

Galiano Island Local Trust Committee

Regular Meeting Agenda

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

Pages

- | | | | |
|-------|--|---------------------|---------|
| 1. | Call to Order | 12:30 PM - 12:50 PM | |
| 2. | Approval of the Agenda | | |
| 2.1 | Questions on Agenda Items | | |
| 2.2 | Town Hall Session | | |
| 3. | Community Information Meeting | | |
| | none | | |
| 4. | Public Hearing | | |
| | none | | |
| 5. | Previous Meetings | 12:50 PM - 1:20 PM | |
| 5.1 | Local Trust Committee Minutes for Adoption | | |
| 5.1.1 | Galiano Island Local Trust Committee Special Meeting Minutes of November 16, 2013 (attached) | | 4 - 5 |
| 5.1.2 | Galiano Island Local Trust Committee Meeting Minutes of November 18, 2013 (attached) | | 6 - 19 |
| 5.2 | Public Hearing Record and Community Information Meeting | | |
| 5.2.1 | Galiano Island Local Trust Committee Community Information Meeting Notes of November 16, 2013 (attached) | | 20 - 25 |
| 5.3 | Section 26 Resolutions without Meeting | | |
| | none | | |
| 5.4 | Advisory Planning Commission | | |

none

6. Business Arising from the Report

6.1 Follow-up Action Report

**6.1.1 FUAL Report Dated December 2013
(attached)**

26 - 28

7. Delegations

none

8. Correspondence

none

9. Applications, Permits, Bylaws and Referrals

1:20 PM - 2:00 PM

9.1 GL-DP-2013.2 (Ghai) Memo (attached)

29 - 43

9.2 GL-DVP-2013.3 (Williams) Memo (attached)

44 - 60

..... BREAK2:00 PM.....

10. Local Trust Committee Projects

2:20 PM - 3:00 PM

10.1 STVR - Staff Report (attached)

61 - 68

11. Reports

3:00 PM - 3:45 PM

11.1 Work Program Reports

**11.1.1 Work Program Report Dated December
2013 (attached)**

69 - 70

11.2 Applications Reports

**11.2.1 Applications Report Dated December 2013
(attached)**

71 - 76

11.3 Expense/Budget Reports

**11.3.1 LTC Expense Report Dated November 2013
(attached)**

77 - 77

11.4 Bylaw Enforcement

none

**11.5 Policies and Standing Resolutions Report
(attached)**

78 - 79

For Information

11.6 Galiano Island LTC Web Page for Review

Galiano Island Local Trust Committee Web Page
can be found at this address:
www.islandstrust.bc.ca/islands/local-trust-

areas/galiano

11.7 Chair's Report

11.8 Trustee Report

12. Other Business

3:45 PM - 4:15 PM

12.1 Upcoming Meetings

The next Galiano Island Local Trust Committee meeting will be held on February 3, 2014, at 12:30 pm, at the South Community Hall, Galiano Island.

12.2 Community Benefit Regarding Rezoning of Forestry Property

For Discussion

12.3 Galiano Land Community Housing Trust (GLCHT) - Community Information Follow-up

12.4 Motion to Close Meeting

4:15 PM - 4:30 PM

THAT, pursuant to Section 90(a) and (f) of the Community Charter, the Galiano Island Local Trust Committee resolves to close the meeting to the public for the purpose of consideration to adopt November 18, 2013, Galiano LTC In Camera Minutes and to received updated information regarding a Bylaw Enforcement issue; and further that staff and Recording Secretary remain present.(distributed under separate cover)

12.5 Recall to Order

12.5.1 Rise and Report from Closed Meeting

13. Town Hall

4:30 PM - 5:00 PM

14. Adjournment

5:00 PM - 5:00 PM

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE SPECIAL MEETING
HELD ON SATURDAY, NOVEMBER 16, 2013, AT 1:00 P.M.
AT THE GALIANO SOUTH COMMUNITY HALL
141 STURDIES BAY ROAD, GALIANO ISLAND, B.C.**

<u>PRESENT:</u>	Ken Hancock	Chair
	Louise Decario	Local Trustee
	Sandy Pottle	Local Trustee
	Robert Kojima	Regional Planning Manager
	Kris Nichols	Island Planner
	Lori Foster	Planning Secretary

There were approximately (40) forty members of the public present.

1. CALL TO ORDER

Chair Hancock introduced himself, welcomed the public, and called the meeting to order at 1:03 pm, recognizing that the Local Trust Committee meeting was being held on traditional Coast Salish Territories. Chair Hancock introduced the Local Trustees, Islands Trust Staff, members of the Capital Regional District (CRD), and members of the Galiano Land and Community Housing Trust (GLCHT).

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

Addition: New Item 4.1.1 Capital Regional District: David Howe, Director and Maurice Rachwalski, Acting General Manager, Planning and Protective Services.

2.2 Questions from Public on Agenda Items

None

The agenda, as amended, was adopted by consensus.

3. OPEN HOUSE

Chair Hancock invited all in attendance to review the informational materials posted by the Galiano Land and Community Trust and reports and maps presented by the Islands Trust staff.

Note - A recess was called at 1:10 pm to give everyone an opportunity to circulate and informally review the materials.

Note - Chair Hancock called the meeting back to order at 1:35 pm.

4. **COMMUNITY INFORMATION MEETING**

See separate notes of the November 16, 2013 Community Information Meeting

5. **ADJOURNMENT**

The meeting was adjourned at 3:40 p.m.

CHAIR

RECORDER

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON MONDAY, NOVEMBER 18, 2013, AT 12:30 PM
AT THE SOUTH ISLAND COMMUNITY HALL,
GALIANO ISLAND, B.C.**

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

There were approximately seventeen (17) members of the public present.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 12:35 p.m. Introductions were made and the meeting introduced.

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

2. APPROVAL OF THE AGENDA

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

- Added item 8.4 – Email dated November 14, 2013 from A. Shaw re: Support for Galiano Green Project
- Added item 8.5 – Email dated November 13, 2013 from M. Elliot re: Proposed Bylaws 233 & 234 and Opposed to GLCHT
- Added item 12.4 – Southern Gulf Islands Harbours Commission Bylaw

The agenda as amended, by consent, was approved.

2.1 Questions on Agenda Items

Doug Latta asked when comments regarding the November 16, 2013 Galiano Land and Community Housing Trust (GLCHT) Community Information Meeting (CIM) would be permitted.

Chair Hancock responded that comments regarding the GLCHT CIM would be welcomed during the Town Hall Session.

2.2 Town Hall Session

Chair Hancock invited the public to make comment.

Doug Latta stated support for GLCHT, the November 16, 2013 CIM, sustainable lifestyles, addressing project concerns and working with the Local Trust Committee (LTC).

There was some discussion regarding GLCHT, specifically relating to: project timeline; CIM presented figures; final report needing to be received by the LTC; feasibility, affordability, and minimum income; and applicant asset(s) threshold.

Tom Hennessy stated support for GLCHT. He stated surprise regarding correspondence item 8.5.

There was some discussion regarding fencing and M. Elliot having many concerns regarding GLCHT.

Gary Coward stated support for GLCHT. He stated support for the word “assigned” being used instead of the word “donated” when referencing community benefit via applications that include such (i.e.: Keefer, Dewinetz, Zizzy/Brown). He stated support for the LTC to decide community benefit(s) without applicant(s) influence and encouraged the LTC to consider many groups as potential recipients.

Andrew Loveridge stated support for GLCHT and the proposed location. He stated support for the good will of the forest lot owners and encouraged everyone in the community to work together.

Tom Hennessy stated support for the LTC to consider many groups as potential recipients of community benefit via rezoning applications.

Art Moses stated concern regarding BC Ferries and their recent announcement of cuts to service(s) and the senior’s discount. He encouraged the Islands Trust and LTC to oppose the cuts.

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

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes for Adoption

5.1.1 Galiano Island Local Trust Committee Meeting Minutes of October 7, 2013

Amendments:

- Page 10, item 13.7, first paragraph – replace two instances of the word “motion” with “resolution”.

The Minutes of October 7, 2013 Local Trust Committee Meeting were Adopted as amended by consent.

5.2 Public Hearing Record and Community Information Meeting

None

5.3 Section 26 Resolutions without Meeting

None

5.4 Advisory Planning Commission

5.4.1 Galiano APC Adopted Meeting Minutes of July 11, 2013

Received for information.

5.4.2 Galiano APC Adopted Meeting Minutes of September 24, 2013

Received for information.

6. BUSINESS ARISING FROM THE REPORT

6.1 Follow-up Action Report

6.1.1 FUAL Report dated November 2013

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

Specific to “Done” items – Planner Nichols will remove them.

Trustee Decario stated that a meeting with the Ministry of Transportation and Infrastructure (MoTI) regarding Galiano’s parking issues would hopefully take place this week.

7. DELEGATIONS

None

8. CORRESPONDENCE

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

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

8.1 Email dated October 10, 2013 from Andrea Palframan re: Letter of Support for Galiano Green

Received

8.2 Letter dated October 29, 2013 from Andy Beers re: Letter of Support for Galiano

Received

8.3 Letter dated October 29, 2013 from Christina Talbot re: Letter of Support for Galiano

Received

8.4 Email dated November 14, 2013 from A. Shaw re: Support for Galiano Green Project

Received

8.5 Email dated November 13, 2013 from M. Elliot re: Proposed Bylaws 233 & 234 and Opposed to GLCHT

Received

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 Salt Spring Island Local Trust Committee Bylaw No. 470 Referral

Resolution GL-LTC-122-13

It was Moved and Seconded that the Galiano Island Local Trust Committee considered Salt Spring Island Local Trust Committee Bylaw No. 470 and decided Interests Unaffected by Bylaw.

CARRIED

9.2 Salt Spring Island Local Trust Committee Bylaw No. 471 Referral

Resolution GL-LTC-123-13

It was Moved and Seconded that the Galiano Island Local Trust Committee considered Salt Spring Island Local Trust Committee Bylaw No. 471 and decided Interests Unaffected by Bylaw.

CARRIED

9.3 2013 10 04 Islands Trust Council Strategic Plan Referral to LTC

Resolution GL-LTC-124-13

It was Moved and Seconded that the Galiano Island Local Trust Committee recommends an Activity addition to Islands Trust Council Strategic Plan item 1.5.3 called "Participate in Coastal Douglas Fir and Associated Ecosystems Conservation Partnership" with Measure of Success being "Active Participation" and Status being "Depict Galiano's Membership".

CARRIED

The LTC noted that Trust Council Strategic Plan item 2.1.3 (Green Shores for Home credit rating incentive system in one LTA) should reflect that the Thetis Island LTC is piloting such.

There was some discussion regarding the Natural Areas Protection Tax Exemption Program (NAPTEP).

Resolution GL-LTC-125-13

It was Moved and Seconded that the Galiano Island Local Trust Committee recommends Islands Trust Council Strategic Plan item 3.3.2 be amended to include under Status "Groundwater Protection DPA Policy Review".

CARRIED

Resolution GL-LTC-126-13

It was Moved and Seconded that the Galiano Island Local Trust Committee recommends Islands Trust Council Strategic Plan item 6.2.2 be deleted.

CARRIED

9.4 GL-DP-2013.5 (Winmark) Staff Report

Planner Nichols provided information from Staff Report dated October 30, 2013 (File No.: GL-DP-2013.5) Re: Development Permit for Subdivision.

Applicant Richard Dewinetz was in attendance.

Resolution GL-LTC-127-13

It was Moved and Seconded that Galiano Island Local Trust Committee Development Permit GL-DP-2013.5 (Winmark Capital Inc.) be approved.

CARRIED

9.5 GL-RZ-2013.1 (Landworks) Staff Report

Planner Nichols provided information from Staff Report dated November 5, 2013 (File No.: GL-RZ-2013.1) Re: Revised Proposal for Consideration – Official Community Plan and Land Use Bylaw Amendments – District Lot 79.

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

There was some discussion regarding staff recommendations.

Kelly Gesner stated the following: applicant is working with MoTI in order to obtain Preliminary Layout Approval (PLA); applicant plans to file for subdivision within the next week; applicant prefers to amend the existing community benefit agreement that was used in another application rather than initiate a new cost recovery agreement ; applicant will consult the Islands Trust regarding a Section 219 covenant prior to a draft being submitted for LTC review; applicant prefers that each party pay their own legal fees.

There was some discussion regarding the following: best and sustainable practices; possible covenant examples; covenant being in perpetuity; protection of sensitive ecosystems; covenant including steep slopes and riparian areas; covenant being a model for future reference; Development Permit Areas (DPA); Private Managed Forest Land (PMFL) eligibility and potential complications; emergency access; statutory right-of-way (SRW); concern regarding covenants in lieu of road dedication; and establishment of an F3 zone.

Planner Nichols stated that he would report back to the LTC regarding clarification of New Covenant Requirement, bullet point two (2) on page three (3) of the Staff Report.

Bowie Keefer stated that incorrect references/labeling regarding “Bodega Beach Trail” would be changed to “Bodega Beach Drive”.

Resolution GL-LTC-128-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to contact BC Parks regarding a letter of understanding pertaining to lands being transferred as stated in proposed application GL-RZ-2013.1 (Landworks).

CARRIED

Resolution GL-LTC-129-13

It was Moved and Seconded that Galiano Island Local Trust Committee Draft Bylaw No. 244 cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2013” be given First Reading.

CARRIED

Resolution GL-LTC-130-13

It was Moved and Seconded that Galiano Island Local Trust Committee Draft Bylaw No. 245 cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 3, 2013” be given First Reading.

CARRIED

Resolution GL-LTC-131-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to schedule a Community Information Meeting and Public Hearing for Proposed Bylaw No. 244 cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2013”, and Proposed Bylaw No. 245 cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 3, 2013”, once a subdivision Preliminary Layout Approval has been issued.

CARRIED

Resolution GL-LTC-132-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to enter into a cost recovery agreement with applicant GL-RZ-2013.1 (Landworks) for legal review of the legal undertaking pertaining to the transfer of funds from the sale of proposed Lot 5 to the Galiano Island Housing Society.

CARRIED

Resolution GL-LTC-133-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to work with applicant GL-RZ-2013.1 (Landworks) to draft a Section 219 covenant and enter into a cost recovery agreement with the applicant for associated legal work.

CARRIED

Note: There was a break at 2:20 p.m.

Note: The meeting reconvened at 2:45 p.m.

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Bylaw No. 238 – Staff Report

Planner Nichols provided information from Staff Report dated October 30, 2013 (File No.: GL 6500-20 (LUB Review)) Re: Galiano Bylaw No. 238, Amendment No. 3, 2012 – A Bylaw to Amend Galiano Island Land Use Bylaw No. 127, 1999.

Resolution GL-LTC-134-13

It was Moved and Seconded that Galiano Island Local Trust Committee Proposed Bylaw No. 238, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 3, 2012”, be defeated and proceed no further.

CARRIED

10.2 Bylaw No. 241 – Memo re: APC Comments

Planner Nichols provided information from Memorandum dated October 29, 2013 (File Number GL 6500-20 (LUB Review)) Re: Consideration of Sawmill Definition and Contractor Yards as part of Home Occupation – Draft Bylaw No. 241 (LUB).

There was some discussion regarding the following: sawmilling; Advisory Planning Commission (APC) comments and recommendations; enforcement issues; contractor yards; concern regarding potential large-scale industrial use; and concern regarding noise.

Resolution GL-LTC-135-13

It was Moved and Seconded that Galiano Island Local Trust Committee Proposed Bylaw No. 241, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2013”, be amended by deleting sections d), e), and f).

CARRIED

Resolution GL-LTC-136-13

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

CARRIED

Resolution GL-LTC-137-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to schedule a Community Information Meeting and Public Hearing for Proposed Bylaw No. 241, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2013”.

CARRIED

The LTC thanked the APC for their work.

11. REPORTS

11.1 Work Program Reports

11.1.1 Work Program Report dated November 2013

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

Specific to Top Priority Item No. 2 (LUB update) Activity No. 1, No. 2 and No. 3 – Planner Nichols will remove them as they are “done”.

Resolution GL-LTC-138-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend the Work Program Top Priorities list by moving Top Priority item No. 2 (LUB update) Activity Phase II items to the Work Program Projects list.

CARRIED

Resolution GL-LTC-139-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend the Work Program Top Priorities list by moving Top Priority item No. 3 (Ground water protection DPA policy review) to Top Priority item No. 2 and moving Work Program Projects list item “Dock Review” to Top Priority item No. 3.

CARRIED

There was some discussion regarding Projects list item No. 3.

Resolution GL-LTC-140-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend the Work Program Projects list by adding a new item with the Description being “Light Industrial Zoning” and the Activity being “Review inventory assessment of existing and potential light industrial zones”.

CARRIED

Resolution GL-LTC-141-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend the Work Program Projects list by deleting items No. 2 (OCP amendment to review definition of “tree”) and No. 6 (Procedure Bylaw Update).

CARRIED

11.2 Applications Reports

11.2.1 Applications Report dated November 2013

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

11.3 Expense/Budget Reports

11.3.1 LTC Expense Report dated October 2013

Provided for information purposes only.

The LTC commented that the next report would be more accurate.

11.4 Bylaw Enforcement

None

11.5 Policies and Standing Resolutions Report

Provided for information purposes only.

11.6 Galiano Island LTC Web Page for Review

Chair Hancock asked for any additions or changes to the LTC web page; specific amendments are listed below and Planner Nichols will update routine items as necessary.

Resolution GL-LTC-142-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to add the Islands Trust Water Education Project page link to the Galiano Island web page.

CARRIED

11.7 Chair's Report

Chair Hancock stated that the Executive Committee has been busy preparing for the next Trust Council meeting, which will be held in Victoria, December 3rd - 5th, 2013, and that highlights would include the following: half-a-day dedicated to sustainable economic issues; hosting seven (7) regional districts directors, non-governmental organizations (NGO); Chambers of Commerce for a conversation toward island best practices and various approaches to achieving more sustainable local economies; a workshop on invasive species; and a first look at the 2014-2015 budget, which comes up for adoption in March 2014.

11.8 Trustee Report

Trustee Decario stated that she has had a busy month concerning the following: attended a Southern Planning Committee meeting in Sidney, BC, regarding economic development; preparing for the next Trust Council meeting; attended a local planning meeting; attended two financial planning meetings; attended the GLCHT CIM; would hopefully be meeting with a MoTI operations technician this week regarding Galiano's parking issues; and attended to her duties in general (emails, phone calls, office hours etc.).

Trustee Pottle stated that she: attended a Southern Planning Committee meeting in Sidney, BC regarding economic development; attended the GLCHT CIM; is available to meet with people during and/or outside her scheduled office hours; and attended to her duties in general (emails, phone calls, office hours etc.).

12. OTHER BUSINESS

12.1 Upcoming Meetings

The next meeting of the Galiano Local Trust Committee will be held on December 9, 2013 at 12:30 p.m., at the South Community Hall, Galiano Island.

12.2 Proposed Galiano Local Trust Committee 2014 Meeting Schedule

Resolution GL-LTC-143-13

It was Moved and Seconded that the Galiano Island Local Trust Committee amends the Proposed Galiano Local Trust Committee 2014 Meeting Schedule by moving the September 8 meeting to the South Community Hall and deleting the December 1 meeting and that the Proposed Galiano Local Trust Committee 2014 Meeting Schedule as amended be Adopted.

CARRIED

12.3 Email from Lisa Gordon re: Water Resource for Islanders – New Islands Trust Web Pages

Received

12.4 Southern Gulf Islands Harbours Commission Bylaw

Resolution GL-LTC-144-13

It was Moved and Seconded that the Galiano Island Local Trust Committee requests that the Capital Regional District refer any proposed amendments to the Southern Gulf Islands Harbours Commission Bylaw to the Galiano Island Local Trust Committee for comment as provided for in the Capital Regional District/Islands Trust Protocol.

CARRIED

13. TOWN HALL MEETING

Chair Hancock invited the public to make comment.

Tom Hennessy stated on behalf of GLCHT that concerns raised by M. Elliot could be addressed.

Gary Coward stated support for the LTC to consider many groups as potential recipients of community benefit via applications, especially all affordable housing groups.

Ron Taylor stated support for monies acquired for community benefit(s) being used for items that have a clear benefit to the community rather than items such as administration.

Gary Coward stated concern with LTC process regarding community benefit.

Tom Hennessy stated support for the LTC to consider many groups as potential recipients of community benefit via applications and without applicant(s) influence.

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

14. MOTION TO CLOSE MEETING

Resolution GL-LTC-145-13

It was Moved and Seconded THAT, pursuant to Section 90(d), (f) and (g) of the Community Charter, the Galiano Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting October 7, 2013 Galiano LTC In Camera Minutes and to consider legal advice on a potential litigation issue; and further that staff and Recording Secretary remain present.

CARRIED

Note: the public was asked to adjourn at 4:10 p.m.

See separate In Camera Meeting minutes dated November 18, 2013.

Note: the public reconvened at 4:40 p.m.

15. RECALL TO ORDER

Chair Hancock stated there was nothing to report.

16. ADJOURNMENT

Resolution GL-LTC-148-13

It was Moved and Seconded that the Galiano Island Local Trust
Committee meeting be adjourned at approximately 4:45 p.m.

CARRIED

RECORDER

CHAIR

**NOTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE COMMUNITY INFORMATION MEETING
HELD ON SATURDAY NOVEMBER 16, 2013, AT 1:00 P.M.
AT THE GALIANO SOUTH COMMUNITY HALL
141 STURDIES BAY ROAD, GALIANO ISLAND**

<u>PRESENT:</u>	Ken Hancock	Chair
	Louise Decario	Local Trustee
	Sandy Pottle	Local Trustee
	Robert Kojima	Regional Planning Manager
	Kris Nichols	Island Planner
	Lori Foster	Planning Secretary

There were approximately (40) forty members of the public present.

See the Galiano Island Local Trust Committee Special Meeting Minutes of November 16, 2013.

4. COMMUNITY INFORMATION MEETING

Galiano Land & Community Housing Trust - Affordable Housing Application

4.1 Proposed Overview

Island Planner Nichols stated that the purpose of this community information meeting was for the public to ask questions about the proposed application. He reported the following facts concerning the application: first readings have been given to proposed Bylaws 233 (OCP) and 234(LUB); a covenant has been drafted as part of an ALC requirement; a draft housing agreement created; and (8) eight staff reports have been produced over a span of (2) two years since the application was first made in 2011.

For the application to move forward, Planner Nichols commented on the next steps including the following: further readings of the bylaws; finalizing the housing agreement; and further consultation with the community. He encouraged the public to ask questions of himself and the applicants.

4.1.1 Capital Regional District (CRD)

Director David Howe, the Southern Gulf Islands CRD Board member, spoke on the following: the set-up of an economic development commission; the Regional Housing Trust Fund (RHTF) and the CRD finance committee. Director Howe suggested that the RHTF consider the GLCHT project, which makes sense; however, questions need to be answered regarding feasibility.

Acting General Manager (A/GM), Maurice Rachwalski, Planning and Protective Services, gave an overview of (2) two CRD functions: a) the development aspect of the CRD which coordinates with Islands Trust to issue permits, conduct building inspections, and other technical aspects and b) the function of the Regional Housing Trust Fund (RHTF) Commission which considers applications for funding for up to \$15,000 per unit that meet a number of criteria. A/GM Rachwalski stated that the feasibility of the project needs addressing.

A member of the public addressed A/GM Rachwalski asking how the \$15,000 per unit is spent.

A/GM Rachwalski answered that funds are dispersed based on ownership. With GLCHT, it appears the proposed ownership of the land is offered as a form of leasehold to the tenant but this structure needs clarity.

Director Howe concurred that the ownership structure of the project needs clarity for funding purposes.

4.2 Project Proposal - Galiano Land & Community Housing Trust

Robert Barrs, consultant with Rob Barrs & Associates and retained by GLCHT, presented an overview of the project. Mr. Barrs used a PowerPoint presentation to review the report circulated by GLCHT, "Galiano Green, Affordable Home Ownership – Feasibility Plan Draft Nov 13, 2013", the materials posted on the walls of the community centre, and highlighted the following points: GLCHT is a non-profit society whose sole purpose is to provide affordable housing on Galiano Island; the site is centrally located to amenities; need for affordable housing; 99-year lease; small home footprint; shared utilities; most of the site to remain natural; draft house plans; rain water collection/well usage and septic/wetland treatment plans; and relaxing parking requirements.

Robert Brown, consultant with Chesterman Properties, reviewed the financial component of the project, grant funding, and the bottom line to owners. Mr. Brown spoke on the following items: site development hard/soft costs and revenues; housing costs for one, two and three bedroom homes; mortgage potential and financing through Van City and chattle mortgages insured by Canada Mortgage and Housing Corporation (CMHC). He mentioned that heating costs were not included in the cost projections as the type of home heating could be determined on an individual basis.

A member of the public spoke out saying wood burning heating would create belching smoke.

Mr. Brown concluded his presentation further addressing the operations plan of the project stating that GLCHT would remain the landowner, the homeowner would pay house tax, a connection fee would be levied for septic connection, and that common areas would have an operating budget.

4.3 Q & A

Chair Hancock opened the meeting to the public for a question and answer period.

Geoff Gaylor asked how long do lease payments occur.

Mr. Brown said lease payments are to be determined on house size and that grants received would lower lease costs.

Dick Chase asked about mortgages and minimum income required.

Mr. Brown responded that eligibility would be determined under affordable housing criteria, and that potential owners would need to be prudent about the type of mortgage entered into and interest rates over a 5-year term.

Jean Krebs stated that water treatment is an expensive proposition.

Avis Seads asked about the proposed community water system, that it does not take into account the draw from the Rod and Gun Club or other neighbouring wells. She asked about the water catchment needed to service a home and about using the existing well.

Chair Hancock commented that the Kohurt report did not appraise neighbouring wells.

Rob Barrs spoke about the hydro flow-rate report which is low, to minimize draw on surrounding well owners. Storage of personal water would use a 5000-gallon tank.

Tom Hennessy responded saying the Burgess report indicated that 30-gallons per day, per person is calculated.

Kathy Stevenson asked what the impact on the financial model would look like if funding were not met. How many homes are currently approved and what happens if building is not finished.

Robert Brown spoke about carrying costs and when lots are leased, these commitments would meet financial needs.

Acting General Manager Rachwalski (CRD) asked about financing and land tenure. How would a loan and deal be structured for all parties, tenants, financing, and GLCHT?

Robert Brown replied that the land is owned by GLCHT and the 99-year lease which he likened to renting a pad in a mobile home park.

A/GM Rachwalski wanted to know who takes on the risk with the bank.

Mr. Brown stated that infrastructure would be mortgaged with GLCHT and covered with the lease payments. The homeowner would obtain a loan secured through a leasehold/chattel.

Mr. Hennessy commented that to keep the home affordable, the bank would not take it back in default. The society would buy back the building and put it back on the market.

Mr. Brown said the trust would have the right of first refusal.

A/GM Rachwalski asked how the society would take back a home and where that money comes from.

Mr. Hennessy replied that people in the community have guaranteed land and will put up assets.

A/GM Rachwalski said that this personal guarantee is not shown in the study.

Mr. Brown spoke, that to be prudent; the trust would have reserves and excess monies coming in.

Chair Hancock asked, how would risk be managed?

Anita Braha introduced herself as a lawyer and stated she was being transparent because of her potential conflict of interest as a Director with Van City and a member on the Galiano Loan Fund. She spoke in favor of the project and GLCHT. She said it is possible to structure and manage the risk the project is presenting through agreements. She encouraged the community to ask questions and complimented the work that the society is doing.

Clive Taylor asked if CMHC has approved construction loans, and inquired about costs for rainwater catchment, as roof size does not seem adequate.

Mr. Brown said CMHC has not at this time but they do approve mobile home loans similar to this type of proposition.

Mr. Barrs responded that the roof area does need to be bigger and that temporary awnings would meet the requirement.

Avis Seeds spoke saying Kathy's question about applicants had not been answered.

Chair Hancock reiterated Kathy Stevenson's question asking who has signed on.

Tom Hennessy responded saying no one has signed on; however, there were twenty people with interest, that seven people were in flux and twelve people were committed.

Dave Ages commented that he appreciated Anita's words and the island is supportive and wants to see the project's success. He asked about the rainwater figures saying a 10,000-gallon tank was frugal with these kinds of numbers. He questioned the heating of the homes suggesting shared propane. Mr. Ages also asked about ownership and if homeowner as contributors could work to create a credit with the society.

Mr. Brown replied saying the ownership is the home. Other assets would be common property and that unique lease agreements could be created.

Judy Parrack spoke in favor of the model; the land is held by the society and leased in a shareholder type agreement.

Stewart Brands commented that he didn't see this as affordable housing and asked what the difference was between this, and buying a house.

Mr. Barrs said the land cost is kept lower through leasehold rather than freehold land.

Virginia Monk asked about organizational structure and governance decisions.

Mr. Hennessy said there would be a Homeowners Council; two members would liaise with GLCHT.

Trustee Pottle asked about sewage costs and the EcoFlo system.

Mr. Hennessy responded stating that the fixed EcoFlo system was not sized, that it is set up to accommodate two people and the full system will accommodate forty people with its large tank system.

Chair Hancock invited Ian Rolston to speak about the septic system.

Ian Rolston, septic designer for the project, spoke on the following points: a traditional septic system versus the EcoFlo system; the number of units the project will be accommodating and the economy of scale. The site location is conducive to wetland disposal and other benefits of the system. Mr. Rolston mentioned the maintenance aspect of the system and the cost would be less to do so although there would be connection fee of \$4000- \$5000.

Trustee Decario asked Mr. Rolston if he had built large volume systems and would you build the whole system at once or as needed.

Mr. Rolston replied that the wetlands are built all at once and the rest is phased. Maintenance could include replacing sand and gravel when needed.

Doris Recinos commented that young people are forgotten with regards to home ownership. She spoke in favor of the project saying she felt it was a low-risk and represented good quality.

Note - Chair Hancock called for a ten-minute break.

Island Planner Nichols addressed the meeting and spoke about the process moving forward for the GLCHT application which would include the following: the LTC to review the final feasibility study; the bylaw process including further readings, and adoption; a public hearing; the draft housing agreement to be finalized and adopted by bylaw; another community information meeting; and the Official Community Plan amendment requiring provincial approval. He stated that there was no set time frame for this process.

Trustee Decario questioned why a 99-year lease.

Mr. Brown responded that the lease needs to be defined by a time frame.

Mr. Hennessey noted that applicants would need to qualify for low-income housing.

Andrew Loveridge, GLCHT board member, commented that the project is located in the center of town and fits with the community density.

Chair Hancock noted there were no further comments from the public.

By consensus, the meeting was adjourned at 3:40 pm.

See the Galiano Island Local Trust Committee Special Meeting Minutes of November 16, 2013.

RECORDER

DATE



Islands Trust

Print Date: Dec-02-2013

Follow Up Action Report w/ Target Date

Galiano Island Jun-11-2012

No.	Activity	Responsibility	Target Date	Status
1	GL-RZ-2005.2 (Romagnoli-Smith) July 14/13 - applicants' lawyer informs that applicants are not prepared to execute covenants at this time, lawyer is going on leave until Sept and no further response expected until Dec 2013.	Robert Kojima Gary Richardson	Feb-03-2014	On Going

Sep-17-2012

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

Dec-03-2012

No.	Activity	Responsibility	Target Date	Status
3	Retreat Cove Farm (Covenant Amendment) Staff working with Province to resolve issue.	Kris Nichols	Feb-03-2014	On Going

Oct-07-2013

No.	Activity	Responsibility	Target Date	Status
4	9.1 Gaylor Covenant October 7, 2013 Staff requested to work with the new owners to finalize the covenant amendment and discharge. June Discharge covenant from Rem. D.L. 48, Amend	Kris Nichols	Nov-18-2013	On Going

covenant on Lot 1 to state that sawmilling and planing to occur within an enclosed building for sound mitigation

Once agreed to by the owner then proceed with legal changes, registration and signing by the chair

May 6 - Lot 1 sold, going to talk to new owner prior to proceeding to remove covenant from REM D.L. 48 on whether amendment is required to Lot 1.

New owners deciding on next steps.

5	11.3 Dewinetz - Staff to prepare a news release for LTC review and approval.	Kris Nichols	Dec-09-2013	On Going
---	--	--------------	-------------	----------

Nov-18-2013

No.	Activity	Responsibility	Target Date	Status
-----	----------	----------------	-------------	--------

6	GL-RZ-2011.1 (GLCHT) Application to be considered under discussion item on Dec. 9 LTC agenda to look at possible next steps.	Kris Nichols	Dec-09-2013	Done
---	---	--------------	-------------	------

7	9.1 GL-DP-2013.2 (Ghai) Application deferred. Applicant requested to provide a bathometric survey of the bay area in front of the property and to obtain a professional biologist review of the bay area to identify the best location for a dock that minimizes the impact on the sensitive ecosystems. Applicant to provide additional reports for consideration at Dec. 9, 2013 LTC meeting.	Kris Nichols	Dec-09-2013	Done
---	--	--------------	-------------	------

8	9.2 and 9.3 SSI Referrals Staff to notify SSI that LTC passed resolutions to state interests are unaffected with these referrals.	Sharon Lloyd-deRosario	Dec-09-2013	Done
---	--	------------------------	-------------	------

9	Bylaw No. 241 given second reading as amended. Staff to schedule CIM and PH for February 2014 meeting.	Lori Foster Sharon Lloyd-deRosario Kris Nichols	Feb-03-2014	On Going
---	--	---	-------------	----------

10	GL-RZ-2013.1 Bylaws No. 244 and 245 were given first reading. CIM and PH to be scheduled once a subdivision PLA has been received. Staff to initiate a cost recovery agreement as required and to work with applicant on F3 sustainability covenant. Staff to obtain a Letter of Understanding from BC	Sharon Lloyd-deRosario Kris Nichols	Feb-03-2014	On Going
----	---	--	-------------	----------

Parks

11	GL-DVP-2013.3 Application to be considered at Dec 9 LTC meeting - staff to draft memo to go with report submitted by applicant.	Kim Farris Kris Nichols	Dec-09-2013	Done
12	Calendar of meetings to be amended to state that the June meeting is to take place in the North Hall and to remove the December meeting. October 7, 2013 Staff to ensure that 2014 LTC meetings are placed on the first Monday of every month unless a Statutory Holiday.	Lori Foster	Dec-09-2013	On Going
13	Web Update: Provide a link to the Trust Council's Water Education Project	Lori Foster	Nov-18-2013	Done
14	Bylaw No. 238 to be closed. October 7, 2013 Staff directed to bring a memo to the next meeting to close Bylaw No. 238 (Chegwidden)	Sharon Lloyd-deRosario Kris Nichols	Dec-09-2013	Done
15	9.4 GL-DP-2013.5 (Winmark) DP approved for issuance.	Sharon Lloyd-deRosario Kris Nichols	Dec-09-2013	Done



Memorandum

Date November 25, 2013 File Number GL-DP-2013.2 (Ghai)

To Local Trust Committee
For the meeting of December 9, 2013

From Kris Nichols
Island Planner

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

At the October 7, 2013 Local Trust Committee (LTC) meeting, the following resolution was passed:

It was Moved and Seconded that the Galiano Island Local Trust Committee requests the applicant to provide a survey demonstrating the proposed docks compliance with Development permit guideline 52 and that a subsequent report be provided that assesses the entire site adjacent to the owner's parcel in order to verify a dock location that minimizes impacts on sensitive ecosystems, while complying with any other applicable guidelines.

The Shoreline and Marine DPA Guideline No. 52 states:

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

In addition, the LTC requested that the additional information from the applicant ensure that this dock location is the best location to minimize any impacts meeting DP Guideline 44: *"Docks and wharves should be sited to minimize impacts on sensitive ecosystems such as eelgrass beds, fish habitat and natural processes such as currents and littoral drift."*

The applicant has provided a letter from Access Marine Services which had conducted a bathymetric survey (water depth) of the area in front of the property on October 24, 2013. The result was that site chosen for the location of the dock is the best given the depth in the shortest distance to the shore. In discussions with the applicant, it was pointed out that the depth below the dock float at low tide is 3.71 metres. This depth is required due to the possibility of waves given the openness of the dock area so that if a boat with a 2.2 metre draft (as permitted in the OCP) does not hit scour the bottom during low tide. The applicant has assured staff that given the sea bed that they will do everything they can to ensure that the anchors and chains do not impact the ecosystem any more than needed and will look at innovative ways to lessen any impact.

A letter was also provided from Precision Identification; same firm that wrote the last report regarding the habitat of the seabed area, which reviewed the proposed location of the dock in reference to other possible locations along the property's waterfront. It was determined that there was no alternative site that could be suggested based on fact that there did not appear to be any areas of low productivity from a habitat perspective.

See Attachment 1 for letters/information mentioned above.

A draft DP was attached to the previous report and was based on the original professional's report (Kathy Reimer), subsequently new information was received in a new professional report (Precision Identification) building on the original report stating that the existence of eelgrass was greater than originally thought. A revised DP has been drafted based on the new information. See Attachment 2.

BACKGROUND

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

At the July LTC meeting, LTC passed a motion to have a secondary biologist's report done which was received at the October LTC meeting. The new report concluded that the dock pilings are located within an eelgrass bed. This was considered at the October meeting. Further information was requested of the applicant at this meeting (please see above).

At that meeting, the applicant stated that they would do an assessment of the seabed a year after the dock is constructed to evaluate if there was any impact on the sea bed ecosystem. This will be included in the development permit as a condition.

NEXT STEPS

The LTC can consider the following options:

1. Issue the development permit (DP).
2. Request additional information from the applicant.
3. Deny the DP application based on the fact that it does not meet the guidelines in the OCP based on the professional reports.

Pc Robert Kojima, RPM

Attachment:

1. Letters/Information from Access Marine Services and Precision Identification
2. Development Permit GL-DP-2013.2



This Area unsuitable
Due to shallow water

58.7m @ 332°

48.8m @ 242°

POC



PRECISION IDENTIFICATION
3622 WEST 3RD AVE.,
VANCOUVER, B.C.
V6R 1L9

David McKerrell
Island Marine Construction Services Ltd.
#2-156 Alders Ave.
Saltspring Island, B.C. V8K 2K5

November 12, 2013

Re: Dock Location
Lot B, District Lot 96, Galiano Island, Cowichan District
22525 Porlier Pass Drive

Dear Mr. McKerrell,

I snorkeled the site on August 8, 2013 during a low tide of 1.1 m. The objective of my visit was to examine the area between the pilings to determine whether eelgrass (*Zostera marina*) may have colonized this area prior to the installation of the pilings¹. I observed the habitat present but did not map or measure areas nor compile species lists as that was not the objective of my visit. My observations are summarized in the following paragraphs.

I walked and swam from the pocket beach on the Ghai property to the neighbour's property immediately south of the Ghai property. The low intertidal and shallow subtidal habitat in this area is highly productive. A band of fringing eelgrass travels roughly parallel to the shore from the Ghai property southwards. The northern end of the eelgrass bed was limited near the pocket beach by rock and boulder, and then by elevation. The hard substrate (rock & boulder) was heavily colonized by a variety of seaweeds including kelp. The seaweeds also provide excellent fisheries habitat. Many species of seaweed are annuals that die back during the fall and would not be visible if the site was surveyed between the fall and late spring.

The upper edge of the eelgrass bed was limited by boulders and bedrock along the shore. The lower edge of the bed was likely limited by depth (light

¹ Precision Identification. August 27, 2013. Eelgrass Habitat Assessment. Lot B, District Lot 96, Galiano Island, Cowichan District. Report prepared for The Islands Trust, Victoria, B.C.

penetration); the lowest extent of the eelgrass at the time of the survey was estimated to be between two and three metres (chart datum).

I did not note any area of low productivity adjacent to the Ghai property and therefore can not recommend an alternate site for the dock which would be preferred from a habitat perspective.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Durance".

Cynthia Durance, R.P.Bio.
Principal, Precision Identification

ACCESS MARINE SERVICES

ACCESS MARINE SERVICES

208 Stevens Rd.

Ganges, BC, V8K 1w5

Phone: 250 537-7049

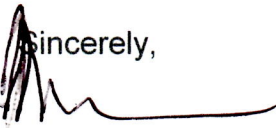
E-Mail: info@accessmarine.ca

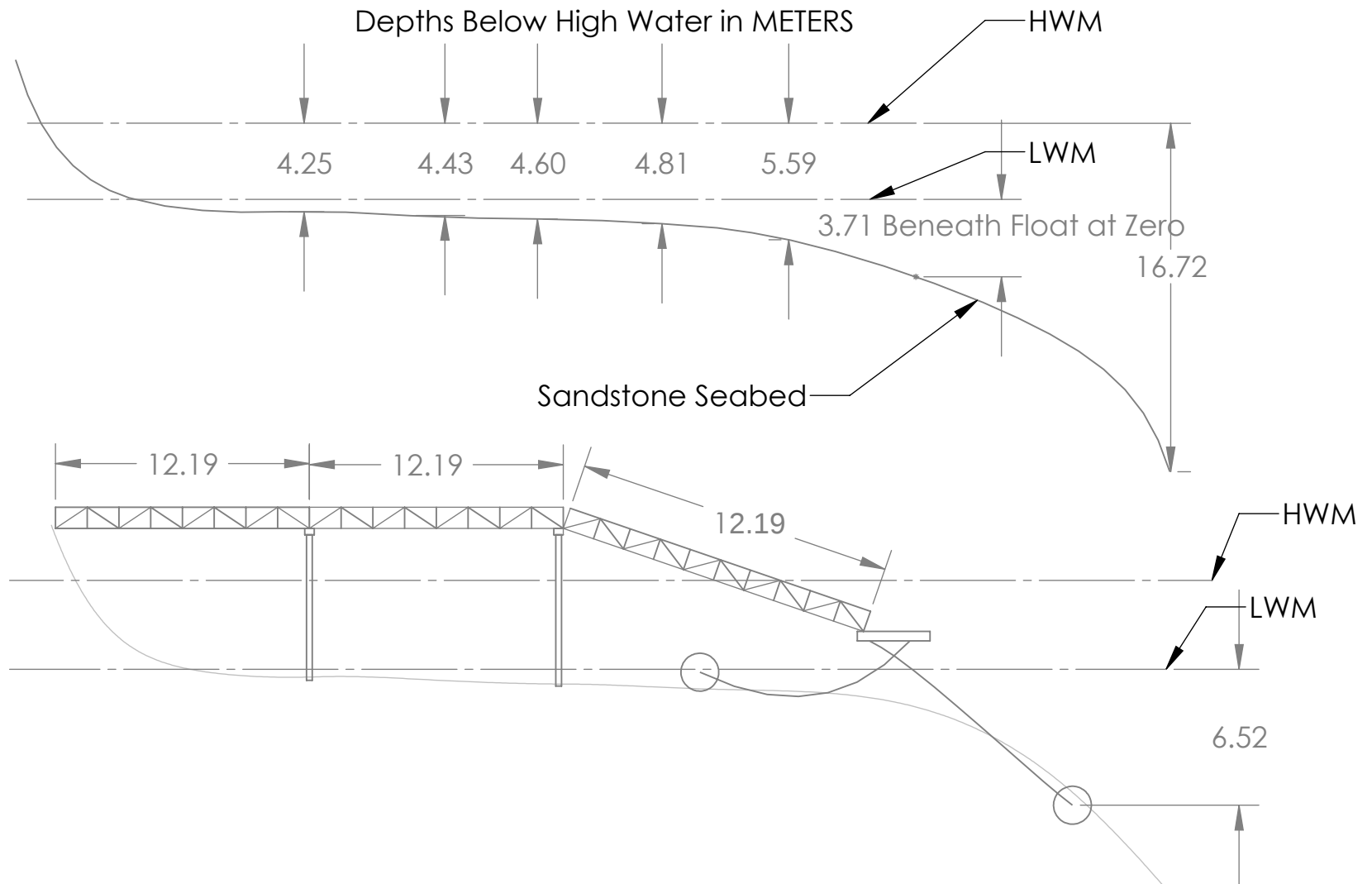
Protecting your shoreline investment

November 25, 2013

To whom it may concern,

On October 24, 2013 I visited 22525 Porlier Pass Drive Lot B, District Lot 96, Galiano Island, Cowichan District. While there I performed a series of soundings to determine that the installation is in the best available location since it achieves adequate depth in the shortest distance from the shore. In fact, to the north of the current location there is a pinnacle that will be a navigational hazard and certainly would not be submerged sufficiently at all tides to install a float directly over it.

Sincerely,

Pete McKenzie.



PROPRIETARY AND CONFIDENTIAL
 THE INFORMATION CONTAINED IN THIS
 DRAWING IS THE SOLE PROPERTY OF
 Island Marine Construction Ltd. ANY
 REPRODUCTION IN PART OR AS A WHOLE
 WITHOUT THE WRITTEN PERMISSION OF
 Island Marine Construction Ltd IS
 PROHIBITED.

		UNLESS OTHERWISE SPECIFIED:		NAME	DATE
		DIMENSIONS ARE IN METERS	DRAWN	dm	6.30.11
			CHECKED		
			ENG APPR.		
			MFG APPR.		
		INTERPRET GEOMETRIC TOLERANCING PER:	Q.A.		
		MATERIAL	COMMENTS:		
		FINISH			
NEXT ASSY	USED ON				
APPLICATION		DO NOT SCALE DRAWING			

Island Marine Construction Ltd		
TITLE: Beach Transects for Vari Ghai		
SIZE A	DWG. NO. Beach Transect	REV
SCALE: 1:1	WEIGHT:	SHEET 1 OF 1



**GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT 2013.2**

To: Vari and Neera Ghai

1. This Development Permit (the "Permit") applies to foreshore area described below and all buildings, structures and other developments therein:

Unsurveyed Crown foreshore or land covered by water being part of the bed of Trincomali Channel, Cowichan District containing 0.125 hectares, more or less that fronts Lot B, District Lot 96, Galiano Island, Cowichan District, Plan 30331.

2. This Development Permit No. GL-DP-2013.2 authorizes the construction of a walkway, ramp and dock within the development permit area, subject to the following requirements and conditions:
 - a. Construction of a walkway, ramp and dock and land alterations shall be consistent with Schedules "A", "B", "C" and "D" attached to and forming part of this permit.
 - b. That the concrete abutment (landing area for the dock) be extended landward to the edge of the bedrock step and horizontally dowelled into the bedrock and the existing landing pad in order to provide additional support. The dowels should consist of six equally spaced 5/8" reinforcing steel at each end of the extension, each embedded 8" into intact sandstone/concrete and grouted full length with non-shrink grout.
 - c. There should be no anchoring of any vessel or the dock itself within the kelp beds or the eelgrass areas.
 - d. During any unloading of building materials there should be absolutely no disturbance to the eelgrass areas identified in the Precision Identification report dated August 27, 2013.
 - e. There should be no float of any kind placed or any small boat moored in the water above the eelgrass.

- f. That there be monitoring by a qualified professional throughout the construction of the dock with a final follow up report submitted to the Islands Trust within a month of completion.
 - g. A subsequent report by a qualified professional will be submitted to the Islands Trust a year after the completion of the dock evaluating the ecosystem around the dock.
 - h. Construction practices must adhere to Department of Fisheries and Oceans (DFO) Best Management Practices for Dock Construction.
3. The Galiano Island Land Use Bylaw No. 127, 1999 is varied as follows:
- Subsection 2.14 is varied to permit a concrete abutment (dock landing) to be 2.3 metres from the natural boundary of the sea. Current bylaw regulation states that the distance for structures from the natural boundary of the sea is 7.5 metres.
- 4. Any further development involving the foreshore area will require a new Development Permit, or a Development Permit Amendment.
 - 5. This Permit does not remove any obligation on the Permittee to obtain other approvals or obligations necessary for the lawful completion of the proposed development.
 - 6. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
 - 7. This permit does not relieve the applicant from complying with the provisions of the Galiano Land Use Bylaw unless varied by this Permit.

This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of Galiano Island Land Use Bylaw No. 127, 1999 and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST
COMMITTEE THIS xx day of xx, 2013.

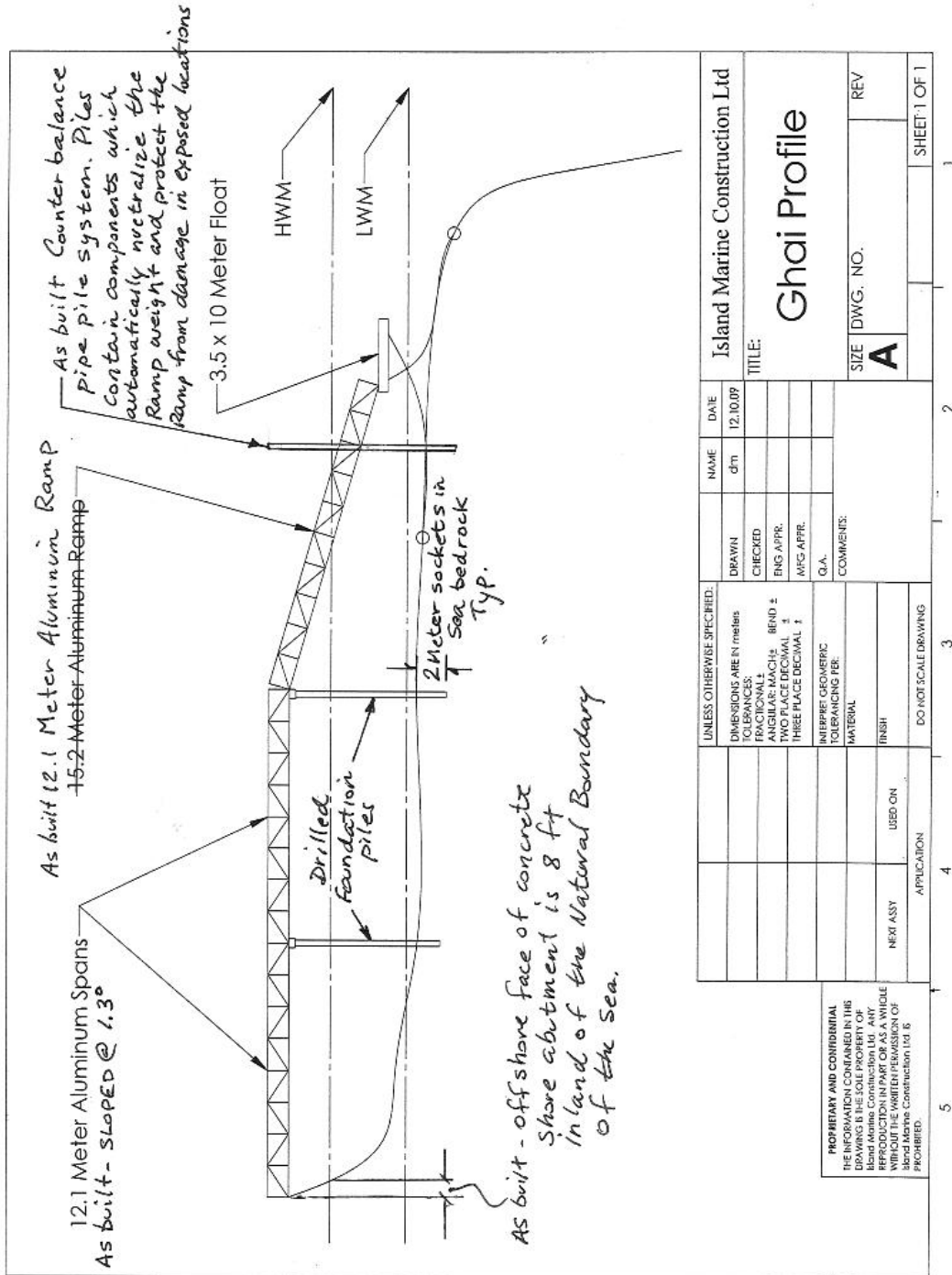
Deputy Secretary, Islands Trust

XX, 2013

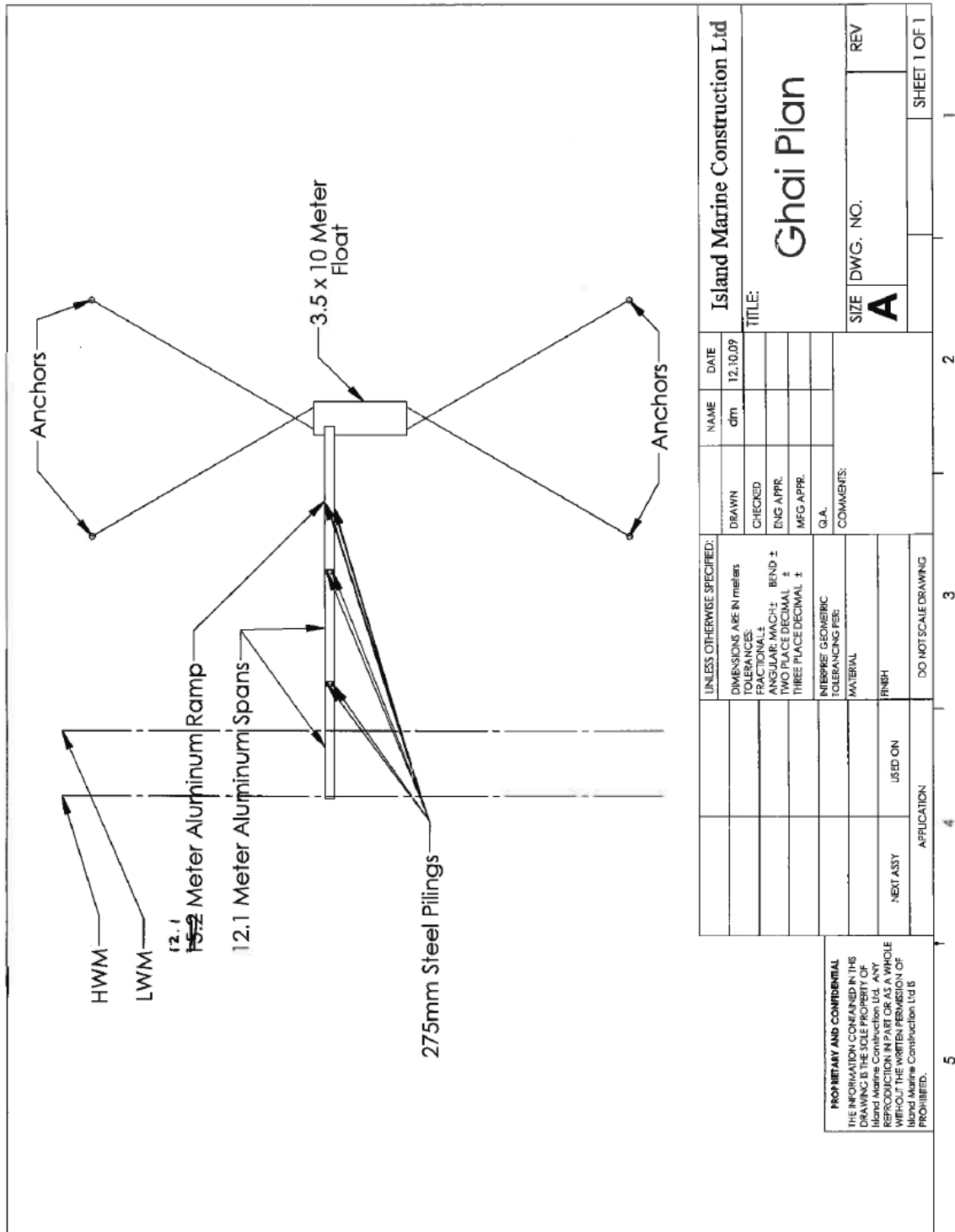
Date Issued

IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE x DAY OF xxx, 2013 THIS
PERMIT AUTOMATICALLY LAPSES.

**GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT 2013.2
Schedule "A"**



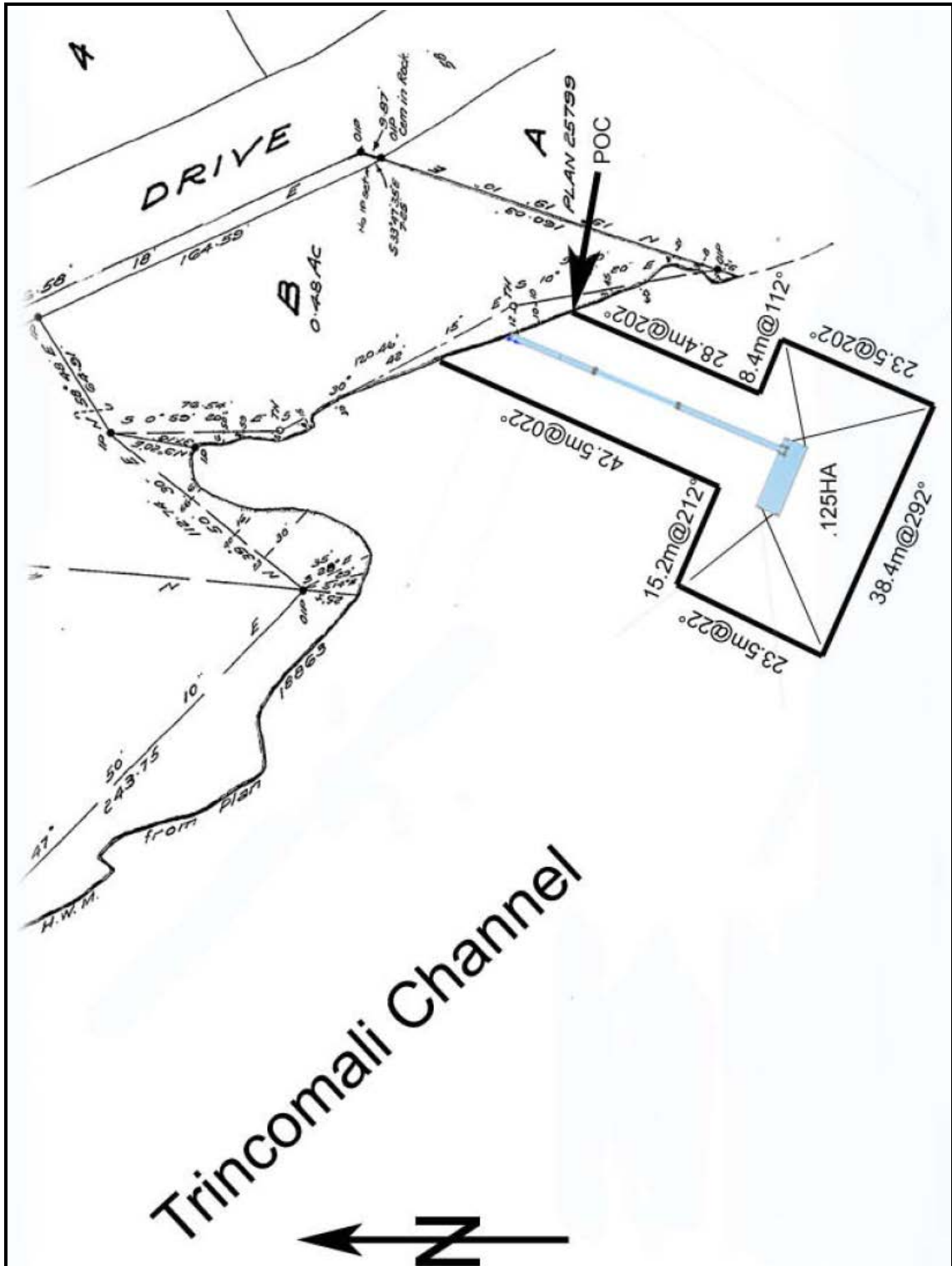
**GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT 2013.2
Schedule "B"**



PROPRIETARY AND CONFIDENTIAL THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF Island Marine Construction Ltd. ANY REUSE OR REPRODUCTION OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF Island Marine Construction Ltd IS PROHIBITED.	APPLICATION		NEXT ASSY		USED ON				UNLESS OTHERWISE SPECIFIED:																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																	
---	-------------	--	-----------	--	---------	--	--	--	-----------------------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

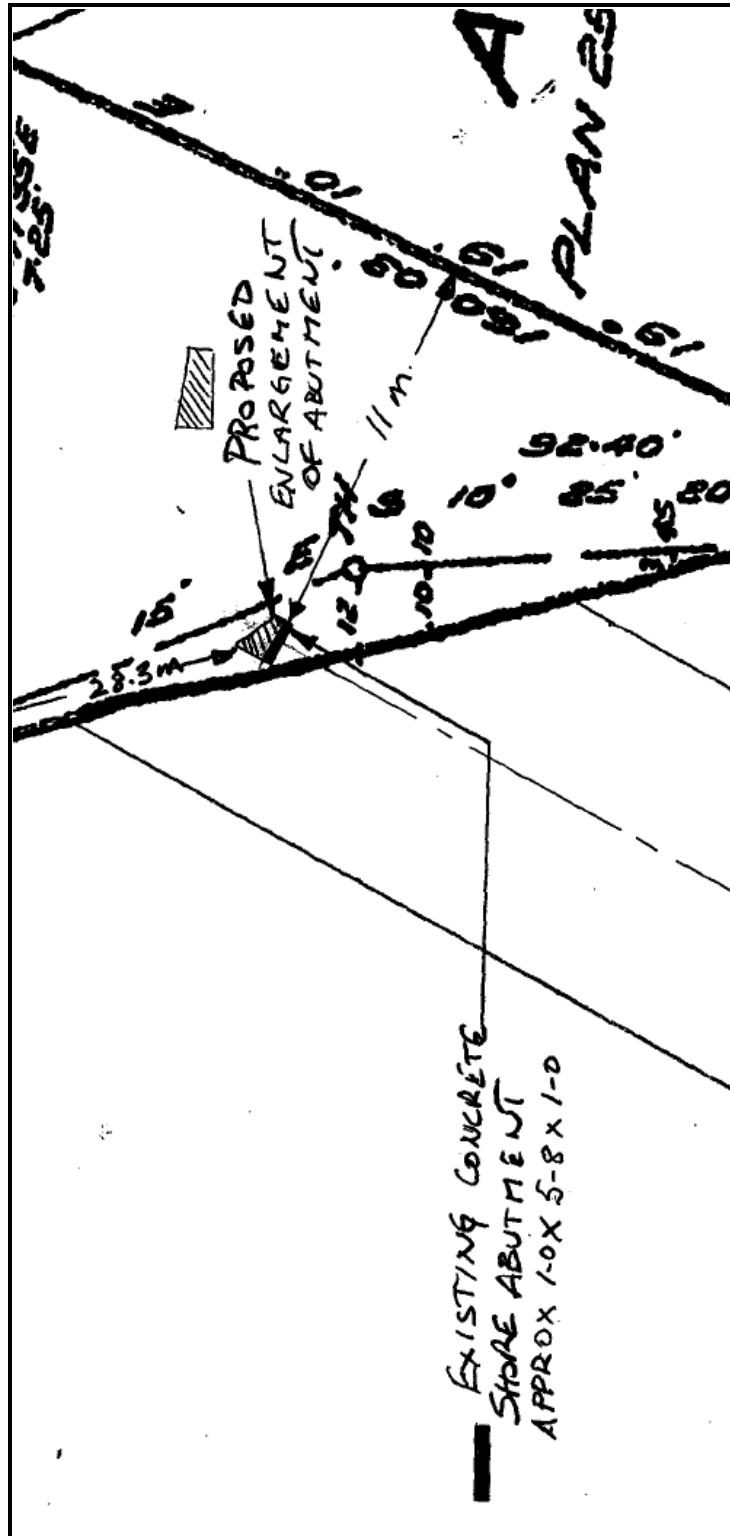
PROPRIETARY AND CONFIDENTIAL
THE INFORMATION CONTAINED IN THIS
DRAWING IS THE SOLE PROPERTY OF
ISLAND MARINE CONSTRUCTION LTD. ANY
REPRODUCTION IN PART OR AS A WHOLE
WITHOUT THE WRITTEN PERMISSION OF
ISLAND MARINE CONSTRUCTION LTD IS
PROHIBITED.

**GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT 2013.2
Schedule "C"**



GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT 2013.2
Schedule "D"

Development Variance 2.3m Setback from Natural Boundary of the Sea





Memorandum

Date November 25, 2013 File Number GL-DVP-2013.3
(Williams)

To Galiano Local Trust Committee
For the Meeting of December 9, 2013

From Kris Nichols
Island Planner

Re Requested Qualified Professional Report to Address Retaining Wall

PURPOSE

To review a professional report submitted by the applicant pertaining to an existing retaining wall and to evaluate the requested variances as part of a development variance permit application that was deferred at the September 9, 2013 meeting.

BACKGROUND

At the September 9, 2013 Local Trust Committee meeting a Development Variance Permit (DVP) application (GL-DVP-2013.3) was considered regarding a number of requested variances. The application is to vary the Galiano Island Land Use Bylaw 127, 1999 to legalize the existing building (dwelling) and structures (retaining wall, shed, stairs and deck) on the subject property by varying:

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

The previous staff report included an overview of the site and provided a history of the retaining wall constructed within the setback to the sea. There is also a bylaw enforcement file initiated in 2002. In the report, staff recommended issuing the permit for the dwelling unit and shed but to deny the variances for the retaining wall, deck, and accompanying stairs

The majority of the discussion regarding the variances centered on the retaining wall that was constructed without the benefit of a permit within the setback to the sea and the subsequently built stairs and deck. As a result of the discussion, the following resolution was passed:

GL-DVP-2013.3 (Williams)

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

Professional Report:

The applicant hired John Harper, P. Geo, PhD., to conduct a site assessment to evaluate the presence of seawall constructed along the waterfront of the property. The site assessment consisted of a four-hour visit to the property to make dimensional measurements of the seawall, to assess the walls effect on sediment transport processes and to evaluate its potential effects of the wall on coastal ecology.

The report (see Attachment 1) addresses such issues as coastal stability, coastal sediment transport and coastal ecology. It outlined that the retaining wall is in some places below the natural boundary of the sea and that the seawall has had no effect on nearby coastal stability, sediment transport or the sediment budget of the system. The seawall has not had any observable effect on the intertidal in the area. The most significant effect of the seawall construction is in compromising of riparian ecological function along the walled portion of the property. The report does call into question the original need for the retaining wall given the lack of erosion shown on adjacent properties. The report also provides a summary and suggested mitigative measures based on whether the retaining wall is to be removed or kept and riparian ecological enhancement done.

Next Steps:

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

1. Issue the permit as presented at the September 9, 2013 meeting (Attachment 2); or
2. Issue an amended permit for the dwelling unit, shed, and retaining wall but deny the variance for the deck, and accompanying stairs; or
3. Issue an amended permit for the dwelling unit and shed but deny the variance for the retaining wall, deck, and accompanying stairs as previously recommended by staff; or
4. Deny the issuance of the permit and all presented variances.

Should the variances be denied for retaining wall, deck and stairs as stated in option 3 the following would apply:

- The remaining variances would be addressed in the development variance permit.
- The wall, stairs and deck would have to be removed and a development permit applied for to ensure proper removal and environmental monitoring is done.

pc Robert Kojima, RPM

Attachments:

1. Site Assessment Report by John Harper
2. Development Variance Permit

Shoreline Site Assessment, 260 Cayzer Place, Whaler Bay, Galiano Island

By John Harper, P.Geo., Ph.D., 12 November 2013

Introduction

This report provides a summary of a site assessment at 260 Cayzer Road on Galiano Island. The purpose of the site assessment was to evaluate the presence of seawall constructed along the waterfront of the property. The site assessment consisted of a four-hour visit to the property to make dimensional measurements of the seawall, to assess the wall's effect on sediment transport processes and to evaluate its potential effects of the wall on coastal ecology. In addition to the site visit, aerial photos provided additional background on the site. The Galiano Official Community Plan (version dated 25 November 2011) was also consulted as part of the assessment.

Conversations with the owner indicate the wall was owner-built in 2002 to stop shoreline erosion on the property.

Site

The property of interest is a northeast-facing arm of Whaler Bay (Fig. 1). While this arm of the Bay does not receive direct waves from the Strait of Georgia, it is likely to receive refracted swell from the Strait of Georgia. The site would be considered a *semi-protected* wave exposure. The upper intertidal zone is comprised of sandstone in the form of a bedrock ramp (this bedrock extends landward to the foundation of the house). The lower portion of the intertidal zone dries at low tides and is reportedly muddy sand (Fig. 2). During a 2005 ShoreZone survey of the island, the low-tide flat and associated eelgrass beds were visible (Fig. 2). The supratidal zone on neighboring properties supports a riparian vegetation band of bushes but this riparian buffer was not present on the property according to the present owner.

Site Measurements

The seawall extends almost the entire length of the property from the eastern boundary to about 4.3 m from the western property boundary. The seawall is 28.4 m in length with a slight jog in the western third (Fig. 3). A number of measurements were made of the sea wall elevation relative to tidal datum (Fig. 4). The measurements were corrected to predicted-tidal heights (not actual *recorded tidal heights*) so the measurements are approximate. The top of the wall is approximately 6.5 m above tidal datum and appears to be level. The base of the wall varies in height to the bedrock surface – the base of the wall ranges from 4.3 m to 5.1 m above tidal datum (Canadian Hydrographic Service list Higher High Water of Large Tides as 3.6 m at Whaler Bay).

The wall is reinforced concrete and is in good condition with no obvious cracking or failures. Drain rock and drain tiles appear to have been installed on the landward side of the wall (Fig. 3). A cantilevered deck extends over the intertidal zone near the western end and the deck leads to the stairway (Fig. 3).

The seawall is approximately 6.0 m seaward of the house decking and 8 m seaward of the house foundation.

The natural boundary, taken as the distinctive change between marine and terrestrial vegetation was measured on the adjacent property (to the west), which do not have seawalls and where there is a riparian vegetation band. The lowest elevations of terrestrial roots (see note in inset) at the lot to the west showed the natural boundary to be +5.02 m above tidal datum.

The measurements and sighting observations (Fig. 5) show that the base of the wall extends below the natural boundary at a few locations.

Natural Boundary as defined in BC

“natural boundary” is defined as “the visible high-water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long-continued in all ordinary years, as to mark on the soil of the bed of the water a character distinct from that of its banks, in vegetation as well as in the nature of the soil itself.”

I have interpreted this definition as the distinct break in vegetation types between the terrestrial and marine vegetation. This *natural boundary* is most clearly defined by the base of terrestrial vascular, vegetation. While moss is terrestrial vegetation, I consider moss as ephemeral and *not* meeting the criteria of ‘so long continued’.

Coastal Stability

The intertidal zone is primarily bedrock and is stable. There is a thin soil horizon above the bedrock and this supports the vegetation cover near the shore. There is a well-developed shrub thicket on both of the adjoining properties and no evidence of erosion occurring on either of those properties. Obviously, the seawall shoreline is also stable.

It is unlikely that any of the adjacent properties contributed a significant amount of sediment to the shoreline sediment budget. It is unlikely that the 260 Cayzer Rd property contributed any significant amount of sediment prior to the construction of the seawall. It is highly unlikely that the construction of the seawall altered the coastal sediment budget for this section of shoreline.

Coastal Sediment Transport

There are no obvious indicators of sediment transport at the site, and the bedrock nature of the upper intertidal zone means sediment transport would be minimal. The sand flat in the lower intertidal was not visible during the site visit but from aerial photos (Fig. 2), it appears to be a deposition flat with sediment contributed by a small stream at the west end of the arm (Fig. 1) and by shell fragments from barnacles predated from the surrounding bedrock. There are no indications that the seawall has affected coastal sediment transport.

Coastal Ecology

The coastal ecology is described in terms of supratidal and intertidal ecology.

Supratidal Ecology

The area was formerly farmland (David Williams, property owner, pers com, October 2013) and so was likely logged in the early 1900s. The farm and subsequent housing developments have further altered

the upland vegetation. The supratidal area of adjacent properties consists of low shrubs (broadleaf maple, snowberry and other native shrubs). On the seawall portion of the property, the lawn extends to top of the seawall (except for 4.3 m at the western-most portion of the property where a natural riparian area is present (broad leaf maple, snow berry and other native shrubs) and eastern-most portion, where a thin band of ornamental, California Lilac is present above the seawall (~4m). It is estimated that the total property is 32.7 m in alongshore length, of which the section with no wall and natural riparian is 4.3 m (13%) and the portion with a wall and the non-native vegetation is ~4 m (12%).

Intertidal Ecology

The upper intertidal of the property is sandstone bedrock, a signature bedrock type on the Gulf Islands. This is colonized by a rocky, *semi-protected* intertidal community dominated by barnacles, rockweed (*Fucus sp*) and sea lettuce (*Ulva sp*); the community appears to be similar on adjacent properties and the 260 Cayzer Rd. property. That is, the sea wall does not appear to have had any effect on the upper intertidal, bedrock community.

The lower intertidal tidal flat could not be observed during the site visit because of the tidal stage (+2.5 m and higher). Observations of the exposed tidal flat during the 2005 ShoreZone aerial survey show a normal tidal flat community with eelgrass visible in the subtidal. There is no indication of any effect of the seawall and it is highly unlikely that the construction of the seawall would cause any effect on the lower intertidal zone.

Summary

The seawall at 260 Cayzer Rd. on Whaler Bay is approximately 28.4 m in length and extends along 87% of the property. The base of the seawall is below the interpreted natural boundary in places. The seawall has had no effect on nearby coastal stability, sediment transport or the sediment budget of the system. The seawall has not had any observable effect on the intertidal in the area.

The most significant effect of the seawall construction is in compromising of riparian ecological function along the walled portion of the property. The vertical face of the wall prevents most animals from effectively using a riparian buffer, which did not exist on this property according to the owner. There are no riparian vegetation (shrubs, trees) on 75% of the property and 12% of that is the non-native California Lilac. The ornamental California Lilac provides some riparian value on the eastern end of the property (Fig. 5).

Table 1 provides a summary checklist of some of the issues identified in the official community plan as concerns to Islands Trust and to the Galiano community.

Mitigation

There are probably only two mitigation alternatives for restoring the ecological function of the coastal riparian: (a) removal of the wall and restoration to pre-construction conditions or (b) implementation of a planting program that would help restore *some* of the riparian ecological function along the wall.

Table 1. 260 Cayzer Road Seawall Assessment – Checklist of Issues

1. The seawall and stairs do not impede access along the shoreline
2. The seawall does not impede water access
3. The seawall is not a hazard to navigation
4. The wall is mostly built above the natural boundary. An estimated 10 m (~20% of lot frontage) is built below the natural boundary (estimated to be 0.6 to 0.7 m below natural boundary in a few places).
5. Riparian vegetation overhang occurs along ~25% of the lot frontage
6. The wall does not impede sediment transport
7. The wall has had no effect on sediment budget to the bay
8. There is no impact on intertidal biota
9. The wall has not altered intertidal substrates
10. No intertidal sediment was used in the wall construction
11. No debris was placed in the intertidal zone as a result of construction
12. No wetlands were impacted
13. The wall was constructed to “stop erosion” (comment by present owner), although there is no noticeable erosion on adjacent properties.

Wall Removal

Removal of the wall would probably require heavy or specialized equipment to break up and excavate the concrete. Backfill behind the wall would have to be graded to a natural slope; with the distance to the existing deck of 6 m (8 m to house foundation) and the height of the wall of approximately 2 m, this would result in an average slope of 18°. Topsoil would need to be added to assist in re-vegetation. A planting program would be required to first stabilize the re-graded surface and then to re-establish a natural riparian vegetation band (native shrubs and trees). This restoration would require approximately five years before the ecological function of the riparian was restored. A monitoring program might be required to ensure the restoration was implemented as intended.

This restoration alternative would be invasive and costly.

Riparian Enhancement

Some of the riparian function could be re-established by an enhanced planting program. The wall will still prevent transient animal use between the terrestrial and marine zones but some “softening” of the wall effects could be achieved. By developing a planting program of native shrubs and a few larger trees some restored ecological value could be achieved for shore bird perches and cover, wildlife corridors and a foliage canopy (shading and insect habitat). Native vegetation that hangs down along the wall would be beneficial. While there might be some short-term impact on the property view-scape, judicious pruning would allow this to be preserved. Monitoring might be required to ensure the planting project was implemented as planned.

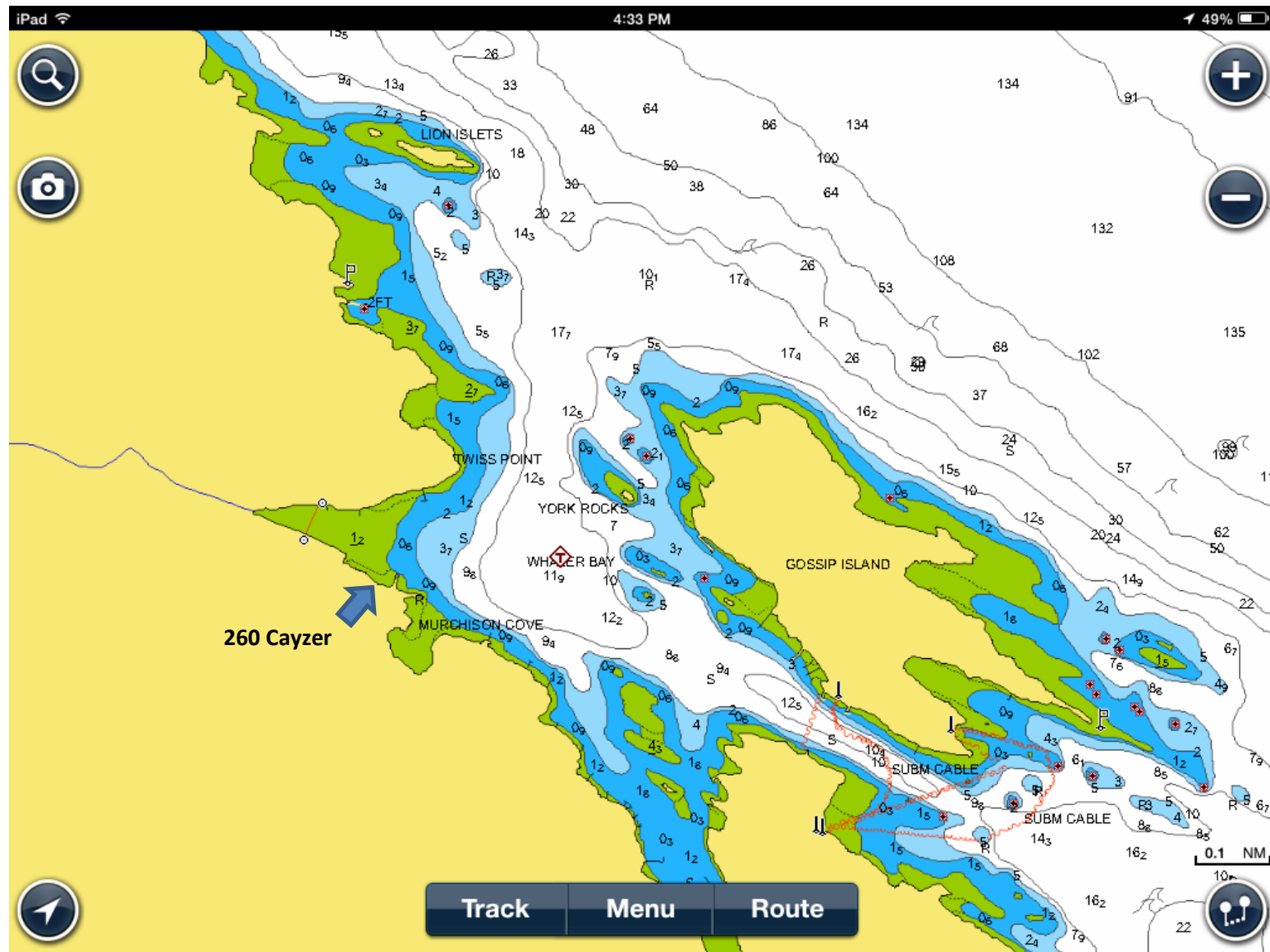


Figure 1. Chart showing the location of 260 Cayzer Road property relative to the general features of southeast of portion of Galiano Island and Whaler Bay.



Figure 2. Aerial photo from the July 2005 ShoreZone survey showing 260 Cayzer Road property and the associated seawall. The photo was shot at a near “zero” tide.



Figure 3. Photo along the top of the seawall. Note the absence of riparian vegetation.



Figure 4. Measured elevations along the seawall. Elevations are referenced to tidal datum.



Figure 5. The natural boundary was estimated to be 5.0 m above tidal datum, as measured to the base of the roots on the property just to the west of 260 Cayzer Rd. The dashed line indicates the approximate extension of the elevation across the property.



Figure 6. Photo of upper intertidal zone showing the seawall, rock ramp morphology of the upper intertidal and the upper intertidal community of barnacles-rockweed-sea lettuce. Note the overhanging riparian vegetation in the foreground. This is considered a typical vegetation of many Gulf Island waterfront properties and provides riparian ecological function.



PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT VARIANCE PERMIT

GL-DVP-2013.3

TO: David and Nora Williams

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

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

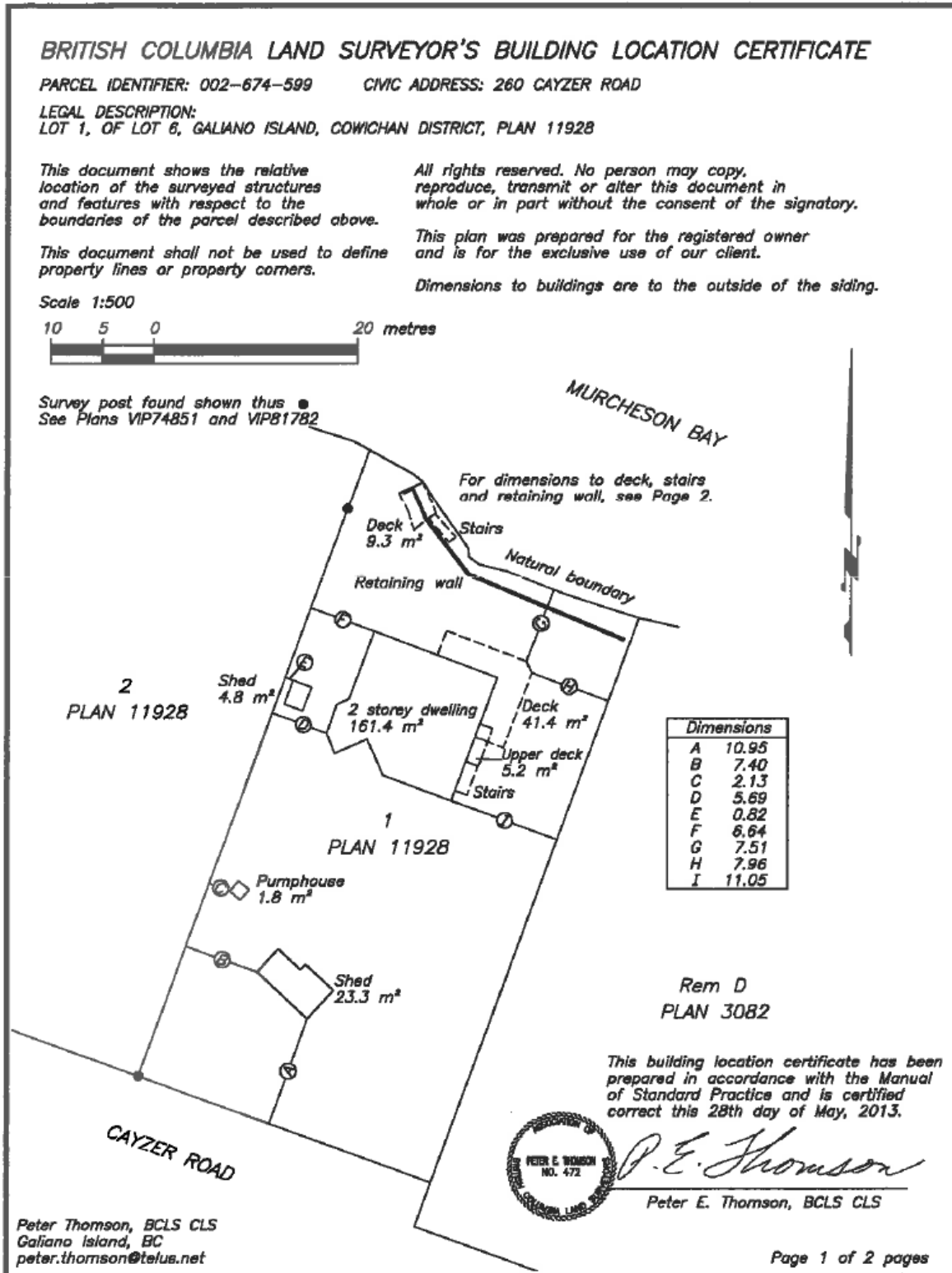
**AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE
THIS ____ DAY OF ____, 201_ .**

Deputy Secretary, Islands Trust

Date of Issuance

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

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



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

BRITISH COLUMBIA LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE

PARCEL IDENTIFIER: 002-674-599

CIVIC ADDRESS: 260 CAYZER ROAD

LEGAL DESCRIPTION:

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

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

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

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

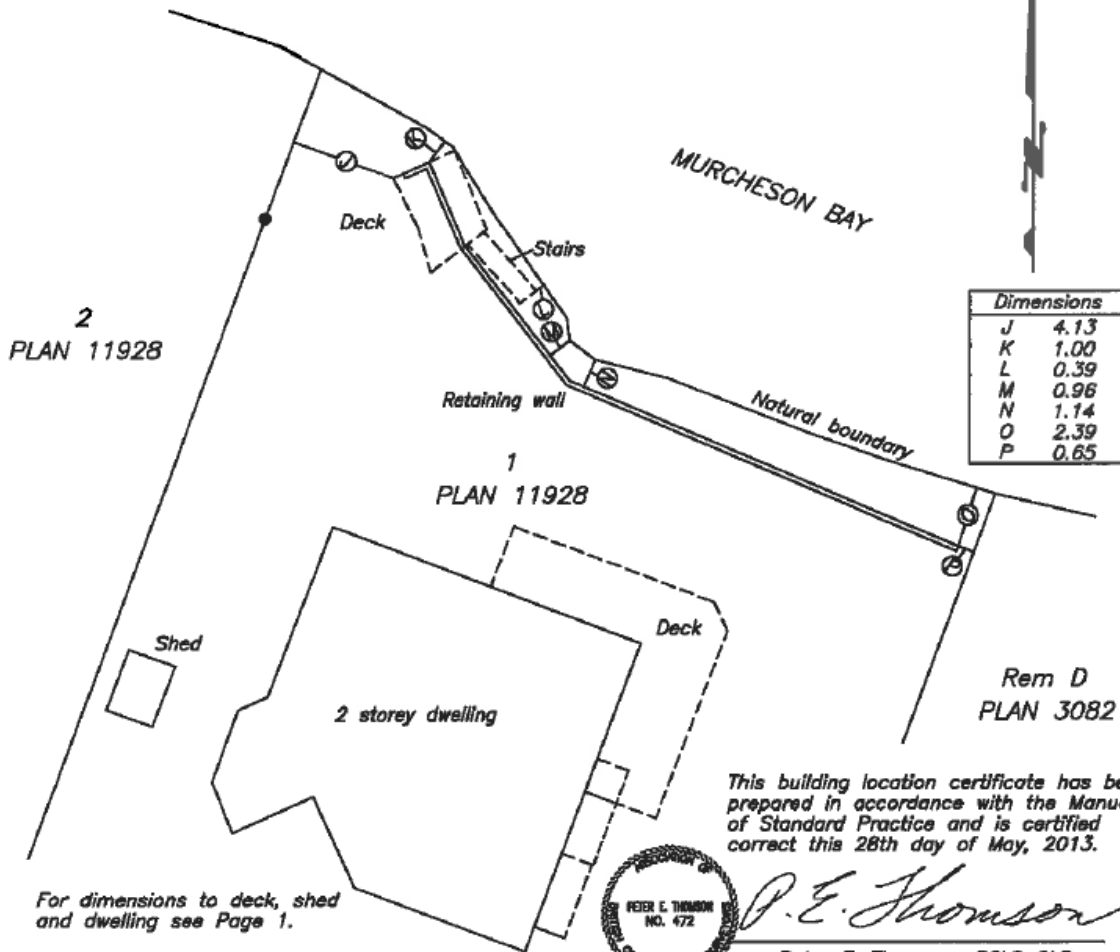
This plan was prepared for the registered owner and is for the exclusive use of our client.

Dimensions to buildings are to the outside of the siding.

Scale 1:250



Survey post found shown thus ●
See Plans VIP74851 and VIP81782



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



Peter E. Thomson, BCLS CLS

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

Page 2 of 2 pages

STAFF REPORT

Date: November 28, 2013

File No.: GL 6500-20 STVR

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

From: Kim Farris, Planner 1

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

Re: STVR Fact Sheet and Survey Information

PURPOSE:

The purpose of this report is to provide information on the fact sheet and community survey that will be used as part of the communication strategy for the Short Term Vacation Rental (STVR) review. The intent is to ensure that the community has a clear understanding of what is meant by STVRs on Galiano Island and how community input on the subject will be gathered.

BACKGROUND:

At the October Local Trust Committee (LTC) meeting it was agreed to proceed with an amended STVR Project Charter that was presented for discussion. The amendments dealt with adding the number of STVRs and visitor accommodations to "In Scope" and by changing some of the milestone dates. The STVR Project Charter and related reports have been placed on the website: <http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/projects-initiatives/short-term-vacation-rentals.aspx>

In the Galiano Island Local Trust Committee's Work Program, the number one priority is Visitor Accommodation with the intent "To look at existing policy, research issues and possible solutions on Galiano". In this instance, the primary focus is Short Term Vacation Rentals. STVRs is a term commonly used to describe the rental of dwellings to paying guests for a period of time generally less than on a month-to month basis. This use occurs in dwellings (residences or cottages) that are located in residential zones, where the common form of occupancy is owner-occupancy or month-to-month rental by tenants.

STVRs are not new phenomena on the islands as they have been occurring for decades. However, it has been just over a decade where their prevalence has grown with the use of internet advertising and absentee ownership. They are often distinguished as being different from residential use by their land use impacts felt by the community such as noise, traffic, parking, water use, garbage, loss of affordable rental stock and undermining the sense of community that exists on the islands.

Current STVR Policy on Galiano Island:

Based on the Galiano STVR enforcement policy there has not been any proactive enforcement while waiting for the issue to be prioritized by the LTC. It has now been prioritized to be dealt with in the new year. It should be noted however, that any STVR that advertises on Galiano is potentially subject to immediate enforcement action as the use is in violation of the LUB. To date, there are approximately 30 known and active STVRs on Galiano Island.

The enforcement policy ensures that enforcement activities are directed against overtly commercial STVRs operating in the wrong zone and those that create health and safety or serious nuisances. Examples of health, safety, and nuisance issues may be building or health regulation violations, septic field problems, ongoing noise disturbances and traffic congestion caused by too many vacationers. It would also direct that enforcement be undertaken on lots with more than one dwelling used as an STVR or where camping is occurring. Thus, it would address circumstances where the scale, density and intensity of vacation rental use on a lot have created a de facto resort or hotel or resulted in a loss of enjoyment to neighbours.

STAFF COMMENTS:

Community Consultation

When large projects are contemplated by an LTC both on and off island mail outs are often carried out to residents and owners in combination with newspaper advertisements and posters. This ensures that all property owners and island residents receive notice outlining the LTCs intentions and provides an invitation for them to participate in the process. For this STVR consultation, staff are recommending to survey the community with questions related to STVRs that the recipient can answer by mail, online or attend a CIM and comment verbally.

It is recommended that a fact sheet be prepared that will give the public an understanding of the topic and act as a useful tool to assist with the survey. A draft copy of the fact sheet is attached to the staff report (see Attachment 1).

Survey Themes

1. Community Support

Community consultation is an important requirement to develop policy and regulatory options for STVRs on Galiano Island. These questions will help to establish if the community is in support of STVRs and provide comments on associated benefits or impacts.

Possible Questions:

- STVRs should be a permitted use on Galiano Island?
 - o Answer will include a scale: Strongly Agree, Agree, Neither Agree or Disagree, Disagree, Strongly Disagree
- Would you support a STVR on a neighbouring property?
 - o Answer will include a scale: To a large extent, To a moderate extent, To some extent, To little extent, Not at all
- Have you been impacted by a STVR?
 - o No
 - o Yes (if yes please provide comments): _____

- What do you believe are the benefits to allowing STVRs as a permitted use on Galiano Island?
- What do you believe are the impacts to allowing STVRs as a permitted use on Galiano Island?

2. Regulating Use

The following are options to regulate the use of STVRs:

- a) Continue to Prohibit: if this is the option that the LTC chooses then this should be supported with an OCP policy. For example, the LTC could direct that policies be drafted to clearly state that STVR's are not desirable and are not to be a permitted use within the various land use designations.
- b) Permit by rezoning: this approach would put the onus on the operator/landowner to initiate an amendment to zoning to permit the use. The OCP could authorize the conditions under which individual rezoning would be considered. The likelihood, given the costs of rezoning, is that there would be limited applications.
- c) Permit by Temporary Use Permit: this is the approach currently used by the Mayne Island LTC. It is also the only option available to an LTC for a licensing type of approach to the activity. The OCP would designate where a TUP could be applied for and would establish the guidelines that would apply to the consideration of any permit. However, there would be significant administrative costs associated with processing TUPs, along with on-going costs associated with compliance with the TUP conditions. An OCP amendment would be required to provide TUP policies and guidelines. However, under the current Galiano regulations a TUP could be applied for permitting an STVR. To date, this approach has not been applied.
- d) Permit in certain zones: this option would permit STVR as a use in certain residential zones, but establish certain regulations to attempt to limit impacts. The approach would be similar to the regulation of the home business. The OCP would establish through policy that the use should be permitted, but regulated to limit impacts. The specific regulations would be set out in the LUB.
- e) Permit outright: this option would make the use of residences/cottages for STVRs a permitted use. The OCP would establish through policy that the use should be permitted, but regulated to limit impacts. The specific regulations would be set out in the LUB.

Possible Questions:

- If STVR are permitted, what mechanism should allow them? (please select one):
 - o Applicant could rezone their land to permit a STVR on their property;
 - o Applicant could apply for a TUP to permit a STVR on their property;
 - o STVRs should be permitted in certain zones but must abide by the STVR regulations set out in the Galiano Land Use Bylaw;
 - o STVRs should be permitted in all zones but must abide by the STVR regulations set out in the Galiano Land Use Bylaw; OR
 - o STVRs should not be permitted.

3. Specific STVR Regulations

If the LTC decides to permit STVRs, staff recommend regulating the use, density, and operation of STVRs.

- a) Density: STVR regulations should address the maximum number of STVRs permitted on a single property. For example, lots having more than one single family dwelling unit on the property could be limited to using not more than one for short term rental at any one time.
- b) Home Occupation Regulation: the LUB could permit the use of one dwelling (either a single family dwelling or a cottage) to be used for a STVR as an accessory home occupation. The Galiano LUB home occupation regulations state that a 'home occupation' must be conducted entirely within the operator's dwelling unit or within buildings or structures accessory to that dwelling unit (such as a cottage). The home occupation regulations also require that an employee of the home occupation must reside permanently on the premises on which the home occupation is conducted. The LTC could amend the Galiano LUB to exempt STVRs from the certain home occupation regulations, or conversely include additional home occupation regulations for STVRs.
- a) Short term rental of dwelling units and/or cottages: consideration should also be given to permitting short term rental to dwelling units and cottages that would not be regulated by home occupation regulations. In this case, it would be advisable for only one dwelling unit to be rented out at a time; for example, the single family dwelling would not to be used for short term rental during the time when a cottage is being used for this purpose.
- b) Lot Size: a minimum lot size regulation for short-term vacation rentals could be clearly established and could be enforced with a degree certainty. This would also have the effect of ensuring that the potential use was limited to a proportion of the overall lots on the island and could potentially address the perceived noise and impacts to privacy.

The following set of questions will provide information on how the community would like to see STVRs regulated.

Possible Questions:

- How many STVRs should be permitted per lot?
 - o 0;
 - o 1;
 - o The number of STVRs should be equivalent to the number of permitted dwelling units on the property; OR
 - o Other: _____
- Should STVRs be considered a 'home occupation' as defined in the Galiano LUB?
- If a cottage is rented as a STVR, should the property owner reside in the main dwelling unit?
- If the property permits a dwelling unit and a cottage, should both buildings be rented out as STVRs?
- Should STVRs be permitted only on lots greater than 2 ha (4.94 acres)?
 - o Answer will include a scale: Strongly Agree, Agree, Neither Agree or Disagree, Disagree, Strongly Disagree

- What is the maximum amount of time a paying guest may rent a STVR:
 - o 1 week;
 - o 2 weeks;
 - o 3 weeks;
 - o 1 month; OR
 - o Other: _____

4. Respondent Information

Although the survey will be anonymous, it would be helpful to gain information on the respondent.

Possible Questions:

- Do you live on Galiano Island?
 - o Full year resident
 - o Seasonal resident
 - o No, I do not live on Galiano Island
- If STVRs are a permitted use on Galiano Island, would you rent out your home or cottage as a STVR?
 - o Answer will include a scale: Very likely, Most likely, Not sure, or Not likely

The questions outlined above are potential survey questions. Staff welcomes additional questions that might help to define the issue on Galiano and help to create appropriate bylaws as required. The survey will mostly consist of multiple choice answers with options to provide additional comments. The survey will be available in print form for mail-out to the Galiano community and also online using the Survey Monkey website. All responses will be anonymous.

The survey will be administered from early January to early February. Results of the survey will be presented to at the February (or March) 2014 regular LTC meeting. If the LTC wishes to see the questionnaire in advance of it being sent out it could be done at a special CIM in January at which STVRs would be discussed with the community otherwise the next regularly scheduled meeting is in February.

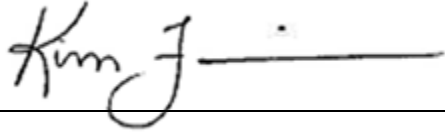
Community Information Meeting

Staff recommend that the LTC schedule a Community Information Meeting in January 2014 to provide an opportunity for the community to comment verbally on STVRs.

RECOMMENDATIONS:

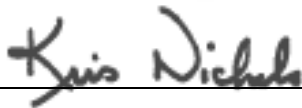
1. That the Galiano Island Local Trust Committee direct Staff to send a mailout that includes a survey and fact sheet to Galiano Island residents and land owners.
2. THAT the Galiano Island Local Trust Committee direct Staff to schedule a community information meeting for January 2014.

Prepared and Submitted by:



November 28, 2013
Date

Concurred in by:



November 28, 2013
Date

Attachments:

1: STVR Fact Sheet



SHORT TERM VACATION RENTALS (STVRs) FACT SHEET

What is the purpose of this fact sheet?

As part of a review of its Work Program Priorities, the Galiano Island LTC is consulting with residents and property owners on STVRs. Part of this consultation includes a community survey. As the survey contains a number of terms or statements that may be not be familiar to everyone, this fact sheet provides some definitions and explanations of some of the terms used.

What is a STVR (Short Term Vacation Rental)?

Short Term Vacation Rentals (STVRs) is a term commonly used to describe the rental of dwellings to paying guests for a period of time generally less than on a month-to-month basis. This use occurs in dwellings (residences or cottages) that are located in residential zones, where the common form of occupancy is owner-occupancy or month-to-month rental by tenants.

Are STVRs currently permitted on Galiano Island?

STVRs are not a permitted use in the Galiano Land Use Bylaw No. 127. The only lawful visitor accommodation for paying guests is found in the Visitor Accommodation zones C3, C4, C5 and C5A. Restricted guest accommodation uses are permitted in residences as a home occupation if it operates as a Bed and Breakfast. Bed and Breakfasts are defined and regulated in such a manner that they are a form of visitor accommodation, but are only permitted as a use accessory to residential use of the dwelling and the operator must reside permanently in the dwelling.

Are there STVRs in operation currently on Galiano Island? What about enforcement?

Yes. To date, Islands Trust staff are aware of at least 30 active STVRs on Galiano Island. The Galiano Island STVR Enforcement Policy which states conditions for enforcement was adopted and the Galiano LTC has agreed to leave the policy as standing until this STVR project was completed by staff. The enforcement policy ensures that enforcement activities are directed against overtly commercial STVRs operating in the wrong zone and those that create health and safety or serious nuisances. It would also direct that enforcement be undertaken on lots with more than one dwelling used as an STVR or where camping is occurring. It should be noted however, that any STVR that advertises on Galiano is potentially subject to immediate enforcement action as the use is in violation of the LUB.

Are there any issues with permitting STVRs?

There are a number of potential issues and impacts that may be felt by the community such as noise, traffic, parking, water use, garbage, loss of affordable rental stock, lower taxes to a comparable commercial use, competition with existing legal operations and undermining the sense of community that exists on the islands.

What are the benefits to permit STVRs on Galiano Island?

There are a number of potential benefits with permitting STVRs such as visitors supporting the local economy (restaurants, retail, and tourist attractions), additional income to property owners, and more accommodation options and prices for visitors.



Islands Trust

Do other LTCs permit STVRs?

Currently, South Pender and Hornby are the only islands in the Trust Area where STVR use is legal. Hornby Island refers to them as Vacation Home Rental Uses and made amendments to their OCP and LUB to accommodate them. Some Islands such as Mayne Island have permitted STVRs to be established through a Temporary Use Permit (TUP). Saturna Island LTC is in the process of considering permitting STVRs by use of a TUP process.

Helpful Definitions:

(Portion from the Galiano Island Land Use Bylaw no. 127)

"Bed and breakfast" means a home occupation comprising the provision of sleeping accommodation and a morning meal only, to paying guests.

"Cottage" means a building that is accessory to a dwelling and is used for human habitation by guests, household members or tenants, and having a floor area that does not exceed 60 square metres except as provided in s.2.9.

"Dwelling" means a building used as a residence for a single household and containing eating, sleeping and living facilities and a single set of facilities for food preparation.

"Home occupation" means an accessory commercial use conducted on residential premises, and includes daycare facilities licensed under the Community Care Facility Act that are permitted by the Act despite local bylaws, but for certainty does not include sawmilling.

"Temporary Use Permit" are a mechanism by which a local government can permit a use that is not otherwise permitted in a zone by issuing a permit for up to three years, renewable for an additional three years [general definition - not defined in LUB]. More information on Temporary Use Permits can be found in the Galiano Island Official Community Plan (OCP) and the *Local Government Act*.

"Visitor accommodation cottage" means a building providing accommodation for travellers and having a floor area that does not exceed 46 square metres.

"Visitor accommodation room" means a room or suite of rooms providing only sleeping accommodation for travellers and having a floor area that does not exceed 30 square metres, and for this purpose the floor area must despite any other provision of this bylaw be measured to the interior surface of the walls of the room or suite of rooms.

More information on the Galiano Island review of STVRs can be found at:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/projects-initiatives/short-term-vacation-rentals.aspx>

*Community Information Meeting to be scheduled for January 2014!
Please see the Islands Trust website for updates*

For further information please contact:

Kris Nichols, Island Planner
200-1627 Fort Street, Victoria, BC V8R 1H8
Phone: 250-405-5170 Fax: 250-405-5155
Email: knichols@islandstrust.bc.ca

www.islandstrust.bc.ca



Islands Trust

Print Date: Dec-02-2013

Top Priorities

Galiano Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Visitor Accommodation	To look at existing policy, research issues and possible solutions on Galiano.	May-06-2013	Kris Nichols	Jun-30-2014	On Going
2	Ground Water Protection DPA Policy Review	Review detailed recommendations of Waterline Report, review existing DPA and LUB provisions, prepare options for amendments.	Apr-16-2012	Kris Nichols	Jan-09-2014	On Going
3	Dock Review	Review issues regarding docks and new shoreline information and whether changes are required.	Nov-18-2013	Kris Nichols	Jul-07-2014	On Going



Islands Trust

Print Date: Dec-02-2013

Projects

Galiano Island

No.	Description	Activity	Received/Initiated	Status
1	Soil Removal and Deposit Bylaw	Review need and options for implementation of soil removal and deposit bylaw	Sep-12-2011	On Going
3	Amendments to Forest designation and F1 zone -	consider options for amendments to Forest Land Designation and policies and F1 zoning for lands without Managed Forest Status. Draft bylaws have been prepared, project deferred at meeting of April/12	Apr-16-2012	On Going
4	Parking Issues	Issue for 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



Islands Trust

Print Date: Dec-02-2013

Applications w/ Status - Galiano Island Status: Open

Applications

Development Permit

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

Planner: Kris Nichols

Planning Status

Status Date: Oct-23-2013

Applicant requested that further consideration be had at the Dec. 9 LTC meeting

Status Date: Oct-07-2013

LTC requested additional verification of best location for the dock.

Status Date: Sep-09-2013

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

File Number	Applicant Name	Date Received	Purpose
GL-DP-2013.4	North Galiano Fire Protection Society	Oct-18-2013	19400 PORLIER PASS RD DP & DVP - to construct a multi-purpose building and acquire a DVP for proposed septic field

Planner: Kim Farris

Planning Status

Status Date: Nov-14-2013

Approved through RWM on Nov. 14

Status Date: Oct-18-2013

created file, labeled and gave to Planner

File Number	Applicant Name	Date Received	Purpose
GL-DP-2013.5	Winmark Capital Inc. Planner: Kris Nichols	Oct-23-2013	Donation to BC Parks, no alteration of the land or buildings are proposed.
Planning Status			
Status Date: Nov-18-2013			
DP approved			
Status Date: Oct-28-2013			
Application to be considered at Nov. 18 LTC. Impact on proposed parkland only.			
Status Date: Oct-25-2013			
Peter Thomson, main contact, cc: Richard Dewinetz and Julian Kenney			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2013.1	Michael Norgang Planner: Kim Farris	Jan-22-2013	70 Bluff Rd To vary the front lot setback line to accomodate existing dwelling.
Planning Status			
Status Date: May-09-2013			
Waiting for updated site plan as applicant must conform to maximum lot coverage. Site plan expected early June 2013.			
Status Date: Feb-26-2013			
Waiting for site survey from applicant			
Status Date: Jan-23-2013			
Sent letter of acknowledgement of receipt of fees and application to applicant. Copied file to trustees and forwarded file to planner.			

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2013.3	David & Nora Williams Planner: Kim Farris	Jul-02-2013	260 CAYZER RD to vary LUB 127.2.12 to allow a structure less than the regulated setback from the boundary of the sea.
Planning Status			
Status Date: Nov-12-2013			
Professional Report received. Will be considered by LTC on Dec. 9			
Status Date: Sep-09-2013			

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

Status Date: Jul-02-2013

Created file, copied to trustees and forwarded to Planner

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2013.4	Joseph M. Haley	Oct-18-2013	165 WARBLER RD obtain DVP for current carport which exceeds height requirements

Planner: Kim Farris

Planning Status

Status Date: Nov-25-2013

Application on hold - requires Building Elevations

Status Date: Oct-25-2013

cheque arrived, processed, issued receipt, emailed LTC application information

Status Date: Oct-18-2013

opened file and contacted client because cheque sent by client was too much

Rezoning

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

Planner: Kim Farris

Planning Status

Status Date: Nov-20-2013

Applicant contacted and wants to keep application open and stated will move forward.

Status Date: Sep-25-2013

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

Status Date: Apr-17-2013

staff comparing new information with previous proposal

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

Planner: Gary Richardson

Planning Status

Status Date: May-31-2013

final versions of covenant to applicants with for execution

Status Date: Apr-15-2013

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

Status Date: Jan-29-2013

applicants again requested to provide comments

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

Planning Status

Status Date: Nov-14-2013

CIM held on Nov 16, Draft Feasibility study submitted

Status Date: Oct-07-2013

CIM scheduled for November 16

Status Date: Sep-26-2013

Awaiting date selection from applicant for CIM

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

Planning Status

Status Date: Nov-18-2013

Bylaws given first reading. Awaiting issuance of PLA prior to CIM and PH

Status Date: Sep-09-2013

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

Status Date: Jun-14-2013

Preliminary Report written for July 15th LTC

Subdivision

File Number	Applicant Name	Date Received	Purpose
-------------	----------------	---------------	---------

GL-SUB-2007.1

LPG Landplan
Group Inc
(Zizzy/Brown)

Planner: Kris Nichols

Feb-12-2007

Creating 6 new lots. DL 72 and Lot 15, DL 71 and 77, Plan VIP61007.
X-reference GL-RZ-2005.3

Planning Status

Status Date: Oct-24-2013

Application near completion awaiting word from applicant to complete.

Status Date: Sep-09-2013

Survey plans completed, awaiting executed covenants by applicant.

Status Date: Jun-27-2013

Survey being pinned, final touches by applicant on covenant

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

Planner: Kim Farris

Planning Status

Status Date: Feb-26-2013

Waiting for S.219 covenant to be drafted by applicant

Status Date: Feb-13-2013

Status Date: May-17-2012

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

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

Planner: Kris Nichols

Planning Status

Status Date: Oct-28-2013

DP application to be considered at Nov 18 LTC as a condition of PLA

Status Date: Sep-25-2013

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

Status Date: Sep-09-2013

Islands Trust
 LTC EXP SUMMARY REPORT F2014
 Invoices posted to Month ending November 2013

625 Galiano	Invoices posted to Month ending November 2013	Budget	Spent	Balance
65000-625	LTC "Trustee Expenses"	1,100.00	104.00	996.00
LTC Local				
65200-625	LTC - Local Exp - LTC Meeting Expenses	3,500.00	2,034.91	1,465.09
65210-625	LTC - Local Exp - APC Meeting Expenses	500.00	63.82	436.18
65220-625	LTC - Local Exp - Communications	500.00	503.56	-3.56
65230-625	LTC - Local Exp - Special Projects	2,000.00	0.00	2,000.00
65240-625	LTC - Local Exp - Miscellaneous	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>7,000.00</u>	<u>2,602.29</u>	<u>4,397.71</u>
Projects				
73001-625-2002	Galiano OCP/LUB	4,000.00	1,314.90	2,685.10
73001-625-4019	Galiano Short Term Vacation Rental (STVR) Review	4,000.00	0.00	4,000.00
TOTAL Project Expenses		<u>8,000.00</u>	<u>1,314.90</u>	<u>6,685.10</u>

Galiano Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: September 26, 2012

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

No	Meeting Date	Resolution No.	Issue	Policy
5.	June 29, 2005	n/a	Subdivision Applications	Staff are requested to prepare a report that provides wording for standing resolution to refer subdivision applications to the Galiano Fire Department and the Parks and Recreation Commission.
6.	May 11, 2009	GL-LTC-85-09	Parks Commission Referral	THAT the Galiano Island Local Trust Committee direct Staff to send rezoning applications to the Galiano Island Parks and Recreation Commission for referral.
7.	October 18, 2010	GL-LTC-115-10	Publishing Notices beyond legal requirements	THAT the Galiano Island Local Trust Committee will advertise Public Hearing Notices in either the Active Page Magazine or Islands Tides Newspaper in addition to the legally required advertising in the Driftwood Newspaper.
8.	October 17, 2011	GL-LTC-205-11	Special Occasion Liquor Licenses	THAT where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property on which Galiano Island Land Use Bylaw No. 127, 1999 permits public assembly uses, such as restaurants or community halls, and where there have been no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.
9.	September 17, 2012	GL-LTC-100-12	Short Term Vacation Rentals	THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, Short Term Vacation Rentals that have one or more of the following characteristics will be subject to enforcement: 1. There are issues related to health and safety; 2. There is a written complaint by owners or residents of two properties about bona fide serious nuisance issues such as noise or parking congestion related to the STVR; 3. The owner of the property uses more than one property on Galiano Island as a STVR. THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Galiano Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time; THAT the policy remains in effect until such time as the regulatory review is complete.

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