

Galiano Island Local Trust Committee

Regular Meeting Agenda

Date: July 6, 2015
Time: 12:30 pm
Location: Galiano South Community Hall
 141 Sturdies Bay Road, Galiano Island, BC

	Pages
1. CALL TO ORDER	12:30 PM - 12:35 PM
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	12:35 PM - 1:00 PM
4. COMMUNITY INFORMATION MEETING	1:00 PM - 1:30 PM
4.1 Bylaws No. 251 & 252	
5. PUBLIC HEARING	
5.1 Recess for Public Hearing	
5.1.1 <u>Bylaws No. 251 & 252</u>	
5.2 Recall to order	
6. MINUTES	
6.1 Local Trust Committee Minutes	1:30 PM - 2:00 PM
6.1.1 <u>Galiano Island Local Trust Committee Meeting Minutes Dated June 1, 2015 (for Adoption)</u>	4 - 15
6.1.2 <u>Galiano Island Public Hearing Record Dated June 1, 2015 (to be Received)</u>	16 - 17
6.1.3 <u>Galiano Local Trust Committee Meeting Minutes Dated June 13, 2015 (to be Adopted)</u>	18 - 23
6.2 Section 26 Resolutions Without Meeting Report Dated June 2015	24 - 24
6.3 Advisory Planning Commission Minutes for Receipt	
6.3.1 <u>APC Adopted Minutes Dated May 7, 2015</u>	25 - 27
6.3.2 <u>APC Adopted Minutes Dated June 2, 2015</u>	28 - 31
6.3.3 <u>APC Draft APC Minutes Dated June 9, 2015</u>	32 - 35

7.	BUSINESS ARISING FROM MINUTES	
7.1	Follow-up Action List Dated June 2015	36 - 38
8.	DELEGATIONS	
	none	
9.	CORRESPONDENCE	
	Correspondence received concerning current applications or projects is posted to the LTC webpage	
	none	
10.	APPLICATIONS AND REFERRALS	2:00 PM - 2:15 PM
10.1	GL-RZ-2015.1 (Galiano Conservancy) - Memo	39 - 45
	-----BREAK-----2:15 PM TO 2:30 PM	
11.	LOCAL TRUST COMMITTEE PROJECTS	2:30 PM - 3:30 PM
11.1	Secondary Suites - Staff Report	46 - 70
11.2	Cottage Review - Staff Report	71 - 90
11.3	Land Use Bylaw (LUB) Technical Amendment Bylaw 250 - Memo	91 - 93
12.	REPORTS	3:30 PM - 4:15 PM
12.1	Work Program Reports (attached)	
12.1.1	<u>Top Priorities Report Dated June 2015</u>	94 - 94
12.1.2	<u>Projects List Report Dated June 2015</u>	95 - 96
12.2	Applications Report Dated June 2015 (attached)	97 - 99
12.3	Trustee and Local Expense Report	
	none	
12.4	Adopted Policies and Standing Resolutions (attached)	100 - 101
12.5	Local Trust Committee Webpage	
12.6	Chair's Report	
12.7	Trustee Report	
12.8	Trust Fund Board Report Dated May 2015	102 - 102
13.	NEW BUSINESS	

14. UPCOMING MEETINGS

**14.1 Next Regular Meeting Scheduled for September
14, 2015 at the North Galiano Community Hall**

15. TOWN HALL 4:15 PM - 4:30 PM

16. CLOSED MEETING (Distributed Under Separate Cover)

17. ADJOURNMENT 4:30 PM - 4:30 PM



DRAFT

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

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: June 1, 2015
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present: Laura Busheikin, Chair
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Kim Farris, Acting Planner 2
David Millership, Recorder

Members of the Public and Media Present: There were approximately 20 members of the public present and no members of the media

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:30 pm. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Andrew Loveridge stated concern with the Islands Trust's treatment of Vilupti Barrineau, relating to application GL-DP-2014.5 (Koster). He commented that Ms. Barrineau has done a lot of good for Galiano and requested that the Local Trust Committee (LTC) write her a letter of sympathy.

Gary Coward spoke regarding application GL-RZ-2014.1 (Crystal Mountain) and commented that: it is important to remember that the property is F1 zoned; he supports unfragmented forest; he supports land title transfer, where applicable, in return for development; human use of forestlands needs to be regulated; the Islands Trust is a unique eco-government, which needs to be protected; the application is a nice concept but he does not support it; he has concerns regarding density, water and sewage.

Stephen Ryback asked that the people who put up signs opposing the Rogers Cell Tower Proposal, which relate to property values, take them down.

Tom Hennessy provided an update regarding the Galiano Land Trust project and stated that Elizabeth May, Member of Parliament (MP) attended Galiano's 20th Annual Bob Dylan Birthday Party fundraiser for affordable housing.

Louise Decario spoke regarding application GL-RZ-2014.1 (Crystal Mountain) and commented that: she supports a 75% land transfer in return for rezoning and development; she supports the Islands Trust Fund (ITF) being title holder of land(s) designated for transfer; she doesn't support public trails on land(s) designated for transfer; the preservation of forestland is a community benefit; the ITF is the conservation land trust for Canada's islands in the Salish Sea and has a promise to protect in perpetuity; she has concerns regarding density and the applicant having a preference for covenant(s) rather than land transfer; and the application is incomplete and more information is needed, including a detailed site plan with size of structures.

Tom Hennessy stated support for application GL-RZ-2014.1 (Crystal Mountain) but only if there is a 75% land transfer in return for density. He stated support for a portion of land(s) designated for transfer being sold and monies from the sale being used for affordable housing.

4. COMMUNITY INFORMATION MEETING

4.1. Galiano Island Local Trust Committee Bylaw No. 250

Chair Busheikin stated that a Community Information Meeting (CIM) gives the public an opportunity to make comments and/or ask questions.

Acting Planner 2 (A/Planner 2) Farris provided information and stated that in general terms, the purpose of Proposed Bylaw No. 250 is to amend Galiano Island Land Use Bylaw No. 127, 1999 to clarify Section 2.14 pertaining to the setback to the sea.

Mike Hoebel spoke on behalf of the Galiano Island Parks and Recreation Commission (GIPRC) and asked the LTC to consider comments/concerns made in the GIPRC referral report, which detailed a request for amendment(s).

There was some discussion regarding:

- Process;
- Intent of Proposed Bylaw No. 250;
- District Lot (DL) 79;
- GIPRC addressing their concerns via variance application;
- Desire to avoid triggering another Public Hearing (PH) at this time.

5. PUBLIC HEARING

5.1. Recess for Public Hearing

5.1.1. Galiano Island Local Trust Committee Bylaw No. 250

Chair Busheikin recessed the meeting at 1:00 pm.

See separate Public Hearing Record dated June 1, 2015.

5.2. Recall to order

Chair Busheikin recalled the meeting to order at 1:05 pm.

6. MINUTES

6.1. Local Trust Committee Minutes Dated May 4, 2015

The following amendment to the minutes was presented for consideration:

- Page 2, seventh paragraph – replace “Umance” with “Umana”

By general consent the amendment was approved.

GL-2015-035

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Minutes dated May 4, 2015 be amended as follows:

- Page 11, fourth paragraph – replace “next door to her home;” with “next door to her home, however her personal preferences shouldn’t guide her decision;”
- Page 11, fourth paragraph – insert “she agreed that the case made at the March 14, 2015 Community Information Meeting was not compelling, however, the recent presentation provided much more persuasive information;” prior to “Rogers.”

CARRIED

GL-2015-036

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Minutes dated May 4, 2015 be amended as follows:

- Page 11, last paragraph – replace “as amended;” with “to amend.”

CARRIED

GL-2015-037

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Minutes dated May 4, 2015 be amended as follows:

- Page 12, first paragraph – replace “following motion, as amended” with “amended motion”
- Page 12 – delete Resolution GL-2015-031, except “**CARRIED**” and “Trustee Harris, Opposed”, and renumber subsequent resolutions accordingly.

CARRIED

GL-2015-038

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Minutes dated May 4, 2015 be amended as follows:

- Page 14, second paragraph, third sentence – replace “the EC will be having a discussion with” with “TC will include a session with”

CARRIED

By general consent the minutes were adopted as amended.

Art Moses (member of the public) stated that he might like to amend his Page 3 comment and would submit any proposed amendments verbatim to A/Planner 2 Farris, for inclusion.

6.2. Section 26 Resolutions Without Meeting Report

none

6.3. Advisory Planning Commission Minutes Dated May 7, 2015

The minutes were received.

7. BUSINESS ARISING FROM MINUTES

7.1. Follow-up Action List Dated May 2015

A/Planner 2 Farris summarized the report.

Regarding No. 2, Landworks (DL 79), the applicant is doing a delegation today and the Official Community Plan (OCP) amendment(s) has received Ministry approval.

Regarding No. 5, STVR bylaw information, staff is working on the pamphlet and can include wording pertaining to voluntary compliance, if the LTC wants.

Regarding No. 8, letter to Industry Canada and other applicable agencies, staff will be sending amended minutes with the letter.

There was some discussion regarding Short Term Vacation Rentals (STVRs) and the June 13, 2015 Special Meeting (SM), which will include an Open House and Community Information Meeting (CIM).

Regional Planning Manager (RPM) Kojima mentioned that staff will bring the proposed STVR pamphlet to the SM, for discussion of possible amendments, and that the pamphlet mail-out could happen afterwards.

There was some discussion regarding creating a list of existing STVRs and sending each owner an information package, relating to new bylaws.

GL-2015-039

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee directs staff to communicate new Short Term Vacation Rental bylaw information and a pamphlet to all existing bylaw enforcement open files and other advertised Short Term Vacation Rentals.

There was some discussion regarding:

- Process;
- Using Google, Vacation Rentals By Owner (VRBO) and AirBnB to search for STVRs;
- Support for Trust Council (TC) policy regarding bylaw enforcement.

The question on the motion, was then called,

CARRIED

8. DELEGATIONS

8.1. Bowie Keefer re: Sustainable Forestry on Galiano - Opportunities and Covenants

Chair Busheikin introduced Bowie Keefer and he spoke regarding Sustainable Forestry, Opportunities and Covenants on Galiano. PowerPoint slides were used to assist with the presentation of information. In summary the PowerPoint covered the following:

- Canadian Forest Service definition of sustainable forest management;
- Condition of Galiano's forests;
- Wildfire hazard;
- Strategy going forward;
- Galiano Forestry Cooperative;
- Shaggy young forest in need of work;
- Restoration of young forest;
- Trail networks;
- Special situation on Galiano;
- Sustainable forestry covenants;
- Levels of protection for the forest.

Chair Busheikin thanked Mr. Keefer for his delegation.

There was some discussion regarding:

- Mr. Keefer made an excellent presentation and the LTC have no doubt that he will be an excellent steward;
- LTC need to consider the future and other landowners;
- Process and Mr. Keefer's draft sustainable forestry covenant relating to application GL-RZ-2013.1 (Landworks);
- Galiano Forestry Cooperative initiative;
- Islands Trust being supportive of well managed forestland(s);
- Wildfire hazard and local fire departments being the ones to decide safety and whether or not to close public trails etc.;
- Mr. Keefer's draft sustainable forestry covenant being a model and therefore benefitting from a 50/50 cost recovery agreement.

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10.1. GL-SUB-2012.1 (Taylor) – Memo

A/Planner 2 Farris provided information from the memorandum.

GL-2015-040

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee authorize the Chair of the Galiano Island Local Trust Committee to execute a Form C Discharge to release Covenant CA3782457 from Lot 2, District Lot 1, Galiano Island, Cowichan District, Plan EPP31159.

CARRIED

10.2. GL-DP-2014.5 (Koster) - Staff Report

A/Planner 2 Farris provided information from the staff report.

There was some discussion regarding:

- Concern that some trees were removed, which might not have needed to be;
- Arborists determining tree health;
- Community education regarding Development Permit Areas (DPAs);
- Process and it being understandable that, after a fire, an owner might see burnt trees and think they should be removed.

GL-2015-041

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Development Permit GL-DP-2014.5 (Koster) be approved.

CARRIED

GL-2015-042

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee requests staff to communicate with Galiano's fire departments, arborists and contractors by forwarding them Galiano Island Local Trust Committee Development Permit Area information.

CARRIED

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

10.3. GL-RZ-2015.1 (Galiano Conservancy) - Staff Report

A/Planner 2 Farris provided information from the staff report.

Applicant representative Ken Millard was in attendance and spoke on behalf of the application.

Trustee Pottle stated that Marjorie McClelland, who worked hard on this and is now deceased, would be very pleased.

GL-2015-043

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Draft Bylaw No. 251, cited as Galiano Island Land Use Bylaw 127,1999, Amendment No. 02, 2015 (GL-RZ-2015.1 Galiano Conservancy Association) be given First Reading.

CARRIED

GL-2015-044

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Draft Bylaw No. 252, cited as Galiano Island Official Community Plan Bylaw 108,1995, Amendment No. 01, 2015 (GL-RZ-2015.1 Galiano Conservancy Association) be given First Reading.

CARRIED

GL-2015-045

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee direct staff to schedule a public hearing and community information meeting for Bylaws No. 251 cited as Galiano Island Land Use Bylaw 127, 1999, Amendment No. 02, 2015 and Bylaw No. 252, cited as Galiano Island Official Community Plan Bylaw 108,1995, Amendment No. 01, 2015 (GL-RZ-2015.1 Galiano Conservancy Association).

CARRIED

GL-2015-046

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaw No. 251 and Bylaw No. 252 are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

Ken Millard echoed comments made by Trustee Pottle. He stated that the Galiano Conservancy Association, as an organisation, chose to down-zone the land and that Ms. McClelland's desire was that there be no trails on the property.

10.4. GL-RZ-2014.1 (Crystal Mountain) – Memo

A/Planner 2 Farris provided information from the memorandum.

Applicant representative Stephen Foster was in attendance and spoke on behalf of the application.

There was some discussion regarding:

- The staff report;
- Process and community benefit(s);
- Covenants and land transfers;
- Possible review of forestlands rezoning approach to include designating some forestlands for forestry and some forestlands for preservation;
- 75/25 approach not being enshrined in Galiano's OCP anymore and applications being dealt with on a case by case basis;
- The word "forestry" not having an exact/agreed upon definition;
- Inability to force the harvesting of trees or forestry;
- Heritage Forest (HF) option;
- Setting precedent if the 75/25 approach isn't applied to this application;
- Zoning being about land use(s) not land users;
- LTC need to consider the future and other landowners;
- Applicant being a serious meditation centre whose primary concern(s) is client safety/privacy and the ability to monitor/protect clients in retreat;

- Applicant being open to all ideas that accommodate their primary concern(s);
- Applicant concerned that land transfer of the park portion would result in a different land owner holding the right to future decisions regarding that land;
- HF being a conservation area;
- F3 transfer being in exchange for one density;
- Density being a concern because the applicant wants to build 30 10'x16' meditation "huts";
- If kitchens are proposed for the "huts" then each "hut" would be a small cabin/residence;
- The need to consider Galiano's OCP very carefully;
- Ways in which to meet the applicants objectives;
- Possibly having a 30 metre (m) "no go area" clause so that retreat participants are protected;
- Concern that if Crystal Mountain were to sell then future owners could interpret permitted land use(s) differently;
- Applicant being a registered charity and thus having a public value;
- Possible clause requiring current/future land owners to be not for profit;
- Applicant's use being unique and challenging from a planning perspective;
- Structures, groundwater, septic, gray water, composting toilets, building permits/inspection;
- Regulations and logistics.

Chair Busheikin commented that the LTC hopes to find a "win-win" solution and that the applicants should explore the idea of 75% land transfer(s) rather than covenant(s) with their board and perhaps the ITF and with Crystal Mountain's principal objectives being accommodated.

There was further discussion regarding:

- Infrastructure issues and environmental impact(s);
- Need for a detailed environmental assessment;
- Need for a detailed site plan;
- Ability for covenants to be very detailed.

GL-2015-047

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee refers Memorandum dated May 25, 2015 Re: Application Update (File Number: GL-RZ-2014.1 Crystal Mountain) to the Galiano Island Advisory Planning Commission requesting the nine questions listed in Resolution GL-2015-002 to be answered and that in the mean time the Galiano Island Local Trust Committee will continue to listen to further ideas pertaining to GL-RZ-2014.1 Crystal Mountain.

There was some discussion regarding:

- Process;
- The APC being very helpful and the applicant being sure to benefit from their direction;

The question on the motion, was then called,

CARRIED

There was some discussion regarding Crystal Mountain maybe needing a management consultant and engineers report.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1. Galiano Island Local Trust Committee Bylaw No. 250 - Technical Amendments – Memo

A/Planner 2 Farris provided information from the memorandum.

There was some discussion regarding:

- Process;
- Galiano Island Parks and Recreation Commission (GIPRC) requested amendments;
- GIPRC addressing their concerns via variance application;
- Variance application fee being \$770.00;
- Desire to avoid triggering another PH at this time.

GL-2015-048

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 250, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2015” be given Third Reading.

CARRIED

GL-2015-049

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 250 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

11.2. Home-Based Contractor Yards Project - Staff Report

A/Planner 2 Farris provided information from the staff report.

GL-2015-050

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee directs staff to amend the Project Charter timeline appropriately.

CARRIED

There was some discussion regarding:

- Temporary Use Permits (TUPs);
- Maintaining the residential appearance of the property;
- Not permitting hazardous materials to be stored;
- Screening and setbacks;
- Description of what a contractor yard is;
- Current regulations;
- Discretionary approval and LTC ability to add further conditions at time of TUP application.

GL-2015-051

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Draft Bylaw No. 253, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2014" be given First Reading.

CARRIED

GL-2015-052

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 253 be referred to the Galiano Island Advisory Planning Commission and other appropriate agencies.

CARRIED

12. REPORTS

12.1. Work Program Reports (attached)

12.1.1. Top Priorities Report Dated May 2015

Provided for information.

It was noted that the June 13, 2015 SM will take place at the Lions Hall (992 Burrill Road) and will include an Open House and Community Information meeting.

12.1.2. Projects List Report Dated May 2015

Provided for information.

GL-2015-053

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee directs staff to add Activity "Review park zoning and specifically to allow stairs in setbacks" to item No. 9 of the Projects List.

CARRIED

12.2. Applications Report Dated May 2015

Provided information

12.3. Trustee and Local Expense Report Dated March 2015

Provided for information

12.4. Adopted Policies and Standing Resolutions

Provided for information

A/Planner 2 Farris will remove item No. 4 regarding STVRs.

12.5. Local Trust Committee Webpage

The Galiano Island Local Trust Committee webpage can be found at:
www.islandstrust.bc.ca/galiano

Regarding current applications, the LTC requested that all related staff reports and APC minutes be made available and specifically for application GL-RZ-2014.1 (Crystal Mountain).

No other specific updates were made; routine items will be updated as necessary.

12.6. Chair's Report

Chair Busheikin reported that: Linda Adams, Chief Administrative Officer (CAO) is retiring, after 25 years of outstanding service, and a hiring committee has been formed to find her replacement; there is a planning staff turnover in the North and on Salt Spring Island; the next Trust Council will be held on Galiano from June 23-25, 2015 and will include a session with BC Ferries Mike Corrigan, President and Chief Executive Officer (CEO) and Deborah Marshall, Director Media Relations; and she is attending a Chairs training session tomorrow.

12.7. Trustee Report

Trustee Pottle reported that: she has volunteered to be a Trustee advisor, regarding BC Ferries, to Claire Trevena, Member of the Legislative Assembly (MLA) for North Island; she attended a Local Planning Committee (LPC) meeting in Ladysmith; she attended a Harbours Commission meeting in Sturdies Bay; she bumped into Hon. Peter Van Loan, Leader of the Government in the House of Commons at Galiano's Saturday Market; she will attend TC on Galiano from June 23-25, 2015; and she has been attending to regular business and office hours.

Trustee Harris reported that: an Islands Trust Council Resolution Without Meeting (RWM) was passed to petition BC Ferries to reduce Gulf Islands fares by 25% and that some people are concerned that such is not good for the planet because it encourages the use of car travel and an increased carbon footprint; BC Ferries is not addressing foot passenger service; the Tour des Iles pilot project will take place June 18-21, 2015 and will connect all of the Southern Gulf Islands for four days via shuttles to all Capital Regional District (CRD) docks; during office hours a landowner expressed concern that a Bluff's subdivision was approved without proof of potable water; he should have received more than one day's notice that Hon. Peter Van Loan, Leader of the Government in the House of Commons was coming to Galiano; he will be involved in a Financial Planning Committee (FPC) meeting on June 3, 2015 regarding the fiscal future of the Islands Trust; and his meeting with Sheila Midgley went well and problems with toilets at Montague Harbour will be addressed.

RPM Kojima spoke regarding the Bluff's subdivision and stated that there was a covenant on title, which stated that proof of potable water wasn't required until the time of obtaining a building permit.

12.8. Trust Fund Board Report

Provided for information.

13. NEW BUSINESS

none

14. UPCOMING MEETINGS

14.1. Next Regular Meeting Scheduled for July 6, 2015, at the South Galiano Community Hall

15. TOWN HALL

Gary Coward stated that: he heard there are over 80 STVRs on Galiano with only 26 of them being advertised online; the word “donated” should not be used when talking about land being exchanged for density; a covenants purpose is to bind current and future landowners, without regard for complexity; he supports the Crystal Mountain application as long as there is a community benefit; and he presented the idea of Crystal Mountain adopting a more monastic approach, which would have 30 “huts” contained within one building.

Bowie Keefer stated that public access on public land(s) shouldn’t be denied. He stated support for the Crystal Mountain application and asked the LTC to explore what Crystal Mountain’s land management plan would be if a covenant(s), instead of land transfer(s), was applied.

Akasha Forest spoke to the Crystal Mountain application and commented that: it’s clear what the community wishes are regarding F1 zoned lots; the community is interested in finding a solution as long as there is a clear community benefit; she supports the Heritage Forest option with ITF being land holder; past, present and future process has to be fair for all.

16. CLOSED MEETING

none

17. ADJOURNMENT

By general consent the meeting was adjourned at 4:50 pm.

Laura Busheikin, Chair

Certified Correct:

David Millership, Recorder



DRAFT

**Public Hearing
Record Subject to Approval
By the Local Trust Committee**

Galiano Island Local Trust Committee Public Hearing Record

Date: June 1, 2015
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present: Laura Busheikin, Chair
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Kim Farris, Acting Planner 2
David Millership, Recorder

Members of the Public and Media Present: There were approximately 20 members of the public present and no members of the media

Chair Busheikin called the meeting to order at 1:00 pm. Introductions were made.

Chair Busheikin gave notice and stated Public Hearing (PH) meeting rules and guidelines.

5.1.1 Galiano Island Local Trust Committee Bylaw No. 250

Acting Planner 2 (A/Planner 2) Farris provided information and stated that in general terms, the purpose of Proposed Bylaw No. 250 is to amend Galiano Island Land Use Bylaw No. 127, 1999 to clarify Section 2.14 pertaining to the setback to the sea.

A/Planner 2 Farris outlined meeting procedures regarding public submissions whereby all written submissions are welcomed and must be received before the PH is closed.

A/Planner 2 Farris stated that it is standard procedure for written referral comments and written submissions from the public, if received, to be stored in a public submissions binder that is available for the public to read at anytime upon request.

A/Planner 2 Farris stated that the PH notice was published according to PH protocols and was published in the Driftwood newspaper on May 20, 2015 and May 27, 2015, delivered to neighbouring properties and posted on island bulletin boards.

A/Planner 2 Farris stated that Proposed Bylaw No. 250 was referred to: two agencies, which responded with approval; and the Galiano Island Parks and Recreation Commission (GIPRC), which responded with approval with conditions.

Chair Busheikin invited the public to make comment and stated that each person would be permitted four minutes of speaking time.

Mike Hoebel spoke on behalf of GIPRC and asked the LTC to consider comments/concerns made in the GIPRC referral report, which detailed a request for amendment(s).

Gary Coward stated support for GIPRC comments.

Art Moses stated support for GIPRC comments.

Chair Busheikin called three times for further comments from the public, there being no further comments she closed the PH.

Chair Busheikin declared the meeting adjourned at approximately 1:05 pm.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD.

Laura Busheikin, Chair

Certified Correct:

David Millership, Recorder



DRAFT

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

Galiano Island Local Trust Committee Minutes of Special Meeting

Date: June 13, 2015
Location: Lions Park Society
992 Burrill Road, Galiano Island, BC

Members Present George Grams, Alternate Chair
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present Robert Kojima, Regional Planning Manager
Kim Farris, Acting Planner 2
Lori Foster, Planning Team Assistant/Recorder

Regrets: Laura Busheikin, Chair

Members of Public and Media Present There were approximately 12 members of the public present

1. OPEN HOUSE

The Open House began informally at 12:30 p.m. Approximately 5 people were in attendance viewing the Secondary Suite and Cottage Size Review project displays and chatted with Trustees and Staff.

2. CALL TO ORDER

Alternate Chair (A/Chair) Grams called the meeting to order at 1:30 p.m. He welcomed the public and acknowledged this meeting was taking place on Coast Salish peoples First Nations land. He said Chair Busheikin sends her apologies as she was unable to attend and that he is a Salt Spring Island local trustee and the Alternate Chair for the Galiano Local Trust Committee.

A/Chair Grams stated the purpose of this community information meeting was to present information on the Secondary Suites and Cottage Size Review projects from which proposed bylaws No. 242, 243, 254, and 255 have been drafted.

3. APPROVAL OF AGENDA

By general consent, the agenda as presented was Approved.

4. COMMUNITY INFORMATION MEETING

4.1. Secondary Suite Project and Cottage Review Project - Staff Presentation

Regional Planning Manager (RPM) Kojima introduced the Secondary Suite project. He gave a summary of the proposal and draft bylaws No. 254 and 255. He directed the public to www.islandtrust.bc.ca/galiano/secondary-suites for information.

RPM Kojima turned the meeting over to Acting Planner 2 (A/Planner 2) Farris.

Acting Planner 2 Farris introduced the Cottage Size Review project. The intent of the project is to consider increasing cottage floor area and height. She gave a summary of the proposal and draft bylaws No. 242 and 243. She directed the public to www.islandtrust.bc.ca/galiano/cottage-review for information.

A/Chair Grams invited trustees and public to ask questions.

Trustee Harris asked if wording which addresses subdivisions in the Cottage Review proposed bylaws could be added.

RPM Kojima said yes because the bylaws are only in draft form at this time.

Trustee Pottle said the Advisory Planning Commission raised concerns about changing the definition of “accessory building and structures” to “cottages”. She asked what the rationale was for this proposed change.

RPM Kojima responded that dwellings are given a limited floor area and use and that over time bylaws have evolved to accommodate changes. The accessory relationship has changed to 2 dwellings being used separately. If the word “accessory” is removed, floor area is still limited.

Trustee Pottle commented, so you are saying two dwellings on one parcel.

RPM Kojima discussed renting, strata conversions, and subdivisions.

Trustee Pottle asked if there were any publications on secondary suites and about increase use of water as this is a concern which may stress water management areas.

RPM Kojima commented that Building Inspection requires proof of potable water and while the 16,000 litre cistern doesn't have to be plumbed in it would have to be installed. How the cistern is used is up to the owner.

Trustee Pottle wondered if mandatory use of cisterns could be legislated to those in water district areas.

RPM Kojima responded that this would be difficult.

4.2. Community Members Provide Comments / Q&A

Gary Coward asked questions and commented on the following:

- Cottages as short term vacation rentals (STVR's);
- Asked if the purpose of the review is only about affordable housing;
- Footprint, diminished water capacity, cistern size, and breezeway connections to secondary suites.

Regional Planning Manager (RPM) Kojima responded:

- Under home occupation the owner can currently have a cottage as a STVR;
- The local trust committee's stated intent is to create affordable housing through increased floor and height;
- Secondary suites must be within the building envelope.

Paul LeBlond supports both projects. He asked about cistern size and how the 16,000 litres size was derived.

RPM Kojima said cistern size comes from the Galiano Land Use Bylaw.

There was discussion on various groundwater reports which may have determined cistern size.

Bernard Mignault asked if secondary suites would be allowed in agricultural and forest zones.

RPM Kojima responded that F2 and F3 forest zones are currently excluded because they tend to be more remote, ideally secondary suites should be clustered closer to development, and F2 and F3 zones currently permit only accessory dwellings.

Akasha Forest commented that there seems no way to enforce cottages as rental units and they could be used as Short Term Vacation Rentals (STVR's). She asked about Temporary Use Permits (TUP's) for larger cottages, water collection for STVR's as they require the most demand on the water table, and the monitoring of water use. She commented on the definition of cottage, by dropping the word accessory asking would that mean more dwelling units are added to our residential count. She noted that subdivision could become an issue. She would like to see restricted use of cottages as STVR's and

that TUP conditions could ensure water regulation, that this be added as a recommendation. She noted that there are cumulative effects to consider.

Staff responded it would be possible to allow a larger cottage for residential use and then apply for a TUP for STVR use. Density would not change by dropping the word accessory. Every building permit applicant has to prove potable water. It is encouraged that people monitor wells.

Roger Pettit supports the cottage review project and supports larger cottages, recommending an increase to 1000 sq. ft. He encourages affordable housing for young families.

Gary Coward mentioned the new *Water Sustainability Act* saying ground water and well licensing may be implemented.

Debbie Holmes would like to see a bylaw that supports fee simple ownership of property to support affordable housing. She doesn't believe these projects are the answer to affordable housing and suggested that 5 acre properties be allowed subdivision for community housing of a limited size.

Steve Goldberg asked how to incentivize owners to create secondary suites and build community and spoke to reasons why people may build cottages.

RPM Kojima said some jurisdictions have incentives in the form of grants, this would be through the Capital Regional District. Local Trust Committee (LTC) legislative jurisdiction would allow density bonus using the *Local Government Act*.

Roger Pettit asked about housing agreements.

Staff responded that housing agreements may discriminate to a housing unit's tenure, price, or classes of people (for example, low income, or seniors). This tool is recommended for a housing group, not really practical for a single home owner. Staff spoke to administrative requirements and the impracticality of this as a tool.

RPM Kojima spoke on corporate co-ops, share sales, and zoning that allows for this type of ownership. Not sure if this is an affordable house solution. Suggested finding less desirable lots, zone it and subdivide. But would the LTC do this?

Debbie Holmes asked what happened to the affordable portion on heritage lands. All forest zones could go to the heritage option and this would create more affordable portions. Look to the forest zone.

Trustee Pottle responded that informally, a group has some interest in exploring that.

RPM Kojima noted there are currently rezonings completed or going on with Dewinetz, DL79, and others. He noted Galiano Green is currently working on their proposal for affordable housing.

Roger Petitt, responding to Debbie Holmes's question about the heritage forest development, the reason why that didn't happen was because of road costs.

Debbie Holmes would like to be on a committee about affordable housing. She inquired as to how many affordable housing units there should be on Galiano and if anyone knew this information.

Akasha Forest commented that removal of the word accessory pertaining to cottage and about other accessory buildings, what is the maximum number or square footage.

There was discussion on the following points:

- Limitation of lot size for cottage use;
- Number of affordable housing units on Galiano;
- Bylaw enforcement could give some answer to number of STVR's on island.

Alternate Chair Grams asked if there were any further questions, there were none.

5. **ADJOURNMENT**

A/Chair Grams called for closing remarks.

Trustee Harris thanked the public for attending. He said everyone wants to address the housing crisis on Galiano and we are still looking for solutions and have looked at a number of ideas. We cannot guarantee rental price but we need availability. He further spoke on construction cost and said he liked Debbie Holmes's idea to rezone affordable land to create smaller parcels.

RPM Kojima noted that housing agreements tend to limit resale value.

Trustee Pottle thanked everyone who came out. She will continue to search for the reference to the 16,000 litre cistern report. She closed by saying this is an important initiative the committee has taken on.

Alternate Chair Grams thanked the public for attending.

By general consent the meeting was adjourned at 2:53 p.m.

George Grams, Alternate Chair

Certified Correct:

Lori Foster, Recorder



Islands Trust

Print Date: Jun-29-2015

RWM From: June 01, 2015 To: June 29, 2015

Galiano Island

Resolution #	Action	Resolution Description	Resolution Date
2015-01	In Favour	THAT one or more members of the Galiano Island Local Trust Committee attend the workshop on Child Care Assessment Needs on Galiano	Jun 04, 2015



ADOPTED

**Galiano Island
Advisory Planning Commission
Minutes of a Regular Meeting**



Date of Meeting: Thursday, May 7, 2015, 11:00am
Location: Galiano Island Local Trust Office
23 Madrona Road

Members Present:

Sheila Anderson	Chair
Barry New	Member
Ursula Deshield	Member
Elizabeth Olson	Member
Dave Koster	Member
Karen Harris	Member (arrived 11:05)

COPIED TO

☒ **PLANNER**

☒ **LTC**

☒ **DEPUTY**

SECRETARY

Regrets: None

Staff Present: Colleen Doty Recording Secretary

Media and Others Present: None

1. CALL TO ORDER

Chair Anderson called the meeting to order at 11:00am outside the Local Trust Committee (LTC) office.

2. APPROVAL OF THE AGENDA

Chair Anderson proposed the agenda include: 1) approval of previous draft minutes of June 30, 2014; 2) election of officers for Chair and Deputy-Chair, and 3) consideration of the report with respect to the Short Term Vacation Rental (STVR) bylaw enforcement proposal.

By general consent, the agenda was approved as presented.

3. PREVIOUS MINUTES

MOTION

It was Moved and Seconded that the Galiano Island Advisory Planning Commission draft minutes of June 30, 2014, be approved.

CARRIED
(Unanimous)

4. ELECTION OF OFFICERS

After a call for nominations resulted in one nomination each for position of Chair and Deputy Chair, a motion was put forward as follows:

MOTION

It was Moved and Seconded that Sheila Anderson continue as Chair of the Advisory Planning Commission and Ursula Deshield be appointed as Deputy Chair.

CARRIED
(Unanimous)

At 11:10 the office became available and the meeting moved inside.

5. DISCUSSION OF REFERRAL FROM LOCAL TRUST COMMITTEE

The Advisory Planning Commission (APC) discussed the Staff Report prepared by Miles Drew with respect to a proposed bylaw enforcement policy for Short Term Vacation Rentals. The Staff Report had been presented to the Local Trust Committee at their April 13, 2015 meeting.

The APC discussed the allocation of resources and anticipated that the process of enforcement would naturally space itself out. The first step in enforcement would likely be notification of owners and operators.

The APC discussed how the impact of an STVR is still the same on a community regardless of the extent of advertising.

The APC considered the general provisions of the Trust Council Bylaw Enforcement Policy and Procedure 5.5.i, last revised March 2006. The group felt that any complaint should be taken seriously and investigated, and wished to remove any reference (as presented in the Staff Report referenced above) to needing two complaints before an investigation would be launched. There was consensus that only one complaint should be necessary to trigger an investigation by Bylaw Enforcement.

The APC agreed that the STVR policy should be considered as part of the Bylaw Enforcement general policy that applies to all the Trust. The APC felt that the bylaw was carefully laid out already, and encourages Bylaw Enforcement to apply the Islands Trust Bylaw Enforcement Policy with respect to STVR's.

Member Harris recommended there be an advertisement in the Active Page about the new process to encourage voluntary compliance with respect to Temporary Use Permits. Also, at the initial stage of enforcement, the APC recommends there be written notice sent to known, advertising STVR's, as well as public notices posted around island, such as the Realty Office, the Chamber of Commerce, and in the Active Page.

MOTION

It was Moved and Seconded that Bylaw Enforcement rely on the existing Trust Council Bylaw Enforcement policy with respect to Short Term Vacation Rentals, also referred to as option 1 by Miles Drew in the Staff Report.

CARRIED
(Unanimous)

ADOPTED

MOTION

It was Moved and Seconded that the Local Trust Committee, in conjunction with staff and enforcement officers, pursue avenues to inform the public, including operators of advertised and unadvertised STVR's, of details of the new Local Trust Committee Short Term Vacation Rental policy, with the aim of encouraging voluntary compliance. This would include, but not be limited to, direct mail-outs and public notices.

CARRIED
(Unanimous)

6. NEXT MEETING DATE

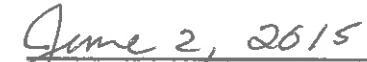
Nothing scheduled.

7. ADJOURNMENT

Meeting adjourned at 12:00pm



CHAIR



DATE

CERTIFIED CORRECT:



Colleen Doty, Recording Secretary



ADOPTED

**Galiano Island
Advisory Planning Commission
Minutes of a Regular Meeting**



Date of Meeting: Tuesday, June 2, 2015, 9:00am
Location: Galiano Island Local Trust Office
23 Madrona Road

Members Present:

Sheila Anderson	Chair
Ursula Deshield	Member
Elizabeth Olson	Member
Dave Koster	Member
Karen Harris	Member
Akasha Forest	Member



Regrets: Barry New

Members of the Public: Debbie Holmes arrived at 9:00am and distributed a submission

Staff Present: Colleen Doty Recording Secretary

Media and Others Present: None

1. CALL TO ORDER

Chair Anderson called the meeting to order at 9:07am. The Chair welcomed Akasha Forest as the newest member. Members reviewed the submission by Debbie Holmes.

2. APPROVAL OF THE AGENDA

Chair Anderson proposed the agenda include: 1) approval of previous draft minutes of May 7, 2015; 2); and consideration of the referrals with respect to the Secondary Suite Review and Cottage Size Review.

By general consent, the agenda was approved as presented.

3. PREVIOUS MINUTES

MOTION

It was moved and seconded that the Galiano Island Advisory Planning Commission draft minutes of May 7, 2015, be adopted.

CARRIED
(Unanimous)

4. DISCUSSION OF REFERRALS FROM LOCAL TRUST COMMITTEE

The Advisory Planning Commission (APC) worked through the proposed new Section 2.28. The Minutes herein reflect items of the draft Bylaw No. 255 with which the APC had concerns. Unless otherwise noted here, the APC concurred with all other subsections of the draft bylaw.

MOTION

It was moved and seconded that all of the provisions referenced in Bylaw 255, 1 a) 2.28 should apply to both Part 5 and Part 6, of the Land Use Bylaw. Currently, section 2.28 only explicitly addresses the residential aspects, and the agricultural zones should be referenced as well.

CARRIED
(Unanimous)

There was some discussion as to what the Trust could do to ensure that Secondary Suites be used for affordable housing.

The question arose as to why it should matter which unit be used as a Short Term Vacation Rental (STVR) if people have a cottage and a secondary suite?

Concern was expressed that without stipulation of having a kitchen some secondary suites could be built without a kitchen.

APC members expressed concern about water usage and water-short regions on Galiano, and wondered how Schedule C Water management areas of the Land Use Bylaw might be impacted.

With respect to the proposed new section 2.28.3 of draft Bylaw No. 255 noting that "A secondary suite shall not exceed...40% of the floor area....," the APC questioned whether the 40% was because of an interest in wanting to delineate between principal dwelling and secondary suite? There was some discussion as to the significance of the 40% and the group agreed that clarification was required.

The financial costs of creating a secondary suite were noted.

There was much discussion with respect to draft section 2.28.6. Is the intent of this section to ensure that rainwater catchment is used for the dwelling? Does the rainwater catchment need to be treated for potability? Is this clause intended to offset use by the secondary suite? The APC members agreed that the intention of this clause needed to be clarified.

Islands Trust Policy statement 4.4 respecting Freshwater Resources was reviewed. Concern was expressed about the onerous costs of treating water. What are the CRD requirements for renovation of a suite? The APC flagged this as an issue on which the community requires more information.

The APC questioned the intent of bullet 2.28.8 to limit home occupations. Members were concerned about unnecessarily limiting home occupations.

Members noted that lots of 0.4 hectares or more (1 acre) are allowed to have a cottage in all residential zones; in Bylaw No. 255 there is no reference to lot size for having a

ADOPTED

secondary suite. APC members noted a contradiction in allowing suites where cottages are not permitted.

MOTION

It was moved and seconded that the Advisory Planning Commission recommends that secondary suites should be restricted on lots smaller than 0.4 hectares, similar to the restriction on cottages.

CARRIED
(Unanimous)

The APC discussed smaller lots and the importance of not increasing the density on these smaller lots. With respect to policy statement 4.4.2, the APC agreed that neither the density nor the intensity of land-use should be increased in areas that are known to have a problem with water quality and quantity.

There was extensive discussion with respect to how the phrase "one secondary suite per lot" is interpreted in the case of un-subdivided property. How is maximum allowable density protected? It was noted that the LTC needs to clarify that language. Un-subdivided property has an advantage because they can build out. If the purpose of this provision is to be a safeguard on water, then the draft Bylaw language requires clarification.

MOTION

It was moved and seconded that the Advisory Planning Commission seeks clarification with respect to the phrase "one secondary suite per lot" and is concerned with how this is to be interpreted in the case of un-subdivided property. How is maximum allowable density protected? How will the restriction with respect to the allowance for a suite per lot will be applied on larger lots that could also be subdivided in the future?

CARRIED
(Unanimous)

MOTION

It was moved and seconded that, with respect to section 2.28.3, the Advisory Planning Commission would like to know why it is necessary to have reference to "40% "if there is already a reference to "60m²?"

CARRIED
(Unanimous)

With respect to 2.28.4, APC members discussed the assumption that decks are allowable and not included within square footage of secondary suites.

MOTION

It was moved and seconded that, with respect to 2.28.6, the Advisory Planning Commission seeks clarification on the catchment system being used for the secondary dwelling and whether the cistern would need to be treated for potability.

CARRIED
(Unanimous)

The APC was concerned about the limitations around 2.28.8 and the phrase "the only home occupations permitted in secondary suites...." What about other home occupations like artists, weavers, textile workers, etc. The APC was not convinced that only one business

ADOPTED

per secondary suite should be permitted, but agreed that it is reasonable to restrict against non-resident employees. Small businesses are a part of affordability.

MOTION

It was moved and seconded that the Advisory Planning Commission recommends that home occupations should follow the Land Use Bylaw, except that no non-residential employees should be permitted.

CARRIED
(Unanimous)

Except for water considerations and waste discharge considerations, the Advisory Planning Commission questioned restrictions, the consensus being that home occupations should be consistent with existing Islands Trust regulations.

MOTION

It was moved and seconded that the Advisory Planning Commission recommends that in each residential zone a provision should be included in the permitted density provisions to limit secondary suites to lots greater than 0.4 hectares in each zone. It is recommended that the language be amended to: "One cottage **OR one secondary suite but not both**" permitted on each lot having an area of 0.4 hectares or more in respect of each permitted dwelling, to each zone outlined in the Land Use Bylaw: 5.1.3, 5.2.3, 5.3.5, 5.4.3, 5.5.3, 5.6.3".

CARRIED
(Unanimous)

MOTION

It was moved and seconded that the Advisory Planning Commission recommends that under 6.1 of the Land Use Bylaw 127, 1999 – Permitted Density, a secondary suite should be permitted.

CARRIED
(Unanimous)

6. NEXT MEETING DATE

Tuesday, June 9th, 2015 at 9:00am.

7. ADJOURNMENT

Meeting adjourned at 12:00pm



CHAIR



DATE

CERTIFIED CORRECT:



Colleen Doty, Recording Secretary

Galiano Island Advisory Planning Commission Minutes of a Regular Meeting

Date of Meeting: Tuesday, June 9, 2015, 9:00am
Location: Galiano Island Local Trust Office
23 Madrona Road

Members Present:

Sheila Anderson	Chair
Ursula Deshield	Member
Elizabeth Olson	Member
Dave Koster	Member (left at 11:30am)
Karen Harris	Member
Akasha Forest	Member

Regrets: Barry New

Members of the Public: Carolyn Jerome arrived at 9:00am and distributed a submission

Staff Present: Colleen Doty Recording Secretary

Media and Others Present: None

1. CALL TO ORDER

Chair Anderson called the meeting to order at 9:00am. Members reviewed the submission by Carolyn Jerome.

2. APPROVAL OF THE AGENDA

Chair Anderson proposed the agenda include: 1) approval of previous draft minutes of June 2, 2015; 2); conclusion of the discussion with respect to the secondary suites referral; and 3) and consideration of the referral with respect to cottage size.

By general consent, the agenda was approved as presented.

3. PREVIOUS MINUTES

MOTION

It was moved and seconded that the Galiano Island Advisory Planning Commission draft minutes of June 2, 2015, be adopted.

CARRIED
(Unanimous)

4. DISCUSSION OF REFERRALS FROM LOCAL TRUST COMMITTEE

The Chair asked whether there were any further comments with respect to secondary suites. The Chair referred to Salt Spring Island's regulations respecting water and how, in addition to restricting lot sizes, one cannot build a secondary suite unless one can prove there is enough potable water available for a secondary suite.

The Advisory Planning Committee (APC) discussed how it would be helpful to have the numbers of secondary suites, those currently known, and those potentially built in addition to cottages with this proposed draft bylaw. Lot size needs to be clarified in the draft bylaw and how, if there is a cottage and a secondary suite then there must a minimum of 4 hectares. There was much discussion with how to protect maximum allowable density on larger lots zoned for densities below 4 hectares. The public needs more information as to the current housing data for Galiano. Concern was expressed that until there is more detailed information as to what could be developed to the maximum, then the Local Trust Committee (LTC) should not proceed with allowing secondary suites in addition to cottages in any residential zones.

There was extensive discussion around how affordability could be protected with proposed changes.

With consideration to the suggestions the APC already has already put forward (see Adopted APC minutes of 2 June, 2015), the APC recommends that more information is required before the draft bylaw is developed further

MOTION

It was moved and seconded that, while the Advisory Planning Commission is very supportive of providing options for affordable housing, it recommends that the Local Trust Committee and the public be provided further detailed information on:

- 1) Existing lots, lot sizes and zones on the island, and potential density build-out;
 - 2) How the ground water and waste-related provisions of this draft bylaw integrate with the *Water Sustainability Act* and existing ground water and waste-related reports and data;
 - 3) Specifics around the water cistern with respect to achieving desired goals.
- The proposed bylaw is prescriptive for anyone who wants to develop a secondary suite in any zone but more details are required.

CARRIED
(Unanimous)

MOTION

It was moved and seconded that the Advisory Planning Commission would like the Local Trust Committee to consider the other recommendations as per the motions from the meeting of June 2nd, 2015, summarized as follows:

- 1) That the agricultural zones be referenced in draft section 2.28;
- 2) That secondary suites should be restricted on lots smaller than 0.4 hectares (ha), similar to the restriction on cottages;
- 3) That clarification be provided as to how maximum allowable density will be protected;

- 4) That clarification be provided as to the reference to 40% in draft section 2.28.3;
- 5) That clarification be provided on the catchment system being used for the secondary dwelling and whether the cistern would need to be treated for potability;
- 6) That home occupations should follow the Land Use Bylaw, except that no non-residential employees should be permitted;
- 7) That the language describing each zone in the Land Use Bylaw be amended appropriately to “one cottage OR one secondary suite but not both...on each lot having an area of 0.4 ha or more.”

CARRIED
(Unanimous)

The APC then discussed the cottage size review.

The group considered the submission by Carolyn Jerome concerning perceived conflicts of interest.

Member Harris noted that she owns a cottage share on a corporate property and also owns a property in fee simple that has a cottage on it. She indicated that, at some point in the future, she and Trustee Harris will probably list their properties for sale.

Member Deshield noted that, in her situation, she is not able to sell her share in the corporate holding without approval of its board.

Member Koster noted that he has no conflict of interest.

Chair Anderson reported owning property zoned to have a cottage if they chose to build one.

MOTION

It was moved and seconded that the Advisory Planning Commission support the proposed amendment to change the height limitation of cottages to 9m.

CARRIED
(Unanimous)

There was much discussion around affordability and consideration was given to implications for water use.

There was concern about allowing development on the basis of rainwater collection alone.

There was general agreement that development needs to be connected to the availability and quality of ground water.

Because Member Koster had to leave the meeting early, he stated that he had no concerns with increasing the maximum floor area of the cottages to 70m² as long as it was restricted to lot size and he indicated support for either a 1.2 ha or larger limit. With respect to his views on changing the language of “accessory building and structures” to “cottages”, he indicated that more clarification was required about the rationale for proposing to change the wording.

Member Koster then left the meeting at 11:30am.

Reference was made to APC minutes of July 2013 where maximum floor size of cottages was previously considered.

MOTION

It was moved and seconded that the Advisory Planning Commission recommends a precautionary approach be taken with respect to increasing the maximum floor size of cottages, leaving the present 60m² on lots of 0.4 ha to the upper lot size limit of 2 ha.

CARRIED

(Four members in favour; 2 in favour of an upper limit of 1.2 ha instead of 2 ha.)

MOTION

It was moved and seconded that the Advisory Planning Commission recommends that the Local Trust Commission apply a consistent approach with respect to water and waste provisions for both secondary suites AND cottages in all zones where they are permitted.

CARRIED

(Unanimous)

The APC all agreed they wished to review the groundwater studies and the data that has been collected to date by the Trust.

With respect to the proposed changes to the technical definition of a cottage, the APC discussed the need for further clarification as to why the new language and definitions are being proposed. It was agreed by all that a fuller analysis was required. There were questions as to what happens to density when one untethers an accessory building from a house/main dwelling and defines it only as a cottage. Does a change in language impact water resources? And lastly, what are the legal implications for revising the language and definitions?

6. NEXT MEETING DATE

n/a

7. ADJOURNMENT

Meeting adjourned at 12:00pm

CHAIR

DATE

CERTIFIED CORRECT:

Colleen Doty, Recording Secretary



Follow Up Action Report w/ Target Date

Galiano Island Oct-06-2014

No.	Activity	Responsibility	Target Date	Status
1	Retreat Cove Farm (Covenant Amendment) Sept 22/14 - Owners reviewing estimate for legal work and will respond to staff on decision to proceed or not (DONE) Dec 2014 - Owners have completed the cost recover agreement. Staff are in the process drafting letter to Minister to transfer covenant from the Ministry to the Islands Trust.	Kim Farris	Mar-31-2015	Done

Nov-03-2014

No.	Activity	Responsibility	Target Date	Status
2	Landworks (DL 79) 1. Proposed Bylaw 244 and 245 given third reading. DONE 2. Staff to send proposed Bylaw 244 and 245 to EC. DONE 3. Staff to send proposed Bylaw 244 to the Ministry of Community, Sport and Cultural Development (after EC approval if given). DONE 4. Draft cost recovery agreement and cost sharing for sustainable forestry covenant review - ON-GOING	Kim Farris Sharon Lloyd-deRosario	Mar-31-2015	On Going

Apr-13-2015

No.	Activity	Responsibility	Target Date	Status
3	Staff to draft pamphlet outlining STVR bylaw information.	Kim Farris Phil Testemale	Jun-26-2015	On Going

Jun-01-2015

No.	Activity	Responsibility	Target Date	Status
4	May 4, 2015 LTC meeting minutes adopted as amended.	Lori Foster	Jun-26-2015	Done
5	Staff to mail letter and STVR pamphlet to open STVR enforcement files and advertised STVRs.	Warren Dingman Kim Farris Lori Foster	Jul-03-2015	On Going
6	GL LTC Chair to sign Form C to discharge covenant from Lot 2 (GL-SUB-2012.1).	Kim Farris	Jun-26-2015	Done
7	GL-DP-2014.5 (Koster) 1. Staff to obtain landscaping security from applicant. 2. Staff to issue permit upon receipt of security.	Sharon Lloyd-deRosario Phil Testemale	Jul-31-2015	Done
8	Staff to mail DPA information to Galiano fire department, arborists, and contractors.	Kim Farris Lori Foster	Jul-31-2015	On Going
9	Staff to send updated May 4, 2015 GL LTC minutes to Industry Canada and Rogers Canada.	Kim Farris	Jun-19-2015	Done
10	GL-RZ-2015.1 (Galiano Conservancy) 1. Draft Bylaw no. 251 received First Reading. Done 2. Draft Bylaw no. 252 received First Reading. Done 3. Staff to schedule a CIM and PH for July LTC meeting.	Kim Farris Lori Foster Sharon Lloyd-deRosario Phil Testemale	Jun-26-2015	Done
11	GL-RZ-2014.1 (Crystal Mountain) 1. Staff to refer application to GL APC for comment.	Kim Farris Lori Foster	Jun-26-2015	Done
12	LUB Technical Amendment (Proposed Bylaw No. 250) 1. Proposed Bylaw No. 250 was given Third Reading. Done 2. Staff to forward proposed Bylaw no. 250 to EC for approval.	Kim Farris Sharon Lloyd-deRosario	Jun-26-2015	Done
13	Home-based Contractor Yards Project 1. Draft Bylaw No. 253 received First Reading. DONE 2. Staff to amend Project Charter's timeline. DONE 3. Proposed Bylaw No. 253 be forwarded to the APC for comment. DONE	Kim Farris Lori Foster Sharon Lloyd-deRosario	Jun-26-2015	Done

14	Staff to amend Projects List by adding 'Parks Review' to LUB Technical Amendments.	Kim Farris	Jun-26-2015	Done
15	Staff to remove No. 4 (STVR) from Galiano Island LTC Policies and Standing Resolutions.	Sharon Lloyd-deRosario	Jun-26-2015	Done
16	Staff to update LTC website by adding all relevant Crystal Mountain application staff reports to the LTC Applications webpage.	Kim Farris Lori Foster	Jun-26-2015	Done

Date June 22, 2015 File Number: GL-RZ-2015.1 (Galiano Conservancy)

To Galiano Island Local Trust Committee
For the meeting of July 6, 2015

From Kim Farris, A/Planner 2

Re **Proposed Bylaw Nos. 251 & 252 (LUB & OCP) – Post Public Hearing Procedures**

The Local Trust Committee is considering a bylaw to re-zone a property from Rural 2 to Nature Protection and to also re-designate it from Rural to Nature Protection. Please see Attachments 1 and 2 for a copy of Bylaws 251 and 252 at First Reading which was given on June 1, 2015. A public hearing is scheduled for July 6, 2015. A public hearing is a quasi-judicial process within and following which specific procedures must be followed.

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Second Reading (this may include amendments to alter a bylaw).
2. Consideration of Third Reading.
3. Forwarding of the bylaw to Executive Committee for approval.
4. Forwarding of the bylaw to the Minister's office for approval (OCP amendment bylaw only).
5. Reconsideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Executive Committee and Minister approve the bylaw, the next step for the LTC would be to adopt the bylaw.

RECOMMENDATIONS:

1. THAT Galiano Island Local Trust Committee proposed Bylaw No. 252, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2015” be read a Second time.
2. THAT Galiano Island Local Trust Committee proposed Bylaw No. 252, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2015” be read a Third time.
3. THAT Galiano Island Local Trust Committee proposed Bylaw No. 251, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2015” be read a Second time.
4. THAT Galiano Island Local Trust Committee proposed Bylaw No. 251, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2015” be read a Third time.
5. THAT the Galiano Island Local Trust Committee proposed Bylaw Nos. 251 and 252 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.
6. THAT the Galiano Island Local Trust Committee proposed Bylaw No. 252 be forwarded to the Minister of Community, Sport and Cultural Development for approval.

Attachment 1 – Proposed Bylaw 251

Attachment 2 – Proposed Bylaw 252

pc Robert Kojima, Regional Planning Manager

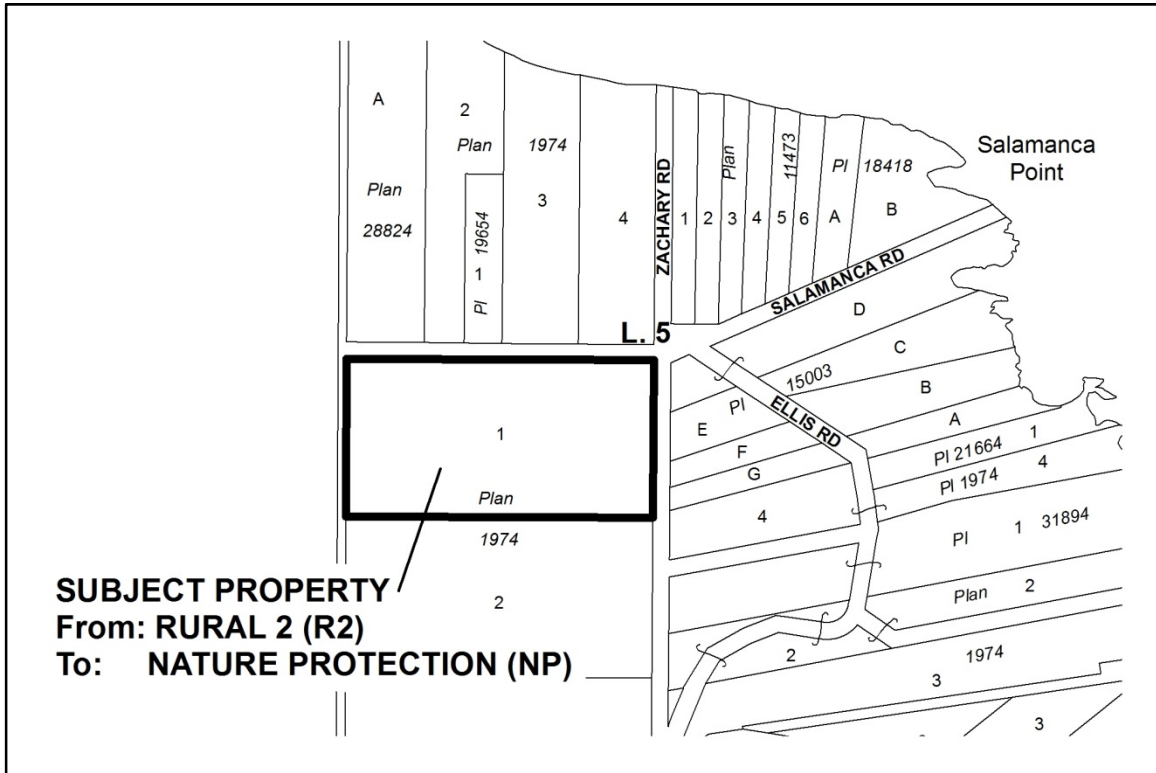
A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

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

- A. Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999” is amended as follows:
 - 1. Schedule B (Zoning Map) is amended for the lands legally described Lot 1, Block 9, District Lot 5, Galiano Island, Cowichan District, Plan 1974 from Rural 2 (R2) to Nature Protection (NP) as shown on Plan No.1 which is attached to and forms part of this bylaw.
- B. This bylaw may be cited for all purposes as the “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2015”.

READ A FIRST TIME THIS	1 st	DAY OF	JUNE	2015
PUBLIC HEARING HELD THIS		DAY OF		201_
READ A SECOND TIME THIS		DAY OF		201_
READ A THIRD TIME THIS		DAY OF		201_
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS				
		DAY OF		201_
ADOPTED THIS		DAY OF		201_
_____ DEPUTY SECRETARY		_____ CHAIRPERSON		

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 251
PLAN NO. 1**



GALIANO ISLAND LOCAL TRUST COMMITTEE

PROPOSED

BYLAW NO. 252

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

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

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

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

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

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

1. CITATION

This Bylaw may be cited for all purposes as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2015".

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME this 1st day of JUNE , 2015.

PUBLIC HEARING HELD this day of , 20.

READ A SECOND TIME this day of , 20.

READ A THIRD TIME this day of , 20.

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

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

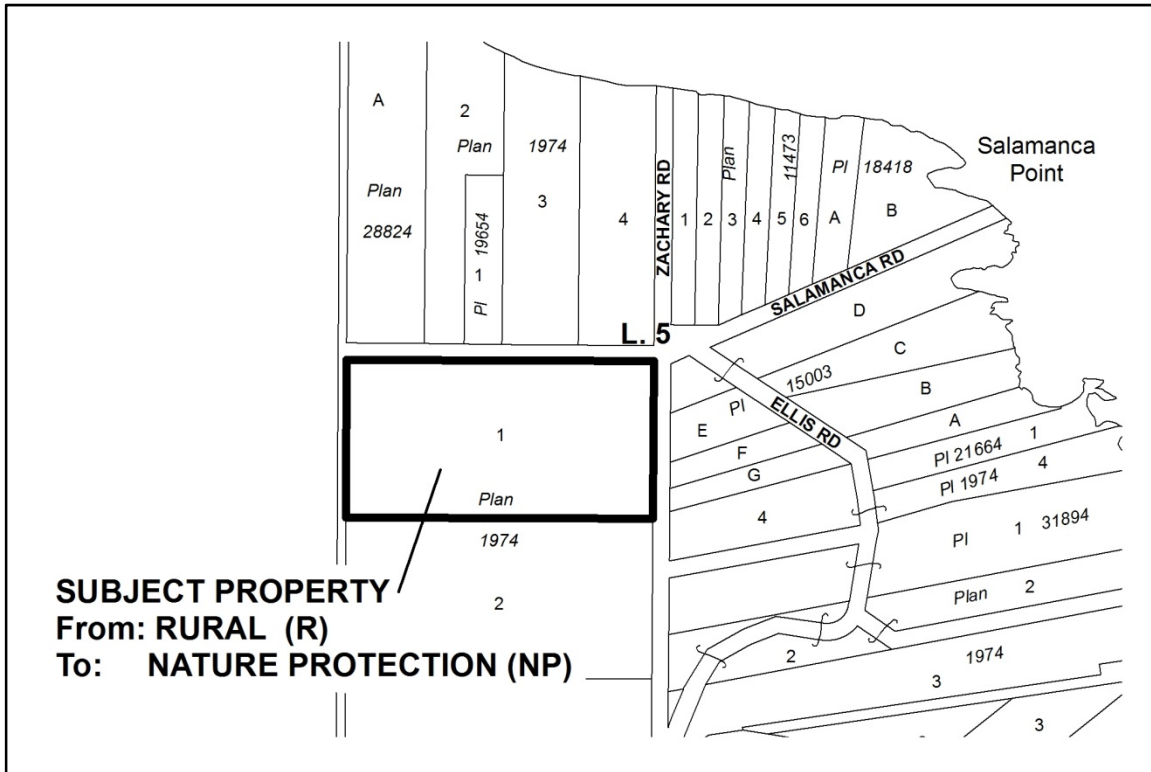
ADOPTED this day of , 20.

SECRETARY

CHAIRPERSON

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 252
SCHEDULE 1**

1. Schedule B (Land Use Designation) is amended for the lands legally described Lot 1, Block 9, District Lot 5, Galiano Island, Cowichan District, Plan 1974 as depicted in the map below.



Date: June 25, 2015

File No.: 6500-20-Galiano
Secondary Suite
Review

To: Galiano Island Local Trust Committee
For the meeting of July 6, 2015

From: Robert Kojima
Regional Planning Manager

CC: Kim Farris, A/Planner 2

Re: Secondary Suite Review Project

The purpose of this report is to provide the LTC with an update on the status of the project to consider permitting secondary suites. Draft bylaws are attached for LTC review and consideration of First Reading.

Project Objectives

The objective of the project is for the LTC to consider amendments to its Official Community Plan and Land Use Bylaw to permit and regulate secondary suites in residential zones. Secondary suites are ground-oriented, market rental housing that are intended to provide affordable rental housing options. They would be permitted within single-family dwellings and are usually in the basement or at ground level.

Project Background

The LTC identified a review of secondary suites as one of three Top Priority projects at the regular meeting of February 2, 2015. At the March meeting, the LTC gave direction to to report back with policy and regulatory options. At the April 13th meeting, the LTC reviewed and endorsed a project charter (attached), reviewed the policy and regulatory options, and gave direction to prepare draft bylaws (previous reports are available on the **LTC Webpage**). At the May 4th meeting, the LTC reviewed the draft bylaws, referred them to the APC for comment and directed that an open house and community information meeting be scheduled.

Communications and Community Consultation

Consistent with the consultation steps endorsed by the LTC, the following initiatives have been completed or are underway:

- a written summary of the project has been distributed to trustees for use in trustee reports or in conversation with community members
- An early referral to First Nations was initiated – planning staff will be meeting with Lyackson First Nation staff later in July and these bylaws will be among those reviewed at that meeting
- A letter to community water systems – to date responses have been received from the following:
 - Gossip Island Improvement District – no impact anticipated but will be discussed at July meeting
 - Spanish Hills – bylaws supported (“members would like more housing options”)
- A fact sheet: copies of the FAQ are available in the trustee office, on-line, and were distributed at the Open House.
- Posting of background information on the webpage: a separate page has been created for the project (**Secondary Suites**), with all staff reports, draft bylaws, draft blackline consolidations, FAQs, and correspondence posted. A fillable comment form has also been created and posted on the webpage, requesting comments by August 13th.
- Open house and Community Information meeting: these were held Saturday, June 13th in conjunction with the market. Although attendance was limited (approximately 12 people for the CIM), a number of questions were raised and comments received.
- The LTC referred the draft bylaws to the APC, which met on June 2nd and June 9th. A number of comments and recommendations were made by the APC, which will be reviewed below.

Staff referred the bylaws to affected agencies and First Nations on May 13th. Responses have been received from the following as of the date of this report:

- Water Districts: Spanish Hills Improvement District – Bylaws supported
- BC Hydro: interests unaffected
- Mayne Island Local Trust Committee: Interests unaffected
- Thetis Island Local Trust Committee: interests unaffected
- MoTI: No objections
- Forests, Lands and Natural Resource Operations (FLNRO) – Water Protection Branch: comments and questions provided, referral response pending.

The project charter incorporates the option of the LTC holding an additional community information meeting in September. The LTC should consider if they wish to request staff to schedule an additional community information meeting.

Islands Trust Policy Statement

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

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

Staff Comments

The following section summarizes input received to date and provides staff comments.

APC Recommendations:

#	APC Recommendations	Staff Comments
June 2nd Meeting:		
1	That all of the provisions referenced in Bylaw 255, 1a) 2.28 should apply to both Part 5 and Part 6 of the the LUB.	Change supported (corrected in current draft bylaw).
2	That secondary suites should be restricted on lots smaller than 0.4 hectares, similar to the restriction on cottages.	This recommendation is not supported. The recommendation is intended to ensure that secondary suites would not be permitted on lots currently too small to have cottages. If implemented, this would result in approximately 370 lots out of approximately 1200 not being permitted to have suites. Notably, the majority of these (270) are in the SLR zone. In addition to reducing the number of potential suites, it would eliminate the potential from many lots situated close to services and amenities where suites are most effective and desirable.

#	APC Recommendations	Staff Comments
3	That the Advisory Planning Commission seeks clarification with respect to the phrase “one secondary suite per lot” and is concerned with how this is to be interpreted in the case of un-subdivided property. How is maximum allowable density protected? How will the restriction with respect to the allowance for a suite per lot will be applied on larger lots that could also be subdivided in the future	The proposed wording in the bylaw is: “One secondary suite is permitted on each lot”. This would permit a maximum of one suite on an unsubdivided lot, and is consistent with the language used elsewhere in the bylaw; see the permitted density provisions in each zone, eg: “5.1.2 One dwelling is permitted on each lot” On an unsubdivided property with development potential, where multiple dwellings can currently be constructed, a total of only one suite would be permitted on the whole parcel. However, upon subdivision, additional suites could be added, also at a density of one per lot. If intention is to permit multiple suites on a subdividable lot (which it is not currently) it could be re-drafted to read: “One secondary suite is permitted in each permitted dwelling.” No change is recommended however, unless the LTC or APC’s intention was to permit multiple suites on unsubdivided lots.
4	That, with respect to section 2.28.3, the Advisory Planning Commission would like to know why it is necessary to have reference to 40% if there is already a reference to 60m2?	The reference to 40% is a requirement to obtain secondary suite occupancy under the BC Building Code: there are different standards for secondary suites in the BCBC from those for a duplex or other multiple unit building.
5	With respect to 2.28.6, the Advisory Planning Commission seeks clarification on the catchment system being used for the secondary dwelling and whether the cistern would need to be treated for potability	This provision would simply extend the current regulations pertaining to new construction in the Water Management Areas to a suite in any location. An owner would not be required to use the cistern to provide potable water plumbed into the dwelling or suite. The intent is to ensure that if a suite is created potential impacts on groundwater resources (or a community water system) are mitigated, this could take the form of providing potable water by rainwater catchment and treatment or storage of rainwater for irrigation or other non-potable purposes, at the owners’ discretion. An owner could also use the cisterns for storage of groundwater over the dry months. Any treatment of water from the cistern for potability is regulated through Building Inspection. The Building Code and CRD Building Bylaw require that all residences provide a source of potable water and the CRD Building Bylaw has specific provisions for certification of on-site water collection systems.

#	APC Recommendations	Staff Comments
6	That home occupations should follow the Land Use Bylaw, except that no non-residential employees should be permitted	The limitation to home office use is intended to mitigate the potential impacts from other types of home business and is consistent with the approach in the Mayne LUB. A change could be made to the bylaw; however it would reduce the ability of bylaw enforcement to address potential conflicts in the future. If the LTC wished to revise this provision, it could be amended fairly simply.
7	That in each residential zone a provision should be included in the permitted density provisions to limit secondary suites to lots greater than 0.4 hectares in each zone. It is recommended that the language be amended to: "One cottage OR one secondary suite but not both" permitted on each lot having an area of 0.4 hectares or more in respect of each permitted dwelling, to each zone outlined in the Land Use Bylaw: 5.1.3, 5.2.3, 5.3.5, 5.4.3, 5.5.3, 5.6.3	This recommends moving (or duplicating) the requirement currently proposed in 2.28.2 to each zone in Parts 5 and 6 of the bylaw (along with limiting suites to lots over 0.4 ha discussed above). While it would be feasible to make this revision, staff are of the opinion that having all the regulations pertaining to secondary suites consolidated in a single distinct general regulation (i.e. proposed section 2.28) is clear and ascertainable for persons seeking to determine what the requirements are for suites. This approach is consistent with the current bylaw scheme for home occupations: the use is permitted in each zone and the regulations are found in single section in the general regulations part of the bylaw.
8	That under 6.1 of the Land Use Bylaw 127, 1999 - Permitted Density, a secondary suite should be permitted	This recommendation is similar to 7 above, adding the permitted density of suites (ie one per lot) under the density heading in each zone. While this is feasible, as discussed above staff feel it is clear and sufficient to have the density provision for all suites in the general regulations, as it is the same for all zones.

#	APC Recommendations	Staff Comments
	June 9th meeting	

#	APC Recommendations	Staff Comments
9	That, while the Advisory Planning Commission is very supportive of providing options for affordable housing, it recommends that the Local Trust Committee and the public be provided further detailed information on: 1) Existing lots, lot sizes and zones on the island, and potential density build-out; 2) How the ground water and waste-related provisions of this draft bylaw integrate with the <i>Water Sustainability Act</i> and existing ground water and waste-related reports and data; 3) Specifics around the water cistern with respect to achieving desired goals. The proposed bylaw is prescriptive for anyone who wants to develop a secondary suite in any zone but more details are required.	1) More analysis can certainly be conducted, to the extent data is available, and staff provided a breakdown of lot numbers by zone and lot area for the open house. However, the value of conducting more analysis is questionable: the anticipated number of suites that will be built is limited due to demand and cost, both in the number created per year and the overall total that can be ultimately expected, and any build-out analysis would be purely hypothetical. Experience from similar communities shows that the number of suites created each year would be limited, and that most suites would be the result of new construction being designed and built to include the option of a suite ("suite-able"). 2) As noted above, the BC Building Code and CRD Building Bylaw require that all residences be supplied with potable, regulate on-site water collection systems, and sewage systems, subject to applicable BC regulations. The existing Elevated Groundwater Catchment DPA would be applicable to new construction within that DPA, and the proposed bylaw would extend the existing cistern requirements from solely the Water Management Areas to any suite. 3) As described above, the intent of the cistern requirement is to ensure that impacts on groundwater are mitigated, however the specifics on how the cisterns are used is left to the discretion of the landowner. The expectation is that requiring landowners to purchase and install cisterns will result in there use. This is consistent with the current regulations in Water Management Areas on Galiano, and Saturna, and with the suite provisions introduced recently in the Mayne LUB.

The following summarizes public comments (these have been posted to the webpage) received by correspondence, comment forms, and expressed at the Community Information meeting:

- Concern about potential impacts on groundwater and that a requirement for cisterns may not be enforced.
- That either suites or cottages should be permitted, not both (on larger lots)
- Potable water should be provided by groundwater, but the cistern requirement is supported for irrigation or other non-potable uses
- The floor area of cottages and suites should be the same

- All home occupations should be permitted in suites
- Prohibition of subdivision of a suite is supported
- Secondary suites should be permitted in F2 and F3 zones
- The effectiveness of secondary suites in addressing affordable housing was questioned

First Nation and Agency Comments: agencies responding to date had indicated interests unaffected. FLNRO water branch staff had questions about the bylaw and will be providing a formal referral response. Planning staff will be meeting with staff from Lyackson First Nation (and possibly others) in mid-July to review a number of bylaws currently on referral.

TUP Guidelines

While the proposed LUB amendment would not permit an outright vacation rental in a suite, staff are also recommending that the TUP guidelines in the OCP include a policy against vacation rentals by TUP in suites. The draft OCP amendment (bylaw 254) has been revised to include this additional amendment.

Next Steps

The LTC should consider the feedback received to date and summarized in this report. Staff have made the correction noted by the APC to the LUB amendment (Bylaw 255) and as noted above, added a policy relating to vacation rentals in the TUP guidelines in the OCP amendment (Bylaw 254). These revisions are shown in the attached bylaws. If the LTC wishes to consider additional changes, staff should be directed to make changes to the draft bylaws and bring them back for consideration, or alternately to provide a staff report to the LTC with analysis, options or recommendations.

Summary of Planning Recommendations

At this point, staff are recommending that the bylaws be given first reading, incorporating the revisions shown in the attached bylaws. This is consistent with the timeline established in the project charter (copy attached).

Alternately, the LTC could ask for further changes to the bylaw, or additional information in the form of a staff report.

In summary, the LTC is being asked to:

- Consider giving First Reading to the bylaws
- Consider if any additional community consultation should be scheduled. The project charter indicates the option of a second community information meeting being held in September. Based on the attendance at the recent open house and meeting, staff are not recommending a second CIM at this point. The

comment form is posted on the webpage and the public is asked to submit comments by August 13th.

- Review and endorse Policy Statement Directives Checklist.

At the September meeting, the LTC would be:

- Provided with a summary of any further agency, First Nations or public comments and have an opportunity to amend the bylaws based on that input.
- Asked to consider second reading of the bylaws (with or without amendments)
- Requested to schedule a public hearing (for October).

RECOMMENDATIONS:

1. THAT the Galiano Island Local Trust Committee give First Reading to Draft Bylaw No. 254, cited as Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 3, 2015.
2. THAT THAT the Galiano Island Local Trust Committee give First Reading to Draft Bylaw No. 255, cited as Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 3, 2015.
3. THAT the Galiano Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklists and determine that proposed Bylaws No. 254 and 255 are not contrary to or at variance with the Islands Trust Policy Statement.

Prepared and Submitted by:



Robert Kojima, RPM

June 26, 2015

Date

Pc: Draft Bylaw 254
Draft Bylaw 255
Islands Trust Policy Statement Directive Policy Checklists
Project Charter

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 254

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

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

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

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

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

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

1. CITATION

This Bylaw may be cited for all purposes as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 3, 2015".

2. SCHEDULES

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

3. SEVERABILITY

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

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 254
SCHEDULE 1**

A. Bylaw No. 108, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995” is amended as follows:

1. Section **II2**, Subsection 1(Residential) is amended by inserting a new policy (c) as follows and re-numbering subsequent policies accordingly:

“c) Secondary suites may be permitted within principal dwellings with the intent of providing rental housing options. A maximum of one secondary suite, limited in floor area, shall be permitted per lot and dwellings containing secondary suites shall provide a rainwater catchment and storage system.”

2. Section **II2**, Subsection 2 (Agriculture), policy (b) is amended by inserting a new policy (c) as follows and re-numbering subsequent policies accordingly:

“c) Secondary suites may be permitted within principal dwellings with the intent of providing rental housing options. A maximum of one secondary suite, limited in floor area, shall be permitted per lot and dwellings containing secondary suites shall provide a rainwater catchment and storage system.”

3. Section VII (Temporary Use Permits), Subsection 2 (Objectives), article (iii) is amended by inserting a new policy (i) as follows :

“i) Commercial Vacation Rentals should not be permitted within secondary suites.

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GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 255

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) Part 2 is amended by inserting the following as a new Section 2.28:

“Secondary Suites

- 2.28 Secondary suites permitted in Parts 5 and 6 are subject to the following:

2.28.1 One secondary suite is permitted on each lot.

2.28.2 On parcels less than 4 hectares a secondary suite shall not be permitted on the parcel if a cottage has been constructed and a cottage shall not be permitted on the parcel if a secondary suite has been constructed.

2.28.3 A secondary suite shall not exceed 60m² (646 ft²) nor 40% of the floor area of the building in which it is located.

2.28.4 A secondary suite shall be entirely located within the building that contains the principal dwelling.

2.28.5 A secondary suite shall have an entrance from the exterior of the building separate from the entrance to the principal dwelling.

2.28.6 A building permit shall not be issued for a secondary suite, nor shall a secondary suite be occupied, unless the building that is to contain the secondary suite is equipped with a rainwater catchment and storage system having a capacity of at least 16,000 litres.

2.28.7 A secondary suite must not be subdivided from the principal dwelling unit under the *Land Title Act* or the *Strata Property Act*.

2.28.8 The only home occupations permitted in secondary suites are professional practices or offices, limited to one business per secondary suite, and no non-resident employees are permitted.

2.28.9 No short term vacation rental or bed and breakfast shall be permitted in a secondary suite.

2.28.10 A minimum of one parking space must be provided for a secondary suite.”

- b) Subsection 5.1.1 (Village Residential 1) is amended by inserting a new article 5.1.1.4 as follows:

“5.1.1.4 secondary suite”

- c) Subsection 5.2.1 (Village Residential 2) is amended by inserting a new article 5.2.1.4 as follows:

“5.2.1.4 secondary suite”



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: GL-254

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECK LIST

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

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

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

Part III Policies for Ecosystem Preservation and Protection

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

PART IV: Policies for the Stewardship of Resources

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

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

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

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

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

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



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: 255

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECK LIST

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

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

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

Part III Policies for Ecosystem Preservation and Protection

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

PART IV: Policies for the Stewardship of Resources

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

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

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

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

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

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

Secondary Suite Review - Charter v1

Galiano Island Local Trust Committee

Date: March 26, 2015

Purpose *To consider amendments to the OCP and LUB to permit and regulate secondary suites*

Background *The LTC identified this as a Top Priority in February 2015, with the goal of completing the project within the first year of the term. The intent of the project is to consider increasing affordable housing through the means of secondary suites. Secondary suites are ground-oriented, market rental housing that is typically considered affordable. They are permitted within existing single-family dwellings and are usually in the basement or at ground level (thus often referred to as 'basement suites'). They can also benefit homeowners by providing income to off-set a mortgage or provide accommodation for live-in care-givers.*

Objectives

- To identify options for permitting secondary suites as a form of affordable housing
- To consider amendments to the OCP and LUB
- To implement potential regulatory changes permitting secondary suites

In Scope

- Review of options for permitting secondary suites
- Public consultation on secondary suite options
- Consultation with agencies, water systems and first nations
- Bylaw amendment process
- Implementation

Out of Scope

- Unrelated OCP or LUB amendments

Workplan Overview

Deliverable/Milestone	Date
Early consultation—trustee newsletter, fact sheet, letters to water systems, First Nations	April 2015
LTC direction, review of draft bylaws, bylaw referrals	April - May 2015
Open house and Community Information meeting	June 2015
First reading	July 2015
Second community information meeting (optional)	September 2015
Second reading	October 2015
Public hearing	November 2015

Project Team

Robert Kojima	Project Manager
Kim Farris	Planner
Lori Foster	Admin Support
Barb Dashwood	GIS technician

RPM Approval:

Date: April 15, 2015

LTC Endorsement:

Resolution #:

Date: April 13, 2015

Budget

Budget Source:

Fiscal	Item	Cost
2015-16	Advertising, communications	\$200
	Open house/CIM	\$400
	Second CIM (optional)	\$400
	Public Hearing	\$1500
	Total	\$2500

70

Date: June 24, 2015

File No.: 6500-20-Galiano
Cottage Review

To: Galiano Island Local Trust Committee
For the meeting of July 6, 2015

From: Kim Farris,
A/Planner 2

CC: Robert Kojima,
Regional Planning Manager

Re: Cottage Review Project – Draft Bylaw Nos. 242 (OCP) & 243 (LUB)

The purpose of this report is to present the draft Official Community Plan (OCP) amendment Bylaw No. 242 and an amended version of the draft Land Use Bylaw (LUB) amendment Bylaw No. 243 for the Cottage Review project to the Galiano Island Local Trust Committee (LTC). The staff report will also outline the project's next steps for the Galiano LTC's consideration.

Project Background

The LTC identified a review of cottage regulations as one of three Top Priority projects at the regular meeting of February 2, 2015. At the March meeting, the LTC gave direction to proceed with a project charter and to report back with policy and regulatory options. At the April 13th meeting, the LTC reviewed and endorsed a project charter, reviewed the policy and regulatory options, and gave direction to prepare draft bylaws (previous reports are available on the Galiano Island LTC website: <http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/projects-initiatives/cottage-size-review.aspx>)

At the May 4, 2015 Galiano LTC meeting the LTC reviewed the draft bylaws and gave direction to schedule an open house and community information meeting for June 13, 2015 and requested staff to forward the draft bylaws to the Galiano Island Advisory Planning Commission (APC) for comment.

Communications and Community Consultation

Agency Referrals:

Referrals were sent to agencies and First Nations to provide comments on the draft bylaws. At the time of writing this staff report, two responses were received for this project:

- Spanish Hills Improvement Districts: bylaws supported
- MoTI: no objections

- Thetis Island Local Trust Committee: interests unaffected
- Mayne Island Local Trust Committee: interests unaffected

The Lyackson First Nation has scheduled a meeting with staff in early July to discuss the Cottage Review project bylaws and the Secondary Suite project bylaws. Comments from this meeting will be included in a subsequent staff report.

APC Referral:

Draft Bylaw Nos. 242 & 243 were forwarded to the Galiano Island APC for comment. The Galiano Island APC met on June 9, 2015 to discuss the project (draft minutes attached). The APC supported the increase of cottage height to 9 metres but recommended the floor area be restricted to 60m² for smaller lots, and that a consistent approach is taken with respect to water and waste provisions for secondary suites and cottages.

Community Information Meeting:

An open house and community information meeting (CIM) was held on June 13, 2015 and was attended by approximately 12 people. General comments collected at the open house and CIM include, but were not limited to, concerns with affordable housing on Galiano Island, removing the term 'accessory' from the cottage definition leading to subdivision, groundwater concerns, a support for the increase to floor area, and STVR use in cottages.

The project charter incorporates the option of the LTC holding an additional community information meeting in September. The LTC should consider if they wish to request staff to schedule an additional community information meeting.

Public Hearing:

A public hearing should be scheduled once all agency referrals are received. There is a notification period prior to the public hearing during which time surrounding neighbours will be contacted and advertisements placed in a newspaper. Further direction from the LTC will be required if any additional community consultation or special meetings above and beyond the standard process are desired.

Staff recommend scheduling a CIM and public hearing for all three top priority projects, if possible, in the Fall 2015.

Islands Trust Policy Statement

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

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

Staff Comments

Staff are recommending revising the draft LUB Bylaw No. 243 in order to reflect community comments collected to date. There has been an expressed concern that removing the term 'accessory' from the cottage definition could lead to subdivision. Although this has not been an

issue elsewhere, to address this staff are recommending that the amendment include a regulation that would restrict a cottage from being subdivided from the principal dwelling unit under the *Land Title Act* or the *Strata Property Act*. All subdivision applications currently are referred to the Islands Trust to ensure compliance with regulations and policies. The only form of subdivision that does not require local government approval are unoccupied building stratas (note: corporate co-operatives are not a form of subdivision, but a form of ownership of land – Islands Trust cannot regulate ownership of land).

The Galiano Island LUB currently requires cisterns totally 16,000L for rainwater collection when a new dwelling or cottage is constructed within the Water Management Area (Section 13.22). Draft Bylaw No. 243 includes an information note in the proposed 'Cottage Section' in the General Regulations of the LUB noting the requirement for cisterns when a cottage is constructed within a Water Management Area. Requiring cisterns for the construction of any cottage on Galiano Island, not just within the Water Management Areas, is not recommended: it is not within this project's scope and would require a substantial amount of research, community engagement, and agency referrals. The Galiano Island LTC may wish to add this topic to their Projects List.

A concern was also raised during the June 13, 2015 CIM with cottages being used as an STVR. Under the current Home Occupation regulations in the Galiano Island LUB, a legal cottage may be used as a Short Term Vacation Rental (STVR) as long as the STVR meets the home occupation regulations.

The trustees should review the draft bylaws revisions and ensure they meet the LTC's intent. There will be further opportunities for the LTC to consider amendments at future meetings. Also, staff will revise the blackline version of the OCP and LUB incorporating the amendment above that will allow the LTC and community to view the changes in the context of the consolidated bylaw.

Next Steps:

Once draft bylaws have been reviewed, the next steps are to:

- Consider community and agency comments, potential revisions and First Reading.
- Consider if any additional community consultation should be scheduled. Based on the attendance at the recent open house and meeting, staff are not recommending a second CIM at this point. The comment form is posted on the webpage and the public is asked to submit comments by August 13th.
- Review and endorse Policy Statement Directives Checklist.

At the September meeting, the LTC would be:

- Provided with a summary of any further agency, First Nations, or public comments and have an opportunity to amend the bylaws based on that input.
- Asked to consider second reading of the bylaws (with or without amendments)
- Requested to schedule a public hearing (for October). The project charter indicates the hearing would be scheduled for September, however staff are recommending that the hearing be coordinated with the secondary suites hearing in October.

Summary of Planning Recommendations

If the LTC is prepared to proceed with the draft bylaws, the recommendations are to:

- Consider First Reading, and
- Confirm that draft Bylaw No. 242 and draft Bylaw No. 243 are not contrary to or at variance with the Islands Trust Policy Statement.

RECOMMENDATIONS:

1. THAT the Galiano Island Local Trust Committee give First Reading to Draft Bylaw No. 242, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2013".
2. THAT the Galiano Island Local Trust Committee give First Reading to Draft Bylaw No. 243, cited as "Galiano Island Land Use Bylaw No. 1 27, 1999, Amendment No. 2, 2013".
3. THAT the Galiano Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaw No. 242 and Bylaw No. 243 is not contrary to or at variance with the Islands Trust Policy Statement.

Prepared and Submitted by:

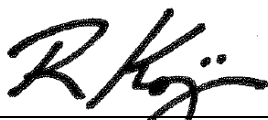


Kim Farris, A/Planner 2

June 25, 2015

Date

Concurred in by:



Robert Kojima
Regional Planning Manager

June 26, 2015

Date

Attachments:

Pc: Draft Bylaw 242
Draft Bylaw 243
Islands Trust Policy Statement Checklists
Project Charter

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 242

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

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

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

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

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

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

1. CITATION

This Bylaw may be cited for all purposes as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2013."

2. SCHEDULES

Schedule A (Policy Document) of Galiano Island Official Community Plan No. 108, 1995 is amended as indicated on Schedule 1, attached to and forming part of this amending bylaw.

3. SEVERABILITY

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

DRAFT

READ A FIRST TIME THIS	DAY OF	201x
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

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 242

SCHEDULE 1

- A. Bylaw No. 108, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995” is amended as follows:
1. By amending Section 5.3, Visitor Accommodation policy d)(iii) by deleting the word “cottages” and replacing it with the word “cabins.”
 2. By amending the definition of ‘Cottage’ in Part 9 (Definitions) by deleting the word “total” and replacing it with the word “limited” and deleting the words “of 60 square metres (645 square feet) or less”.

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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) Subsection 2.3.1 is amended by the deleting the words “, other than a cottage,”
 - b) Following Section 2.7, the heading “Accessory Buildings and Structures” is deleted and replaced with a new heading “Cottages”
 - c) A new Section 2.8 is inserted following the heading “Cottages” as follows:

“2.8 A cottage must not be subdivided from the principal dwelling unit under the Land Title Act or the Strata Property Act~~Cottages must not exceed a height of 9 metres.~~”
 - d) Section 2.9 is amended by inserting the words “Cottages must not exceed a height of 9 metres and” at the beginning of the sentence, by replacing “Except” with “except”, and replacing the words “60 square metres” with “70 square metres.” so it reads:

e) “Cottages must not exceed a height of 9 metres and except as provided in section 2.10, the floor area of a cottage must not exceed 70 square metres.”
 - e) Section 2.10 is amended by replacing the words “60 square metres” with “70 square metres.”
 - f) A new heading “Cisterns” is inserted following section 2.10 and preceding Section 2.11.
 - g) An information note is inserted following Section 2.11 as follows:

“Information Note:
Potable Water Standard 13.22 establishes that a building permit shall not be issued for a new building to be used as a dwelling, including a cottage, in the water management area depicted on Schedule C unless the building is equipped with a cistern for the storage of rainwater having a capacity of at least 16,000 litres.”
 - h) A new heading “Accessory Buildings and Structures” is inserted preceding Section 2.12.
 - i) Section 9.3.2 is amended by deleting the word “cottages” and replacing it with the word “cabins.”
 - j) The table following Subsection 9.3(A).3 is amended by deleting the word “Cottages” in the second row and replacing it with the word “Cabins.”
 - k) Section 13.22 is amended by inserting the word “new” following the first instance of the word “a” and preceding the word “building” and by inserting the words “, including a cottage,” following the word “dwelling” and preceding the word “in.”

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- l) Table 2 in Section 14.1 is amended by deleting the word “cottage” in row 14.1.8 and replacing it with the word “cabin.”
- m) Subsection 17.1.10 is amended by deleting the words “building that is accessory to a”, and deleting the words “and is used for human habitation by guests, household member or tenants,” and replacing it with the words “with a limited floor area”, and deleting the words “and having a floor area that does not exceed 60 square metres except as provided in s. 2.9” and replacing it with the words “that is located on the same parcel as another dwelling.”
- n) Subsection 17.1.41 is amended by deleting the word “cottages” and replacing it with the word “cabins.”
- o) Subsection 17.1.49 is amended by deleting the word “cottage” and replacing it with the word “cabin.”

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	201x
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

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Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: Bylaw No. 242 (OCP)

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECK LIST

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

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

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

Part III Policies for Ecosystem Preservation and Protection

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

PART IV: Policies for the Stewardship of Resources

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

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

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

PART V: Policies for Sustainable Communities

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

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
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Bylaw and File No: Bylaw No. 243 (LUB)

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	5.7	Economic Opportunities
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	5.8	Health and Well-being
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POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

Cottage Review - Charter v1

Galiano Island Local Trust Committee

Date: April 2, 2015

Purpose *To consider amendments to the OCP and LUB to increase cottage floor area and height*

Background *The LTC identified this as a Top Priority in February 2015, with the goal of completing the project within the first year of the term. The intent of the project is to consider increasing cottage floor area and height. The increased floor area would create additional housing options while the height increase would address uncertainty with the current regulations and encourage smaller footprints.*

Objectives

- To identify options for increasing cottage floor area
- To identify amendments to height regulations
- To consider related amendments to the OCP and LUB
- To implement potential regulatory changes

In Scope

- Review of options for permitting larger cottage floor area
- Public consultation on cottage floor area and height options
- Consultation with agencies, stakeholders and first nations
- Bylaw amendment process
- Implementation

Out of Scope

- Unrelated OCP or LUB amendments

Workplan Overview

Deliverable/Milestone	Date
Early consultation—trustee report, letters to First Nations	April 2015
LTC direction, review of draft bylaws, bylaw referrals	April - May 2015
Open house and Community Information meeting	June 2015
Review of consultation outcomes, First and Second readings	July 2015
Public Hearing	September 2015
Third reading	October 2015
Executive Committee approval, bylaw forwarded to Minister	November 2015

Project Team

Kim Farris	Project Manager
Robert Kojima	Project Sponsor
Lori Foster	Admin Support
Barb Dashwood	GIS technician

RPM Approval:

Date: April 15, 2015

LTC Endorsement:

Resolution #:

Date: April 13, 2015

Budget

Budget Source:

Fiscal	Item	Cost
2015-16	Advertising, communications	\$200
	Open house/CIM	\$400
	Public Hearing	\$1500
	Contingency	\$400
	Total	\$2500

Date: June 23, 2015 File Number: 6500-20 LUB
Amendment 2015

To: Galiano Island Local Trust Committee
For the meeting of July 6, 2015

From: Kim Farris
A/Planner 2

Re: Adoption of Bylaw No. 250 – Land Use Bylaw (LUB) Amendment

In general terms, the purpose of Proposed Bylaw No. 250 is to amend the Galiano Island Land Use Bylaw (LUB) and provide clarity to Section 2.14 in the Galiano Island LUB.

First and Second Reading was given to proposed Bylaw No. 250 at the April 13, 2015 Galiano Island LTC meeting. A community information meeting and public hearing was held as part of the regular LTC business meeting on June 1, 2015. Following the public hearing proposed Bylaw No. 250 was given Third Reading. The Islands Trust Policy Statement Checklist was endorsed by the LTC at the meeting of April 13, 2015. On June 23, 2015, the Islands Trust Executive Committee approved proposed Bylaw No. 250.

Recent Court Decision:

A decision made at a recent court case between the Galiano Island Local Trust Committee and a property owner resulted in the severance of the second sentence (underlined below) from Section 2.14 of the LUB. Before the court decision Section 2.14 stated:

“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. The setback to the sea does not apply to public bodies constructing public accesses on public land owned or operated by that body on a dedicated highway or other public access.”

As the second sentence is now deleted by decision of the court, Section 2.14 now reads:

“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.”

The court decision has implications on the proposed Bylaw No. 250 as the bylaw makes reference to the second sentence by deleting it and replacing it with an exemption for structures located on a highway. Since the second sentence has already been deleted by the court order, proposed Bylaw No. 250 should be amended to remove the reference to deleting the second sentence. Staff have outlined this amendment in a blackline version of the amended Bylaw No. 250 attached to this memo.

As Executive Committee approval has been given, staff recommend the LTC amend proposed Bylaw No. 250 and give fourth and final reading to Bylaw No. 250.

RECOMMENDATIONS:

1. THAT Galiano Island Local Trust Committee amend proposed Bylaw No. 250, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2015”, by deleting the sentence reading “deleting ‘The setback to the sea does not apply to public bodies constructing public accesses on public land owned or operated by that body on a dedicated highway or other public access’ and”.
2. THAT Galiano Island Local Trust Committee proposed Bylaw No. 250, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2015” be adopted as amended.

Attachment 1 – Bylaw No. 250 (with amendment)

pc Robert Kojima, Regional Planning Manager

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) General Regulations, Section 2.14 is amended by ~~deleting “The setback to the sea does not apply to public bodies constructing public accesses on public land owned or operated by that body on a dedicated highway or other public access”~~ and inserting “This setback from the sea does not apply to structures located on a highway” such that it reads: ‘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. This setback from the sea does not apply to structures located on a highway’.
2. This bylaw may be cited for all purposes as the “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2015”.

READ A FIRST TIME this 13th day of April, 2015.

READ A SECOND TIME this 13th day of April, 2015.

PUBLIC HEARING HELD this 1st day of June, 2015.

READ A THIRD TIME this 1st day of June, 2015.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this 23rd day of June, 2015.

ADOPTED this day of, 201_.

DEPUTY SECRETARY

CHAIRPERSON



Top Priorities

Galiano Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Secondary Suite Review	To research potential issues and options for secondary suites on Galiano Island.	Feb-02-2015	Kim Farris	Feb-02-2016	On Going
2	Cottage Regulations Review	To review cottage regulations in the Galiano Island Land Use Bylaw with respect to height and maximum floor area. Also to review cottage definition and policies in the Galiano Island Official Community Plan.	Feb-02-2015	Kim Farris	Feb-02-2016	On Going
3	Home-based Contractors	To look at options of permitting contractor yards	Feb-03-2014	Kim Farris Robert Kojima	Nov-30-2015	On Going

Projects

Galiano Island

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

9	Land Use Bylaw Amendments	To review LUB for: any technical/administrative bylaw amendments (e.g. definition references and numbering), shoreline zoning wording, crown lot rezonings, and review park zoning (specifically to allow stairs in setbacks).	Jul-07-2014	On Going
10	Community Benefit Review for Forest Lands	Staff to prepare preliminary report for new LTC	Sep-08-2014	On Going
11	Consider amendments to re-designate and rezone crown owned Forest lots.- Bylaws 231, 232 at First Reading	re-refer to FLNRO for comment		On Going
12	Telecommunication Strategy	To consider a telecommunication strategy to address cell tower policies and procedural guidelines.	May-12-2015	On Going

Applications w/ Status - Galiano Island Status: Open

Applications

Rezoning

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

Planning Status

Status Date: Feb-20-2015

summary of proposed approach received, update for March 3rd LTC meeting

Status Date: Feb-02-2015

applicants state they are no longer proceeding with RHTF application. Will provide detailed summary of proposed changes

Status Date: Jan-21-2015

applicants withdrawing RHTF application

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

Planning Status

Status Date: Jun-17-2015

Draft Sustainable Forestry covenant sent for legal review.

Status Date: May-28-2015

Approval received from Minister's office for Bylaw 244.

Status Date: May-14-2015

Applicant requested to provide cost recovery for legal review of covenant

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

Planner: Kim Farris

Planning Status

Status Date: Jun-16-2015

Application referred to the APC

Status Date: May-21-2015

Requested material from applicant received.

Status Date: Apr-02-2015

Staff met with applicant to discuss requested information and next steps.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2015.1	Galiano Conservancy Association	Feb-25-2015	006-620-965 ELLIS RD Change land use designation in OCP from Rural to Nature Protection and LUB from Rural 2 to Nature Protection

Planner: Phil Testemale

Planning Status

Status Date: Jun-25-2015

CIM & Public Hearing scheduled for July 6, 2015

Status Date: Apr-22-2015

Forwarded to EC May 13, 2015 agenda for sponsorship consideration

Status Date: Apr-14-2015

LTC direction to bring back draft bylaws

Subdivision

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

Planner: Kim Farris

Planning Status

Status Date: Nov-24-2014

SD file on hold until zoning amendment bylaws are adopted

Status Date: Sep-08-2014

10 percent waiver approved by LTC

Status Date: Aug-28-2014

request for 10 percent frontage waiver on sept agenda

Galiano Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: April 7, 2014

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 11, 2009 / Amended February 3, 2014	GL-LTC-85-09 Amended:	Parks Commission Referral	That staff refer all applications adjacent to a park or ocean access to the Galiano Island Parks and Recreation Commission for comment
2.	October 18, 2010	GL-LTC-115-10	Publishing Notices beyond legal requirements	THAT the Galiano Island Local Trust Committee will advertise Public Hearing Notices in either the Active Page Magazine or Islands Tides Newspaper in addition to the legally required advertising in the Driftwood Newspaper.
3.	October 17, 2011	GL-LTC-205-11	Special Occasion Liquor Licenses	THAT where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property on which Galiano Island Land Use Bylaw No. 127, 1999 permits public assembly uses, such as restaurants or community halls, and where there have been no issues related to parking or past complaints for the preceding three years , staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.
4.	February 3, 2014		Applications with Open Bylaw Enforcement files	On properties where there is an open bylaw enforcement file, planning staff should refer planning applications to the Bylaw Enforcement Manager for comment where one or more of the following circumstances exist: 1. There have been significant delays or longer than typical timelines in the enforcement process 2. The LTC is considering on-going, relevant policy or regulatory changes that could impact enforcement 3. Litigation has been recommended 4. Legal counsel has been involved (beyond providing a basic interpretation) 5. There has been enforcement action beyond seeking voluntary compliance (e.g. a BEN warning or ticket, adjudication, a compliance agreement negotiated, etc.) 6. There has been, or is an expectation of, joint enforcement with other jurisdictions 7. There is potential for impact on other related enforcement files.

No	Meeting Date	Resolution No.	Issue	Policy
5.	April 7, 2014	GL-2014-029	Community Wells as a Community Benefit	That the Galiano Island Local Trust Committee will consider as a community benefit for all rezoning applications where there is an increase in density, the establishment of an instrumented observation well.

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Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality May 2015

ITF Name Change – Meeting with Assistant Deputy Minister

Trust Fund Board Chair Tony Law joined the Executive Committee for a meeting with Jay Schlosar, an Assistant Deputy Minister with the Ministry of Community, Sport and Cultural Development. The main topic was the long-standing request for a legislative amendment to the *Islands Trust Act* to re-name the Islands Trust Fund to Islands Trust Conservancy. Mr. Schlosar agreed that the existing name presents a barrier to fundraising and marketing and that a new name that reflects what we do could make a significant difference for us. Although the proposed change is minor, Mr. Schlosar cautioned those attending that there are always many competing priorities for the legislative agenda. The ADM indicated his willingness to move our request forward and will keep us informed about timelines and process. The Trust Fund Board appreciates the support of Trust Council and the Executive Committee in advancing the name change request, something that has been on the Board's agenda for several terms.

Lasqueti Crown Land Acquisition

Representatives of TFB and staff will be meeting with the Chief and Councillors of Qualicum First Nation to begin discussing a possible Sponsored Crown Grant application on Lasqueti Island. The parcel in question is north of Mount Trematon, an existing Islands Trust Fund nature reserve encompassing the highest point on Lasqueti. The acquisition would contribute to a significant network of protected areas for the island.

Islands Trust Fund Annual Report – A good read!

TFB has approved our annual report for 2014-15 to be included as a section in the Islands Trust Council's annual report to the Minister. While this report meets a statutory requirement, it also offers a good read that provides interesting information about our work. We encourage trustees who want to be more familiar with our activities to read our section when the draft comes to Trust Council's meeting for approval in June 2015.

Conservation Covenants on Salt Spring Island

In February we registered a conservation covenant on 0.3 hectares of a private Salt Spring Island property, providing legal protection to a First Nations burial site, as well as forest ecosystem values. A covenant has also been registered on our Cyril Cunningham Nature Reserve by the Habitat Acquisition Trust and the Salt Spring Island Conservancy, adding a new layer of protection.

Howe Sound Science and Knowledge Workshop

Kate Emmings, Ecosystem Protection Specialist, attended a workshop co-hosted by the Squamish Nation, Vancouver Aquarium, and David Suzuki Foundation to "bring knowledge holders together to identify and share observations, information, experiences, and future knowledge priorities related to the aquatic biophysical features of Howe Sound." Kate shared eelgrass and forage fish data for the area and identified potential resources for the Gambier Island Local Trust Committee.

Strategic Plan

Trust Fund Board has submitted its input for the Islands Trust Strategic Plan. All our suggestions relate to the Policy Statement goal of Ecosystem Preservation and Protection and to achieving objectives of the Regional Conservation Plan. Our input supports activities to protect coastal and marine areas, including utilizing land use planning tools for shoreline protection.

More information?

Please contact any of the three trustees who are members of the Board – Tony Law, Susan Morrison and Kate-Louise Stamford – who will be glad to help answer any questions you may have.