



Galiano Island Local Trust Committee Regular Meeting Agenda

Date: September 9, 2013
Time: 12:30 pm
Location: Galiano South Community Hall
141 Sturdies Bay Road
Galiano Island, BC
V0N 1P0

Pages

- | | | | |
|-------|--|---------------------|---------|
| 1. | Call to Order | 12:30 PM - 12:50 PM | |
| 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 Island Local Trust Committee Meeting Minutes of July 15, 2013 (attached) | | 4 - 16 |
| 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 (attached) | | 17 - 19 |
| 6. | Business Arising from the Report | | |
| 6.1 | Follow-up Action Report (attached) | | 20 - 21 |

7. Delegations		
none		
8. Correspondence	1:00 PM - 2:30 PM	
8.1 August 8 Letter from A. Lamb Re: Private Dock Facility by Spanish Hill (attached)		22 - 22
9. Applications, Permits, Bylaws and Referrals		
9.1 GL-DVP-2013.3 (Williams) (attached)		23 - 42
9.2 GL-RZ-2013.1 (Landworks) Staff Report (attached)		43 - 48
9.3 GL-RZ-2011.1 (GLCHT) Report (attached)		49 - 63
9.3.1 GL-RZ-2011.1 Memo - additional Information (attached)		64 - 65
10. Local Trust Committee Projects	2:30 PM - 3:45 PM	
10.1 Bylaw No. 241 - Staff Report (attached)		66 - 71
10.2 Bylaw 242 & 243 - Memo (attached)		72 - 74
11. Reports	3:45 PM - 4:45 PM	
11.1 Work Program Reports (attached)		75 - 77
11.2 Applications Reports (attached)		78 - 82
11.3 Expense/Budget Reports		
11.3.1 LTC Expense Report (attached for Information)		83 - 83
11.3.2 2014-15 Budget Requests (attached)		84 - 87
11.4 Bylaw Enforcement		
none		
11.5 Policies and Standing Resolutions Report (attached for Information)		88 - 89
11.6 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		
11.7 Chair's Report		
11.8 Trustee Report		
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.

12.2 Island Recycling (Discussion)

- | | | |
|------------|--------------------------|--------------------------|
| 13. | Town Hall Meeting | 4:45 PM - 5:00 PM |
| 14. | Adjournment | 5:00 PM - 5:00 PM |

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

DRAFT

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON MONDAY, JULY 15, 2013 AT 12:30 PM
AT THE SOUTH ISLAND COMMUNITY HALL,
GALIANO ISLAND, B.C.**

<u>PRESENT:</u>	Ken Hancock	Chair
	Louise Decario	Local Trustee
	Sandy Pottle	Local Trustee
	Kris Nichols	Island Planner
	Geoff Kinnear	Bylaw Enforcement Officer
	Warren Dingman	Bylaw Enforcement Officer
	David Millership	Recording Secretary

There were approximately fourteen (14) 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; amendments were as follows:

- *Moved Item 14 to Item 3 – Motion To Close Meeting*
- *Moved Item 15 to Item 4 – Recall To Order*
- *Added Item 8.2 – Email Dated July 8, 2013, from Parks & Rec Commission re: Bike Trails & Camping*
- *Added to Item 9.5 – Information relating to GL-DP-2013.3 (Stewart c/o Cochrane)*
- *Added Item 9.6 – Memo Re: Chair Signing Authority for Covenant*
- *Combined Item 12.2 with Item 11.4 – LTC Pilot Project – Memo Proactively Enforcing Illegal Structures on the Foreshore*

The agenda was renumbered accordingly.

The agenda as amended was Approved by consent.

2.1 Questions on Agenda Items

None

2.2 Town Hall Session

Chair Hancock invited the public to make comment.

Marg Cerezin stated opposition to GL-DP-2013.2 (Ghai) and added she and her husband own the property next door and are grossly affected by the application.

Andrew Loveridge stated support for GL-RZ-2011.2 (Dewinetz) in relation to the expansion of Bodega Ridge Provincial Park, and requested that the Local Trust Committee (LTC) provide the public with associated mapping.

Gary Coward stated concern regarding GL-DP-2013.2 (Ghai).

David McKerrell spoke on behalf of GL-DP-2013.2 (Ghai) and stated that the neighbours were informed of the application. He added that the location/position of the dock in question is correct according to surveys and the Crown.

Steve Cerezin stated opposition to GL-DP-2013.2 (Ghai) adding that he and his wife own the property next door and have never been consulted regarding the scope of the application, which grossly affects them.

Chair Hancock stated that discussion regarding GL-DP-2013.2 (Ghai) would continue under Item 11.1.

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

3. MOTION TO CLOSE MEETING

Resolution GL-LTC-72-13

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

CARRIED

Note: the public was asked to adjourn at 12:50 p.m.

See separate In Camera Meeting minutes dated July 15, 2013.

Note: the public reconvened at 1:10 p.m.

Note: Bylaw Enforcement Officer (BEO) Kinnear and BEO Dingman left the meeting.

4. RECALL TO ORDER

4.1 Rise and Report from Closed Meeting

Chair Hancock stated there was nothing to report.

5. COMMUNITY INFORMATION MEETING

None

6. PUBLIC HEARING

None

7. PREVIOUS MEETINGS

7.1 Local Trust Committee Minutes for Adoption

**7.1.1 Galiano Island Local Trust Committee Business Meeting
Minutes of June 10, 2013**

Amendments:

- *Page 5 first paragraph* – replace “decided that information regarding possible First Nations Archaeology sites is not made public.” with “noted that information regarding possible First Nations Archaeology sites is not made public but is available to property owners through the Archaeological Branch.”

Galiano Island Local Trust Committee Business Meeting
Minutes of June 10, 2013, as amended were Adopted by
consent.

7.2 Public Hearing Record and Community Information Meeting

**7.2.1 Galiano Island Local Trust Committee Community
Information Notes of June 10, 2013**

Galiano Island Local Trust Committee Meeting Notes were
Received.

7.2.2 Galiano Island Local Trust Committee Public Hearing Record of June 10, 2013

Galiano Island Local Trust Committee Public Hearing Record of June 10, 2013, were Received.

7.3 Section 26 Resolutions without Meeting

None

7.4 Advisory Planning Commission

None

8. BUSINESS ARISING FROM THE REPORT

8.1 Follow-up Action Report

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

Specific to item 6 – Planner Nichols to receive feedback from the owners regarding the Local Trust Committee (LTC) desire to close the file by the end of 2013.

9. DELEGATIONS

9.1 Tom Hennessy Re: Affordable Housing Project – Request for a Community Information Meeting

Tom Hennessy stated that the Galiano Land and Community Housing Trust (GLCHT) has met all LTC requirements as described in a February 18, 2013, report and that GLCHT would therefore like the LTC to schedule a Community Information Meeting (CIM). He stated that the results of a community survey indicated strong interest and support for affordable housing. He said that GLCHT would like the process to move forward so that preparation and development of the site can begin while the weather is favourable. He added that there is still misinformation within the community regarding the project and commented that a CIM would help to dispel such. He also mentioned that various community members have loaned \$300,000.00 to GLCHT and that GLCHT has a responsibility to begin paying them back as soon as possible.

Doug Latta stated support for an August 2013 GLCHT CIM and that GLCHT is willing to pay any costs associated with such.

There was some discussion regarding: GLCHT needing to provide the LTC with a comprehensive site plan prior to a CIM; LTC due diligence; Planner Nichols preparing a summary report/presentation for the CIM upon LTC receipt and confirmation that all outstanding requirements have been met by GLCHT; Capital Regional District (CRD); Vancouver Island Health Authority (VIHA); Emergency access; Agricultural Land Commission (ALC) letter; water for fire protection; and process.

Andrew Loveridge stated that a CIM is just that and that all GLCHT information needs to be documented for the purpose of providing it to the community.

Tom Hennessy stated that GLCHT is happy to comply with and meet all LTC requirements.

Chair Hancock stated that further discussion would take place under new agenda item 14.2 - GLCHT Re: CIM.

10. 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.

10.1 May 15 2013 Letter BC Parks re Access to Dionisio Provincial Park

There was some discussion regarding: Road Network Plan (RNP); LTC jurisdiction; public road acquisition; subdivision and road dedication being at the sole discretion of the Province; and process.

Resolution GL-LTC-79-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs the Chair to write a letter responding to BC Parks letter dated May 15, 2013 Re: Access to Dionisio Provincial Park.

CARRIED

10.2 Email Dated July 8, 2013, from Parks & Rec Commission re: Bike Trails & Camping

There was some discussion regarding: camping maybe being added to the Projects list; Ministry of Transportation and Infrastructure (MoTI); bike trails and grant opportunities; the need to establish a regional trail system in regional parks; and process.

Chair Hancock stated that he would write an email to the Southern Gulf Islands Economic Commission stating LTC support for bike trails as well as the need to establish a regional trail system in regional parks.

Planner Nichols stated that he is the Islands Trust Representative for the CRD Regional Transportation Plan and would bring forward LTC comments.

11. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

11.1 GL-DP-2013.2 (Ghai)

Planner Nichols provided information from *Staff Report dated June 25, 2013 (File No.: GL-DP-2013.2 (Ghai)) Re: Development Permit Application Report*.

David McKerrell was in attendance and spoke on behalf of the application.

Marg and Steve Cerezin, neighbours of the applicant, were in attendance and spoke in opposition to the application.

There was some discussion regarding: six dock pilings being put in without notification to the Islands Trust; site visits; eel grass protection; neighbour concerns; concerns re process and notification protocol; dock placement and the Crown; dock size; dock purpose; community docks; dock stability; communications with Integrated Land Management Bureau of BC; Development Permits (DP); maps; Fisheries and Oceans Canada; biologists report(s); shoreline protection/development; LTC jurisdiction; nuisance and Galiano bylaws; rockfish bed protection; desire to speak with the Director of Local Planning Services and/or the Regional Planning Manager; environmental protection; community concerns; obtaining a second biologists report; and Trust Council science budget.

Note: there was a break at 2:40 p.m. and the meeting reconvened at 3:00 p.m.

There was some discussion regarding process and next steps.

Resolution GL-LTC-80-13

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 biologists report done and defer consideration of GL-DP-2013.2 (Ghai) to a later date.

CARRIED

1 Opposed
Trustee Decario

11.2 GL-RZ-2013.1 (Landworks)

Planner Nichols provided information from *Staff Report dated June 20, 2013 (File No.: GL-RZ-2013.1) Re: Preliminary Report – Official Community Plan Amendments – District Lots 79 and 10.*

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

Trustee Decario noted that the words “density transfer” should replace the word “donated” where appropriate in the Staff Report.

Bowie Keefer stated that it is his hope that much of Galiano will be parkland or designated parkland soon and that Bodega Ridge Provincial Park and Dionisio Point Provincial Park will be connected and public road access obtained.

There was some discussion regarding: north and south lots; creating forest lots less than 20 hectares (ha) may being problematic; road access at time of rezoning; community access/benefit; desire to move forward; viewing the land(s) in question as a whole; nature protection (NP); different scenarios/options; number of residences permitted; zone variation(s); addressing lots 85 and 86 in the future; density transfer(s); Official Community Plan (OCP) forestry recommendations; planning concepts involved; up-zoning; new zones; concern re lots not being contiguous; F3 zone; viewing Galiano as a whole; concepts surrounding lot 79 being clear to the LTC but concepts surrounding lot 10 not being clear to the LTC; trails; five acre lots for residences; connecting the lots somehow; LTC needing to accept a broader notion of what is planned before talking about specifics; no subdivision for lot 10; OCP policy 2e; new covenants; community housing; setting precedent(s); and process.

Resolution GL-LTC-81-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to explore community benefits (e.g. community housing, parkland, road dedication etc.) with the applicant and report back at a future meeting.

CARRIED

Resolution GL-LTC-82-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to report back with details on how District Lot 10 and District Lot 79 can be connected.

CARRIED

11.3 GL-SUB-2012.2 (Thomson) – 10 Percent Frontage Waiver Memo

Planner Nichols provided information from *Memorandum dated June 20, 2013 (File No.: GL-SUB-2012.2 (Thomson)) Re: Request for 10% Frontage Waiver (Lot 12)*.

Resolution GL-LTC-83-13

It was Moved and Seconded that the Galiano Island Local Trust Committee waives the 10% road frontage requirement for Lot 12 in GL-SUB-2012.2 (Thomson).

CARRIED

11.4 Salt Spring Island Bylaw 464 Referral

Resolution GL-LTC-83-13

It was Moved and Seconded that the Galiano Island Local Trust Committee considered Proposed Salt Spring Island Local Trust Area Bylaw No. 464 referral and decided *Interests Unaffected by Bylaw* and directs staff to respond appropriately.

CARRIED

11.5 GL-DP-2013.3 (Stewart c/o Cochrane)

Planner Nichols provided information from *Staff Report dated July 11, 2013 (File No.: GL-DP-2013.3 (Stewart c/o Cochrane) Re: Development Permit with Variance*.

There was some discussion regarding: site visits; protecting the shoreline; wave transfer effects; the proposed revetment strategy being more gradual than a wall; owners having a right to protect their property/dwelling; stairs already being there and thus being in the plan but not on the checklist; this being a perfect case study; erosion; and tree protection.

Chair Hancock stated concern that the report came very late and reiterated that there is an eight-day prior to meeting deadline – he also stated that he would have liked a conceptual drawing/illustration to have been included in the report.

Resolution GL-LTC-84-13

It was Moved and Seconded that Galiano Island Local Trust Committee Development Permit GL-DP-2013.3 (Stewart c/o Cochrane) be Approved.

CARRIED

11.6 Memo Re: Chair Signing Authority for Covenant

Planner Nichols provided information from *Memorandum dated July 10, 2013 (File No.: GL-SUB-2007.5/Bylaw227 (LandPlan Group) and GL-RZ-2011.2/GL-SUB-2012.2/Bylaws 235/236 (Winmark)) Re: Granting Galiano Local Trust Committee Chair Signing Authority for Covenants.*

Resolution GL-LTC-85-13

It was Moved and Seconded that the Galiano Island Local Trust Committee appoints the Chair to sign the s.219 covenants for GL-SUB-2007.5 (Landplan) and GL-RZ-2011.2 (Winmark Capital Inc.) for registration prior to consideration of final adoption of Bylaws 227, 235 and 236.

CARRIED

Resolution GL-LTC-86-13

It was Moved and Seconded that the Galiano Island Local Trust Committee appoints the Chair to sign the discharge of s.219 covenants from lands being transferred to the provincial crown as conditions of completion of subdivisions GL-SUB-2007.5 (Landplan) and GL-SUB-2012.2 (Winmark Capital Inc.).

CARRIED

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 Bylaw 241 – Home Industry - Memo

Planner Nichols provided information from *Memorandum dated June 21, 2013 (File No.: GL-6500-20 (LUB Review)) Re: Draft Bylaw 241 and Home Industry Occupation/Contractor Yard Discussion.*

There was some discussion regarding: contractor yards needing their own set of parameters; permitted hours; noise; setbacks; screening; noise abatement strategies; small lots; permitted space for storage; nuisance; dust; and site coverage percentage.

Resolution GL-LTC-86-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to report back with the following changes to Bylaw 241:

- 1) Take out the number of vehicles.
- 2) Percentage of area with a cap on it to be included.
- 3) Size of buildings (186 metres or other) is included.
- 4) Establishing 15 metre setbacks.
- 5) Permitted hours of operation. 6) Owners are required to permanently reside on the property.

CARRIED

12.2 STVR Report

Planner Nichols provided information from *Staff Report dated June 27, 2013 (File No.: GL 5600-20 Short Term Vacation Rental Review) Re: Preliminary Report: Visitor Accommodation – Short Term Vacation Rental Review.*

There was some discussion regarding options.

Resolution GL-LTC-87-13

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.

CARRIED

12.3 Bylaw 240 – Final Approval

Resolution GL-LTC-88-13

It was Moved and Seconded that Galiano Island Local Trust Committee Proposed Bylaw No. 240 cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 5, 2012” be Adopted.

CARRIED

13. REPORTS

13.1 Work Program Reports – July 2013

Work Program items were discussed with regards to status and action and Planner Nichols will update the Top Priorities and Projects lists according to LTC recommended amendments.

Resolution GL-LTC-89-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend Work Program Top Priority No. 1 (LUB update) by including an information note regarding archaeological sites.

CARRIED

Resolution GL-LTC-90-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend the Work Program Projects List by adding new item No. 6 entitled “Camping”.

CARRIED

13.2 Applications Reports – July 2013

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

13.3 Expense/Budget Reports

Provided for information purposes only.

13.4 Bylaw Enforcement

Trustee Decario provided information from *Memorandum dated June 18, 2013 (File No.: 4020-20 Foreshore Structures) Re: Proactive Bylaw Enforcement of Illegal Structures on the Foreshore*.

The LTC did not indicate a willingness to pilot a project on proactively enforcing illegal structures on the foreshore.

13.5 Policies and Standing Resolutions Report

Provided for information purposes only.

Chair Hancock suggested that the LTC might want to consider adopting a policy whereby procedural bylaws either include or do not include DVP and DP notification.

13.6 Galiano Island LTC Web Page for Review

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

Ron Taylor suggested that the mapping section of the Islands Trust website include zoning and DP information in addition to the already listed legal description(s) of lots.

13.7 Chair's Report

Chair Hancock stated that the Islands Trust Fund has indicated that eel grass mapping is due to be completed this year. He stated that the Islands Trust Fund monitor was on Galiano in the spring to check in on the Islands Trust Fund eco reserve and reported that such are healthy.

13.8 Trustee Report

Trustee Decario stated that she has been busy with her regularly scheduled office hours and has spent a lot of time considering today's agenda items.

Trustee Pottle stated that she has been busy with her regularly scheduled office hours and has spent a lot of time considering today's agenda items; she has been doing site visits; attended Trust Council; attended a workshop on carbon neutral operations and has been engaged in many conversations with the public.

14. OTHER BUSINESS

14.1 Upcoming Meetings

14.1.1 Next Business Meeting – Monday, September 9, 2013 at 12:30 pm, at the South Island Community Hall, 141 Sturdies Bay Road, Galiano Island

The meeting is scheduled as stated.

14.2 GLCHT Re: CIM

Resolution GL-LTC-91-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to prepare a summary report outlining issues in preparation for a Galiano Land and Community Housing Trust , Community Information Meeting.

CARRIED

15. TOWN HALL MEETING

Chair Hancock invited the public to make comment.

Gary Coward stated support for LTC due diligence and obtaining significant community benefit regarding GL-RZ-2013.1 (Landworks). He stated opposition to GL-DP-2013.2 (Ghai). He stated support for GLCHT.

Tom Hennessy stated support for community benefit from all applications. He stated that the LTC not applicants should decide all community benefits.

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

16. ADJOURNMENT

Resolution GL-LTC-92-13

It was Moved and Seconded that the Galiano Island Local Trust Committee meeting be adjourned at approximately 5:30 p.m.

CARRIED

RECORDER

CHAIR

**MINUTES OF THE GALIANO ISLAND
ADVISORY PLANNING COMMISSION MEETING
HELD ON THURSDAY JULY 11, 2013 AT 10 A.M.
AT THE GALIANO LOCAL TRUST OFFICE
23 MADRONA ROAD, GALIANO ISLAND, B.C.**

PRESENT:	Sheila Anderson	Chairperson
	Karen Harris	Member
	Barry New	Member
	Elizabeth Olsen	Member
	Jeffrey Patterson	Vice Chairperson
	Tahirih Rockafella	Member
	Ursula Deshield	Member

REGRETS: **None**

There were no members of the public in attendance.

1. CALL TO ORDER

Chairperson Anderson called the meeting to order at 10:02 AM. She reported that there was still no Secretary available and that she would act as minute taker.

The agenda was presented as approval of previous minutes and the review and discussion of the referred Bylaws No 242 and No.243 and agreed to by consensus.

2. PREVIOUS MINUTES

2.1 Minutes of April 6, 2013:

Motion:

It was Moved and Seconded that the minutes of April 6 2013 be approved.

CARRIED

3. REVIEW AND CONSIDERATION OF BYLAWS No. 242 & No. 243

The members began by each sharing with the group their initial thoughts on the proposed increase in cottage size. They then continued with further discussion of key points raised.

There were no strong objections to the proposed increase raised. In general the members all felt they could support such an increase in floor area for cottages, however there was also a desire to see the increase limited to lots over a specified size in order to avoid added impacts upon groundwater resources in higher density residential zones. It was noted that other islands in the Trust Area have taken this precaution of linking larger cottage sizes to larger lots.

Positive attributes were recognized as:

1. This increase size of cottage is one means, amongst several available, of aiding in the provision of affordable housing in the community by making it a little easier for a cottage to accommodate couples or small families for year round residency. The bylaw amendment increasing accessory building allowances also supports easier year round occupation of cottages as occupants need covered area to store firewood, cars and recreational equipment just as principal dwelling residents do;
2. The proposed 69.7 square meters seems to fall somewhere in the middle of the range of cottage sizes in other islands and so seems reasonable to consider;
3. The staff report, aside from the planner's recommendation, showed little reason not to support the increase;
4. While an increase in cottage size has not specifically been requested by a large number of islanders, there has been a strongly expressed need for more affordable housing in our community prior to and throughout the OCP process;
5. An observation was made that really this relatively minor increase in cottage size seems inconsequential in light of the absence of any limit to principal dwelling sizes in our bylaws.

The possible constraints and points of broader consideration were identified as:

1. Areas with identified water shortages probably don't need any more density drawing on those resources. All members agreed that a precautionary approach would be to limit this larger cottage size to lots over a specified size. The discussion of what the limiting size should be concluded with six members wanting 1.2 hectares or larger and one member wanting 2.0 hectares or larger leaving the present 60 square meter size still permitted on lots .4 hectares or more but less than a lot size limit set for the 69.7 meter size;
2. It was suggested that given that we live in a metric measurement system now the LTC should consider rounding the size to "70" square meters instead of "69.7";
3. Further discussions covered a discussion of the history of cottage provisions and use on Galiano and how first changes to allow year round occupation, and a previous increase to size have occurred since the original provision of cottages began and over years that have seen a steady increase in the cost of land;
4. It was observed that Galiano's LUB definition of "floor area" as it presently stands appears different than some other islands because of its reference to buildings without walls. Hopefully this will not cause covered porches to be included in cottage floor area calculations or this increase will not help much;
5. Members were not convinced that this proposed increase would necessarily increase the use of cottages as STVRs versus long term rentals. It was noted Staff report information seems to support this. It was suggested that if in future STVR use of cottages proves to undermine the use as housing then it should be addressed through STVR regulation or restriction in future;
6. Members noted the reference in Staff Report on the bottom of page three *"it will be stated in the bylaw that cottages are for residential use and any use for overnight accommodation on less than a monthly basis for monetary gain is prohibited..."*. Since nothing in 242 or 243 states this members assume there was realization that in fact our home occupations regulations allow Bed and

Breakfast operators to use a cottage as one of their allowed bedrooms for which they receive monetary gain.

In conclusion the GIAPC members supported the following motion unanimously.

Motion:

It was Moved and Seconded that the GIAPC support an increase to the allowable cottage size floor area as proposed in Bylaws No. 242 and No. 243, or up to as much as 70 square meters, however they recommend that an increased cottage size only apply on residential lots over a specified size due to concerns about impacts, especially groundwater, on smaller lot sizes.

CARRIED

As noted earlier in these minutes six members recommended the limit be set at 1.2 hectares and larger, and one member preferred it be set at 2 hectares or larger.

It was agreed by consensus that draft minutes be circulated to all members for review prior to submission to GILTC as our referral response.

4. ADJOURNMENT

The meeting was adjourned at 11:10 AM.

CHAIR

DATE



Islands Trust

**Galiano Island
Jul-15-2013**

Follow Up Action Report w/ Target Date

Print Date: Aug-28-2013

No.	Activity	Responsibility	Target Date	Status
6	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.	Kris Nichols	Sep-09-2013	On Going
7	Response letter to be written by the Chair to BC Parks (Dionisio Park access) regarding letter sent to IT CAO.	Ken Hancock Sharon Lloyd-deRosario	Sep-09-2013	Done

8	9.1 GL-DP-2013.2 (Ghai) DP deferred. Staff to get a second opinion with a new biologist's report.	Robert Kojima	Sep-09-2013	On Going
9	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	Sep-09-2013	Done
10	Minutes adopted as amended	Sharon Lloyd-deRosario	Sep-09-2013	Done
11	11.1 Work Program Staff to up date work program reports as discussed in the meeting.	Kris Nichols	Sep-09-2013	Done
12	9.3 GL-SUB-2012.2 (Thomson) 10 % frontage waiver granted. Staff to notify highways.	Kris Nichols	Sep-09-2013	Done
13	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.	Kris Nichols	Sep-09-2013	Done
14	9.4 SSI Bylaw Referral. Resolution passed 'Interests unaffected'. Staff to notify SSI.	Sharon Lloyd-deRosario	Sep-09-2013	Done
15	9.5 GL-DP-2013.3 DP approved. Staff to issue and notify applicant.	Kim Farris Sharon Lloyd-deRosario Kris Nichols	Sep-09-2013	Done
16	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
17	10.2 STVR - Staff to prepare a project charter based on Staff Lead option.	Kris Nichols	Sep-09-2013	On Going
18	Bylaw 240 - approved. To be consolidated with LUB and put on website, update bylaws, etc.	Sharon Lloyd-deRosario	Sep-09-2013	On Going
19	12.2 LTC Pilot Project -notify staff of LPC that Galiano is not interested in participating.	Kris Nichols	Aug-08-2013	Done

August 8, 2013,

Ms. Louise Decario, Islands Trustee for Galiano Island, BC.,

Dear Louise,

My name is Andy Lamb and I am writing this letter to express my concern with regard to the construction of a private dock facility at the north end of Galiano Island. Currently under construction, with pilings in place, it is being created just northwest of the “Spanish Hills” community dock and adjacent to a small waterfront park.

As an avid SCUBA diver, I have explored this area extensively over the last 30 plus years and have found it to be an area particularly rich with marine life. Via many dive logs, I have documented species and abundances for this site and these are part of major data base now recorded electronically.

This site has the one of richest species diversities of any Gulf Island site that I have visited – if not the richest. Opportunity to explore this diversity is available not only to divers, but snorkelers and through park access, beachcombers as well.

It is my understanding that a proposal for this dock facility received no public consultation before permitting was granted. If so, this seems most unfortunate as a very special marine resource will be impacted.

Best Regards,

Andy Lamb

Thetis Island, BC.



STAFF REPORT

August 28, 2013

File No.: GL-DVP-2013.3
(Williams)

To: Galiano Island Local Trust Committee

From: Kim Farris, Planner 1

CC: Robert Kojima, Regional Planning Manager
Kris Nichols, Island Planner

Re: Development Variance Permit

Owner: David and Nora Williams

Applicant: Same

Location: Lot 1, of Lot 6, Galiano Island, Cowichan District, Plan 11928
260 Cayzer Road

THE PROPOSAL:

This application seeks to vary the Galiano Island Land Use Bylaw 127, 1999 to legalize the existing building (dwelling) and structures (retaining wall, shed, stairs and deck) on the subject property by varying:

- a) Section 2.14 is varied to reduce the setback to the natural boundary of the sea from 7.5 metres to:
 - i. 0.96 metres for an existing retaining wall,
 - ii. 0.0 metres for an existing deck, and
 - iii. 0.39 metres for existing stairs.
- b) Article 5.3.8.2 is varied to reduce the setback from the interior side lot line from 6.0 metres to:
 - i. 5.69 metres for an existing single family dwelling unit,
 - ii. 0.82 metres for an existing shed,
 - iii. 0.65 metres for an existing retaining wall, and
 - iv. 4.13 metres for an existing deck.

In 2002, the property owner outlined a proposal for a retaining wall to a Galiano trustee to discuss the viability of the project. Unfortunately, the property owner was unaware that the proposal did not meet the regulations in the Galiano Island Land Use Bylaw and that variances and a development permit were required. The property owner started the retaining wall construction in July 2002 which included backfilling the property along the retaining wall to level out the rear yard. Later that year, after construction had started, the Islands Trust Bylaw enforcement received a complaint that a retaining wall was being built within the setback from the natural boundary of the sea. Bylaw enforcement notified the property owner that a

Development Variance Permit (DVP) was required for retaining wall; furthermore, if the variance was not granted that the retaining wall must be removed.

In August 2002 the property owner applied for a DVP but the application was deemed incomplete as the applicant did not pay the application fee nor provided a site survey. Bylaw enforcement revisited the property in 2005 at which time they noticed that a deck and accompanying stairs accessing the foreshore were built and were attached to the retaining wall (Picture 3).

Bylaw enforcement recently revisited their file in order to gain compliance for the retaining wall. The applicants reapplied for a DVP and are now requesting setbacks for the retaining wall, stairs, and deck. After reviewing the site survey, staff noted that a portion of the existing house and garden shed were located within the side yard setback (Picture 5). In order to bring the property into compliance, the DVP application includes requested setback variances for the house and a shed.

SITE CONTEXT:

The north-facing waterfront property is located at the southeastern end of Galiano Island facing Whaler Bay. The subject property is 0.18 ha (0.45 acre) in area and subject property is and is zoned Small Lot Residential (SLR). Small Lot Residential zoned parcels surround the subject property and the foreshore borders north property lot line.

There are multiple buildings and structures located on the subject property – a dwelling unit, two sheds, a wood shed, a pumphouse, and a retaining wall with deck and accompanying stairs to access the foreshore. One of the accessory buildings, a wood shed, is not located on the site survey (see Figure 2 and Picture 6).

Figure 1 indicates the location of the subject property and Figure 3 and 4 show the locations of the existing buildings and structures.

Figure 1: Subject Property Map

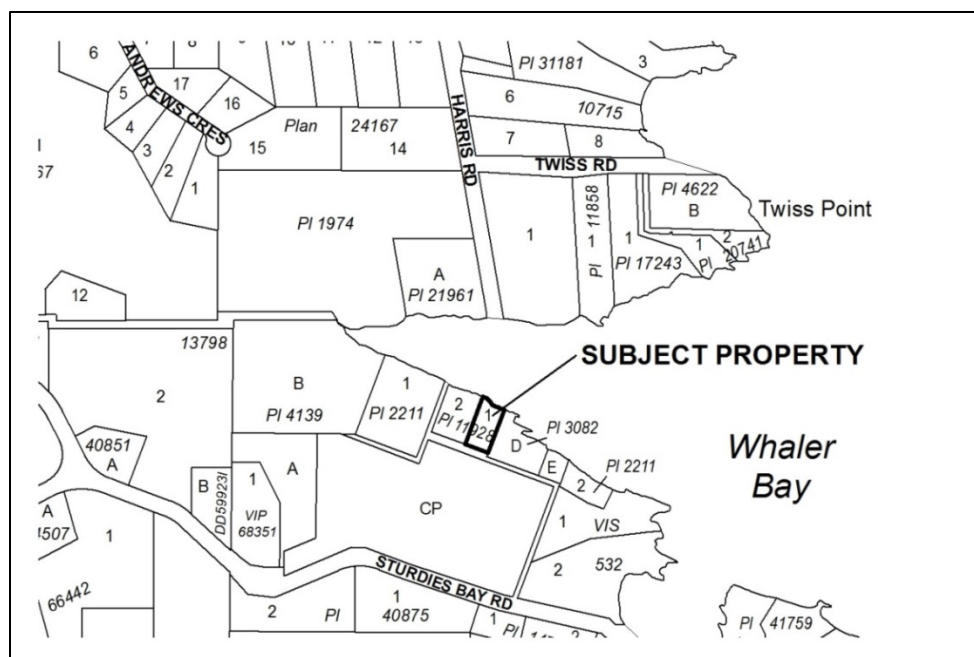


Figure 2: Orthophoto and 2 metre contour lines



Picture 1: View of retaining wall from foreshore



Picture 2: Retaining wall and stairs included in requested variance



Picture 3: Deck and stairs on retaining wall



Picture 4: Rear yard looking west (retaining wall along the right)



Picture 5: Portion of dwelling unit and garden shed included in variance



Picture 6: Woodshed not include on site survey



Picture 7: Shoreline of neighbouring property to the north



Figure 3: Survey Site Plan – Subject Property

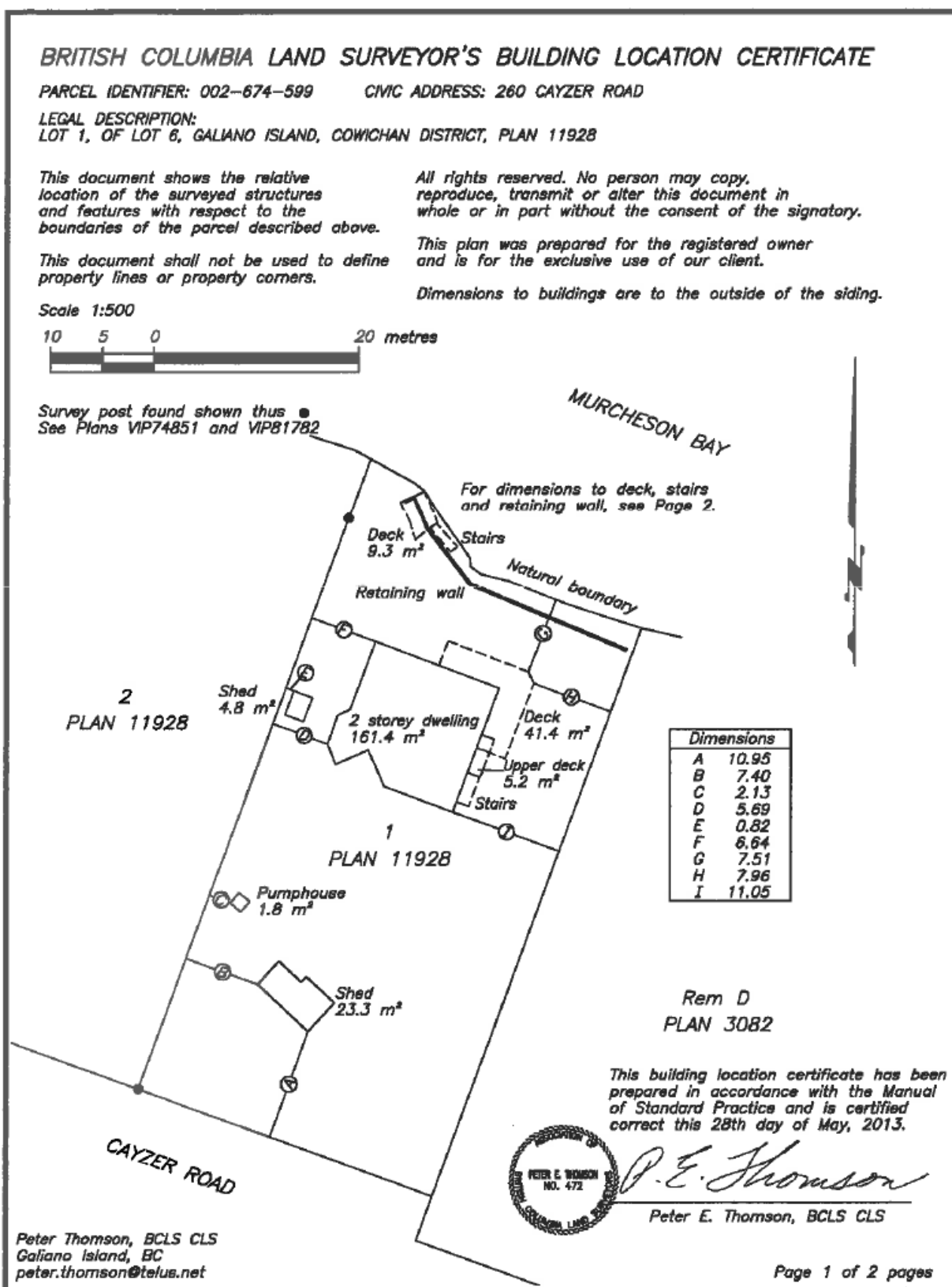
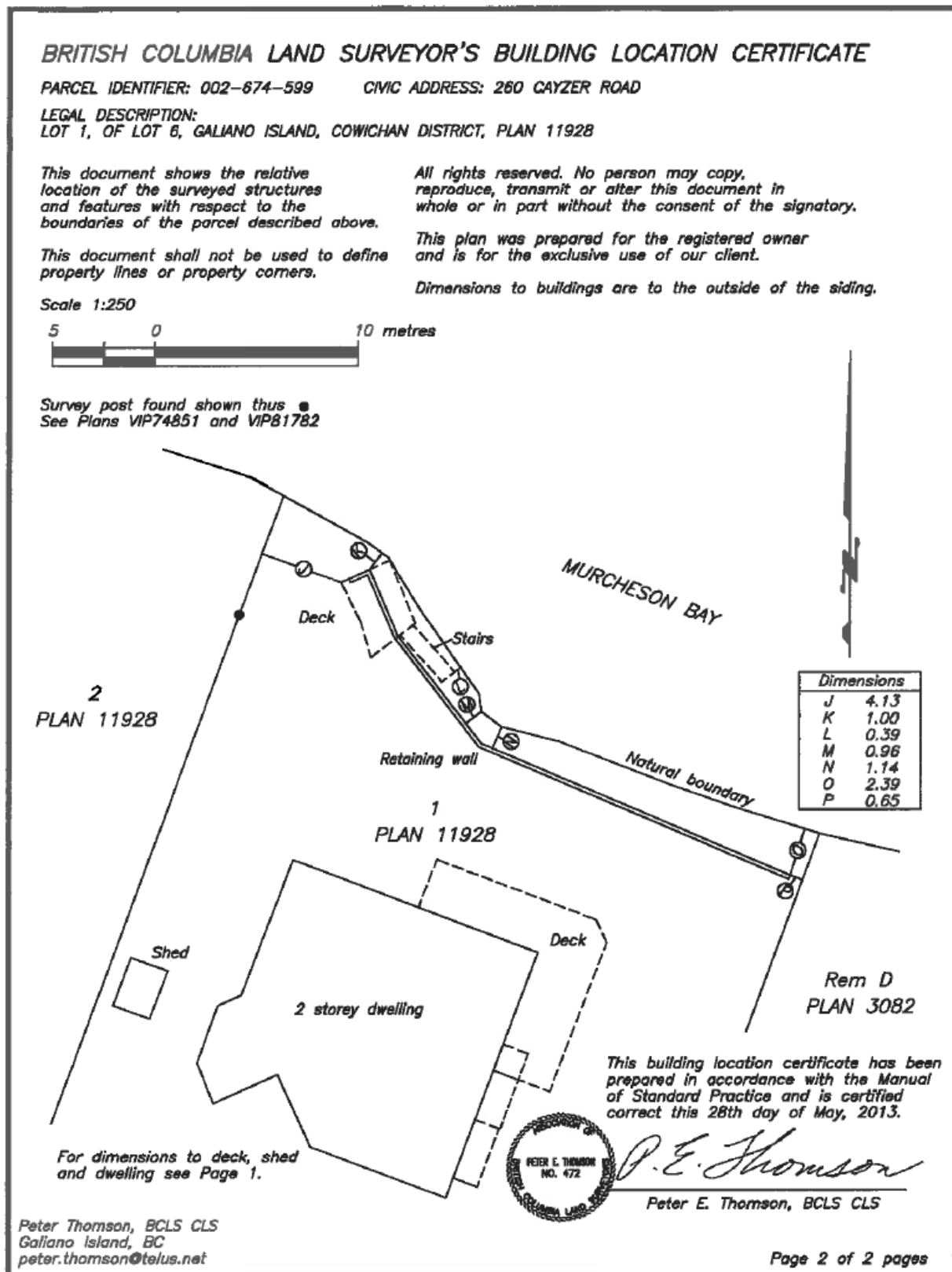


Figure 4: Survey Site Plan – Retaining Wall, Stairs, & Deck



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

Directive policies relevant to this application include:

Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws,

- 3.4.4 ...address the protection of sensitive coastal areas.
- 3.4.5 ...address the planning for and regulation of development in coastal regions to protect natural coastal processes.
- 4.5.10 ...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.
- 5.1.3...address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.

Official Community Plan:

The subject property is designated Small Lot Residential in the Official Community Plan (OCP); relevant Residential policies include:

- B) - Single dwelling units shall be the principal permitted use.
- I) - Appropriate setbacks of buildings and structures from water bodies shall be included in zoning.

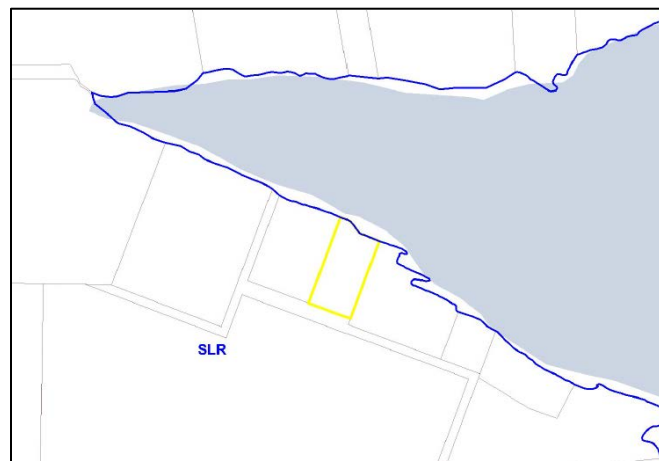
The property is located within the Shoreline & Marine Development Permit Area (DPA) and the Steep Slopes DPA. The Shoreline & Marine DPA was established in the OCP in 2000 prior to the construction of the retaining wall, stairs, and deck therefore a Development Permit was required for these structures at that time.

Land Use Bylaw:

The subject property is zoned Small Lot Residential (SLR) in the Galiano Island Land Use Bylaw 127, 1999. The specific bylaw regulations relevant to this application include:

- Section 2.14 - Buildings and structures must be sited at least 7.5 metres from the natural boundary of the sea, and at least 15 metres from any lake, a swamp and any other natural watercourse.
- Article 5.3.8.2 – Buildings and structures must be sited at least 6.0 metres from each interior side lot line.

Figure 5: Zoning Map



Islands Trust Fund:

This application has no considerations for the Island Trust Fund.

Sensitive Ecosystems and Hazard Areas:

The steep slope hazard mapping indicates low and medium hazards on a small portion of the subject property. The steep slope is located along the retaining wall and extends towards the foreshore (see Figure 6). There are no sensitive ecosystems identified on or near the property.

Figure 6: Steep Slopes



Archaeological Sites:

There is a record of an archaeological site along the foreshore to the east of the retaining wall. Had the residents contacted the Archaeology Branch prior to the construction, they would have been advised that if any suspected archaeological materials were encountered during the construction, they would need to stop construction and contact the Archaeology Branch for direction. If the variance for the retaining wall, stairs, and/or deck is not granted and they must be dismantled, and if any materials suspected to be archaeological in nature are encountered during the dismantling, the work must be halted and the Archaeology Branch contacted for direction.

Covenants:

There are no covenants registered on the property.

Bylaw Enforcement:

Bylaw enforcement received a bylaw complaint concerning the construction of the retaining wall within the setback to the sea in 2002. The bylaw enforcement file is still open and will not be closed until the conforming structures are either removed or variances are granted.

There is an existing woodshed that is within the setbacks and is not included in this application. The applicant has stated that they will move the structure. Bylaw Enforcement will be notified to follow up to ensure the structure is moved.

Climate Change Mitigation and Adaption

Increased storm activity along British Columbia's coast associated with climate change has facilitated an increase in wave action and contributes to shoreline erosion. Shore protection measures are modifications to the shoreline, or adjacent seaward or landward areas, for the purpose of protection against erosion. Structural protection measures are often referred to as 'hard' and 'soft'. Although the retaining wall (hard structure) may help to stabilize the eroding bank, the Galiano Island OCP states that shore protection measures should apply the 'softest' possible shore protection measure that will still provide satisfactory protection. In general, the harder the construction measure, the greater the impact on shoreline processes, including sediment transport, geomorphology, and biological functions.

Shoreline

The TAPIS shoreline data classifies the subject property's shoreline as a Sand/Cobble Shoreline. Pictures 1 and 2 in the staff report show the shoreline as a low rock and boulder shoreline.

CRD Building Inspection:

The CRD Building Inspection completed a site inspection in 2002 after the retaining wall was constructed. The building inspector determined a Building Permit was not required. The referral was recently sent to the CRD to collect comments on the current DVP application. To date, a response from the CRD has not been received. Any relevant comments from the CRD will be forwarded to the LTC and presented at the Galiano Island Local Trust Committee meeting on September 9, 2013.

RESULTS OF CIRCULATION:

Notices were circulated to surrounding property owners and residents. The notification period will end at 4:30 p.m on September 8, 2013. At the writing of this report, no public submissions have been received. Any additional public submissions will be forwarded to the LTC and presented at the Galiano Island Local Trust Committee meeting on September 9, 2013.

ISSUES SUMMARY:

Applicant's stated rationale for the proposed variance. In 2002, the applicant proposed to construct a retaining wall in order to protect the property from erosion to prevent silting in Whaler Bay to protect an oyster bed. The applicant had a conversation with a local trustee at that time, in which the applicant thought he had enough information to move forward with the retaining wall. During this time, the applicant noticed a large section of his property along the foreshore was sliding down into the shoreline area. As his son was planning to be in town, the applicant went forward with building the retaining wall in late July 2002. Soon after the applicant was notified by the CRD and Islands Trust that the retaining wall was in non-compliance but the applicant continued with the construction as they felt it would create more problems to stop then to continue on. In order to bring the retaining wall into compliance, the applicant has now submitted a complete DVP application.

The overall intent of the regulation being varied. The overall purpose of setback requirements is to ensure a safe separation between uses, reduce impacts on neighbouring uses and to the sea, maintain a consistent pattern of development and the maintenance of green space.

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

STAFF COMMENTS:

This variance application is to legalize the siting of existing buildings and structures located on the subject property. The applicant originally requested a variance for the retaining wall, deck, and accompanying stairs. After reviewing the site survey, staff noted that a portion of the existing house and shed were located within the side yard setback and suggested to the applicant to include them in the DVP application as well.

Dwelling Unit & Garden Shed:

The existing non-conforming portion of the dwelling unit and garden shed does not appear to negatively impact the adjacent property owners. If the variance for the house was denied, the removal of the non-conforming portion of the dwelling unit would bestow a considerable cost to the applicant. Staff is of the opinion that the requested variances to reduce the interior side yard setback from 6.0 metres to 5.69 metres for the existing single family dwelling unit and from 6.0 metres to 0.82 metres for an existing shed should be permitted to bring the existing structures into compliance with the Galiano Island Land Use Bylaw.

Woodshed:

The wood shed was noted missing from the site survey after a site visit was completed by Island Trust staff. As the wood shed is a small accessory structure and is minor in nature, it was not asked to be resurveyed onto the site plan. It is the property owners' responsibility to either apply for a variance for the wood shed to legalize its siting or relocate or remove the accessory structure so it conforms to the SLR zone setbacks. The property owner has indicated that he will relocate the woodshed to meet the required setbacks.

Retaining Wall:

The retaining wall is a large concrete structure located approximately 1.0 metre from the natural boundary of the sea. If the retaining wall was proposed today, the property owner would be required to obtain a Development Permit to address the Shoreline & Marine and Steep Slope DPA guidelines and associated variances. The Shoreline & Marine DPA requires a report from a Qualified Environmental Professional to address all the DPA guidelines and to ensure the development has no negative impacts to the shoreline area. Furthermore, the Shoreline & Marine DPA requires applications to apply the 'softest' possible shore protection measure that will still provide satisfactory protection. A variation of the current Shoreline DPA was in place at the time the retaining wall was constructed and should have been applied for at that time due to the sensitive nature of the shoreline.

If the variance for the retaining wall is denied, the applicant will be required to apply for a Shoreline & Marine DPA for the dismantling of the structure. Removal of the structure may have

a more detrimental effect on the shoreline area and would be a significant cost to the property owner.

When the retaining wall was built, it would have required a DVP and a DP for approval. Even though the property owners were aware of the requirement for a variance by Islands Trust staff, they continued with the construction. They were also notified by Islands Trust Bylaw Enforcement staff in 2002 that if the variance was denied, the retaining wall would have to be removed. Given the above, staff is of the opinion that the retaining wall should be permitted if the property owner provides a report, prepared by Environmental Professional with shoreline and marine assessment experience, stating the retaining wall, had and will not have any associated negative impacts to the shoreline and marine sensitive ecosystem.

Deck & Accompanying Stairs:

The deck and accompanying stairs were not built during the initial bylaw complaint in 2002. After a site visit in 2005 by Islands Trust staff, it was documented that a deck and stairs were built attached to the retaining wall. The property owners use the stairs to gain access to the foreshore. As the structures were built after the original bylaw complaint, and at that time the property owners were aware of the required setback to the sea for structures, staff does not support the variance for the deck and accompanying stairs.

Options:

Staff recommends issuing the permit for the dwelling unit and shed but deny the variance for the retaining wall, deck, and accompanying stairs.

If the Local Trust Committee (LTC) is open to approving the variance for the retaining wall, staff then recommends gathering more information from the applicant in the form of a report from an Environmental Professional with shoreline and marine assessment experience. If the report states that the retaining wall had and will not have any associated negative impacts to the shoreline and marine sensitive ecosystem, the LTC may consider approving the variance for the retaining wall. It should be noted that if the applicant provides the said report, it does not guarantee approval of the variance but rather provides scientific data for the rationale of the retaining wall and any associated impacts.

The Galiano Island LTC has the following options with regard to this variance permit:

1. Issue the permit as presented (Attachment 1); or
2. Table the application subject to the applicant providing a report, prepared by an Environmental Professional with shoreline and marine assessment experience, stating the retaining wall had and will not have any associated negative impacts to the shoreline and marine sensitive ecosystem. The application will be considered at a subsequent LTC meeting no later than December 9, 2013. Staff will still be recommending that the variance for the deck, and accompanying stairs not be included; or
3. Issue the permit for the dwelling unit, shed, and retaining wall but deny the variance for the deck, and accompanying stairs; or
4. Issue the permit for the dwelling unit and shed but deny the variance for the retaining wall, deck, and accompanying stairs; or
5. Deny the permit and all presented variances.

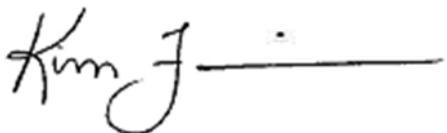
RECOMMENDATIONS:

1. THAT GL-DVP-2013.3 (Williams) be amended by deleting variances for the retaining wall (Part 2c), the variances for the deck (Part 2d), and variance for the stairs (Part 2e); and,
2. THAT the amended GL-DVP-2013.3 (Williams) be APPROVED.

Alternate Resolution:

1. THAT GL-DVP-2013.3 (Williams) be amended by deleting variances for the deck (Part 2d), and variance for the stairs (Part e); and,
2. THAT amended GL-DVP-2013.3 (Williams) be tabled until the Local Trust Committee meeting on December 9, 2013 pending additional information by the applicant.

Prepared and Submitted by:

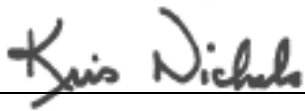


Kim Farris, Planner 1

August 28, 2013

Date

Concurred in by:



August 28, 2013

Date



PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT VARIANCE PERMIT

GL-DVP-2013.3

TO: David and Nora Williams

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

Lot 1, of Lot 6, Galiano Island, Cowichan District, Plan 11928
2. "Galiano Island Land Use Bylaw 127, 1999" is varied as follows:
 - a) *For the existing single family dwelling unit (Shown on Schedule A):*
 - i) Article 5.3.8.2 is varied to reduce the setback from an interior side lot line from 6.0 metres to 5.69 metres.
 - b) *For the existing accessory building – shed (Shown on Schedule A):*
 - i) Article 5.3.8.2 is varied to reduce the setback from an interior side lot line from 6.0 metres to 0.82 metres.
 - c) *For the existing retaining wall (Shown on Schedule B):*
 - i) Section 2.14 is varied to reduce the setback from the natural boundary of the sea from 7.5 metres to 0.96 metres.
 - ii) Article 5.3.8.2 is varied to reduce the setback from an interior side lot line from 6.0 metres to 0.65 metres.
 - d) *For the existing deck (Shown on Schedule B):*
 - i) Section 2.14 is varied to reduce the setback from the natural boundary of the sea from 7.5 metres to 0.0 metres.
 - ii) Article 5.3.8.2 is varied to reduce the setback from an interior side lot line from 6.0 metres to 4.13 metres.
 - e) *For the existing stairs (Shown on Schedule B):*
 - i) Section 2.14 is varied to reduce the setback from the natural boundary of the sea from 7.5 metres to 0.39 metres.
3. All work must be consistent with that shown on Schedule 'A' and Schedule 'B' attached to and forming part of this permit.
4. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Galiano Island Land Use Bylaw 127, 1999" and to obtain other approvals necessary for completion of the proposed development, including approval of Capital Regional District, Vancouver Island Health Authority and the Ministry of Transportation and Infrastructure.

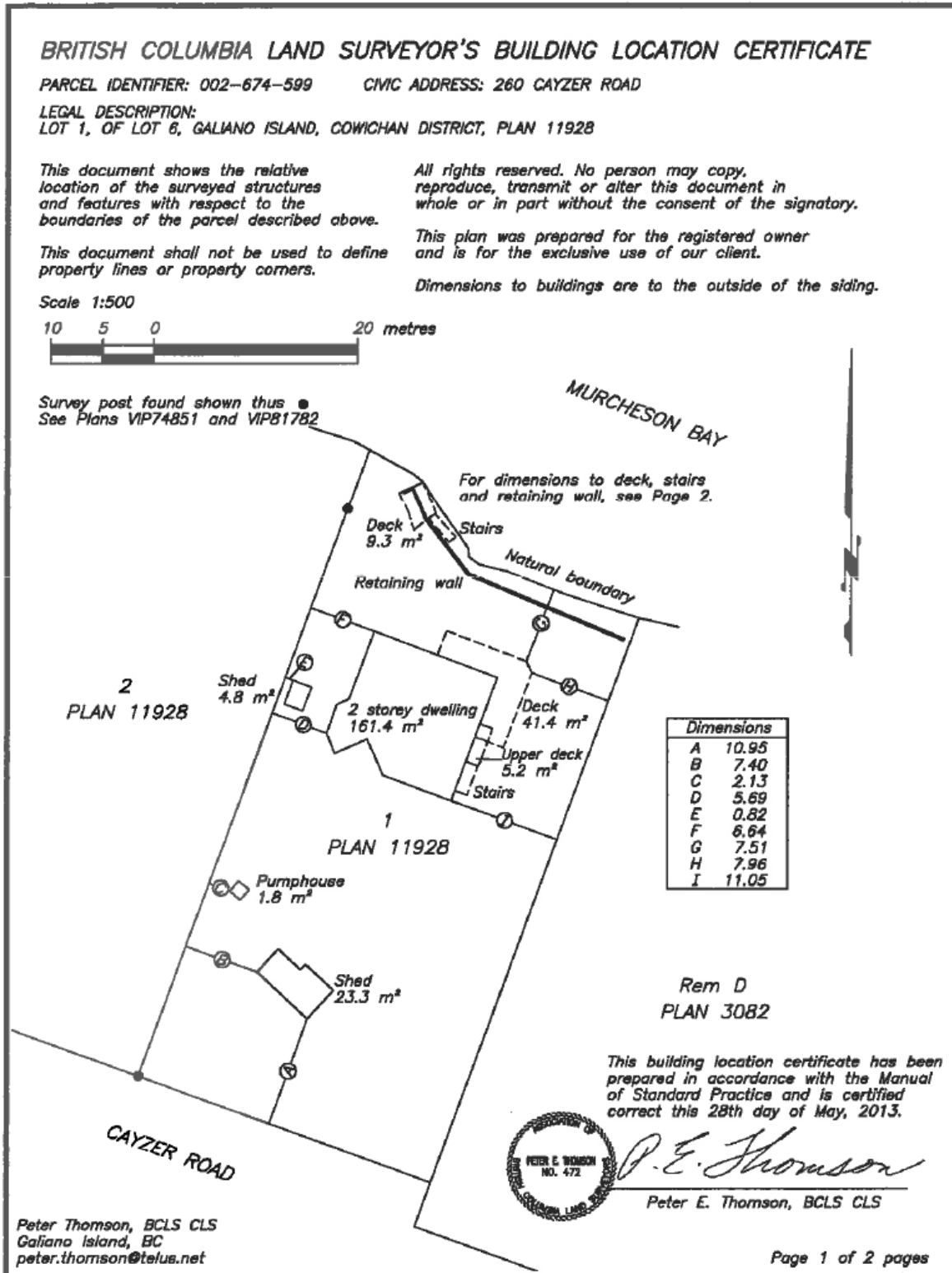
**AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE
THIS ____ DAY OF ____, 201_ .**

Deputy Secretary, Islands Trust

Date of Issuance

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF ____,
201_, THIS PERMIT AUTOMATICALLY LAPSES.**

GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-DVP-2013.3
SCHEDULE 'A'



GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-DVP-2013.3
SCHEDULE 'B'

BRITISH COLUMBIA LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE

PARCEL IDENTIFIER: 002-674-599

CIVIC ADDRESS: 260 CAYZER ROAD

LEGAL DESCRIPTION:

LOT 1, OF LOT 6, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 11928

This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above.

This document shall not be used to define property lines or property corners.

Scale 1:250

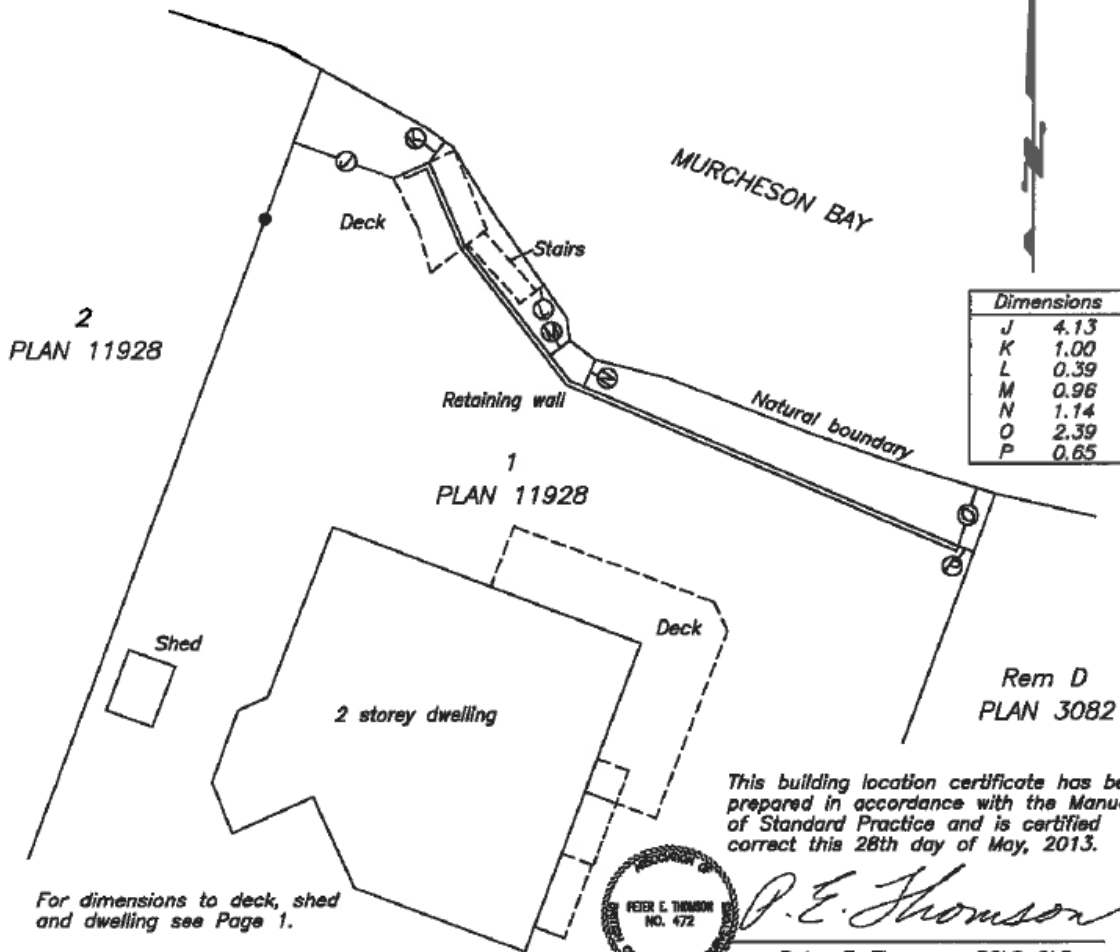


Survey post found shown thus ●
See Plans VIP74851 and VIP81782

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

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

Dimensions to buildings are to the outside of the siding.



This building location certificate has been prepared in accordance with the Manual of Standard Practice and is certified correct this 28th day of May, 2013.



Peter E. Thomson, BCLS CLS

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

Page 2 of 2 pages



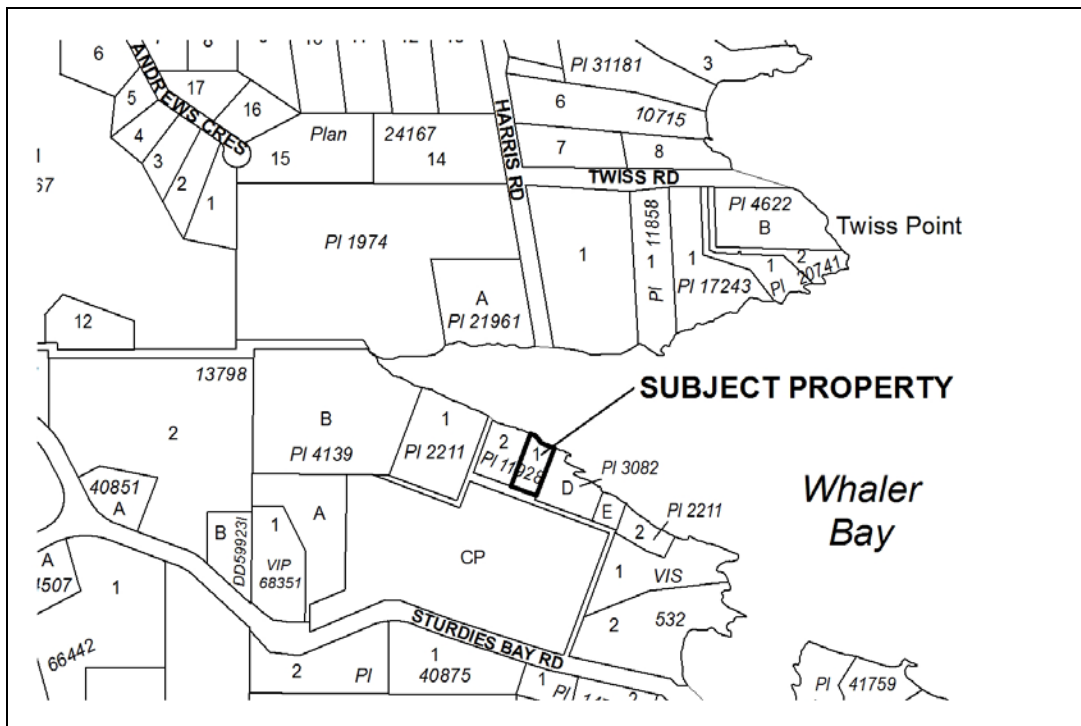
**NOTICE
GL-DVP-2013.3**

NOTICE is hereby given that the Galiano Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 922 of the *Local Government Act*. The proposed permit would vary the Galiano Island Land Use Bylaw 127, 1999 to legalize the existing building and structures on the subject property by varying:

- a) Section 2.14 is varied to reduce the setback to the natural boundary of the sea from 7.5 metres to:
 - i. 0.96 metres for an existing retaining wall,
 - ii. 0.0 metres for an existing deck, and
 - iii. 0.39 metres for existing stairs.
- b) Article 5.3.8.2 is varied to reduce the setback from the interior side lot line from 6.0 metres to:
 - i. 5.69 metres for an existing single family dwelling unit,
 - ii. 0.82 metres for an existing shed,
 - iii. 0.65 metres for an existing retaining wall, and
 - iv. 4.13 metres for an existing deck.

The property is located at 260 Cayzer Road. The property is legally described as Lot 1, of Lot 6, Galiano Island, Cowichan District, Plan 11928.

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



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **August 27, 2013** and continuing up to and including **September 8, 2013**.

For the convenience of the public only, and not to satisfy Section 922(5) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Galiano Island, B.C., commencing **August 27, 2013**. Also, attached for your convenience is a copy of the proposed permit.

If you have any questions or comments please contact the Planner 1, Kim Farris at (250) 405-5194; for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867 before 4:30 p.m., **September 8, 2013**.

Written comments may be mailed to Islands Trust, 200 – 1627 Fort Street, Victoria BC V8R 1H8; faxed to (250) 405-5155; or emailed to information@islandstrust.bc.ca before 4:30 p.m., **September 8, 2013**.

The Galiano Island Local Trust Committee may give consideration to the proposed permit during their regular business meeting starting at 12:30 p.m., **September 9, 2013** at the South Community Hall, 141 Sturdies Bay Road, Galiano Island, BC.

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

Sharon Lloyd-deRosario
Deputy Secretary



STAFF REPORT

File No.: GL-RZ-2013.1

To: Galiano Local Trust Committee
For the September 9, 2013 Meeting

From: Kris Nichols
Island Planner

CC: Robert Kojima
Regional Planning Manager

Re: **Revised Proposal for Consideration - Official Community Plan and Land Use Bylaw Amendments – District Lot 79**

Owner: S-381 Holdings Ltd., Inc. No. 457721, Premier Sunrise Developments Ltd., Inc. No. 293442, Michelle Mary Ramaekers, Dionisio Ventures Ltd., Inc. No. 634236, Bowie and Anna Keefer

Applicant: Landworks Consultants Inc., Kelly Gesner

Location: District Lots 79 (Bodega Beach Drive) and 10 (Hohlberg Road), Galiano Island

BACKGROUND

A preliminary report was received by the LTC at the July meeting. The intent of the report was to seek direction on the application prior to proceeding with the development of any bylaws.

At the meeting, the LTC passed the following resolutions:

Resolution GL-LTC-81-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to explore community benefits (e.g. community housing, parkland, road dedication etc.) with the applicant and report back at a future meeting.

Resolution GL-LTC-82-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to report back with details on how District Lot 10 and District Lot 79 can be connected.

Following the meeting, staff met with the applicant to discuss the application and moving forward. It was pointed out that using two District Lots that are not directly adjacent was causing some concern. It was recommended that the applicant consider using only District Lot 79 in the application. There was also discussion about the community benefit that could be achieved as a result of the application.

A letter was received from the applicant (See Attachment 1) on August 16, 2013 outlining a revised proposal with a draft layout. Included in the letter is a few assumptions that they would like to confirm with the LTC prior to proceeding with an amendment to the application.

STAFF COMMENTS:

Staff have reviewed the letter and believe that in general the assumptions made are correct. Removing D.L. 10 simplifies the application. This would be consistent with the F3 OCP policy (i.e minimum 20 hectares and permitting one accessory dwelling) and would meet the generally accepted 25-75 rural residential / nature protection split that has been used in the area for other rezonings. In this latest draft proposal what is being proposed is:

- 23 ha zoned Forest 3 (F3), amounting to 41.5% of the total land area
- 25 ha zoned Nature Protection (NP) amounting to 41.5% of the total land area
- 8 ha to be zoned Rural Residential (RR) creating 4 lots amounting to 14.4% of the total land area
- The split between the NP and RR zoned areas would be 76% (25 hectares) / 24% (8 hectares)
- In addition road dedication would be 2 hectares +/-, and would be within both the NP and the F3 zone

According to BC Assessment the total parcel size is 55.85 ha (138 acres).

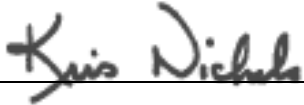
In discussing the community benefit aspect as requested in the LTC's resolution, the applicant believes that the transfer of parkland including waterfront access should be seen as a benefit to the community and that to require a lot for community housing would only lessen the amount of land for the park transfer. The applicant also believes that achieving a portion of the road to Dionisio Park should be seen as a benefit to the community. It should also be pointed out that the F3 zoning was created as a benefit to the community as it requires a covenant to ensure sustainable forest practices are maintained on the land.

Staff believe that this is an improvement over the initial application proposal, is consistent with Forest policy (b) and with recent F1 rezonings and that the application should go forward to bylaw development. However, the LTC should consider whether it wants to continue to explore community benefits with the applicant. This can occur as the application proceeds toward final reading, however, if an additional lot is required for sale as a community benefit it would be advisable to decide on that early in the process in consultation with the applicant.

RECOMMENDATIONS:

THAT the Galiano Local Trust Committee directs staff to prepare draft bylaws for GL-RZ-2013.1 (Landworks).

Prepared and Submitted by:



August 23, 2013

Date

Concurred in by:



Regional Planning Manager

August 23, 2013

Date



16 August 2013

Islands Trust
200 – 1627 Fort Street
Victoria, B.C.
V8R 1H8

Attention: Kris Nichols, RPP, MCIP
Island Planner

Dear Sir:

Re: District Lot 79, Galiano Island

Further to our meeting with the Galiano Local Trust Committee (LTC) on 15 July and discussions with you and the local trustees, we believe that the LTC wishes to see an amended application, based on the following assumptions:

1. The LTC would like to see DL 10 and the issue of density transfer removed from the application.
2. The LTC wishes to consider the lot as a whole, as opposed to considering what is proposed for the north half and what is proposed for the south half.
3. The application needs to be clear concerning the benefits accruing to the greater community (section 9 of the application form).
4. Confirmation of the request for a single residence on the proposed Forestry lot is needed (section 7 of the application form).

A summary of the approximate areas in the proposed lot layout, as shown on the attached sketch, is as follows:

Area to be zoned Nature Protection (NP)	23 ha.	41.5%
Area to be zoned Forest 3 (F3)	23 ha.	41.5%
Area to be zoned Rural Residential (RR, 4 lots)	8 ha.	14.4%
Road dedication	2.3 ha.	4.1%
Total area of DL 79	55.4 ha.	

Please bear in mind that the attached layout is a sketch and that all areas are approximate. We shall be happy to provide the LTC with a computer-generated preliminary subdivision layout when we are confident that we are on the right track.

We would also point out that we have not yet discussed the attached revised layout with the Ministry of Transportation & Highways. It is quite possible that the Ministry may waive the need for a virtually-unusable driveway, creating a panhandle lot, when the lot will be serviced by a more practicable access easement.

If our understanding, as outlined in the assumptions above, is correct, we shall proceed with an amendment to our application immediately. Therefore, we would appreciate your seeking confirmation from the trustees that the assumptions are valid. We would also be pleased to receive any further guidance the trustees may offer.

Yours truly,

A handwritten signature in black ink, appearing to read 'K. Gesner'.

Kelly Gesner, RPP, MCIP

Attachment: Proposed lot layout sketch

DL 85

DISTRICT LOT 79 Proposed Lot Layout

DL 84
(NP)

NP

NP

RR

RR

RR

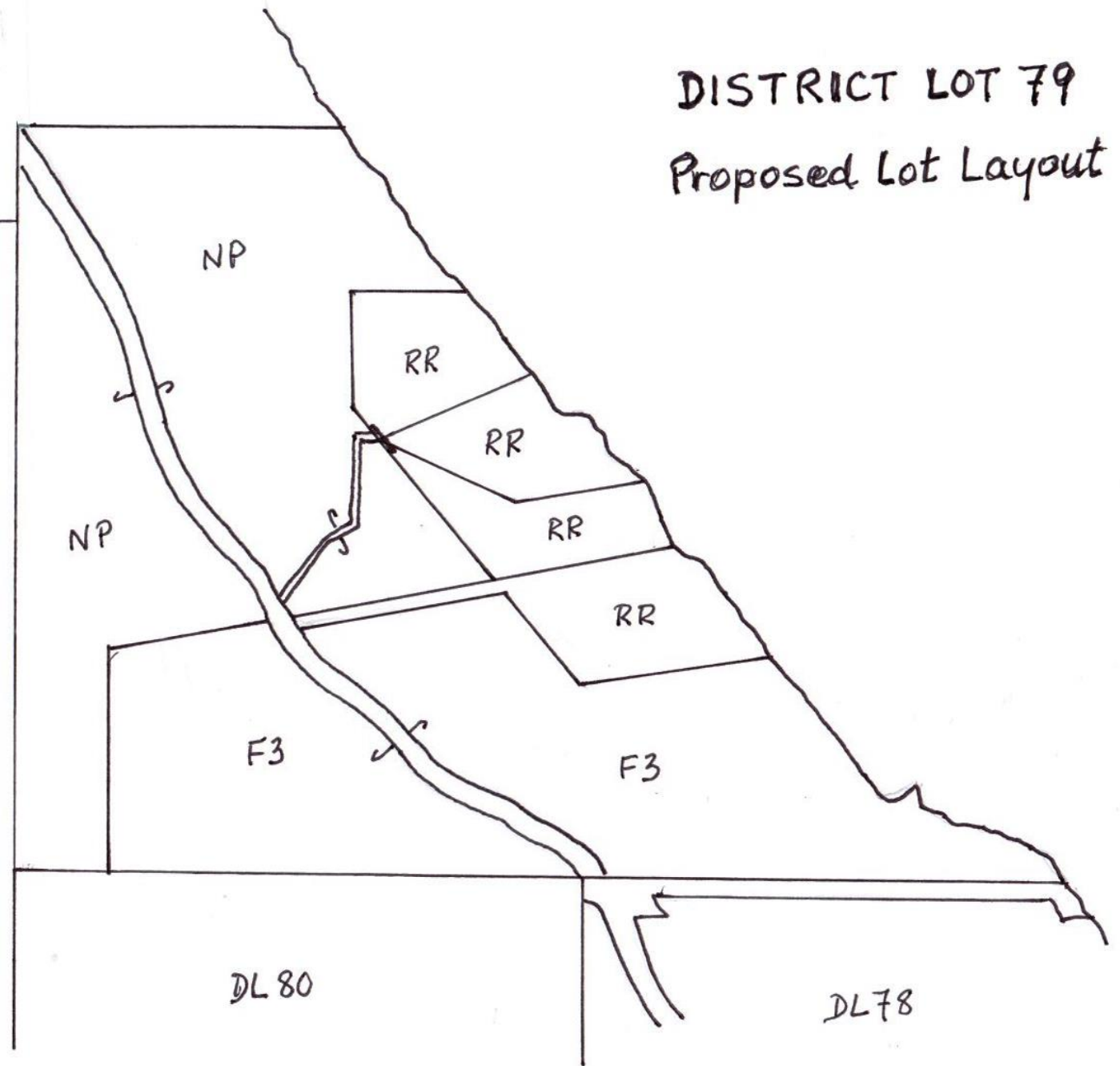
RR

F3

F3

DL 80

DL 78





STAFF REPORT

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

To: Galiano Island Local Trust Committee
For meeting of September 9, 2013

From: Kris Nichols
Island Planner

CC: Robert Kojima
Regional Planning Manager

Re: Galiano Land and Community Housing Trust Summary Report

Summary Report

The intent of this report is to provide a summary of the materials received from the Galiano Land and Community Housing Trust (GLCHT) and compare it with what was requested previously by the Local Trust Committee (LTC). Staff will evaluate as to whether the information is sufficient and in a clear and concise format so that a Community Information Meeting (CIM) may be planned. The review is based on the submission materials received on July 10, 2013. The materials included a cover document and 14 attachments. The LTC has a copy of the submission. Due to the size of it, it will not be attached to this report. The public can request a copy from staff if desired. See Attachment 1- Cover Report from GLCHT.

The LTC and Staff have been requesting information from the applicant since June 2012 in order to address some outstanding issues and gain an improved understanding of the project. This information was required prior to the application being considered for a CIM.

Background

At the July 15, 2013 Local Trust Committee (LTC) meeting, a presentation was made by GLCHT requesting that a Community Information Meeting (CIM) be held. A few days prior to the meeting a summary of information was submitted to the LTC to show that GLCHT is prepared for a CIM.

As a result, the LTC passed the following resolution:

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to prepare a summary report outlining issues in preparation for a Galiano Land and Community Housing Trust (GLCHT) Community Information Meeting.

In brief, the GLCHT application is to rezone a 10 acre (4 ha) parcel of land to permit the construction of 20 affordable dwelling units ranging in size from 500 – 100 sq. ft. (46.5-92.9 sq. m.). The applicant is proposing self-build, affordable (as per definition in the OCP) and green construction development. The respective bylaws (Bylaws 233 and 234) were given First Reading on July 9th, 2012. At that time, a list of items was requested to ensure that the LTC was satisfied with the proposal prior to proceeding.

Since that time there have been several meetings held with the applicant and additional submission materials requested by the LTC to aid in their and the community's understanding of the proposal.

One of the key components in the consideration of this project is that the project must be affordable. The project must prove it can meet these criteria in order to receive the proposed density as part of the rezoning. Should this not be clear to the LTC, the project cannot continue as proposed. In the OCP, affordable housing is defined as:

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

Issue Summary

The following are a list of issues requested by the LTC to be addressed prior to a Community Information Meeting being held. Following each is a brief summation on how these have been addressed to date and any questions/comments staff may have regarding the information submitted:

1. Confirmation of the ALC covenant being registered on title

The applicant has stated that they do not want to register the ALC required covenant until the application is closer to final reading. The covenant is a condition of the Agricultural Land Commission (ALC) granting the removal of a portion of the lot from the Agricultural Land Reserve (ALR). The ALC has confirmed that the land will not be removed from the ALR until this covenant is registered. The applicant is concerned that should the rezoning not be approved and they have to sell the property, the existence of the covenant(s) (i.e. no vegetation removal and no build) may impact the marketability of the property. The covenant must be registered prior to final reading.

2. Comprehensive site plan/survey (also showing clustering of housing in support of OCP requirement)

The applicant has provided a site plan that shows proposed house sites, roads and drainage, paths, fire/ambulance turn arounds, building sites and parking. This has not significantly changed since the last submission received for the February 18, 2013 meeting. There are a few minor changes such as there are trails that are not shown now and parking spaces have been added. The proposal does not meet bylaw parking requirements (i.e. number of spaces, size of stalls). It is uncertain if the road widths are adequate (e.g. 3.6 m) or have an adequate grade (e.g. 15%) for emergency vehicles or if the turn arounds are standard. It is also advisable that the building sites, road ends and parking spaces be farther from the covenant boundary and the RAR setback to lessen

the possibility of encroachment. There are standards established in the Galiano bylaws and CRD building bylaw and the BC Building Code for roads (access route design) and buildings (fire separation) that must be considered.

While, it may appear premature to ensure that the measures are to a specific standard and the site plan to scale, it is necessary to ensure the lot can actually meet the standards for roads, buildings, etc., without having to significantly move/eliminate building sites and/or parking/turn around areas.

The LTC had also requested that septic fields/system be shown as they will limit where specific uses may occur. This has not been done on the same map, but a separate map was provided showing the proposed septic system to be used.

3. Development of a Housing Agreement

The draft Housing Agreement has not been reviewed in detail by staff. The Housing Agreement will be a specific bylaw and once other issues are dealt with it will be finalized with the LTC's approval. Currently, it is considered draft and can be viewed as such. The applicants have proposed some changes based on comments made in the February 18, 2013 report. The Housing Agreement will be one of the final documents as it is important to ensure the project will work prior to establishing the agreement which the LTC will sign off on when ready. Staff are not recommending any changes at this point, but will as this project moves toward completion. It will require additional legal review.

4. Assessment of the availability of sustainable long-term ground water as per OCP Water Supply policy 2 e) and a professional assessment of rainwater catchment.

The applicants have attached a report by Hy-Geo Consulting (Alan Kohut) that evaluates the well and the proposed rainwater collection for the residences. The well is proposed to be used solely for coin operated shower and laundry facilities in a common building. Based on that restricted use, it is deemed to not have an impact on the surrounding wells. VIHA issued a waiver which authorizes the applicant to construct works onto the system as specified in the approved application. In this case, the addition of an Ultraviolet disinfection unit. VIHA is aware that this well is not for potable water use of the 20 dwellings as their sole water supply is rainwater collection.

The report also looked at the feasibility of rainwater collection for the residences and required roof sizes. This was deemed to be feasible based on a maximum day demand (MDD) of 30 imperial gallons/person/day.

An additional letter was written by Bob Burgess, Gulf Island Rainwater Connection Ltd. Addressing the issue of rainwater collection. Which stated that "the basic roof areas of most of the proposed houses are too small to collect enough water to both serve monthly demand during the winter and fill a sufficiently large storage tank to get through the dry summer months". This was not viewed as a serious impediment by Mr. Burgess as additional buildings or larger roofs/overhangs or alternative water sources could be used. The report listed alternative water sources as an on-site stream or the well, both of which are not permitted on this site. However, a trucked water source would be an option, but at a cost.

The reports did state that a minimum storage required for even the smallest proposed house would be approximately 5000 gallons. This is a different number than has been suggested by the applicant in the sample material cost for a 500 sq. ft. house.

The CRD has agreed in principle with the rainwater catchment concept, but clearly stated that the system(s) would have to be engineered and a covenant placed on the property regarding their use.

5. Meet with the Capital Regional District (CRD) Building Department to obtain accurate input into the requirements for self-build affordable housing units and what various requirements (e.g. water, rainwater catchment, etc.) are needed to be met.

The applicant met with the CRD Building Department to discuss the proposal. The building department generally does not get involved until after a building permit submission is made. However, they were informative in terms of pointing out sections of the CRD Building bylaw and the BC Building Code that the applicant should be aware of and utilize in planning (e.g. buildings, roads, water requirements, etc.) their project. Staff hopes that the applicant will evaluate their proposal based on what was pointed out to them to ensure the project meets the requirements in the long run.

6. Provide the Trustees, staff and the public with the rationale for the affordable housing by illustrating the need, demand and the business plan and any other additional information to show that this project will indeed be and remain affordable to the community in perpetuity.

In terms of addressing the need and demand, the applicant attached a survey with a 96 person response rate. Overall it indicated support for this project and that affordable housing was needed in the community. The applicant has also sent a number of YouTube videos with residents expressing their support for such a project in the community. It is staff's opinion that a more detailed report will be required for any funding requirements (e.g. CRD, etc.) and that the LTC and the community should also benefit from this information which will have to be done.

The demand is not addressed in the submission. Is there a demand with Galiano residents for this type of housing where you are required to self-build, pay thousands of dollars up front, implement rain water catchment, understand that your equity is the building and not any land and clearly understand all the project concepts (leases, payments, etc.), etc.? This has yet to be shown. Demand is very different than need albeit related. A demand study may indicate that people are looking for affordable housing, but built and possibly in a different housing form (e.g. duplex, triplex, co-housing, etc.)

The business plan submission consisted of 4 attachments (land appraisal, capital budget report, affordability report, building material cost sheet). It should not be up to the LTC or the community to put all the pieces together in order to have a definitive idea of what the overall business plan is for GLCHT. It is staff's opinion that GLCHT should have completed this exercise prior to making a submission and should be done in the future.

Should this application go to a CIM, it has to be made clearer for the public what the need and demand study are and the results as well as what the business plan is for GLCHT. This was not clearly evident.

Submission Summary:

It was very beneficial to receive the information package from the applicant. It is evident that a great deal of work has gone into the attachments. This was a much more effective way than a piecemeal submission as it permits staff and LTC to review all the information at once and to evaluate all together.

Staff have reviewed all the information presented and have a few questions for clarification. The following general comments/statements are made in an effort to gain a better understanding of what is proposed and to clear up any ambiguous information. The Attachments being made reference to are those of the original applicant's submission and not attached to this report. The applicant's full submission is available from staff.

Business Plan (Attachment 1-4):

A business plan submission is required. While the 4 attachments do in total explain what is perceived, it would be valuable to have a comprehensive submission to fully understand the business plan for GLCHT. This would make it easier for staff and the community to understand. Some points worth mentioning:

1. The housing society (GLCHT) will not own or build the homes.
2. Assets (house) of the individual land owner can be sold and pad/site lease transferred if required.
3. Maximum sale price of house is anticipated at \$75 per sq. ft. in order to maintain a level of affordability in perpetuity. This may be indexed to reflect changing construction costs.
4. Tenants are responsible for house maintenance, insurance, property taxes, utilities (power, cable, and telephone), and provision of potable water, lease payments, and mortgage payments.
5. Housing Society (GLCHT) is responsible for land taxes, roads, grounds, utility maintenance (power poles, garbage, septic, common buildings, well, roads, drainage, paths), insurance on owned structures and liability insurance.

Capital Budget (Attachment 2):

1. Staff was not sure if costs attributed to the individual home owner (e.g. construction, mortgages, sweat equity, etc.) should be included. House construction was attributed at \$1,488,000 and is not a GLCHT item, but a homeowner/builder concern. It is unclear. Unless GLCHT is deciding to build the dwelling units.
2. Should fundraising of \$226,000 be included given the uncertainty of how fundraising works.
3. Is it fair to include sweat equity at \$200,000 given how that may or may not be utilized? Plus this is a concern for the homeowner/builder. Are those that cannot provide sweat equity required to pay an additional \$10,000? Do people generally have the time and skills given the need to work and house themselves currently?
4. Unsure of what the development fees are? The rezoning application fee was covered by the Islands Trust Executive committee
5. Wasn't sure what the Architect contract was for as each person is developing their own house. Perhaps for the common buildings? Or the mapping?

6. In section 9, it states construction materials and labour at a total of 1.2 million for a total of 20 residences. Again, is this the concern of the home builder/owner and not that of GLCHT?
7. Affordability: What if someone cannot do the sweat equity as they are working most of the time is this a cost that they have to pay or hire a contractor?
8. Is the down payment for the materials? A deposit registered at the local Home Hardware?
9. Is the mortgage a conventional mortgage or a new construction mortgage which generally cost more to utilize.
10. Does the housing cost include such things as the cost of the rainwater collection systems?
11. How are the contingency costs calculated, is it a cost that the home owner/builder must pay up front or collected over time?
12. The question that remains is this deemed to be affordable housing for those requiring housing and who are living and working on Galiano given the upfront costs (e.g. down payment, sweat equity, mortgage, etc.).

Affordability Report: (Attachment 3)

1. It states that, "The target for the Affordable Home Ownership Project is younger singles, couples and families who are motivated, resourceful and with enough finances to build their own house, but are still in the core housing need." This raises the question, as to whether "with enough finances to build their own home" would meet the definition for affordable housing as per the OCP. Is this more attainable than affordable housing being considered?
2. Economies of scale in purchasing can be beneficial provided that there are a number of applicants that have the resources and can start at the same time.
3. The applicant has used 60% of the 2006 census median family income to meet the OCP definition. This would mean an income of \$27,664 is required. Can a family with that income pay the upfront costs associated with a self-build project as proposed by GLCHT? Or would another form of housing be more suitable?
4. The applicant has done a comparison of renting vs. leasing (home ownership). It was pointed out that rental rates can increase yearly; it would be appropriate to note that mortgage rates and likely lease rate and property taxes also fluctuate and should be reflected as not a stagnant number for 25 years. There are also additional costs such as utilities (power, phone, cable, house insurance, etc.) that should be considered in the lease arrangement that may be different from a rental situation.

Material Costs (500 sq. ft. building)

1. The applicant has provided a great amount of detail in costing out the building materials required for a 500 sq. ft. building. It would be beneficial to either have a written explanation or a drawing of what the building will look like, number of rooms, etc..

Site Plan (Attachment 5)

1. Please refer to comments above (# 2 Issues Summary).

Septic Site Plan (Attachment 6)

1. Useful information in showing where the proposed septic system will be located. It would also be useful to include a written description of how this system will function. What will be the cost?

Agreements (Attachments 7 and 8)

1. Please see comments above (#3 Issues Summary). Staff have not reviewed in detail. Staff have questions that they will raise at a later date.

Bylaws (Notes on draft GLCHT bylaws Attachments 9 and 10)

1. Staff have not reviewed these in detail. It is important that these requirements are in agreement with local bylaws and that the wording is not in conflict. This will be required to be reviewed in detail.

Need and Demand Survey (Attachment 11)

1. While the survey indicates generally that people support the concept of affordable housing on Galiano, it does not deal with the demand side. This does not constitute a need and demand study. This will be required at a later date.

Water Reports (Attachments 12 and 13)

1. Please see comments above (#4 Issues Summary)

Waiver from VIHA (Attachment 14)

1. Please see comments above (#4 Issues Summary)

COMMUNITY INFORMATION MEETING(S):

The applicant has provided a summary of items that the LTC had requested over the past year. Not all the submissions were reviewed in detail (i.e. housing agreement, internal bylaws) and some are not in their final form or were missing (i.e. demand study). Those not reviewed in detail will require additional discussions between the LTC, staff and the applicant, and possibly some additional legal review.

The applicants strongly believe that they are ready for a community meeting. Staff believe that the timing would be good to schedule a Community Information Meeting (CIM) so that the public will have an opportunity to discuss the project and ask questions of the applicants. Staff and the LTC have raised questions and now it would be to permit the community to have a say. The information received at a CIM along with information provided by staff will be beneficial to the LTC in deciding how best to proceed with the application. It may also assist the applicant in determining if any changes to their proposal are required.

Despite not all the information being available or in a clear and concise format, staff are recommending that a CIM be scheduled. This would be one of at least two that will be required prior to public hearing. Should a CIM be considered, staff would recommend that it be advertised in the local paper and that the CIM be held separate from a regularly scheduled LTC meeting. A Saturday meeting would allow the greatest amount of participation by the public. It is recommended that this occur within the next two months.

STAFF COMMENTS:

As was stated in the February staff report, the application has merit on a number of levels. However, much still remains to be worked out as is evidenced in this report and previous reports and discussions. The application is trying to combine at least three separate and equally laudable themes: affordable housing, self-build housing and the use of green technology. The OCP does encourage these themes and the community sees the merit of these themes. The tricky part for this application is to make all these themes work together while providing affordable housing and not just attainable housing. Staff have yet to understand how this will be achieved.

Again, as stated in last report, it would be beneficial for the applicant to show exactly how the self-build, affordable, green housing would work. Perhaps the development of a pro forma

illustrating all costs associated with each step of the self-build process. It should consider such things as the mortgage (construction and typical), the building permits, the engineering, the alternative rain water catchment costs, insurance, building materials, heating systems, building trades, and other such items. This would also be extremely valuable to those that want to consider building on this site to know what it will ultimately cost them and will it be affordable not just over the long term, but at the outset as well.

It might be advisable for GLCHT to hire a professional that is very experienced in doing developments of this type (20 dwelling development) to show how the entire project will work. The applicant has suggested on several occasions that they would build a “demonstration home” to show exactly how this project would be successful, but to date nothing has been initiated. Staff feel that this would be very beneficial in fully evaluating how this project will work and whether it will be affordable housing or more attainable housing.

Staff believe that removing the self-build component of this proposal will better enable people to take advantage of the project and make the project affordable in a way that most people understand affordable housing. GLCHT had at a meeting last December suggested that they might do building in phases. Staff would recommend that the applicant strongly considers building the residences to lock up. This would eliminate the uncertainty of having to provide sweat equity (equivalent to \$10,000) and funding (e.g. construction mortgage) to initiate a project and allow people to either purchase outright or do a rent to own scenario which may be more in keeping with the affordability aspect of the project.

Options:

The Galiano Local Trust Committee has the following options to consider with this application:

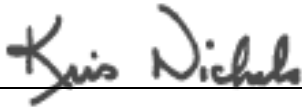
- To direct staff to schedule a Community Information Meeting (CIM) within two months of the date of this meeting. This would be the first CIM of at least two CIMs scheduled prior to a Public Hearing.
- To direct the applicant to obtain more specific information prior to scheduling a Community Information Meeting.
- To request that the applicant revise the application prior to any further consideration by the LTC.
- To defeat Bylaws 233 and 234.

Despite the submitted information not being complete, staff are recommending that a CIM be planned permitting the community to learn about this application and the applicant to hear from the community. This will also permit the LTC to hear from the community. The information received will be valuable to the applicant and the LTC in deciding how to proceed. Given the incomplete information and the uncertainty of other requirements (i.e. housing agreement) this CIM will be one of at least two to be held prior to a public hearing.

RECOMMENDATIONS:

THAT the Galiano Island Local Trust Committee directs staff to schedule a community information meeting.

Prepared and Submitted by:



August 21, 2013

Date

Concurred in by:


Regional Planning Manager

August 21, 2013

Date

Attachment 1 – Comments to Staff Report 18 Feb. 2012 submitted by GLCHT.

**Galiano Land and Community Housing Trust
Manzanita Mall
Galiano Island, BC V0N1P0**

COMMENTS TO STAFF REPORT 18 FEB. 2012

BUSINESS PLAN

See R.D. Cole appraisal for Van City(Attachment 1)

J.G. Consulting

see Capital Budget report(Attachment 2)

see Affordability report(Attachment 3)

See materials cost for 500 sq ft house(Attachment 4)

SITE PLAN COMPREHENSIVE UPGRADE

see Emergency vehicle and access and parking(Attachment 5)

ALC COVENANT

On hold until rezoning

Common Buildings

The pump house / laundry / shower will be under 500 and the common building will be up to 2500 sq ft. built to code under CRD Building Inspection.

Roads

GLCHT will maintain Jane Lane, Chester Lane and Bice Lane and will be constructed to the standard for emergency fire and ambulance vehicles.

SEPTIC (Attachment 6)

In the original concept, The high cost of EcoFlo systems necessitated additional cost over one bedroom unless a composting toilet is installed.

The green artificial wetland system will be constructed to meet the needs of an average of 2 occupants per house.

The artificial wetland septic system will be designed and signed off by septic engineer Ian Ralston of Traxdev. GLTCH will be responsible to keep the system operating to specifications with the assistance of the septic engineer if needed. This system is simple to install, all parts can be purchased at a building supply and local labor can be used in construction. It will be more affordable and a much greener solution with a lower carbon footprint.

(20 dwellings x 2 occupants per house = 40 total occupants x 30 gal/pp/per/day =1200 gallons per day

HYDRO

Hydro plan has been designed by B.C. Hydro. All poles will be supplied and wired by Coast Powerlines of Victoria. GLCHT is responsible for repair to the system.

AGREEMENTS

Housing agreement(Attachment 7)

Lease agreement and Criteria for determining qualified persons(Attachment 8)

BYLAWS

See notes on draft bylaws(Attachments 9 and 10)

NEED AND DEMAND SURVEY

See results of Need and Demand Study(Attachment 11)

TAXES

Our lawyer has advised us that taxes cannot be included in maximum payments as no one can guarantee taxes will stay the same.

Our answers to General Comments feb.18 staff report by Kris Nichols

1. ADMINISTERING THE HOUSING AGREEMENT

Infrastructure Deficiencies

All infrastructure will be under the jurisdiction of the Building Code. See lease agreement which can be cancelled for non compliant construction, mortgage default and eviction and other violations. All leaseholders will sign off on all clauses in the lease agreement.

There is a contingency fund in the budget presented by Janis Gautier of J.G. Consulting

Lawsuits

Our lease requires costs of lawsuits from both sides to be paid by leaseholders. We also have Directors and Officers Liability Insurance.

Non compliant construction

Leaseholder does not get an occupancy permit from the building inspector and cannot occupy the building until the building inspector is satisfied. This is the same for any construction in the CRD.

Mortgage default and eviction (see lease agreement)

See article 12 Mortgage contingency and subordination

See Article 13 Default

See Article 14 and 15

See Article 4 in the lease. Compliance with law

2. **HYBRID HOUSING** Land trusts are not new. Our lawyer has drafted a lease agreement to accommodate this specific housing hybrid. Although our land trust concept overlaps other housing concepts, most solutions should be found within these existing housing concepts. The Housing Agreement, the Lease agreement and the Bylaws speak to these issues.

3. **RESPONSIBILITY OF ADMINISTRATION** This is correct and GLTCH has agreed to take on this responsibility. The Board feels that it is important that management of this project be administered within the community who are most knowledgeable of local conditions. This is similar to the administration of the Page Drive Seniors Housing

4. **LIABILITY** See Housing agreement 2b. and 2c. This housing agreement between GLTCH and the Islands Trust has been drafted and reviewed by the law firms of Cox Taylor and Bull Houser and Tupper. This section seems very similar to #1. If the concern is liability, GLCHT has directors and officers liability insurance. We also have general liability insurance for the Galiano Green Property. We have also discussed this issue with our insurance broker who explained that all agreements are based on good faith, due diligence, the understanding that nothing is guaranteed and that perfection is not possible. GLTCH is taking responsibility for the Galiano Green project.

5. GLCHT will be "Acting reasonably with sole discretion" in matters of administration. However, compliance is monitored by the Local Trustees through the Annual Owner Statutory Declaration to the Trust and the Leaseholder Statutory Declaration to GLCHT.

6. **CAPITAL REPLACEMENT ACCOUNT** we will have a 10% replacement fund for site servicing.

7. **DEFINING AFFORDABLE HOUSING** See Janis Gauthier affordability report(Attachment 3) Cost Comparison Chart Between Renting and Mortgage shows that the Galiano Green lease and build your own home Concept is more affordable than renting and can meet the requirement of costing less than 30% of household income. A small "build your own house" can be easily paid off in 10 -20 years leaving only a low land lease cost into the future. Those who rent must face ever increasing rents and housing insecurity for a lifetime.

8. **WEIGHT ATTACHED TO CRITERIA** See attachment Criteria for determining qualified Persons (june 26 / 2013) There have been changes to the criteria for determining qualified persons. All items in Section A are required. Items in Section B provide character information. all items in section C, while not essential, these other factors will be considered to help GLCHT assess the suitability of an applicant to be approved for Galiano Green. Also the Homeowners Council will interview applicants. A non binding recommendation by the Council will be considered by the board. The

Homeowners Council will also have one vote on our Board for issues relating to Galiano Green.

9. **PROVING ABILITY TO CONSTRUCT MAY BE OBSTACLE TO POTENTIAL LEASEHOLDERS WITH A LOWER INCOME.** This statement is correct, however while it may be an obstacle to some, it will not be an obstacle to all potential leaseholders with a lower income. This concept is not “social housing” or rental housing supported by taxpayers. GLCHT is not a registered charity with an obligation to provide social housing. The target market for the Affordable Home Ownership Project is younger singles, couples and families who are motivated, resourceful and with enough finances to build their own house. Having “building skills or tools” is not a requirement. It is just one of many factors which could be an indicator of potential success. Building your first house is always a learning experience. Several big benefits of the Galiano Green Project are that others will be building at the same time, community members with building experience will be acting as mentors to provide assistance. Also some houses will quite likely be constructed to “lock up” for those who can afford it by a team of local builders who will discount part of their hourly rate to help those who need it.

10. **see ARTICLE 11. SUBLEASES in lease agreement**

See page 18 of 25 in Schedule D in Internal Bylaws which explains GLCHT’s policy on subletting. Our lawyer in the lease agreement also has a definitive statement saying that sublets are at the discretion of GLCHT.

The sub let would be only with the agreement of the owner of the house. The persons who sub let must meet the same criteria as the owner.

11. **QUALIFIED HOUSEHOLD** Yes, “qualified household” should replace the wording “qualified person”.

12. **LOWER INCOME HOUSEHOLDS** Galiano Green is not public housing which is best suited for those with the lowest incomes. This concept can help to overcome the single biggest obstacle of a singles, couples or families facing the high cost of land in the Gulf Islands. See our “Rent versus Land lease” comparison chart of costs. See J.G. Consulting report stating that monthly lease and mortgage payment could be less than rentals.

13. **ACHIEVABLE AND COMPREHENSIVE OBJECTIVES FOR AFFORDABILITY IN PERPETUITY** What makes a house at Galiano truly affordable is for individuals to build their own house as much as possible. Houses built on Galiano by contractors cost between \$100 - \$200 per sq ft. Galiano Green has a proposed resale limit of \$75 per sq ft. This price per sq ft may be raised or lowered depending on costs of the first few houses built by owners. Even if all houses eventually increase to 1000 sq ft, a house costing \$75,000. will still be the most affordable 1000 sq ft house on Galiano.

MEETING WITH CRD We have had a meeting with Robert Gutierrez, CRD chief building inspector, Henry Kamphof, CRD manager and Janis Gautier of JG Consulting. Robert has received all of our engineering reports and indicated that if we comply with

the standard list of requirements, he doesn't see any reason at the time why we could not proceed with our application.

4. WATER REPORTS

See Final Hydrologist report(Attachment 12)

See Rainwater Connection Rainwater Harvesting Report(Attachment 13)

WAIVER FROM VIHA(Attachment 14)

See "waiver" from VIHA. The report calls it a variation.

JUNE MEETING WITH NEIGHBORS TO DISCUSS WATER USAGE IN SUMMER

Attended by neighbors and Trustees. GLTCH explained that they are protecting the aquifer in the neighborhood and that the Hydrologist stated that our usage will have no effect on the Page Drive Seniors well or any other well in the area.

ITEMS NEEDED TO MOVE FORWARD ON THE WATER ISSUE (Page 9 of 11 staff report)

1. VIHA has given Galiano Green a construction waiver which authorizes GLTCH to construct works under the system with the addition of an ultraviolet disinfection system. (see waiver)
2. Robert Gutierrez has received the Rainwater Connection report and has expressed no object at this time to the use of rainwater catchment for potable water at 30 gallons per person per day.
3. Galiano Green has negotiated discounts for tanks and treatment systems to keep costs down.
4. Costs of tanks and treatment are included in the materials list for the 500 sq ft house.
5. There will be no trees or tree branches overhanging the roofs of houses. (See Bob Burgess report)

In the February 18 report notes, you say that says systems would be "individually designed and engineered for each residence". Robert Gutierrez has agreed in principle to one system which would be engineered and offered to all households which would make the houses more affordable. He also said that a covenant would be required. We have provided Erwin Dyck at VIHA with an engineered schematic provided to us by Water Tiger Potable Water Systems.

LONG TERM YIELD AND POTABILITY OF WELL

See hydrologist Al kohut's report

30 GALLONS PER DAY PER PERSON

See Bob Burges Rainwater Connection Report requested by Trust and planner

GARDENS OR LAWNS There will be no lawns. Community gardens can use water from common buildings or rcycle gray water through sand filters.

LAUNDRY IN COMMON BUILDING Only if resident chooses to reduce water demand by 20%. See Statistics Canada household water usage.

BATHING IN COMMON BUILDING It is understood that every house must have bathing facilities. Residents are not required to use their bathing facilities. At any time of the year, if they choose, a resident may choose to use the shower in the common building.

LAUNDRY AND SHOWER DURING DRY SPELLS Although most residents will probably prefer to bath and do laundry in their home, the common shower will serve to assure residents of these amenities during occasional periods of water shortage in late summer.

SUFFICIENT WATER FROM THE WELL FOR BATHING AND LAUNDRY

Well produces over 3300 gallons per day at 2.3 gallons per minute. If 40 residents have a 5 gallon coin shower every day that would use 200 gallons.

If every household did a 12 gallon load of laundry every day that would be 240 gallons.

Total gallons per day for 20 households would be 440 gallons.

The hydrologist states that this would be entirely feasible with no impact on the neighboring wells.

COSTING OF RAINWATER CATCHMENT SYSTEMS

20 micron filter and UV Unit normally \$1800 promotion price \$900

Water storage tanks, normally about \$1.00 per gallon special price .68 cents or less
Some homebuilders will do their own plumbing signed off by a local plumber. Those building their own house would pick up their tanks from the manufacturer with a trailer.

TREE COVER ON SITE

See Bob Burges Rainwater connection report concerning proximity to trees. No trees or tree branches will overhang roofs.



Memorandum

Date August 26, 2013 File Number GL-RZ-2011.1

To Galiano Local Trust Committee
For the September 9, 2013 Meeting

From Kris Nichols
Island Planner

Re **Addendum to GLCHT Staff Report – Additional Information Emergency Service Access Route and Proposed Parking**

Subsequent to staff completing the report on submission materials received from GLCHT, staff received an updated access plan for Galiano Green (See Attachment 1). Therefore, this plan was not evaluated as part of the report.

The applicant will be requesting a variance to the LUB's parking standards which require two parking stalls per dwelling. The applicant is proposing a variance to permit one parking space per dwelling for a total of twenty (20) and eight (8) visitor parking stalls for an overall total of twenty-eight (28).

Attachment 1: Emergency Service Access Route and Proposed Parking Site Plan

Pc Robert Kojima, RPM



STAFF REPORT

File No.: GL 6500-20 (LUB Review)

To: Galiano Local Trust Committee
For the September 9, 2013 Meeting

From: Kris Nichols
Island Planner

CC: Robert Kojima
Regional Planning Manager

Re: Galiano Bylaw No. 241, Amendment No. 1, 2013
A Bylaw to Amend Galiano Island Land Use Bylaw No. 127, 1999

BACKGROUND:

Bylaw No. 241 has been in consideration for a number of months. In April staff were requested to develop a bylaw that addresses: Sawmilling on residential lots; home industry and cottage floor area size.

The portion of the bylaw addressing sawmilling has been approved in principal, but has yet to go through any readings as it is to be considered in the same bylaw as the other two topics which proved to be more difficult to define.

Bylaw No. 241 has been changed so that it now addresses sawmilling and contractor yards. Please see Attachment 1.

The recommended amendments related to sawmilling are:

Section 2.14 add in the word "temporary" in front of the word sawmilling.

That the definition of sawmilling is now "*temporary sawmilling*":

"means the process of milling timber by mechanical means (i.e. portable sawmill) to produce dimensional lumber for the use of the lot owner and on the lot on which the portable sawmilling takes place. The timber, harvested from the same lot, must be used for construction of structures, fences, decks and accessory buildings as permitted under this bylaw on the same lot. Sawmilling operations are permitted between the hours of 0800 and

1700 (excluding weekends and statutory holidays) on a lot where the sawmill is authorized by subsection 2.1.4 of this bylaw and includes the processing of the forest resource where the sawmill is a permitted use on a lot by any section of this bylaw other than subsection 2.1.4. A temporary sawmill must be located a minimum distance of 10.0 m from any property line.”

The topic related to cottage size has now been addressed in Bylaws No. 242 and No. 243 and is no longer part of this bylaw. These bylaws have been referred to the Galiano APC and their comments are found under separate cover (see 5.4.1 of this meeting agenda).

The issue of contractor yards remains to be defined within the bylaw and is the main subject of this report.

At the July LTC meeting the following resolution was passed:

Resolution GL-LTC-86-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to report back with the following changes to Bylaw 241:

- 1) Take out the number of vehicles.
- 2) Percentage of area with a cap on it to be included.
- 3) Size of buildings (186 metres or other) is included.
- 4) Establishing 15 metre setbacks.
- 5) Permitted hours of operation.
- 6) Owners are required to permanently reside on the property.

PROPOSED CONTRACTOR YARD AMENDMENTS

The intent of the bylaw amendment is to permit such businesses as contractor yards at their home residence as a home occupation. These types of services/businesses do not fit within the definition of the home occupation section as they may have large vehicles or require some outside storage which may not be practical to have enclosed in a building.

The intent of this latest bylaw amendment is to accommodate contractor yards within Section 3 of the Land Use Bylaw - Home Occupation Regulations. The Home Occupations Regulations were recently amended (Bylaw 240) and given final reading on July 15, 2013.

A discussion was had regarding permitting contractor yards and what would seem to be feasible at the July LTC meeting. As a result of the discussions, staff was directed to bring back a bylaw that would permit a contractor yard as a home occupation; thereby permitting it wherever a home occupation is permitted.

The LTC requested some specific changes and considerations in drafting the bylaw looking at such things as the size of permitted buildings, creating a percentage value for amount of storage area, altering the hours of operation, setbacks, etc.

Some of the changes suggested are straight forward and others such as a sliding scale for percentage of the lot that can be used for outdoor storage (vehicles and materials) were not. It was decided that for enforcement purposes it will be easier to set a standard percentage value

with a limit after which it would be necessary for an operator to seek a different zone or alternatives to on-site storage.

The value determined was based on the size that was used in the initial draft of the bylaw. It is recommended that 5% of the lot area be used for the outdoor storage space. This would permit a ½ acre lot a storage site of approximately 101 sq. m. (1089 sq. ft.) and on a 2 ha site it would permit a storage site of approximately 1000 sq. m. (10764 sq. ft.). The 1000 sq. m. would be the largest size permissible without having to seek another zone. The storage spaces will be required to be screened and to accommodate all vehicles (including trailers, etc.) and materials associated with the business. The storage space will have to meet specific guidelines. The intent is that these can be accommodated within the home occupation regulations in residential areas. The building size was not addressed in this bylaw as the recent changes to the zoning bylaw permit specific lot coverage for accessory buildings.

Other contractor yard conditions are:

- The hours of operation are consistent with the hours in the CRD's Noise Bylaw.
- There is a 15 metre setback for the outdoor storage space.
- The owner of the business must live on the site.
- The storage space is required to be screened.

A definition for contractor yard will be added to the bylaw's definitions.

STAFF COMMENTS:

The sawmilling portion of the bylaw has been approved in principle. The last couple of months have been spent discussing how contractor yards could be incorporated into the bylaw. It will now be accommodated in the Home Occupation Regulations.

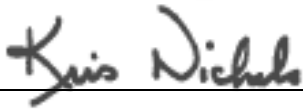
The OCP in Section 2 states: "A sustainable community requires a viable local economy. This Plan recognizes the need for local economic development and viable small enterprises supporting a diversity of livelihoods..." There are many contracting type home businesses (e.g. landscaping, excavating, etc.) that operate on the island providing much needed services and employing people that live on Galiano. The services they supply enable Galiano residents to hire local people rather than rely on off-island suppliers. The proposed changes to the home occupation regulations should address some of the concerns for those operator contractor type businesses. The larger contractor yards may not fit within the conditions.

Staff believe the attached bylaw should address the concerns raised at previous meetings and therefore it is ready to give first reading and schedule a public hearing. The bylaw will be sent out to referral agencies.

RECOMMENDATIONS:

1. **THAT** the Galiano Island Local Trust Committee give Bylaw No. 241, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No.1, 2013" First Reading.
2. **THAT** the Galiano Island Local Trust Committee direct staff to schedule a public hearing for proposed Bylaw No. 241.

Prepared and Submitted by:



August 23, 2013

Date

Concurred in by:



Regional Planning Manager

August 23, 2013

Date

DRAFT**GALIANO ISLAND LOCAL TRUST COMMITTEE****BYLAW NO. 241**

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:

1. Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999” is amended as follows:
 - a) By amending Section 2.14 by adding the word “temporary” in front of the word sawmilling.
 - b) By deleting in its entirety Subsection 17.1.35a.
 - c) By amending Section 17.1 (Definition) by adding the following definition in alphabetical order and subsequently changing all definition numbering:

“Temporary sawmilling - means the process of milling timber by mechanical means (i.e. portable sawmill) to produce dimensional lumber for the use of the lot owner and on the lot on which the portable sawmilling takes place. The timber, harvested from the same lot, must be used for construction of structures, fences, decks and accessory buildings as permitted under this bylaw on the same lot. Sawmilling operations are permitted between the hours of 0800 and 1700 (excluding weekends and statutory holidays) on a lot where the sawmill is authorized by subsection 2.1.4 of this bylaw and includes the processing of the forest resource where the sawmill is a permitted use on a lot by any section of this bylaw other than subsection 2.1.4. A temporary sawmill must be located a minimum distance of 10.0 m from any property line.”
 - d) By amending subsection 1.3 to add the words “, contractor yard” after the word “agriculture” and the words “unless it is related to the operation of a contractor yard.”.
 - e) By adding a new subsection 1.4, renumbering all subsequent subsections adding the following under the new subsection 1.4:

“1.4 The following specific conditions are in addition to the Home Occupation Regulations and apply to all contractor yards operating as a home occupation:

 - 1) Not more than one contractor yard may be conducted on a lot.
 - 2) Areas used for outdoor storage which includes vehicles (trucks, trailers, etc.) and materials related to the contracting business must not exceed 5% of the lot area with a maximum permitted storage space being 1000 sq. m.
 - 3) All outdoor storage areas must be screened from view by a landscape screen, as per Section 15 – Screening and Landscape Regulations, from abutting lots and from public lands and public road rights-of-way.

DRAFT

- 4) All outdoor storage areas must be sited not less than 15 metres from any lot line and not less than 30 metres from any lake, wetland, stream or the sea.
 - 5) Contractor Yards may only be operated between the hours of 7 am to 7 pm, Monday through Saturday and excluding statutory holidays.
 - 6) Not more than four persons per lot may be employed in any contractor yard in addition to any residents of the premises in which such business is carried on, and the owner of the contractor yard must live on the premises.”
- f) By amending Section 17.1 (Definition) by adding the following definition in alphabetical order and subsequently changing all definition numbering:
 “Contractor Yard – means an accessory home occupation which contains a specific lot area for storage of vehicle parking and materials for businesses such as landscaping, excavating, etc.”

B. This bylaw may be cited for all purposes as the “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2013”.

READ A FIRST TIME THIS	DAY OF	2013
PUBLIC HEARING HELD THIS	DAY OF	201x
READ A SECOND TIME THIS	DAY OF	201x
READ A THIRD TIME THIS	DAY OF	201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	DAY OF	201x
ADOPTED THIS	DAY OF	201x

 DEPUTY SECRETARY

 CHAIR

U:\LOCAL TRUST COMMITTEES\Galiano\Projects\2012 LUB Review\Bylaw No. 241_LUB Amendment.docx



Memorandum

Date August 23, 2013 File Number GL 6500-20 (LUB Review)

To Galiano Local Trust Committee

From Kris Nichols
Island Planner

Re Consideration of Cottage Floor Area Size – Draft Bylaws No. 242 (OCP) and 243 (LUB)

Draft Bylaws No. 242 (OCP) and 243 (LUB) were introduced at the June 10, 2013 Local Trust Committee Meeting. After consideration by the LTC, the following resolution was passed:

Resolution GL-LTC-67-13

It was Moved and Seconded that the Galiano Island Local Trust Committee refer the Staff Report for the June 10, 2013 meeting - item 10.3, regarding cottage size, to the Advisory Planning Commission for comment.

Minutes of the Galiano Advisory Planning Committee (GIAPC) have been received and can be found under Section 5.4 of this agenda. The GIAPC passed the following motion at their July 11, 2013 meeting:

It was Moved and Seconded that the GIAPC support an increase to the allowable cottage size floor area as proposed in Bylaws No. 242 and No. 243, or up to as much as 70 square meters, however they recommend that an increased cottage size only apply on residential lots over a specified size due to concerns about impacts, especially groundwater, on smaller lot sizes.

It is now up to the LTC as to how they would like to proceed with the draft bylaws which are attached for reference as Attachments 1 and 2.

Pc Robert Kojima, RPM

Attachment 1 – Bylaw No 242 (OCP Amendment)
Attachment 2 – Bylaw No 243 (LUB Amendment)

DRAFT**GALIANO ISLAND LOCAL TRUST COMMITTEE****BYLAW NO. 242**

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

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. 108, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995” is amended as follows:
- a) By amending Section 9 Definitions by replacing the definition of “cottage” in its entirety with the following definition:
- “**cottage** means a separate dwelling unit with a total floor area of 67.9 square metres (750 square feet) or less.”
- B. This bylaw may be cited for all purposes as the “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2013”.

READ A FIRST TIME THIS	DAY OF	2013
PUBLIC HEARING HELD THIS	DAY OF	201x
READ A SECOND TIME THIS	DAY OF	201x
READ A THIRD TIME THIS	DAY OF	201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	DAY OF	201x
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT	DAY OF	201x
ADOPTED THIS	DAY OF	201x

DEPUTY SECRETARY_____
CHAIR

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 243

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:

- 1. Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999” is amended as follows:
 - a) By amending Section 2.9 by replacing the words “60 square metres” with “69.7 square metres”.
 - b) By amending Section 2.10 by replacing the words “60 square metres” with “69.7 square metres”.
 - c) By amending Article 17.1.9 by replacing the words “60 square metres” with “69.7 square metres”.
- B. This bylaw may be cited for all purposes as the “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2013”.

READ A FIRST TIME THIS	DAY OF	2013
PUBLIC HEARING HELD THIS	DAY OF	201x
READ A SECOND TIME THIS	DAY OF	201x
READ A THIRD TIME THIS	DAY OF	201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	DAY OF	201x
ADOPTED THIS	DAY OF	201x

DEPUTY SECRETARY

CHAIR



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) 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) (sent to APC) 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: Aug-28-2013

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



Islands Trust

Print Date: Aug-28-2013

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: 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

Status Date: May-09-2013

waiting for additional fees of \$55.00 to complete the application fee requirement.

Development Variance Permit

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

Planner: Kim Farris

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: 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: Apr-17-2013

staff comparing new information with previous proposal

Status Date: Apr-15-2013

new information submitted

Status Date: Mar-25-2013

Spoke with applicant who stated that they will provide a new map and proposal in the near future.

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: Jun-10-2013		
	Applicant met with CRD Building Inspection		
	Status Date: Apr-25-2013		
	Met with applicant to discuss draft Housing Agreement		
	Status Date: Feb-21-2013		
	E-mail sent to applicant indicating additional information required prior to proceeding.		
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: Jun-03-2013		
	OCP Bylaw sent to Province for approval		
	Status Date: May-27-2013		
	Bylaws approved by Executive Committee		
	Status Date: May-07-2013		
	PH held on May 6, 2013		
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: Jun-14-2013		
	Preliminary Report written for July 15th LTC		
	Status Date: May-27-2013		
	Planner reviewing application. Did site visit with landowner.		

Status Date: Apr-16-2013

copied Trustees and forward file to planner

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: 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.

Status Date: Jan-10-2013

applicant indicates additional well-drilling and surveying still required. Working on removing easements to provide BC Parks with clean title

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
GL-SUB-2012.2	Winmark Capital Inc. c/o Peter Thomson BCLS Planner: Kris Nichols	Jul-04-2012	Creating 12 new lots

Planning Status

Status Date: Sep-06-2012

PLA received from MOT

Status Date: Jul-31-2012

Referral response sent to MOT

Status Date: Jul-25-2012

Planner initiating review of application

Sharon Lloyd-deRosario

From: Nancy Rogers
Sent: August-26-13 1:40 PM
To: Ken Hancock; Kris Nichols; Louise Decario; Robert Kojima; Sandy Pottle; Sharon Lloyd-deRosario
Subject: Galiano LTC expenses - August 2013

Islands Trust					
LTC EXP SUMMARY REPORT F2014					
Invoices posted to August 31, 2013					
625 Galiano	Invoices posted to August 31, 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	1,419.94	2,080.06	
65210 625	LTC Local Exp APC Meeting Expenses	500.00	63.82	436.18	
65220 625	LTC Local Exp Communications	500.00	313.55	186.45	
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	1,797.31	5,202.69	
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	

Thanks!

Nancy Rogers
 Finance Officer

Islands Trust
 #200 1627 Fort Street
 Victoria, B.C. V8R 1H8
 Phone: (250) 405-5154
 Fax: (250) 405-5155
www.islandstrust.bc.ca

Preserving island communities, culture and environment

Please consider the environment before printing this email.



Memorandum

Date August 16, 2013 File Number

To Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee

From Robert Kojima
Regional Planning Manager
Local Planning Services

Re 2014-15 Budget Submissions

Local trust committees have been requested to submit budget requests for the next fiscal year (2014-15).

Local Trust Committee Expense Budgets:

A budget for Local Expense Account has been developed based on the historical spending. Local trust committees may make changes to this allocation; however, consideration should be given to the historical spending and a rationale provided for making the change.

The Special Projects line item in the Local Trust Committee Expense Account is intended to support local planning initiatives at the discretion of the local trust committee (a local trust committee resolution is required to use these funds). Generally, these funds would be for small projects of up to \$2,000, or could be used to supplement project budgets. This budget item was introduced in the 2013-14 budget.

LTC Projects Budgets:

Local trust committees should make a funding request to support project work, including OCP and LUB work that cannot be undertaken with the money available in the Expense Account Special Projects line.

Special Consideration:

When considering new work items for the 2014/15 fiscal year, Regional Planning Managers and LTCs have been requested to consider the following:

- 2014 is an election year, so no major new projects should start; rather funding should focus on completing on-going projects.
- Any new projects begun in the beginning of the fiscal year should be completed by September in advance of the election.
- Some funding could be provided to allow the new LTC to begin preliminary work prior to the end of the fiscal; however, this should be minimal as after orientation, there would not be much time left.
- Projects planned for the current fiscal (2013/14) which are not completed should be considered as a new project for the 2014/15 fiscal year with resources allocated to support that work.

Budget Request Timeline:

August 2013 Regional Planning Managers develop budget estimates for consideration by LTCs

Aug to Sept Local trust committees review and approve budget requests at LTC meeting

Aug 21 2013 FPC reviews budget principles

Sept 27 2013 Budget requests submitted to Director of Local Planning Services

Oct 4 2013 Budget requests forwarded to Director of Administrative Services

Oct 30 2013 FPC reviews first draft of budget

Nov 13 2013 FPC approves the draft budget

Dec 4 2013 Trust Council reviews draft budget

LTC Budget Requests

I have included the attached table with all draft project submissions for information. LTCs should review the specific requests. The preliminary project requests have been drafted based on Top Priority work program items which are currently anticipated to commence, or to carry, into the next fiscal year. I have also included items from the Projects List which the planners anticipate commencing in the coming year. Each LTC should identify any other projects it is currently considering and include them to the budget request (and the work program if necessary) and identify any additional expenses associated with the identified projects.

Resolution Wording

1. THAT the ____ Island Local Trust Committee approve and forward the draft 2014-145 LTC Project Budget submission to Financial Planning Committee as presented; or
2. THAT the ____ Island Local Trust Committee revise the draft 2013-14 LTC Project Budget submission by including (deleting) _____ and forward to Financial Planning Committee as revised.

Attachments:

1. Summary table of LTC project budget requests
2. Project Budget Submission worksheet

pc Island Planners

Galiano:

1. LUB Phase II (completion) - \$3000 (Public hearings)
2. STVR review (completion) - \$2500 (communication, public hearing)
3. Groundwater DPA (completion) - \$2500 (communication, public hearing)

Mayne

1. RAR (completion) - \$2000 (communication, public hearing)
2. LUB update - \$5000 (communication, CIM and public hearing)

North Pender

1. Conservation subdivision review (completion) - \$2000 (public hearing)
2. Road and transportation amendments (OCP and LUB) - \$2500 (CIM and public hearing)
3. LUB updates - \$5000 (CIMs, communications, public hearings)

Saturna

1. LUB update (completion) - \$2000 (public hearing)
2. Density and Accommodation review (completion) - \$2500 (public hearing, communications)

South Pender

1. Marine Geothermal (completion) - \$2000 (public hearing)
2. Farm Plan (participation and matching funding) - \$5000
3. LUB updates (new) - \$4000 (communications, CIMs, public hearing)

GALIANO		Project	Budget					Notes			
				Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP		Approved by LTC	Approved by FPC	Approved by TC
Project #1	LUB Phase II (completion)	\$ 3,000.00				x	x	public hearings			
Project #2	STVR review (completion)	\$ 2,500.00				x		communications, public hearings			
Project #3	Groundwater DPA (completion)	\$ 2,500.00	x		x		x	communications, public hearing			
TOTAL PROJECTS		\$ 8,000.00									

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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