policies found in the checklist; there were no inconsistencies. The checklist would be forwarded to the Executive Committee following Third Reading of both bylaws.

Next Steps:

At the last meeting the LTC established three conditions precedent to holding a public hearing.

1. The first is that the draft housing agreement be reviewed and revised by the CRD Housing Secretariat. As of the writing of this report, the Housing Secretariat has not indicated a willingness to proceed with a review, even as cost recovery through legal counsel.
2. The second is that the Housing Secretariat agree to administer aspects of the Housing Agreement. The Housing Secretariat has similarly not to date agreed to consider this.
3. The third is that an application be submitted to the Regional Housing Trust Fund. Since the last LTC meeting staff have clarified the process: a letter of intent must first be submitted and accepted by the Board, following that an application can be submitted to be considered subsequently by the Board. Given these timing requirements, an application could not be submitted prior to the November 3, 2014 LTC meeting.

Given the above the applicants will not be able to meet the above conditions prior to a hearing at the November meeting. Consequently the LTC should consider if it wishes amend its conditions precedent to scheduling a hearing. If the LTC does wish to proceed to a public hearing on November 3rd without the above 3 conditions, the draft Housing Agreement that has been revised by Islands Trust staff, along with the draft covenant, would be available prior to the hearing.

The LTC should also turn its mind to the implications of holding a hearing during the election period: trustees running for election would not be able to hear or receive new information concerning the application after the close of the hearing without triggering a requirement to hold a new hearing.

Recommendation:

1. THAT the Galiano Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaw No. 233 and Bylaw No. 234 are not contrary to or at variance with the Islands Trust Policy Statement.

Attachments: ITPS Checklist



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: 233 and 234

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	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.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
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	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



Memorandum

Date: September 26, 2014

To: Galiano Island Local Trust Committee
For the October 6, 2014 LTC Meeting

From: Kim Farris, A/Planner 2

CC: Robert Kojima, Regional Planning Manager

Re: Rezoning Application GL-RZ-2013.1 (Landworks)

File Number: GL-RZ-2013.1
(Landworks)

This memo will provide an update on the status of this application and provide information on the attached Island Trust Policy Statement (ITPS) directives checklist. Background information on the property, the proposal and the earlier staff reports are available in past agendas and on the LTC webpage under [Current Applications](#).

At the September 8, 2014 regular meeting the Galiano Island Local Trust Committee (LTC) passed the following resolutions:

GL-2014-100

It was MOVED and SECONDED,

That the 10% road frontage requirement for Lots 1, 2, 3, and 4 in GL-SUB-2013.1 (Landworks) be waived.

CARRIED

GL-2014-101

It was MOVED and SECONDED,

That Development Permit GL-DP-2013.6 (Landworks) be approved.

CARRIED

GL-2014-102

It was MOVED and SECONDED,

That staff be directed to schedule a Community Information Meeting and Public Hearing for GL-RZ-2013.1 (Landworks) for the November 3, 2014 Galiano Island Local Trust Committee regular meeting.

CARRIED

Islands Trust Policy Statement:

The policy statement checklist used for the Executive Committee bylaw submission report is attached to this report for the LTC to review. The proposed bylaws were either in compliance with or not applicable to the policies found in the checklist; there were no inconsistencies.

The bylaws were consistent with a majority of the ecosystem preservation and protection policies (ecosystems, forest ecosystems, and coastal and marine ecosystems); policies for stewardship of resources (forests and freshwater resources) and policies for sustainable communities (growth and development, transportation and utilities, and recreation).

The checklist will be forwarded to the Executive Committee after Third Reading of both bylaws.

Next Steps:

The applicant for the F3 portion of the subject property has provided a draft covenant intended to ensure sustainable forestry on that portion of the property. Staff have had a preliminary review of the draft and made some comments. Additional review of the forestry provisions and a legal review will be required. Staff have been in contact with [Living Forest Communities](#) to assist in coordinating a review by professional foresters with relevant experience. This review would be undertaken by contract with the Islands Trust and through cost recovery with the applicant. Because this covenant would be a template for future F3 covenants, staff are recommending that the cost of the forestry and legal reviews be shared between the applicant and the LTC. There is currently \$2900 unspent in the LTC's LUB project budget that is unlikely to be expended this fiscal year. This can be re-allocated administratively and does not require an LTC resolution.

Staff have also inquired about the feasibility of the [Trust for Sustainable Forestry](#) being a grantee of the covenant. Staff do not recommend proceeding with the LTC as the sole grantee of the covenant.

A draft forestry covenant will be available prior to the public hearing, along with covenant for the community park previously received by the LTC.

A community information meeting and public hearing for the two proposed bylaws will be scheduled for the November 3, 2014 at the regular LTC meeting.

Recommendation:

1. THAT the Galiano Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaw No. 244 and Bylaw No. 245 are not contrary to or at variance with the Islands Trust Policy Statement.
2. THAT the Galiano Island Local Trust Committee authorize a cost recovery agreement for the reviews of a sustainable forestry covenant for GL-RZ-2013.1 (Landworks) and supports sharing the costs of the reviews.

Attachments:

ITPS Checklist
Proposed Bylaw 244 and 245



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: 244 & 245

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
✓	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
✓	3.2.2	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.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
✓	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
✓	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
✓	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
✓	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.

	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1 3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
✓	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
✓	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
✓	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
✓	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

GALIANO ISLAND LOCAL TRUST COMMITTEE

PROPOSED

BYLAW NO. 244

**A BYLAW TO AMEND THE GALIANO ISLAND
OFFICIAL COMMUNITY PLAN BYLAW NO. 108, 1995**

WHEREAS the Galiano Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Galiano Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Galiano Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Galiano Island Local Trust Committee wishes to amend the Galiano Island Official Community Plan Bylaw No. 108, 1995;

AND WHEREAS the Galiano Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Galiano Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2013".

2. SCHEDULES

Galiano Island Official Community Plan No. 108, 1995 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this 18th day of NOVEMBER , 2013.

PUBLIC HEARING HELD this day of , 20.

READ A SECOND TIME this 9th day of JUNE , 2014

READ A THIRD TIME this day of , 20.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
day of , 20.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this day of , 20.

ADOPTED this day of , 20.

SECRETARY

CHAIRPERSON

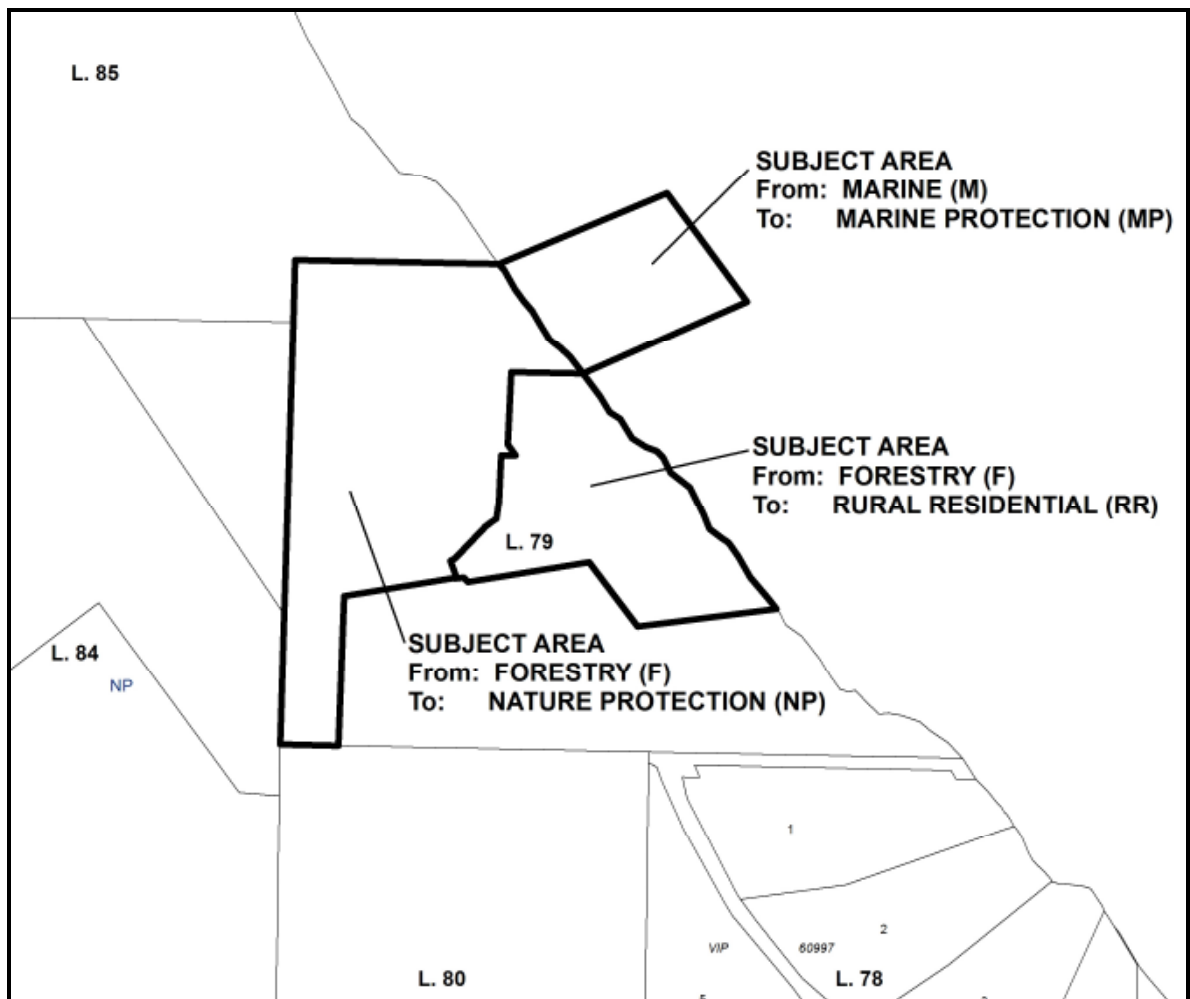
**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 244
SCHEDULE 1**

1. Schedule A, Section II, 1.4 Rural Residential is amended by inserting the following as a new policy g:

“g) For the properties described as District Lot 79, Galiano Island, Cowichan District, zoning shall establish a minimum average parcel area of 55 hectares, with a minimum average subdivision parcel area as low as 2 hectares (5 acres) on the RR designated portion of the lands and 20 hectares (49 acres) on the F1 designated portion of the lands, applicable only if the landowner provides land to be transferred to the Crown as represented by the Province of British Columbia, the Trust Fund Board, the Capital Regional District or other transferees designated in the Land Use Bylaw amendment, to be used for conservation, ecosystem protection, public parkland, community forest, or trails. Approval of any such rezoning shall be subject to the following conditions:

- i) the area of land to be transferred shall represent at least 67% of the land subject to rezoning;
- ii) incorporation of a siting plan into the Land Use Bylaw identifying the location and area of the residential home plate, including driveways, on each lot in the proposed subdivision, sited in a manner that avoids sensitive ecosystems and hazardous lands, and minimizes extension of services; and
- iii) the registration of a s. 219 covenant granted to the LTC which restricts the layout and area of the future lots to provide for the contiguous clustering of lots in a manner that protects the integrity of forest ecosystems, surface water and groundwater supplies and minimizes the impact of residential services such as roads.”

2. Schedule B (Land Use Designation) is amended for the lands legally described District Lot 79 Galiano Island, Cowichan District as depicted in the map below.



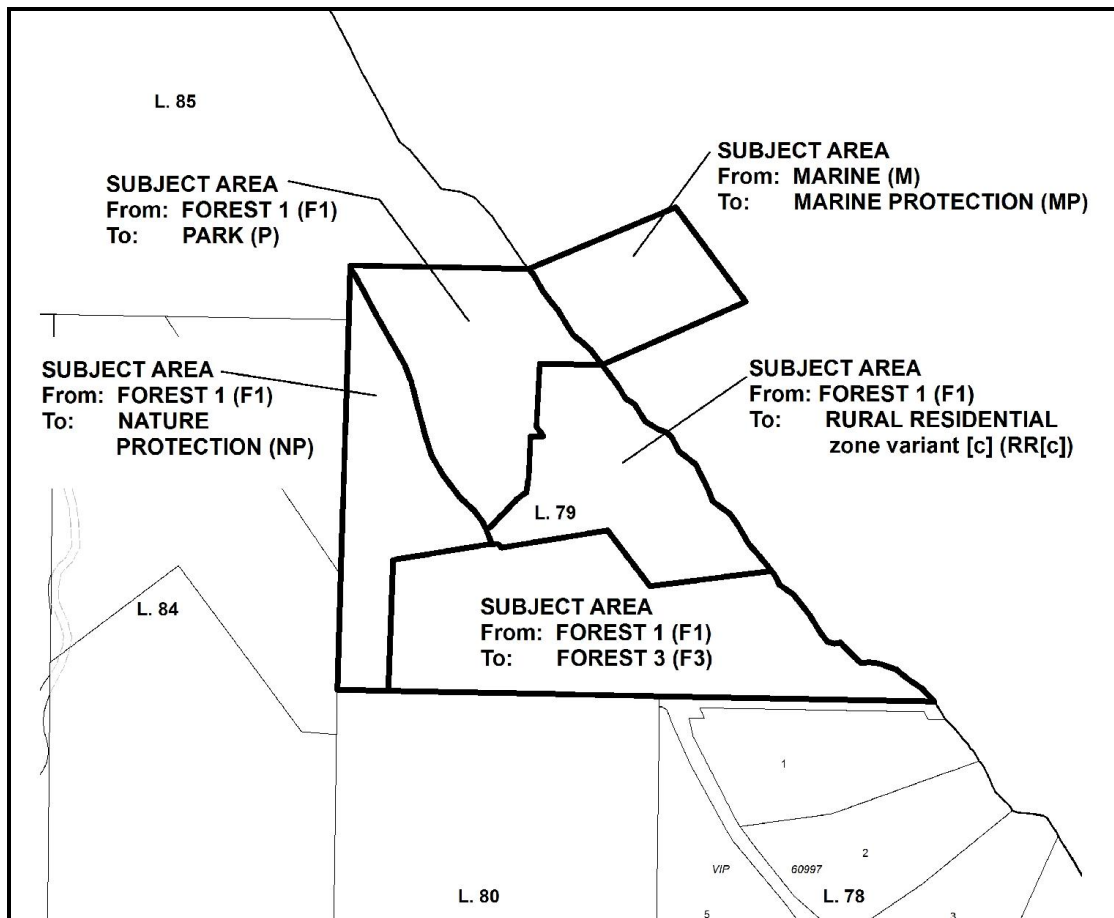
A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

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

- A. Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999” is amended as follows:
1. Section 5.4 (Rural Residential Zone – RR) is amended by inserting the following as a new 5.4.16:

“5.4.16 On the lands zoned RR(c), despite 5.4.8 and 5.4.9, the minimum average parcel area is 55 hectares, with a minimum average subdivision parcel area as low as 2 hectares (5 acres) for the RR zoned portions and 20 hectares (49 acres) for the F3 zoned portions applicable once the landowner provides land representing no less than 67% of the area of the land legally described District Lot 79, Galiano Island, Cowichan District, to be transferred to the Crown as represented by the Province of British Columbia or to the Trust Fund Board, for use for conservation, ecosystem protection, public parkland, community forest, or trails.”
 2. Section 5.4 (Rural Residential Zone – RR) is amended by inserting the following as a new 5.4.17:

“5.4.17 On the lands zoned RR(c), in addition to the other regulations in 5.4, all buildings, structures and paved parking areas on each lot must be sited entirely within the area marked “Developable Area” designated on Plan 5 of Schedule D of this bylaw.”
 3. Schedule B (Zoning Map) is amended for the lands legally described District Lot 79, Galiano Island, Cowichan District, as depicted in the map below.



4. Schedule D is amended by inserting the plan attached to and forming part of this bylaw as Schedule 1 as a new "Plan 5".

B. This bylaw may be cited for all purposes as the "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No.3, 2013".

READ A FIRST TIME THIS	18 th	DAY OF	NOVEMBER	2013
PUBLIC HEARING HELD THIS		DAY OF		201_
READ A SECOND TIME THIS	7 th	DAY OF	JULY	2014
READ A THIRD TIME THIS		DAY OF		201_
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS		DAY OF		201_
ADOPTED THIS		DAY OF		201_

DEPUTY SECRETARY

CHAIRPERSON

Free Simple Lots (Rural Residential)	11.22 ha	20%
Fee Simple Lots (Forestry F-3)	20.67 ha	37%
Road Dedication	3.24 ha	6%
Provincial Park Dedication (Lot 7)	6.44 ha	17%
Community Park	10.67 ha	20%
Total Park Dedication	20.51 ha	37%
Gross Site Area	55.4 ha	

LEGEND

denotes percolation hole (1994 data)

(W) denotes well location (1994 data)

 denotes Park (Lot 7)

denotes Rural Residential

denotes Forestry F3

do not have a visible area

[] de notes developable area



Top Priorities

Galiano Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Visitor Accommodation	To look at existing policy, research issues and possible solutions on Galiano.	May-06-2013	Kim Farris	Oct-06-2014	On Going
2	Ground Water Protection DPA Policy Review	Review detailed recommendations of Waterline Report, review existing DPA and LUB provisions, prepare options for amendments.	Apr-16-2012	Kim Farris	Oct-06-2014	On Going
3	Home-based Contractors	To look at options of permitting contractor yards.	Feb-03-2014	Kim Farris Robert Kojima	Dec-01-2014	On Going

Projects

Galiano Island

No.	Description	Activity	Received/Initiated	Status
1	Soil Removal and Deposit Bylaw	Review need and options for implementation of soil removal and deposit bylaw	Sep-12-2011	On Going
2	Amendments to Forest designation and F1 zone -	Consider options for amendments to Forest Land Designation and policies and F1 zoning for lands without Managed Forest Status. Draft bylaws have been prepared, project deferred at meeting of April/12	Apr-16-2012	On Going
3	Dock Review	Review issues regarding docks and new shoreline information and whether changes are required to the LUB.	Nov-18-2013	On Going
4	Parking Issues	Issue for discussion with MoTI and public parking issues generated from associated islands. (see correspondence from P. Midgely on agenda of Apr/12)	Jul-23-2012	On Going
5	Bike Trails and Camping	Letter dated July 8, 2013 received from Galiano Parks and Recreation Commission regarding bike safety on Galiano roads (See Transportation policy U of Section 1.1) and for the allowance of non-commercial camping on private lots.	Jul-15-2013	On Going
6	Ocean Based Geo-Exchange Systems	Review of regulations for geo-thermal exchange use.	Nov-18-2013	On Going
7	Information Note Addition	Add in Information Note on Archeological Sites under General Regulations	Nov-18-2013	On Going
8	Light Industrial Zoning	A review and inventory assessment of existing and potential light industrial zones.	Nov-18-2013	On Going

9	Land Use Bylaw Amendments	To review LUB for: any technical/administrative bylaw amendments (e.g. definition references and numbering), shoreline zoning wording, crown lot rezonings	Jul-07-2014	On Going
10	Community Benefit Review for Forest Lands	Staff to prepare preliminary report for new LTC	Sep-08-2014	On Going
11	Consider amendments to re-designate and rezone crown owned Forest lots.- Bylaws 231, 232 at First Reading	re-refer to FLNRO for comment		On Going

Applications w/ Status - Galiano Island Status: Open

Applications

Development Variance Permit

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

Planning Status

Status Date: Jun-12-2014

Applicant contacted planner to advise that they are still working on a submission and would like application to remain open.

Status Date: May-09-2014

Emailed application closure letter to applicant. If no response by June 30, 2014, the application will be closed.

Status Date: Dec-18-2013

Waiting for updated site plan as applicant must conform to maximum lot coverage. Site plan expected early 2014.

Rezoning

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

Planning Status

Status Date: Sep-08-2014

Bylaws receive second reading. CRD to review Housing agreement, support administering agreement and applicants to apply for CRHT funding prior to public hearing

Status Date: May-06-2014

Staff to review final feasibility study submitted May 1, 2014. Staff awaiting CRD comments and draft Housing

Agreement prior to scheduling CIM and PH.

Status Date: Dec-09-2013

Staff awaiting final feasibility study

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

Planning Status

Status Date: Sep-09-2014

Staff to schedule CIM/PH for Nov LTC meeting. Staff to work with application for third party review of covenants

Status Date: Aug-28-2014

Both covenants received. staff report to sept meeting

Status Date: Jun-09-2014

LUB bylaw given second reading, awaiting issuance of PLA and additional information from the applicant prior to scheduling CIM and PH

Subdivision

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

Planning Status

Status Date: Sep-08-2014

10 percent waiver approved by LTC

Status Date: Aug-28-2014

request for 10 percent frontage waiver on sept agenda

Status Date: Aug-21-2014

PLA received

Islands Trust
LTC EXP SUMMARY REPORT F2015
Invoices posted to Month ending September 2014

625 Galiano	Invoices posted to Month ending September 2014	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-625	LTC "Trustee Expenses"	500.00	0.00	500.00
LTC Local				
65200-625	LTC - Local Exp - LTC Meeting Expenses	2,500.00	2,292.31	207.69
65210-625	LTC - Local Exp - APC Meeting Expenses	500.00	574.69	-74.69
65220-625	LTC - Local Exp - Communications	300.00	258.36	41.64
65230-625	LTC - Local Exp - Special Projects	750.00	0.00	750.00
TOTAL LTC Local Expense		<u>4,050.00</u>	<u>3,125.36</u>	<u>924.64</u>
Projects				
73001-625-2002	Galiano OCP/LUB	3,000.00	77.38	2,922.62
73001-625-4002	Galiano Groundwater Protection	2,500.00	1,146.93	1,353.07
73001-625-4019	Galiano Short Term Vacation Rental (STVR) Review	2,500.00	1,152.47	1,347.53
TOTAL Project Expenses		<u>8,000.00</u>	<u>2,376.78</u>	<u>5,623.22</u>

Galiano Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: April 7, 2014

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 11, 2009 / Amended February 3, 2014	GL-LTC-85-09 Amended:	Parks Commission Referral	That staff refer all applications adjacent to a park or ocean access to the Galiano Island Parks and Recreation Commission for comment
2.	October 18, 2010	GL-LTC-115-10	Publishing Notices beyond legal requirements	THAT the Galiano Island Local Trust Committee will advertise Public Hearing Notices in either the Active Page Magazine or Islands Tides Newspaper in addition to the legally required advertising in the Driftwood Newspaper.
3.	October 17, 2011	GL-LTC-205-11	Special Occasion Liquor Licenses	THAT where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property on which Galiano Island Land Use Bylaw No. 127, 1999 permits public assembly uses, such as restaurants or community halls, and where there have been no issues related to parking or past complaints for the preceding three years , staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.

No	Meeting Date	Resolution No.	Issue	Policy
4.	September 17, 2012	GL-LTC-100-12	Short Term Vacation Rentals	THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, Short Term Vacation Rentals that have one or more of the following characteristics will be subject to enforcement: 1. There are issues related to health and safety; 2. There is a written complaint by owners or residents of two properties about bona fide serious nuisance issues such as noise or parking congestion related to the STVR; 3. The owner of the property uses more than one property on Galiano Island as a STVR. THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Galiano Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time; THAT the policy remains in effect until such time as the regulatory review is complete.
5.	February 3, 2014		Applications with Open Bylaw Enforcement files	On properties where there is an open bylaw enforcement file, planning staff should refer planning applications to the Bylaw Enforcement Manager for comment where one or more of the following circumstances exist: 1. There have been significant delays or longer than typical timelines in the enforcement process 2. The LTC is considering on-going, relevant policy or regulatory changes that could impact enforcement 3. Litigation has been recommended 4. Legal counsel has been involved (beyond providing a basic interpretation) 5. There has been enforcement action beyond seeking voluntary compliance (e.g. a BEN warning or ticket, adjudication, a compliance agreement negotiated, etc.) 6. There has been, or is an expectation of, joint enforcement with other jurisdictions 7. There is potential for impact on other related enforcement files.
6.	April 7, 2014	GL-2014-029	Community Wells as a Community Benefit	That the Galiano Island Local Trust Committee will consider as a community benefit for all rezoning applications where there is an increase in density, the establishment of an instrumented observation well.

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