



Galiano Island Local Trust Committee

Regular Meeting Agenda

Date: October 7, 2013
Time: 12:30 pm
Location: North Community Hall
20925 Porlier Pass Road
Galiano Island, BC
V0N 1P0

Pages

- | | | |
|---|----------------------------|--------|
| 1. Call to Order | 12:30 PM - 12:50 AM | |
| 2. Approval of the Agenda | | |
| 2.1 Questions on Agenda Items | | |
| 2.2 Town Hall Session | | |
| 3. Community Information Meeting | | |
| none | | |
| 4. Public Hearing | | |
| none | | |
| 5. Previous Meetings | 12:50 PM - 1:00 PM | |
| 5.1 Local Trust Committee Minutes for Adoption | | |
| 5.1.1 Galiano Local Trust Committee Meeting
Minutes of September 9, 2013 - for
Consideration (attached) | | 4 - 14 |
| 5.2 Public Hearing Record and Community Information
Meeting | | |
| none | | |
| 5.3 Section 26 Resolutions without Meeting | | |
| none | | |
| 5.4 Advisory Planning Commission | | |
| none | | |
| 6. Business Arising from the Report | | |

6.1	Follow-up Action Report		
6.1.1	FUAL Report dated September 2013 (attached)		15 - 19
7.	Delegations		
	none		
8.	Correspondence		
8.1	Letter Dated Sept 19 13, From Anne Kenway (attached)		20 - 20
9.	Motion to Close Meeting	1:00 PM - 1:20 PM	
	THAT, pursuant to Section 90(d),(f) and (g) of the Community Charter, the Galiano Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting July 15, 2013 Galiano LTC In Camera Minutes and to consider legal advice on a potential litigation issue; and further that staff and Recording Secretary remain present. (distributed under separate cover)		
10.	Recall to order		
	Rise and Report from the Closed Meeting		
11.	Applications, Permits, Bylaws and Referrals	1:20 PM - 2:00 PM	
11.1	GL-DP-2013.2 (Ghai) - Memo (attached)		21 - 30
11.2	Salt Spring Island Local Trust Committee Riparian Area Regulation Options Referral (attached)		31 - 32
	-----BREAK-----2:00 PM -----		
12.	Local Trust Committee Projects		
12.1	STVR Memo (attached)	2:15 PM - 3:00 PM	33 - 38
13.	Reports		
13.1	Work Program Reports	3:00 PM - 3:45 PM	
13.1.1	Work Program Report dated Septmber 2013 (attched)		39 - 41
13.2	Applications Reports		
13.2.1	Applications Report dated September 2013 (attached)		42 - 46
13.3	Expense/Budget Reports		
13.3.1	LTC Expense Report dated September		47 - 47

2013 (attached)

For Information

13.4 Bylaw Enforcement

13.5 Policies and Standing Resolutions Report (attached)

48 - 49

For Information

13.6 Galiano Island LTC Web Page for Review

Galiano Island Local Trust Committee Home Web
Page Link:
www.islandstrust.bc.ca/islands/local-trust-areas/galiano

13.7 Chair's Report

13.8 Trustee Report

14. Other Business

14.1 Upcoming Meetings

The next meeting of the Galiano Local Trust
Committee will be held November 18, 2013, at
12:30 pm, at the Galiano Island South Community
Hall.

15. Town Hall Meeting

3:45 PM - 4:00 PM

16. Adjournment

4:00 PM - 4:00 PM

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON MONDAY, SEPTEMBER 9, 2013, AT 12:30 PM
AT THE SOUTH ISLAND COMMUNITY HALL,
GALIANO ISLAND, B.C.**

<u>PRESENT:</u>	Ken Hancock	Chair
	Sandy Pottle	Local Trustee
	Louise Decario	Local Trustee
	Kris Nichols	Island Planner
	David Millership	Recording Secretary

There were approximately twenty-four (24) members of the public present.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 12:35 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 THE AGENDA

Chair Hancock asked for any additions or changes to the agenda; no amendments were made.

The agenda, by consent, was approved.

2.1 Questions on Agenda Items

None

2.2 Town Hall Session

Chair Hancock invited the public to make comment.

Andrew Loveridge provided some 2011 census data relating to Galiano and stated support for the Galiano Land and Community Housing Trust (GLCHT) and affordable housing.

Gary Coward stated support for GL-RZ-2013.1 (Landworks) but with concerns regarding the community benefits portion. He provided the Local Trust Committee (LTC) with a handout for consideration regarding ideas pertaining to District Lot 79 (DL 79).

Doug Latta stated support for the GLCHT and properly defining "affordable housing". He provided an update regarding the GLCHT.

Tom Hennessy stated support for the GLCHT and defining “affordable housing” according to standards currently accepted in Canada. He provided an update regarding the Galiano Land and Community Housing Trust (GLCHT).

Gwilym Smith stated support for a Community Information Meeting (CIM) regarding the GLCHT and affordable housing.

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 Galiano Island Local Trust Committee Business Meeting Minutes of July 15, 2013

Amendments:

- Page 5, item 10.2, heading – add “Galiano Island” before “Parks & Rec”
- Page 6, first paragraph – replace “Southern Gulf Islands Economic Commission” with “GIPRC”
- Page 7, item 11.2, third paragraph – replace “density transfer” with “density transferred”
- Page 7, item 11.2, fourth paragraph – replace “20 hectares (ha) may being” with “20 hectares (ha) being”
- Page 11, last paragraph – add “, which was referred by the Islands Trust Local Planning Committee” after “Illegal Structures on the Foreshore”

The Galiano Island Local Trust Committee Business Meeting Minutes of July 15, 2013, as amended, by consensus, were adopted.

5.2 Public Hearing Record and Community Information Meeting

None

5.3 Section 26 Resolutions without Meeting

None

5.4 Advisory Planning Commission

5.4.1 Galiano APC Draft Minutes of July 11, 2013

Received for review.

6. BUSINESS ARISING FROM THE REPORT

6.1 Follow-up Action Report

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

Specific to items 8 and 17 – Planner Nichols will follow-up and provide more information at the next meeting.

7. DELEGATIONS

None

8. CORRESPONDENCE

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

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

8.1 August 8 Letter from A. Lamb Re: Private Dock Facility by Spanish Hill

Planner Nichols will add this to the GL-DP-2013.2 (Ghai) file.

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 GL-DVP-2013.3 (Williams)

Planner Nichols provided information from Staff Report dated August 28, 2013, File No. GL-DVP-2013.3 (Williams) Re: Development Variance Permit.

David and Nora Williams were in attendance and spoke on behalf of the application.

There was discussion regarding the following: the woodshed having been removed; the application dating back to 2002; compliance process; staff recommendations; loss of foreshore; property protection; safety and enjoyment; noxious materials not being used; structures within setbacks; environmental concerns; non-compliance; two neighbours and one beach access user stating support for the application; a complaint from 2005 complaint; bylaws; bylaw enforcement; past seawall review and abeyance; permit requirements; documentation; precedent; waterfront developments; seeking approval after work is completed; illegal structures on the foreshore; Capital Regional District (CRD); public awareness of bylaws; eel grass; Official Community Plan (OCP); professional assessment(s); and shoreline education.

Resolution GL-LTC-95-13

It was Moved and Seconded that the Galiano Island Local Trust Committee defer consideration of GL-DVP-2013.3 (Williams) until such time as the applicant supplies a report from a qualified environmental professional with shoreline and marine assessment experience explaining the impact of the wall's construction and potential deconstruction.

CARRIED

Mr. Williams stated concern with professional assessment costs.

There was some discussion regarding process, Development Variance Permits (DVP's) and Development Permits (DP's).

Chair Hancock asked that the applicants work with Planner Nichols.

Resolution GL-LTC-96-13

It was Moved and Seconded that the Galiano Island Local Trust Committee requests that the Bylaw Enforcement Coordinator attend a Galiano Island Local Trust Committee business meeting to review the file on matters relating to GL-DVP-2013.3 (Williams).

CARRIED

Note: There was a break at 2:10 p.m. and the meeting reconvened at 2:25 p.m.

9.2 GL-RZ-2013.1 (Landworks)

Planner Nichols provided information from Staff Report, File No. GL-RZ-2013.1 (Landworks) Re: Revised Proposal for Consideration – Official Community Plan and Land Use Bylaw Amendments – District Lot 79.

Kelly Gesner and Bowie Keefer were in attendance and spoke on behalf of the application.

There was discussion regarding the following: community benefits; trees; trails and public waterfront access; staff recommendations; subdivision and section 9.1; Galiano Island Parks and Recreation Commission (GIPRC); highways; current/proposed trails jurisdiction/responsibility; BC Parks management plan for Galiano; roads/driveways access/connectivity; Road Network Plan (RNP), Official Community Plan (OCP) and transportation policy (“O”); road dedication at time of rezoning; covenants; bylaw enforcement; process; Gary Coward handout pertaining to District Lot 79 (DL 79), and the creation of an extra lot for community benefit.

Trustee Decario and Trustee Pottle stated support for the creation of a new lot for community benefit, public beach accesses, and road access to properties zoned Rural Residential (RR).

Resolution GL-LTC-97-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to prepare draft bylaws for GL-RZ-2013.1 (Landworks).

CARRIED

There was some discussion regarding the Galiano Land and Community Housing Trust (GLCHT) and the Galiano Housing Society being acceptable organizations for community benefit, as per the Official Community Plan (OCP).

Bowie Keefer stated support for Healthcare being considered acceptable for community benefit.

9.3 GL-RZ-2011.1 (GLCHT)

Planner Nichols provided information from Staff Report dated August 21, 2013, File No. GL-RZ-2011.1 (GLCHT), Re: Galiano Land and Community Housing Trust Summary Report, and Memorandum dated August 26, 2013, File No.: GL-RZ-2011.1, Re: Addendum to GLCHT Staff Report – Additional Information Emergency Service Access Route and Proposed Parking.

Doug Latta and Tom Hennessy were in attendance and spoke on behalf of the application.

There was some discussion regarding the following: staff recommendations; community information meetings; the need for a professional report that summarizes and organizes all Galiano Land and Community Housing Trust (GLCHT) information; Capitol Regional District (CRD) grants; concern regarding revisiting the definition of “affordable housing”; Official Community Plan (OCP) provisions; pride of ownership; GLCHT providing a builders budget instead of actually building a demonstration building; process; and a demonstration building taking three to four months to complete.

Resolution GL-LTC-98-13

It was Moved and Seconded that the Galiano Island Local Trust Committee requests Galiano Land and Community Housing Trust to obtain a professional with relevant experience in comparable affordable housing projects and that the professional supply a report confirming the feasibility, sustainability, and affordability of the proposed project.

CARRIED

There was discussion regarding the following: process; community survey; needs assessment; CRD requirements; Statistics Canada; rezoning and social housing versus affordable housing.

Resolution GL-LTC-99-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to schedule a Community Information Meeting for Galiano Land and Community Housing Trust and invite representatives from Vancouver Island Health Authority, Capital Regional District Housing and Building Inspection, Ian Ralsten, Bob Burgess, Galiano Fire Departments and any other agencies that may be interested.

CARRIED

9.3.1 GL-RZ-2011.1 Memo

Received for consideration under item 9.3.

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Bylaw No. 241 – Staff Report

Planner Nichols provided information from Staff Report dated August 23, 2013, File No.: GL-6500-20 (LUB Review), Re: Galiano Bylaw No. 241, Amendment No. 1, 2013 – A Bylaw to Amend Galiano Island Land Use Bylaw No. 127, 1999.

Planner Nichols stated that “subsection 1.3” in Attachment 1, section 1 d) will be changed to “subsection 3.1” and that “subsection 1.4” in Attachment 1, section 1 e) will be changed to “subsection 3.4”.

There was discussion regarding setbacks and the definition of sawmilling.

Resolution GL-LTC-100-13

It was Moved and Seconded that the Galiano Island Local Trust Committee amends Draft Bylaw No. 241, section 3, subsection 4, from 15 metres to 7.5 metres.

CARRIED

There was discussion regarding permitted storage area.

Resolution GL-LTC-101-13

It was Moved and Seconded that Galiano Island Local Trust Committee Draft Bylaw No. 241 cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2013” be given First Reading.

CARRIED

Resolution GL-LTC-102-13

It was Moved and Seconded that the Galiano Island Local Trust Committee refers Proposed Bylaw No. 241 to the Galiano Island Advisory Planning Commission and other agencies.

CARRIED

Resolution GL-LTC-103-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to schedule a Public Hearing for Proposed Bylaw No. 241.

CARRIED

10.2 Bylaws 242 & 243 - Memo

Planner Nichols provided information from Memorandum dated August 23, 2013, File No. GL 6500-20 (LUB Review) Re: Consideration of Cottage Floor Area Size – Draft Bylaws No. 242 (OCP) and 243 (LUB).

There was discussion regarding process, options, and greenhouses.

Resolution GL-LTC-104-13

It was Moved and Seconded that the Galiano Island Local Trust Committee defers consideration of Draft Bylaw No. 242 and Draft Bylaw No. 243 pending the outcome of the Short Term Vacation Rentals review.

CARRIED

11. REPORTS

11.1 Work Program Reports

Work Program items were discussed in regards to status and action. Planner Nichols will update the Top Priorities and Projects lists according to the Local Trust Committee (LTC) recommended amendments.

11.2 Applications Reports

Planner Nichols provided information about applications which were discussed in regards to status and action.

Specific to GL-DP-2013.2 (Ghai) – Planner Nichols stated that a second biologist's report would be available in October.

Specific to GL-RZ-2011.2 (Winmark Capital Inc. – Richard Dewinetz) Planner Nichols stated that he would follow-up with the Province.

11.3 Expense/Budget Reports

11.3.1 LTC Expense Report

Provided for information purposes only.

Planner Nichols will follow-up regarding the eelgrass funds to be deducted.

11.3.2 2014-2015 Budget Requests

Planner Nichols provided information from Memorandum dated August 16, 2013, Re: 2014-2015 Budget Submissions.

Planner Nichols stated that the following amendments were needed:

- Page 2, Resolution Wording No. 1 – replace “2014-145” with “2014-2015”
- Page 2, Resolution Wording No. 2 – replace “2013-14” with “2014-2015”

Resolution GL-LTC-105-13

It was Moved and Seconded that the Galiano Island Local Trust Committee approve and forward the draft 2014-2015 Galiano Island Local Trust Committee Project Budget submission to the Financial Planning Committee as presented.

CARRIED

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; no specific amendments were made but Planner Nichols will update routine items as necessary.

There was some discussion regarding user issues pertaining to the calendar utility and display of minutes. Chair Hancock stated that Lisa Gordon is the contact for such issues.

11.7 Chair's Report

Chair Hancock stated that eelgrass mapping for Galiano is near completion and that the information will be able to be used in a variety of ways (i.e.: field guides with QR codes) and will be a valuable resource.

There was discussion regarding the Google Street View Trekker.

11.8 Trustee Report

Trustee Decario stated that she attended a local planning meeting, a financial planning meeting, a Galiano Island Parks and Recreation Commission (GIPRC) meeting and a Gary Holman (MLA, Saanich North and the Islands) meeting. She stated that she has been busy with phone calls, emails and considering today's agenda package and would be attending Trust Council from September 10th to 12th on Lasqueti Island.

Trustee Pottle stated that she was away for the first two weeks of August and would be away from September 15th to October 5th. She stated that she attended a GIPRC meeting and a Gary Holman (MLA, Saanich North and the Islands) meeting. She stated that she has been busy with phone calls (mostly relating to neighbour disputes) and emails, and would be attending Trust Council from September 10th to 12th on Lasqueti Island.

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 The next meeting of the Galiano Local Trust Committee will be held on Monday, October 7, 2013 at 12:30 pm at the Galiano North Community Hall

The meeting is scheduled as stated.

12.2 Island Recycling

There was some discussion regarding: a legislative push for recycling privatization; concerns pertaining to the Province's setup, process and lack of time for meaningful responses regarding recycling issues; possible Trust Council advocacy; Capitol Regional District (CRD) extending island recycling funding for one year; a possible 75% budget reduction for recycling; recycling having been a feather in the cap for local government; and the upcoming Union of British Columbia Municipalities (UBCM) meeting.

13. TOWN HALL MEETING

Chair Hancock invited the public to make comment.

Stephen Akins stated support for and interest in the Galiano Land and Community Housing Trust (GLCHT).

Gary Coward stated support for his handout pertaining to District Lot 79 (DL 79) and specifically for two lots (A & B) being allocated for community benefit. He requested that the LTC follow-up regarding GL-SUB-2007.1 (LPG Landplan Group Inc. – Zizzy/Brown).

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

14. ADJOURNMENT

Resolution GL-LTC-106-13

It was Moved and Seconded that the Galiano Island Local Trust Committee meeting be adjourned at approximately 4:35 p.m.

CARRIED

RECORDER

CHAIR



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	Nov-01-2012	On Going

Sept 21/12 - email to applicants

Oct 15/12 - trustees report that applicants out of country

Dec 12, Jan 13 and Jan 29- applicants contacted and requested to provide changes to covenant

Feb 27/13 - applicants' lawyer asked to respond with proposed revisions to covenant

Mar 15/13 - second email to applicants' lawyer asking for proposed revisions to covenant

Apr 15/13 - meeting with applicants' lawyer, minor changes agreed to. Applicants' lawyer will commence execution process

July 14/13 - applicants' lawyer informs that applicants are not prepared to execute covenants at this time, lawyer is going on leave until sept.

Jul-09-2012

No.	Activity	Responsibility	Target Date	Status
2	GL-RZ-2011.2 (Dewinetz):	Kris Nichols	Oct-14-2013	On Going

-Staff to invite representatives from BC Parks to attend a future CIM for this application. (CIM completed February 18, BC Parks attended March 11 meeting) Done

- 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 -
DONE

-Staff to work with the applicant to obtain the required groundwater assessment as per OCP policy 2e) (done)

-Staff to schedule a CIM and Public Hearing (CIM February 18 , PH May 6)Done

-Staff to work with the applicant to draft a S. 219 covenant and enter into cost recovery with the application for associated legal work (covenant with applicant)

May 6, 2013

9.1 (Dewinetz) Proposed Bylaw Nos. 235 and 236 - given second and third reading and forwarded to Executive Committee (May 27 approved) and then sent for Minister's approval.

August 20, 2013

Covenants executed by Chair. Applicant to register prior to final. Awaiting Ministry's approval of bylaw and applicants registration of covenants.

Sep-17-2012

No.	Activity	Responsibility	Target Date	Status
3	Staff to arrange meeting between LTC and MoTI staff to discuss Galiano issues (e.g. parking, bike trails). Mar 5/13 - trustees requested to provide agenda items	Louise Decario Robert Kojima Kris Nichols Sandy Pottle	May-30-2013	On Going

Dec-03-2012

No.	Activity	Responsibility	Target Date	Status
4	9.3 (Retreat Cove Farms)To change the wording in the covenant to comply with current LUB regulations. To establish a cost recovery agreement with the applicant. Awaiting contact from the applicant to proceed.	Kris Nichols	May-13-2013	On Going

June 2013 -applicant has agreed to proceed with cost recovery for change to covenant wording. To be completed by July 21, 2013.

Notified that costs will be higher than anticipated due to the fact the covenant is in the name of the Ministry not Islands Trust. Staff will research ways to deal with this issue.

Staff working with Ministry staff to resolve issue.

Apr-08-2013

No.	Activity	Responsibility	Target Date	Status
5	9.1 Gaylor Covenant Discharge covenant from Rem. D.L. 48, Amend covenant on Lot 1 to state that sawmilling and planing to occur within an enclosed building for sound mitigation Once agreed to by the owner then proceed with legal changes, registration and signing by the chair May 6 - Lot 1 sold, going to talk to new owner prior to proceeding to remove covenant from REM D.L. 48 on whether amendment is required to Lot 1. New owners deciding on next steps.	Kris Nichols	Jun-10-2013	On Going

Jul-15-2013

No.	Activity	Responsibility	Target Date	Status
6	9.1 GL-DP-2013.2 (Ghai) DP deferred. Staff to get a second opinion with a new biologist's report. New biologist report to be submitted to LTC for consideration at the October meeting.	Kris Nichols	Oct-07-2013	Done

7	Bylaw 241 Given first reading, referred to APC and PH scheduled for Nov LTC meeting. July 15, 2013 Proposed Bylaw 241 keep sawmill definition, rework contractor yards as per discussion (hours, area size, vehicle parking, screening, building size, etc.) to be placed within Home Occupation Regulation section of the LUB.	Sharon Lloyd-deRosario Kris Nichols	Sep-09-2013	Done
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8	9.6 Chair Signing Authority Memo - resolutions passed. Staff to work on respective covenants to prepare for signature(s). July 20, 2013 - Covenants for Dewinetz have been executed by chair. Required to be registered prior to final.	Kris Nichols	Sep-09-2013	On Going
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9	10.2 STVR - Staff to prepare a project charter based on Staff Lead option.	Kris Nichols	Oct-07-2013	Done
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Sep-09-2013

No.	Activity	Responsibility	Target Date	Status
10	Website Update: Bylaw 241 received first reading. Update website with bylaws and reports. July 15, 2013 Bylaw 240 - approved. To be consolidated with LUB and put on website, update bylaws, etc.	Lori Foster Sharon Lloyd-deRosario	Oct-07-2013	On Going
15	11.3.2 2014-15 Budget Requests Proposed resolution #1 accepted	Robert Kojima	Oct-07-2013	Done

Sep-15-2013

No.	Activity	Responsibility	Target Date	Status
11	9.2 GL-RZ-2013.1 Direct staff to prepare draft bylaws based on an latest proposal including a lot for community housing. Obtain revised layout plan from the applicant. July 15, 2013 9.2 GL-RZ-2013.1 (Landworks) Staff to review application with applicant to discuss Recommendation #2 (community benefits) and simplifying approach presented.	Kris Nichols	Oct-07-2013	On Going

12	9.1 GL-DVP-2013.3 Report deferred until applicant provides a report from a qualified environmental professional that is familiar with shoreline marine systems. LTC requested the attendance of Bylaw Enforcement at the next LTC meeting to discuss this application Staff to check with CRD building and their files on this application.	Miles Drew Kim Farris Kris Nichols	Oct-07-2013	On Going
13	Minutes adopted as amended and posted to web calendar.	Lori Foster	Oct-07-2013	Done
14	9.3 GL-RZ-2011.1 (GLCHT) Resolution passed for staff to schedule a CIM and invite CRD Building, CRD Housing, VIHA, Bob Burgess, Ian Ralston, Fire Department, etc. Resolution passed requested that GLCHT hire a	Lori Foster Sharon Lloyd-deRosario Kris Nichols	Nov-30-2013	On Going

consultant that can summarize all in formation presented - to show exactly how the project will work, be sustainable and meet the definition of affordable as per the OCP.

July 15, 2013

12.3 GL-RZ-2011.1 (GLCHT) - Possible CIM

Staff to prepare summation of information submitted to date outlining issues met and those still needing to be submitted or are incomplete. This is in preparation for a CIM and must be received and reviewed by LTC prior to a CIM being scheduled.

February 18, 2013

GL-RZ-2011.1 (GLCHT)

Staff directed to schedule a CIM upon receipt of: confirmation of ALC covenant on title, comprehensive site plan, housing agreement and land lease, and professional assessment of the availability of sustainable long-term groundwater and rainwater catchment (Sept amendments).

September 17, 2012

9.1 GLCHT - applicants to provide corrected site plan and accompanying tables

Resolution to amend GL-LTC-75-12 to require professional assessment of rainwater catchment proposal

February 18, 2013

9.2 GLCHT

1. Work with applicant to receive information mentioned in the Feb. 18, 2013 staff report from the applicant prior to planning an CIM. Applicant also to meet with CRD Building prior to CIM.

September 19, 2013

**LETTER OF SUPPORT FOR: STEVE & MARJORIE CEREZIN, 22505
PORLIER PASS ROAD, GALIANO ISLAND, BC**

I am writing today in support of my neighbours, the Cerezin's, who own a property near mine in the Spanish Hills neighbourhood of Galiano Island. The Cerezin's purchased their property in 1979.

In April of this year they visited their property and were shocked to find that their neighbours: Vari & Neera Ghai (22525 Porlier Pass Road), had begun construction of a new 216.7 foot dock.

It is my understanding, based on discussions with the Cerezins's, that the Ghai family began construction of this dock in January 2013:

- Without consulting with or discussing this proposed project with neighbours;
- Without geotechnical analysis;
- Without environmental analysis; and
- Without following 'due process' as established by government legislation or the Island's Trust.

Given the above, it is my sincere hope that the Islands Trust can persuade the office of primary authority in this case to: stop the project and remove the pilings; or significantly amend the size and scope of the project, in consultation with all of the appropriate stakeholders. In my personal view, one of the above options could result in a satisfactory resolution of this incident.

If it is not possible to stop or significantly downsize this project, then I strongly feel that a very significant fine needs to be levied in order to dissuade others from such reckless and arrogant behaviour. I would suggest that a fine in the order of one hundred thousand dollars or greater is necessary in order to convey the community's concern for such selfishness.

As a concerned neighbour, it seems to me that the Ghai family has shown disrespect for their community, and disrespect to due process. I am not a lawyer, so I do not know if they have broken, or overtly violated, any established laws. However, I do want to add my voice to those who are speaking about this deplorable project.

Should you require clarification of my strong support of the Cerezin family in their efforts to stop this project, please contact me.

Yours sincerely,

Anne Kenway
22305 Porlier Pass Road
Galiano, B.C. Vancouver Phone: 604-924-1019



Memorandum

Date September 13, 2013 File Number GL-DP-2013.2

To Galiano Local Trust Committee
For the Meeting of October 7, 2013

From Kris Nichols
Island Planner

Re **GL-DP-2013.2 - New Biologist Report for Consideration in Evaluating the Development Permit Application**

At the July 15, 2013 meeting, the LTC considered a Development Permit application for the construction of a private residential dock at 22525 Porlier Pass Drive facing Trincomali Channel. The property contains two Development Permit Areas: Development Permit Area 7 - Steep Slope Hazard Area and Development Permit Area 2 – Shoreline and Marine Area. The application also includes a development variance component given the fact that this is a dock and will need to connect to the land for access and egress; a setback variance from the natural boundary of the sea (from 7.5 m to 2.3 m) is required for an existing concrete abutment. The proposed dock will consist of two 12.1m aluminum spans, one 12.1 m aluminum ramp and a 35 m² float.

At the July LTC meeting, the following resolution was passed:

It was Moved and Seconded that the Galiano Island Local Trust Committee apply to the Director of Local Planning Services for funding to have a secondary biologist's report done and defer consideration of GL-DP-2013.2 (Ghai) to a later date.

Funding was granted and a second biologist report has now been received. Please see Attachment 1. Copies were sent to the Trustees and the applicant. The LTC had deferred the application at the July 15, 2013 meeting and now with the second biologist report may reconsider the application.

The LTC can consider the following two options:

1. Issue the DP as recommended by staff in the July 15, 2013 report.
2. Request additional information from the applicant ensuring that this dock location is the best location to minimize any impacts meeting DP Guideline 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."*

Pc Robert Kojima, RPM



Eelgrass Habitat Assessment

**Lot B, District Lot 96
Galiano Island, Cowichan District
22525 Porlier Pass Drive**

August 27, 2013

Prepared for: The Islands Trust
Suite 200 1627 Fort Street
Victoria B.C.
V8R 1H8

Prepared by: Precision Identification
3622 West 3rd Avenue
Vancouver, B.C.
V6R 1L9

Phone: (604) 734-5048
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Introduction

Precision Identification was retained by the Islands Land Trust to visit a proposed dock site on Galiano Island. The property owners began constructing a dock in January 2013 by installing six pilings. The owners had secured a crown lease and the zoning permitted docks however they had not acquired a development permit. The property owners were notified that a development permit was required and construction was halted. Additional details regarding the history of this project are provided in Islands Trust Staff Report File No. GL-DP-2013.1 (Ghai).

The project proponents retained the Island Stream and Salmon Enhancement Society (ISSES) to survey and document the habitat value in the vicinity of the pilings and proposed dock. Site visits were conducted during good low tides on May 28 and June 23, 2013. The biologists identified and geo-referenced two small beds of eelgrass (*Zostera marina*), one on either side of the pilings, but none immediately adjacent to or between the pilings.

A review of the ISSES report by Islands Trust raised the question of whether the pilings had been installed in an area that was naturally devoid of eelgrass or whether the installation of the pilings had led to a loss of eelgrass.

Eelgrass ecosystems are among the most productive and diverse in the world. They are very effective at sequestering carbon from seawater and storing it for decades, and are responsible for producing significant amounts of oxygen through respiration. The root and rhizome network forms an interlocking matrix that prevents erosion. The leaves baffle current providing shelter from currents and tides; these factors make eelgrass habitat an excellent nursery for many species of fish and shellfish. Eelgrass provides critical habitat for numerous species including; outmigrating juvenile salmon (*Oncorhynchus* spp.), Pacific herring (*Clupea harengus*), Dungeness crab (*Metacarcinus magister*), and black brant (*Branta bernicla*).

A synthesis of the available research by Fisheries and Oceans Canada concluded that eelgrass was an Ecologically Significant Species (ESS). The classification of a species as an ESS is described as ‘tool for calling attention to a species or community property that has particularly high ecological significance in order to facilitate provision of a greater-than-usual degree of risk aversion in management of human activities that may affect such species or community properties’¹. The Island Land Trust is concerned with protecting and conserving eelgrass habitat to the maximum extent possible.

The productivity of eelgrass habitat is often limited by light. Light limitation may result from various sources including; shading by algae, plankton blooms, high turbidity (suspended sediment in the water column), and shading by man made structures.

¹ http://www.dfo-mpo.gc.ca/CSAS/Csas/Publications/SAR-AS/2009/2009_018_e.pdf

Cynthia Durance, of Precision Identification, has been studying eelgrass in British Columbia for over 30 years and was asked to visit the site and inspect to conditions in and around the pilings to see whether there were any clues to explain the absence of eelgrass.

The following report summarizes the results of the site survey.

Site Survey

The site was surveyed during low tide (1.1 m) on August 8, 2013. A band of eelgrass was clearly visible from the upland that included the two small patches surveyed in the ISSES and the area in between (Photographs 1 & 2).



Photograph 1. The eelgrass bed extends between the pilings.



Photograph 2. Close-up of eelgrass between the pilings closest to shore.

Snorkel gear and an underwater camera were used to examine and document the habitat in and around the pilings.

The survey began at the pocket beach described in the ISSES report, and followed the inner edge of the eelgrass bed past the proponents waterlot boundary. The outer edge of the eelgrass bed was then followed towards the pocket beach where the survey began. The areas identified as beds A and B in the ISSES report were then assessed to determine average density and size of the eelgrass. The eelgrass habitat around and in between each piling was also assessed to determine whether there were differences relative to the adjacent habitat.

Time was limited due to the incoming tide therefore the density estimate was based on ten 0.25 m² quadrat samples, and the shoot length and width of one average eelgrass shoot within each quadrat. The data was recorded from the shallow to deep range of the bed to capture variability within the bed. Quadrats were not sampled in areas where boulders or bedrock outcrops were present, and therefore eelgrass absent.

The shallow edge of the bed is limited by boulders. Boulders and cobble are present between the shore and first set of pilings, therefore eelgrass could not grow at this location. There are fewer rocks near shore on either side of the pilings and therefore the eelgrass grows closer to shore in these areas.

The eelgrass bed continues southward past the pilings. The snorkel survey stopped where the neighbour's ladder comes down to the beach; the bed may continue much further. The extent of the bed will be documented in the Island Trust eelgrass mapping project which mapped this area during the summer (2013).

The deep edge of the bed was not visible from the surface. It was necessary to dive down to determine where the eelgrass stopped. Snorkelling is not a very accurate method for locating eelgrass bed perimeters when diving from the surface is necessary since the person snorkelling may not rise exactly vertically due to the tides and current. Several dives were completed along the lower edge of the eelgrass bed between the two outside (farthest from shore) pilings. It was estimated the bed extended approximately 1.5 metres beyond the last pilings. The width of the bed tapers as it approaches the pocket beach, mainly due to the presence of boulders.

There are boulders and cobble throughout the bed, between the pilings and on either side of them; these are colonized by a variety of macroalgae.

The shoot density, length, and width data is summarized in Table 1.

Location relative to pilings	Density (#/0.25 m ²)		Length (cm)		Width (mm)	
	range	mean	range	mean	range	mean
North	6-17	11.1	138 - 210	168.2	10 - 11	10.5
Centre	7 - 16	12.0	145 - 219	176.3	10 - 11	10.6
South	6 - 18	13.0	142 - 220	176.4	10 - 11	10.6

Table 1. Eelgrass shoot density, length, and width data. Ranges and means are based on a sample size of ten.

There were no signs of disturbance to the eelgrass bed around the pilings. Photographs 3 and 4 were taken between the pilings.

The pilings have been colonized by a variety of macroalgae, predominately sea lettuce (*Ulva* spp.) and barnacles. Numerous ochre stars (*Pisaster ochraceus*) were attached to the pilings.



Photograph 3. Eelgrass growing up to and around a piling.



Photograph 4. Eelgrass growing between the pilings.

Summary

The survey documented a continuous fringing bed of eelgrass that extended though the pilings. The pilings, with the exception of the two nearest shore were installed in the eelgrass bed. There were small areas devoid of eelgrass throughout the bed; however these were due to the presence of hard substrate (rock). Most of the hard substrate was colonized by kelp and other species of macroalgae which adds to the local biodiversity. The eelgrass immediately adjacent to the boulders did not seem negatively impacted by the presence of the macroalage.

The density and size data was based on a small number of samples however the ranges and means were similar both between the pilings and in the adjacent habitat on either side. It is likely that there had been time to sample more intensively there would not have been any difference between areas. The eelgrass was shorter close to shore and longer in deeper areas; this is typical.

The eelgrass bed extends approximately 1.5 metre beyond the deepest pilings. The dock plan provided by Island Marine Construction Limited dated 12.10.09, shows a 15.2 metre ramp extending from the deepest pilings to the float, this should avoid shading impacts to the eelgrass by the float.

The aluminum spans will be decked with 50% light penetrating Fibre Reinforced Polymer decking and located 2.5 metre above High Water. The choice of decking and height of the spans above the eelgrass bed should greatly reduce and possibly eliminate any shading of the eelgrass bed under the spans.

Suggestions & Recommendations

The photographs in the ISSSES report show that the site was surveyed on foot using chest waders, perhaps this is why they were unable to observe the eelgrass between the pilings.

Research has demonstrated that in southern British Columbia, under good conditions eelgrass can re-colonized disturbed corridors where eelgrass was removed, at a rate of 0.5 metre per year. It is not possible that the eelgrass between the pilings was not there during the previous surveys. It is strongly recommended that any future surveys for similar purposes include snorkelling, preferably during a good low tide. A diver survey is preferable however the costs may be in some cases prohibitive. The data regarding the maximum depth of eelgrass distribution in the Gulf Islands by Islands Trust in 2012 and 2013 could be reviewed and used to set a minimum depth survey limit.

The proposed dock includes aluminum spans that are high above the eelgrass bed and are expected to allow 50% light penetration; I am hopeful that this will result in no shading impact to the eelgrass bed below, however I can not be certain. Many eelgrass beds in southern British Columbia have been fragmented by the placement of docks; therefore it is best whenever possible to avoid placing docks or any overstructure over an eelgrass bed. The shading impacts may be greatly reduced or eliminated by using a decking that allows light penetration, locating structure high above the eelgrass, and whenever possible orienting the structure in a north south direction.

The mapping for Islands Trust that was conducted by SeaChange Marine Society this summer included mapping the eelgrass bed that extends between the pilings. The Precision Identification survey did not detect any impacts to the eelgrass habitat in the vicinity of the pilings. It could help inform future impact assessments if the bed at this site and two adjacent reference beds, one to the North and another to the South, were mapped using the same methodology one year after the dock was completed. The perimeter of eelgrass beds is usually very stable over time but occasionally large scale environmental factors (extremely low or high annual tides, winter storms, etc.) may result in a loss along either the shallow or deep edge. The data for the reference beds could be used to determine whether changes, if noted, in the vicinity of the new dock were due to its presence or caused by some wide scale environmental factor. The cost of mapping one versus three beds would likely be the same.

Eelgrass beds are often slow to respond to impacts such as shading. The eelgrass shoots can survive on the energy stored in their rhizomes for many months. Therefore it is suggested that subsequent monitoring to detect change should be conducted at least one year following dock completion.



Islands Trust

EARLY REFERRAL FORM

Island: Salt Spring Island Trust Area

Date: September 24, 2013

The Salt Spring Island Local Trust Committee would like to know what questions, comments, or concerns your agency may have with respect to the proposed methods of implementing the Riparian Areas Regulation (enacted under Section 12 of the Fish Protection Act) on Salt Spring Island. We would appreciate your response within 30 days. Your response will be considered when drafting a bylaw which will then be referred to your agency. A draft bylaw is anticipated before the end of 2013 and a Public Hearing will be held thereafter in either early or mid-2014. Thank you for your time.

PURPOSE:

To amend the Salt Spring Island land use bylaws to include riparian area protection provisions as required in the Riparian Areas Regulation (RAR).

GENERAL INFORMATION:

On the basis of reviewing all available data, including recent stream mapping results, the Salt Spring Island Local Trust Committee is considering implementing the RAR using two approaches:

- 1) Establish a Streamside Protection and Enhancement Area (SPEA) within 15 m of small seasonal streams, and
- 2) Establish a 30 m development permit area inland from the top of a stream bank within which a SPEA and other protective measures will be defined according to the Regulation assessment methods for all remaining applicable waterbodies.

Approach 1 may be implemented via regulating the provision and standard of landscaping (as per Local Government Act section 909(1)(b)) or establishing a development permit area in cooperation with approach 2. Please note that the Salt Spring Island Local Trust Area already has numerous other riparian area protective measures including building and structure setbacks, a Soil Removal and Deposit Bylaw, stormwater regulations and an existing development permit area which includes 10m of land buffering known fish bearing streams. For further information see the attached Staff Report dated June 12, 2013.

(Signature)

Name: Stefan Cermak

Title: Planner 2

This early referral has been sent to the following agencies:

First Nations:

Hul'qumi'num Treaty Group (for information only)
Pauquachin First Nation
Malahat First Nation - Te'Mexw Treaty Association
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
StzumimusFirst Nation
Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation & Penelakut Tribe

Federal Agencies

Fisheries & Oceans, Canada - Pacific Region

Non-Agency Referrals

North Salt Spring Waterworks District
SSI Chamber of Commerce

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
Cowichan Valley Regional District

Provincial Agencies

Ministry of Agriculture
Ministry of Environment
Ministry of Transportation & Infrastructure
Ministry of Forestry, Lands and Natural Resource Operations
Agricultural Land Commission

Regional Agencies

CRD PARC
CRD Building Inspection
CRD Water Utilities
Vancouver Island Health Authority

EARLY REFERRAL FORM RESPONSE SUMMARY

- ☐ Interests Unaffected
- ☐ Comments Reserved till Review of Bylaw
- ☐ Questions, Comments, or Concerns as per
below or attached:

	Islands Trust Salt Spring Office Fax: (250) 537-9116 Email: ssiinfo@islandstrust.bc.ca
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(Agency Representative Signature)

(Agency Representative Name and Title)

(Date)

(Agency)



Memorandum

Date September 26, 2013 File Number GL 6500-20 (STVR)

To Galiano Local Trust Committee
For the Meeting of October 7, 2013

From Kris Nichols
Island Planner

Re **Short Term Vacation Rentals Review Project Charter**

STVRs are not a permitted use in the Galiano Island Land Use Bylaw No. 127. The only lawful visitor accommodations for paying guests on Galiano Island is found in the Visitor Accommodation zones C3, C4, C5 and C5A. Restricted guest accommodations uses are permitted in residences as a home occupation if it operates as a Bed and Breakfast. Therefore, persons that rent dwellings in residential zones for fewer than 30 consecutive days are not using the dwellings for residential purposes and therefore that use is in violation of the Land Use Bylaw.

STVRs do exist on Galiano Island, but given the fact that this review is underway, an enforcement policy has been established. For the most part, enforcement will not take place until this review is complete in early 2014. After which, a policy and/or bylaw(s) will be developed to address the STVR issue and any future enforcement will be based on that. The lack of current enforcement does not condone the establishment of STVRs as they remain unlawful.

At the July 15, 2013 meeting, the Local Trust Committee passed the following resolution:

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to report back with a project charter for review of Short Term Vacation Rentals based on option one presented as presented in Staff Report dated June 27, 2013.

The option one presented in the July 15, 2013 report is as follows:

Planner Lead - Staff would develop a series of options (e.g. status quo, specific zones, TUPs, cottages only with owners residing in residences, permit outright, add as a home occupation use, etc.) on how the LTC could address the issue of STVRs based on other municipalities, Islands and information from previous discussions on Galiano. The staff would address the various options through a series of reports. Community input could be achieved through the LTC meetings and through a set of special meeting(s) to allow residents to put forward their ideas on STVRs and how they should be handled.

The draft project charter attached (See Attachment 1) outlines the STVR review project. As part of the project, staff will:

- Review other STVR policies and bylaws from the Islands Trust and other jurisdictions.
- Develop background communication materials.
- Hold two community meetings one to get input on STVRs on Galiano Island and one to present survey results and discuss proposed options to address STVRs. Additional meetings may be held with target groups such as the Chamber of Commerce and owners of visitor accommodations.
- Develop a qualitative survey (survey monkey) available to all residents/land owners on Galiano Island
- Develop a series of policy and/or regulatory options (e.g. status quo, specific zones, temporary use permits, cottages, permit outright, use as a home occupation, etc.) that can be considered by the community and the LTC.
- Recommend policy and /or regulatory amendments to address STVRs on Galiano, develop draft bylaws if directed, and develop communications materials to increase awareness of the decided action on STVRs.

Next Steps:

1. That the LTC review the attached *Project Charter, Review of Short Term Vacation Rentals (STVRs) – Prospects and Policy*, and endorse or propose amendments prior to proceeding.
2. That if time permits, the LTC discuss:
 - background communication materials required
 - the types of questions to be addressed in a survey
 - possible dates for the initial community information meeting (CIM) on STVRs.

pc Robert Kojima, RPM

DRAFT Project Charter for Discussion

Project Name: Review of Short Term Vacation Rentals (STVRs) – Prospects and Policy

Creation Date: August 28, 2013

Last Updated: September 26, 2013

Version: 1.0

File # 6500-20 STVR

Purpose

The purpose of this project is to review the Short Term Vacation Rentals (STVRs) issue on Galiano Island through research and community input and to develop policy and regulatory options.

Background

This project has been initiated by the Local Trust Committee (LTC) as a work program priority. The intent of the project is: "To look at existing policy, research issues and possible solutions on Galiano" with the primary focus of Short Term Vacation Rentals (STVR). STVR is a term commonly used to describe the rental of dwellings to paying guests for a period of time generally less than a month. This use occurs in dwellings (residences or cottages) in residential zones, where the permitted form of occupancy is owner-occupancy or month-to-month rental by tenants.

The Galiano Land Use Bylaw (LUB) No. 127 does not permit STVRs. The only lawful visitor accommodation in the form of short-term accommodation for travelers is permitted in the various visitor accommodation zones (i.e. C3, C4, C5, C5A) or in a permitted bed and breakfast as a home occupation. STVRs are not new phenomena as home owners have occasionally 'lent' their homes to others for short periods and collected a fee. In the past decade their prevalence and impact has grown with the use of internet advertising, absentee ownership and property managers. STVRs operating in an overtly commercial manner are often distinguished from residential uses by their land use impacts, including noise, traffic, parking, water use, garbage, erosion of long term rental stock, competition for zoned accommodation uses, and undermining the sense of community.

The LTC has adopted the following STVR Enforcement Policy in conjunction with this policy review:

1. *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.*
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 the policy remains in effect until such time as the regulatory review is complete.*

This enforcement policy prioritizes enforcement activities upon overtly commercial STVRs that create health and safety or serious nuisances; however, the absence of current enforcement does not condone the establishment of STVRs.

For this project, staff will conduct background research on STVR policy and bylaws in other jurisdictions. The community and stakeholders will be consulted through community information meetings and Local Trust Committee meetings. A survey, communications and written submissions will assist in developing policy and regulatory options.

Project Objectives

- Address the long standing issue of whether to permit Short Term Vacation Rentals (STVR) on Galiano Island.
- Develop options to address STVRs for consideration of the Local Trust Committee (LTC) and the community.
- Recommend policies and/or regulatory amendments to address STVRs.
- Implement bylaw amendments if directed
- Develop communications so that all operators of STVRs are aware of any changes that may impact their operation. Communications will also be directed to inform the community.

Project Scope

In Scope	Out of Scope
▪ Review STVR policy and bylaws within Islands Trust and other jurisdictions. ▪ Development of communication and background materials ▪ Community information meeting(s) ▪ Meetings with targeted stakeholder groups (i.e. chamber of commerce, operators of visitor accommodations, etc.) ▪ Development of a qualitative survey (survey monkey) to obtain input from the community on STVRs ▪ Recommended options for addressing STVRs (if required) ▪ Policy and/or regulatory amendments to address STVRs ▪ Follow-up communication materials	▪ Identification of all known STVRs on Galiano ▪ Identification of all visitor accommodations being offered on Galiano. ▪ Assessment of economic impacts, either positive or negative, of STVRs on the Galiano economy and tourism industry. ▪ Consultant studies

Project Deliverables

- Communications (fact sheet) and background materials on STVR issue to inform the community.
- A Community Information Meeting.
- One or more meetings with stakeholder groups
- A qualitative survey to gain community input.
- A report on the results of the community information meeting and the survey and recommend next steps.
- A second Community Information meeting to discuss the LTC report on results and next steps.
- Draft policy and/or regulatory options to implement changes to accommodate Short Term Vacation Rentals (STVRs).
- If directed: a report and draft amending bylaws implementing policy and/or regulatory amendments.
- Legislative process to amend bylaws.
- Communications (fact sheet) to update the community on outcome of project.

Stakeholders

Stakeholder	Represented by	Interests, expectations, concerns
<i>All property/business owner,s residents, and visitors</i>	<i>Individuals, businesses, community groups</i>	• To understand the impacts both positive and negative of STVRs in their community. • To be consulted on development of policy/bylaws to address this issue on Galiano.
<i>STVR owners/operators</i>	<i>Owners, property managers</i>	• To obtain certainty with respect to regulation of the use • To be consulted on development of policy/bylaws to address this issue on Galiano.
<i>Neighbourhoods</i>	<i>Individual residents and owners, neighbourhood associations</i>	• To have concerns about impacts of STVRs heard and considered

Stakeholder	Represented by	Interests, expectations, concerns
Community Water Systems	Operators, trustees	To have potential impacts on water usage considered
Chamber of Commerce/ Accommodation Business Owners	Chamber members, leadership and owners of tourist related business (accommodation based or otherwise)	To understand the impacts both positive and negative of STVRs as they relate to other commercial enterprises on the island (i.e. commercial accommodations and those with zoning) and to tourism for the island. To be consulted on development of policy/bylaws to address this issue on Galiano.
Other regulatory bodies	CRD building inspection, Galiano Fire Departments, Islands Trust Bylaw enforcement, VIHA	To be consulted if bylaw amendments are considered

Project Team Resources

Name	Role	Responsibility
Galiano Local Trust Committee	Project Sponsor	Provides support through maintaining the project as a work program priority and provide input where appropriate in the process.
Robert Kojima	Project Champion	Ensures project aligns with strategic goals, provide adequate project resources
Kris Nichols	Project Manager	All project management of the project, lead/ direct all project work (reports, communications, surveys, meetings, etc.)
Barb Dashwood	GIS/Mapping Support	Provides mapping as required.
Lori Foster/Sharon Lloyd-deRosario	Admin support	Provides general administrative support, including advertising, booking meetings, preparing notices, updating website, etc.

Project Budget

The budget allocated for 2013/14 is \$4000 and for 2014/15 \$2500 has been requested.

Item	Details	Fiscal Yr 2013/14	Fiscal Yr 2014/15
Communications	(survey, advertisements, background materials)	\$1800	\$200
Meetings and Workshops	(Two community meetings)	\$1700	
Public Hearing	If a bylaw amendment be required at the end of the process		\$1500
Contingency		\$500	\$800
Totals		\$4000	\$2500

Project Timeline

Deliverable / Milestone	Target Completion Date
Develop communications material and background information.	November 2013
Plan and hold a community meeting to gain insight into the STVR issue on Galiano	December 2013
Develop a survey to be distributed to residents on the island for completion in early 2014	December 2013
Stakeholder group consultation meetings	January – February 2014
Summarize findings from the survey and consultation to date and present to LTC	February 2014
Community Information meeting to present survey results and gather further input	March 2014
Draft options and recommendations to address STVRs and possible other related issues as a result of the consultation/discussion on the issue.	April 2014
Submit recommendations to LTC for consideration	May 2014
Proceed with bylaw amendment process if directed	June 2014
Development of follow-up communications materials (e.g. factsheet, website)	June 2014

Endorsements

	Name	Endorsement Date
Project Champion	Robert Kojima	
Project Manager	Kris Nichols	
Project Sponsor	Galiano Local Trust Committee	



Top Priorities

Galiano Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	LUB update	1. Amendments resulting from OCP review - Completed 2. Contractor Yard Regulations, Sawmilling (Bylaw 241) First Reading. 3. Review of FLR and F2 zoning and Land Transportation policy (o) requirement (Bylaw 238) - on-hold 4. Increased Cottage Floor Area (Bylaws 242, 243) (on hold) Phase II items: 1. Review of Parking Regulations - review and update existing parking ratio. 2. Review zoning of small F1 lots that were in existence at the time of their purchase from Mac Blo. 3. Review of regulations for geo-thermal exchange use. 4. Dock Review 5. Add in Information Note on Archeological Sites under General Regulations	Apr-16-2012	Kris Nichols	Sep-09-2013	On Going
2	Visitor Accommodation	To look at existing policy, research issues and possible solutions on Galiano.	May-06-2013	Kris Nichols	Mar-31-2014	On Going

3	Ground water protection DPA policy review	Review detailed recommendations of Waterline Report, review existing DPA and LUB provisions, prepare options for amendments	Jun-13-2012	Kris Nichols	Mar-31-2014	On Going
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Islands Trust

Print Date: Sep-30-2013

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	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
4	parking issues	issue for future 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	Joint Local Trust Committee and Trust Fund Board Eelgrass Mapping Project	Money from LTC used to assist TFB in eelgrass mapping project for Galiano and Associated Islands.	Jun-10-2013	On Going
6	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
7	Procedure Bylaw Update	To change the requirements for DPs with variances (DVPs) to ensure that they require public notification of surrounding neighbours as would a normal DVP application. - Implemented administratively under existing fees and procedures bylaws	Jul-15-2013	On Going



Applications w/ Status - Galiano Island Status: Open

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GL-DP-2013.2	Ghai c/o David McKerrell	May-07-2013	22525 PORLIER PASSAGE DR Combination DP/DVP to construct a marine walkway to a dock - to vary required setback of the boundary to the sea to within 2 m.

Planner: Kris Nichols

Planning Status

Status Date: Sep-09-2013

New environmental report requested by LTC. Report received and will be presented at the October meeting along with application.

Status Date: Jun-26-2013

Environmental Report received and report written for July 15th LTC meeting

Status Date: May-30-2013

Received additional fees, sent letter of acknowledgment of receipt of fees to applicant, copied to trustees and forwarded to Planner

Development Variance Permit

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

Planning Status

Status Date: May-09-2013

Waiting for updated site plan as applicant must conform to maximum lot coverage. Site plan expected early June 2013.

Status Date: Feb-26-2013

Waiting for site survey from applicant

Status Date: Jan-23-2013

Sent letter of acknowledgement of receipt of fees and application to applicant. Copied file to trustees and forwarded file to planner.

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2013.3	David & Nora Williams	Jul-02-2013	260 CAYZER RD to vary LUB 127.2.12 to allow a structure less than the regulated setback from the boundary of the sea.
Planner: Kim Farris			

Planning Status

Status Date: Sep-09-2013

Application considered and deferred until applicant presents a professional report on shoreline and marine processes and the constructed retaining wall. The application to be considered when report is submitted by applicant.

Status Date: Jul-02-2013

Created file, copied to trustees and forwarded to Planner

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: Kim Farris			

Planning Status

Status Date: Sep-25-2013

Staff to write applicant as there has been no contact in 6 months and see whether applicant is ready to proceed.

Status Date: Apr-17-2013

staff comparing new information with previous proposal

Status Date: Apr-15-2013

new information submitted

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: May-31-2013

final versions of covenant to applicants with for execution

Status Date: Apr-15-2013

staff met with applicant's lawyer to work on finalizing application

Status Date: Jan-29-2013

applicants again requested to provide comments

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-26-2013

Awaiting date selection from applicant for CIM

Status Date: Sep-09-2013

Submission materials considered. Applicant asked to hire a professional to submit a development package to show sustainability and affordability. A CIM will be scheduled.

Status Date: Jul-10-2013

Applicant submitted information package for review of staff in planning a possible CIM

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-09-2013

Staff told Ministry's Bylaw approval is in process. Covenants have been executed, but not registered.

Status Date: Jun-03-2013

OCP Bylaw sent to Province for approval

Status Date: May-27-2013

Bylaws approved by Executive Committee

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

Planning Status

Status Date: Sep-09-2013

Submission updated to use just DL 79. Submission recommended to proceed to bylaw development.

Status Date: Jun-14-2013

Preliminary Report written for July 15th LTC

Status Date: May-27-2013

Planner reviewing application. Did site visit with landowner.

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: Sep-09-2013

Survey plans completed, awaiting executed covenants by applicant.

Status Date: Jun-27-2013

Survey being pinned, final touches by applicant on covenant

Status Date: Feb-27-2013

Applicant completing survey and will submit to staff to attach to covenant and bylaw.

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

Planning Status

Status Date: Feb-26-2013

Waiting for S.219 covenant to be drafted by applicant

Status Date: Feb-13-2013

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.

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

Planning Status

Status Date: Sep-25-2013

Bylaws approving zoning not approved still waiting Ministry approval and registration of covenants

Status Date: Sep-09-2013

Status Date: Sep-06-2012

PLA received from MOT

Sharon Lloyd-deRosario

From: Anna Olson
Sent: September-26-13 2:24 PM
To: Ken Hancock; Kris Nichols; Louise Decario; Robert Kojima; Sandy Pottle; Sharon Lloyd-deRosario; Lori Foster
Cc: Nancy Roggers
Subject: Galiano Expense Report- SEPT/13

<i>Islands Trust</i> LTC EXP SUMMARY REPORT F2014 Invoices posted to September 30, 2013				
625 Galiano	Invoices posted to September 30, 2013	Budget	Spent	Balance
65000 625	LTC "Trustee Expenses"	1,100.00	-	1,100.00
65200 625	LTC Local Exp LTC Meeting Expenses	3,500.00	1,666.63	1,833.37
65210 625	LTC Local Exp APC Meeting Expenses	500.00	63.82	436.18
65220 625	LTC Local Exp Communications	500.00	376.26	123.74
65230 625	LTC Local Exp Special Projects	2,000.00	-	2,000.00
65240 625	LTC Local Exp Miscellaneous	500.00	-	500.00
TOTAL LTC Local Expense		7,000.00	2,106.71	4,893.29
73001 625 2002	Galiano OCP/LUB	4,000.00	1,314.90	2,685.10
73001 625 4019	Galiano Short Term Vacation Rental STVR Review	4,000.00	-	4,000.00
TOTAL Project Expense		8,000.00	1,314.90	6,685.10

Anna Olson
 Finance Clerk

Islands Trust
 #200 1627 Fort Street
 Victoria, B.C. V8R 1H8
 Phone: (250) 405-5152
 Fax: (250) 405-5155
www.islandstrust.bc.ca

Preserving island communities, culture and environment

Please consider the environment before printing this email.

Galiano Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: September 26, 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.
9.	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.

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