



**GALIANO ISLAND
LOCAL TRUST COMMITTEE
BUSINESS MEETING AGENDA
TO COMMENCE AT 1:00 PM, MONDAY, May 14, 2012
AT THE SOUTH COMMUNITY HALL
141 STURDIES BAY ROAD, GALIANO ISLAND, B.C**

***Approximate** time is provided for the convenience of the public only and is subject change without notice.

	Page #	*Approx. Time*
1. CALL TO ORDER		1:00 pm
2. APPROVAL OF AGENDA		1:05 pm
2.1 Questions on Agenda Items		
2.2 Town Hall Session		
3. COMMUNITY INFORMATION MEETING		1:25 pm
3.1 Galiano Island Bylaw Enforcement Bylaw Notification Bylaw No. 228		
3.1.1 Full Version (attached)	1	
3.1.2 Condensed Version (attached)	18	
4. PUBLIC HEARING - none		
5. PREVIOUS MEETINGS		2:15 pm
5.1 Local Trust Committee Minutes for Adoption (attached)		
5.1.1 Minutes of February 29, 2012 Local Trust Committee Special Meeting	25	
5.1.2 Minutes of April 16, 2012 Local Trust Committee Business Meeting	34	
5.2 Public Hearing Records and Community Information Meeting – none		
5.3 Section 26 Resolutions-without-meeting (attached)	50	
5.4 Advisory Planning Commission - none		
6. BUSINESS ARISING FROM THE MINUTES		2:35 pm
6.1 Follow-up Action Report (attached)	51	
7. DELEGATIONS - none		

8.	CORRESPONDENCE - none <i>[correspondence received concerning applications and/or projects is considered with the application/project]</i>		
9.	APPLICATIONS, PERMITS, BYLAWS AND REFERRALS		2:40 pm
9.1	GL-BP-23-07 (Wasty)- Covenant discharge (attached)	53	
9.2	GL-DVP-2011.4 (Serink) (attached)	82	
9.3	GL-TUP-2012.1 (Galiano Conservancy Association) (attached)	93	
9.4	GL-RZ-2011.2 (Dewinetz) Memorandum regarding proposed community housing lot	118	
	----- BREAK (15 minutes) -----		3:15 pm
10.	LOCAL TRUST COMMITTEE PROJECTS - none		
11.	REPORTS		3:30 pm
11.1	Work Program Reports - for Information		
	11.1.1 Galiano Island Local Trust Committee Work Program - Report dated May 2012 (attached)	120	
11.2	Applications Report - for information		
	11.2.1 Galiano Island Applications Report– May 2012	122	
11.3	Expense/Budget Reports - for information		3:45 pm
	11.3.1 LTC Expense Report (attached)	128	
	11.3.2 LTC Expense Budget 2012-2013 (attached)	129	
11.4	Bylaw Enforcement		4:00 pm
	11.4.1 Galiano Island Bylaw Enforcement Bylaw Notification Bylaw No. 228 – for further consideration		
11.5	Policies and Standing Resolutions Report (attached) – for information	130	4:30 pm
11.6	Galiano Island LTC Web Page for Review (attached) – for information	132	4:35 pm
11.7	Chair’s Report		4:40 pm
11.8	Trustee Report		4:50 pm

- | | | |
|------------|--|---------|
| 12. | OTHER BUSINESS | 5:00 pm |
| | 12.1 Upcoming Meetings | |
| | 12.1.1 Local Trust Committee Business Meeting at
1:00 p.m. Monday, June 11, 2012, North
Community Hall, Galiano Island | |
| 13. | TOWN HALL MEETING | 5:05 pm |
| 14. | ADJOURNMENT | 5:30 pm |

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 228, 2011

A BYLAW TO RESPECT THE ENFORCEMENT OF BYLAW NOTICES WITHIN THE GALIANO ISLAND LOCAL TRUST AREA

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

WHEREAS the Galiano Island Local Trust Committee wishes to regulate the Enforcement of Bylaw Notices in the Galiano Island Local Trust Area;

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

Citation

1. This Bylaw may be cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 228, 2011”.

1.0 INTERPRETATION

In this Bylaw:

- 1.1 “Act” means the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c 60.
- 1.2 “Registry” means the North Shore Bylaw Notice Adjudication Registry established pursuant to section 6 of this bylaw.
- 1.3 “LTC” means the Galiano Island Local Trust Committee.

2.0 DEFINITIONS

The terms in this bylaw have the same meaning as the terms defined in the *Act*.

3.0 BYLAW CONTRAVENTIONS

The bylaws and bylaw contraventions designated in Schedule “A” attached to this bylaw may be dealt with by Bylaw Violation Notice.

4.0 PENALTY

The penalty for a contravention referred to in Section 3 is as follows:

- (1) subject to paragraphs (2) to (4), is the Penalty amount set out in column A1 of Schedule “A” as attached to this bylaw;
- (2) if received by the Islands Trust within 14 days of the person receiving or being presumed to have received the bylaw violation notice, is the Early Payment Penalty set out in column A2 of Schedule “A” as attached to this bylaw applies;
- (3) if more than 28 days after the person has received or is presumed to have received the bylaw violation notice, is subject to a late payment surcharge in addition to the penalty under paragraph (1), and is the Late Payment Surcharge set out in column A3 of Schedule “A” as attached to this bylaw or
- (4) if paid under a compliance agreement, may be reduced as provided under column A5 of Schedule “A” as attached to this bylaw.

5.0 PERIOD FOR PAYING OR DISPUTING NOTICE

- 5.1 A person who receives a bylaw violation notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw violation notice,

- (1) pay the penalty, or
- (2) request dispute adjudication

by filling in the appropriate portion of the bylaw violation notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Islands Trust as directed on the bylaw violation notice.

- 5.2 A person may pay the indicated penalty after 14 days of receiving the notice subject to the applicable surcharge for late payment in accordance with Section 4(3) of this bylaw, but no person may dispute the bylaw violation notice after 14 days of receiving it.
- 5.3 Where a person was not served personally with a bylaw violation notice and advises the Islands Trust that they did not receive a copy of the original notice, the time limits for responding to a bylaw violation notice under Sections 5, 6 and 7 of this bylaw do not begin to run until a copy of the bylaw violation notice is re-delivered to them in accordance with the *Act*.

6.0 BYLAW NOTICE DISPUTE ADJUDICATION SYSTEM

- 6.1 The Registry is established as a bylaw violation notice dispute adjudication system in accordance with the *Act* to resolve disputes in relation to bylaw violation notices.
- 6.2 The civic address of the Registry is 141 West 14th Street, North Vancouver, BC, V7M 1H9.
- 6.3 Every person who is unsuccessful in dispute adjudication in relation to a bylaw violation notice, or a compliance agreement under the dispute adjudication system established under this Section, must pay the Islands Trust an additional fee of \$25.00 for the purpose of the Islands Trust recovering the costs of the adjudication system.

7.0 SCREENING OFFICERS

- 7.1 The position of screening officer is established.
- 7.2 The following are designated classes of person that may be appointed as screening officers:

- (1) Regional Planning Manager;
- (2) Bylaw Enforcement Coordinator;
- (3) Bylaw Enforcement Officer;
- (4) Bylaw Enforcement Assistant;

and the LTC may appoint screening officers from these classes of persons by name of office or otherwise.

- 7.3 The powers, duties and functions of screening officers are as set out in the *Act*, and include the following powers:
 - (1) Where requested by the person against whom a contravention is alleged, to communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw violation notice dispute adjudication system and the fee or fees payable in relation to the bylaw violation notice enforcement process;
 - (2) To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the *Act*:
 - (a) the person against whom a contravention is alleged or their representative;
 - (b) the officer issuing the bylaw violation notice;
 - (c) the complainant or their representative;
 - (d) the Islands Trust staff and record regarding the disputant's history of bylaw compliance.

- (3) To prepare and enter into compliance agreements under the *Act* with persons who dispute bylaw violation notices, including to establish terms and conditions for compliance that the screening officer considers necessary or advisable, including time periods for payment of penalties and compliance with the bylaw;
- (4) To provide for payment of a reduced penalty if a compliance agreement is entered into as provided in column A5 of Schedule "A" as attached to this bylaw; and
- (5) To cancel bylaw violation notices in accordance with the *Act* or LTC policies and guidelines.

7.4 The bylaw contraventions in relation to which a screening officer may enter into a compliance agreement are indicated in column A4 of Schedule "A" as attached to this bylaw.

7.5 The maximum duration of a compliance agreement is one year.

8.0 **BYLAW ENFORCEMENT OFFICERS**

Persons acting as any of the following are designated as bylaw enforcement officers for the purposes of this bylaw and the *Act*:

- (a) Bylaw Enforcement Coordinator;
- (b) Bylaw Enforcement Officer.

9.0 **FORM OF BYLAW VIOLATION NOTICE**

The LTC may, from time to time, stipulate the form or forms of the bylaw violation notice provided the bylaw violation notice complies with Section 4 of the *Act*.

10.0 **SCHEDULES**

The following schedules are attached to and form part of this bylaw:

- (a) Schedule A – Galiano Island Land Use Bylaw No. 127, 1999 Contraventions and Penalties.

READ A FIRST TIME THIS DAY OF ,20__

READ A SECOND TIME THIS DAY OF ,20__

READ A THIRD TIME THIS DAY OF ,20__

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF ,20__

ADOPTED THIS DAY OF ,20__

SECRETARY

CHAIR

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.1.1	Non Permitted Use Of Conduits/Poles/Towers In Nature Protection Zone	\$300.00	\$225.00	\$150.00	Yes	50%
2.1.2	Non Permitted Bicycling And Equestrian Trails In Nature Protection Zone	\$300.00	\$225.00	\$150.00	Yes	50%
2.1.3	Non Permitted Accessory Use/Building/Structure Or Non Permitted Agricultural And Horticultural Use Or Non Permitted Farm Animals in Nature Protection Zone	\$300.00	\$225.00	\$150.00	Yes	50%
2.1.4	Non Permitted Sawmilling In Nature Protection Zone	\$300.00	\$225.00	\$150.00	Yes	50%
2.2	Non Permitted Use Of Accessory Building/Structure As Home Occupation Prior To Primary Building/Structure Constructed And Occupied	\$250.00	\$187.50	\$125.00	Yes	50%
2.3.1	Non Permitted Use Of Accessory Building/Structure, Other Than Cottage, For Human Habitation	\$300.00	\$225.00	\$150.00	Yes	50%
2.3.2	Non Permitted Use Of Land/Building/Structure For Mobile Home Parks/Manufactured Home Parks/Commercial Campgrounds	\$300.00	\$225.00	\$150.00	Yes	50%
2.3.3	Non Permitted Use Of Land/Building/Structure For Commercial Aquaculture	\$300.00	\$225.00	\$150.00	Yes	50%
2.3.4	Non Permitted Use Of Land/Building/Structure For Airports Other Than Float Plane Bases	\$300.00	\$225.00	\$150.00	Yes	50%
2.3.5	Non Permitted Use Of Boat Launching Ramp/Marina/Dock For Launching Personal Watercraft	\$300.00	\$225.00	\$150.00	Yes	50%
2.3.6	Non Permitted Use Of Land/Building/Structure For Helipads, Except Where Accessory To Police/Fire Fighting/Ambulance Facility/Hospital	\$300.00	\$225.00	\$150.00	Yes	50%
2.3.7	Non Permitted Use Of Land/Building/Structure For Private Golf Courses/Marinas	\$300.00	\$225.00	\$150.00	Yes	50%
2.3.8	Non Permitted Use Of Land/Building/Structure For Waste Disposal On Land/Marine Areas	\$500.00	\$375.00	\$250.00	Yes	50%
2.4	Non Permitted Use Of Lot For Wrecking/Storage Of Derelict Automobiles/Used Or Discarded Machinery/Equipment Except As	\$150.00	\$112.50	\$75.00	Yes	50%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Permitted In Light Industrial Zone.					
2.5	Exceed Height Restriction For Accessory Building/Structure	\$300.00	\$225.00	\$150.00	Yes	75%
2.7	Exceed Floor Area Restriction For Accessory Building/Structure Other Than Cottage	\$300.00	\$225.00	\$150.00	Yes	75%
2.8	Exceed Floor Area Restriction For Cottage	\$300.00	\$225.00	\$150.00	Yes	75%
2.12	Non Permitted Siting Of Building/Structure In Marine Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	75%
2.13	Non Permitted Siting Of Sewage Absorption Fields	\$300.00	\$225.00	\$150.00	Yes	75%
2.14	Non Permitted Siting Of Building/Structure For Farm Animals	\$300.00	\$225.00	\$150.00	Yes	75%
2.15	Non Permitted Siting Of Building/Structure Used For Human Habitation/Occupancy In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%
2.16	Non Permitted Siting Of Sign/Fence/Pumphouse With Floor Area Greater Than 10 Square Metres	\$300.00	\$225.00	\$150.00	Yes	75%
3.2	Home Occupation On Premise Not Being Occupied As Dwelling	\$250.00	\$187.50	\$125.00	Yes	50%
3.3	Home Occupation Not Conducted Entirely Within Operator's Dwelling Unit Or Accessory Building/Structure Or Non Permitted Exterior Storage Of Materials/Products/Equipment	\$250.00	\$187.50	\$125.00	Yes	50%
3.4	Not Retaining Residential Appearance Due To Home Occupation Or Non Permitted Business Sign	\$250.00	\$187.50	\$125.00	Yes	50%
3.5	More Than Three Persons Employed In Home Occupation Or No Employee Residing Permanently On Premises Of Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.6	Non Permitted Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.7	Home Occupation Producing Waste/Noise/Vibration/Glare/Fumes/Odours/Illumination/Electrical Interference Detectable Off Lot Or Home Occupation Consumes Excessive Groundwater	\$250.00	\$187.50	\$125.00	Yes	50%
3.8	Exceed Maximum Number Bedrooms In B&B	\$250.00	\$187.50	\$125.00	Yes	50%
5.1.1	Non Permitted Use In Village Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.1.2	More Than One Dwelling On Lot In Village Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.1.3	Non Permitted Cottage In Village	\$300.00	\$225.00	\$150.00	Yes	50%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Residential 1 Zone					
5.1.4	Exceed Lot Coverage Restriction In Village Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.5	Exceed Height Restriction For Building/Structure In Village Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.6	Encroachment Of Building/Structure Into Setback In Village Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.7	Encroachment Of Building/Structure For Animals Into Setback In Village Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.1	Non Permitted Use In Village Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.2.2	More Than One Dwelling On Lot In Village Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.2.3	Non Permitted Cottage In Village Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.2.4	Exceed Lot Coverage Restriction In Village Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.5	Exceed Height Restriction For Building/Structure In Village Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.6	Encroachment Of Building/Structure Into Setback In Village Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.7	Encroachment Of Building/Structure For Animals In Village Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.1	Non Permitted Use In Small Lot Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.3.2	Non Permitted Cottage On Lot 1, District Lot 83 In Small Lot Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.3.3	Non Permitted Use On District Lot 145 In Small Lot Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.3.4	Non Permitted Additional Dwelling In Small Lot Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.3.5	Non Permitted Cottage On Lots Smaller Than 0.4 Hectares In Small Lot Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.3.6	Exceed Lot Coverage Restriction In Small Lot Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.7	Exceed Height Restriction For Building/Structure In Small Lot Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.8	Encroachment Of Building/Structure Into Setback In Small Lot Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.10	Encroachment Of Building/Structure For Farm Animals Into Setback In	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Small Lot Residential Zone					
5.4.1	Non Permitted Use In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.4.2	Non Permitted Additional Dwelling In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.4.3	Non Permitted Cottage In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.4.4	Exceed Height Restriction For Building/Structure In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.5	Encroachment Of Building/Structure Into Setback In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.6	Encroachment Of Building/Structure For Farm Animals Into Setback In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.1	Non Permitted Use In Rural 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.5.2	Non Permitted Additional Dwelling In Rural 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.5.3	Non Permitted Cottage In Rural 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.5.4	Exceed Height Restriction For Building/Structure In Rural 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.5	Encroachment Of Building/Structure Into Setback In Rural 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.6	Encroachment Of Building/Structure For Farm Animals Into Setback In Rural 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.1	Non Permitted Use In Rural 3 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.6.2	Non Permitted Additional Dwelling In Rural 3 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.6.3	Non Permitted Cottage In Rural 3 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.6.4	Exceed Height Restriction For Building/Structure In Rural 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.5	Encroachment Of Building/Structure Into Setback In Rural 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.6	Encroachment Of Building/Structure/Use Permitted Under Article 5.6.1 Into Setback In Rural 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.7	Encroachment Of Building/Structure For Animals Into Setback In Rural 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
6.1.1	Non Permitted Use In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	50%
6.1.2	Non Permitted Additional Dwelling In Agriculture Zone					
6.1.4	Exceed Height Restriction For Building/Structure In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%

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CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
6.1.5	Encroachment Of Building/Structure Into Setback In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%
6.1.6	Encroachment Of Non-Residential Building/Structure Into Setback In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.1.1	Non Permitted Use In Forest 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
7.1.2	Non Permitted Building/Structure Or Permitted Building/Structure Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Forest 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.1.3	Exceed Height Restriction For Building/Structure In Forest 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.1.4	Encroachment Of Building/Structure Into Setback In Forest 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.1.5	Encroachment Of Building/Structure Into Setback Of Lot Line That Does Not Abut Highway In Forest 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.2.1	Non Permitted Use In Forest 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
7.2.2	Non Permitted Additional Dwelling Accessory To Timber Production And Harvesting In Forest 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
7.2.3	Non Permitted Building/Structure Or Permitted Building/Structure Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Forest 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.2.4	Exceed Height Restriction For Building/Structure In Forest 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.2.5	Encroachment Of Building/Structure Into Setback In Forest 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.2.6	Encroachment Of Building/Structure Into Setback From Lot Line That Does Not Abut Highway In Forest 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.3.1	Non Permitted Use In Forest 3 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
7.3.2	Non Permitted Building/Structure Or Permitted Building/Structure Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Forest 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.3.3	Non Permitted Additional Dwelling Or Dwelling/Accessory Building/Structure Exceed Maximum Floor/Lot Area In Forest 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.3.4	Exceed Height Restriction For Building/Structure In Forest 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.3.5	Encroachment Of Building/Structure Into Setback In Forest 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.4.1	Non Permitted Use In Heritage Forest Zone	\$300.00	\$225.00	\$150.00	Yes	50%
7.4.2	Non Permitted Building/Structure Or Permitted Building/Structure For Timber Production And Harvesting	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Uses Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Heritage Forest Zone					
7.4.3	Non Permitted Building/Structure Or Permitted Building/Structure For Forestry Education And Research Uses Exceed Maximum Floor/Lot Area In Heritage Forest Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.4.4	Exceed Height Restriction For Building/Structure In Heritage Forest Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.4.5	Encroachment Of Building/Structure Into Setback In Heritage Forest Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.4.6	Encroachment Of Building/Structure Into Setback From Lot Line That Does Not Abut A Highway In Heritage Forest Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.5.1	Non Permitted Use In Forest Land Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	50%
7.5.2	Non Permitted Building/Structure Or Permitted Building/Structure Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Forest Land Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.5.3	Non Permitted Accessory Dwelling Or Permitted Accessory Dwelling Does Not Have Highway Access In Forest Land Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	50%
7.5.4	Exceed Height Restriction For Building/Structure In Forest Land Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.5.5	Encroachment Of Building/Structure Into Setback In Forest Land Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.5.6	Encroachment Of Building/Structure Into Setback From Lot Line That Does Not Abut Highway In Forest Land Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.1.1	Non Permitted Use In Senior Citizen Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
8.1.2	Exceed Density Of Development Restriction In Senior Citizen Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.1.3	Exceed Lot Coverage Restriction In Senior Citizen Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.1.4	Exceed Height Restriction For Building/Structure In Senior Citizen Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.1.5	Encroachment Of Building/Structure Into Setback In Senior Citizen Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
8.2.1	Non Permitted Use In Community Facility Zone	\$300.00	\$225.00	\$150.00	Yes	50%
8.2.2	Fail To Meet Site Specific Usage Regulations In Community Facility Zone	\$300.00	\$225.00	\$150.00	Yes	50%
8.2.3	Exceed Density Restriction Of Affordable And Special Needs Housing In Community Facility Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.2.4	Exceed Lot Coverage Restriction On Lot 2 In Community Facility Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.2.5	Exceed Height Restriction For Building/Structure In Community Facility Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.2.6	Encroachment Of Building/Structure Into Setback In Community Facility Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.2.7	Fail To Meet Site Specific Setback Regulations In Community Facility Zone					
8.3.1	Non Permitted Use In Emergency And Health Services Zone	\$300.00	\$225.00	\$150.00	Yes	50%
8.3.2	Exceed Height Restriction For Building/Structure In Emergency And Health Services Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.3.3	Encroachment Of Building/Structure Into Setback In Emergency And Health Services Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.4.1	Non Permitted Use In Utility Service Zone	\$300.00	\$225.00	\$150.00	Yes	50%
8.4.2	Exceed Height Restriction For Building/Structure In Utility Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.4.3	Encroachment Of Building/Structure Into Setback In Utility Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.4.4	Inadequate Landscape Screen For Storage Areas In Utility Service Zone	\$100.00	\$75.00	\$50.00	Yes	75%
8.5.1	Non Permitted Use In Health And Wellness Zone	\$300.00	\$225.00	\$150.00	Yes	50%
8.5.2	Treatment Facility Accommodation Room Exceeds Maximum Floor Area In Health And Wellness Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.5.4	Exceed Maximum Lot Coverage Area In Health And Wellness Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.5.5	Exceed Maximum Floor Space Ratio In Health And Wellness Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.5.6	More Than One Treatment Facility On Lot In Health And Wellness Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.5.7	Exceed Height Restriction For Building/Structure In Health And Wellness Zone	\$300.00	\$22.00	\$150.00	Yes	75%
8.5.8	Encroachment Of Building/Structure	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Into Setback In Health And Wellness Zone					
8.5.10	Inadequate Landscape Screen For Unenclosed Storage Areas In Health And Wellness Zone	\$100.00	\$75.00	\$50.00	Yes	75%
9.1.1	Non Permitted Use In Retail Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.1.2	Fail To Meet Site Specific Usage Regulations In Retail Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.1.3	Exceed Lot Coverage Restriction In Retail Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.1.4	More Than One Dwelling On Lot In Retail Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.1.5	Exceed Height Restriction For Building/Structure In Retail Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.1.6	Encroachment Of Building/Structure/Unenclosed Accessory Storage Areas Into Setback In Retail Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.1.7	Encroachment Of Building/Structure Used For Farm Animals Into Setback In Retail Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.1.9	Fail To Meet Site Specific Vegetation Regulations In Retail Commercial Zone	\$100.00	\$75.00	\$50.00	Yes	75%
9.1.10	Inadequate Landscape Screen For Unenclosed Storage Areas In Retail Commercial Zone	\$100.00	\$75.00	\$50.00	Yes	75%
9.1.11	Fail To Provide Compliant Area For Unloading Of Goods From Commercial Vehicles In Retail Commercial Zone	\$250.00	\$187.50	\$125.00	Yes	75%
9.2.1	Non Permitted Use In Visitor Accommodation (Inn) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.2.2	Accommodation Facility Exceeds Maximum Visitor Accommodation Rooms Or Does Not Contain Accommodation/Restaurant And Dwelling In Single Building In Visitor Accommodation (Inn) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.2.3	Accommodation Facility In Lot A District Lot 26 In Visitor Accommodation (Inn) Zone Does Not Meet Site Specific Regulations	\$300.00	\$225.00	\$150.00	Yes	75%
9.2.5	More Than One Inn On Lot In Visitor Accommodation (Inn) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.2.6	Exceed Maximum Lot Coverage In Visitor Accommodation (Inn) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.2.7.1	Exceed Floor Space Ratio	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Restriction In Visitor Accommodation (Inn) Zone					
9.2.7.2	Exceed Maximum Floor Area Restriction For Visitor Accommodation Rooms In Visitor Accommodation (Inn) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.2.7.3	Exceed Maximum Floor Area Restriction For Accessory Retail Sales In Visitor Accommodation (Inn) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.2.8	Exceed Maximum Height Restriction For Building/Structure In Visitor Accommodation (Inn) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.2.9	Encroachment Of Building/Structure Into Setback In Visitor Accommodation (Inn) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.2.11	Inadequate Landscape Screen For Unenclosed Storage Areas In Visitor Accommodation (Inn) Zone	\$100.00	\$75.00	\$50.00	Yes	75%
9.3.1	Non Permitted Use In Visitor Accommodation (Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.3.2	Visitor Accommodation Facility Exceeds Maximum Visitor Accommodation Rooms/ Cottages Permitted Or Does Not Contain Central Building Providing Guest Services, Restaurant And Dwelling For Owner/Operator In Visitor Accommodation (Resort) Zone	\$250.00	\$187.50	\$125.00	Yes	50%
9.3.3	More Than One Resort On Lot In Visitor Accommodation (Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.3.4	Exceed Maximum Lot Coverage Restriction In Visitor Accommodation (Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3.5	Exceed Maximum Height Restriction Of Building/Structure In Visitor Accommodation (Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3.6	Encroachment Of Building/Structure Into Setback In Visitor Accommodation (Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3.8	Inadequate Landscape Screen For Unenclosed Storage Areas In Visitor Accommodation (Resort) Zone	\$100.00	\$75.00	\$50.00	Yes	75%
9.3(A).1	Non Permitted Use In Visitor Accommodation (Rural Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.3(A).2	More Than One Resort On Lot In Visitor Accommodation (Rural Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.3(A).3	Exceed Total Floor Area Restriction For All Buildings/Structures	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Excluding Owner/Operator's Dwelling In Visitor Accommodation (Rural Resort) Zone					
9.3(A).4	Exceed Maximum Floor Area Restriction For Accessory Buildings Other Than Barn In Visitor Accommodation (Rural Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3(A).5	Exceed Maximum Height Restriction Of Building/Structure In Visitor Accommodation (Rural Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3(A).6	Encroachment Of Building/Structure Except Fence/Pumphouse Into Setback In Visitor Accommodation (Rural Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3(A).7	Encroachment Of Building/Structure For Animals Into Setback In Visitor Accommodation (Rural Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3(A).9	Inadequate Landscape Screen For Unenclosed Storage Areas In Visitor Accommodation (Rural Resort) Zone	\$100.00	\$75.00	\$50.00	Yes	75%
9.3(B).1	Non Permitted Use In Galiano Inn (Comprehensive Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.3(B).3	More Than One Comprehensive Resort On Lot In Galiano Inn (Comprehensive Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.3(B).4	Exceed Maximum Lot Coverage Restriction Of Building/Structure In Galiano Inn (Comprehensive Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3(B).5	Exceed Maximum Lot Coverage Restriction Of Asphalt And Concrete Paving In Galiano Inn (Comprehensive Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3(B).6	Visitor Accommodation Sleeping Rooms Exceed Maximum Total Combined Floor Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3(B).7	Visitor Accommodation Units Exceed Maximum Total Combined Floor Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3(B).8	More Than One Restaurant Or Restaurant Exceeds Maximum Seating Restriction In Galiano Inn (Comprehensive Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.3(B).9	More Than One Retail Area Or Retail Area Exceeds Maximum Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.3(B).10	More Than One Dwelling For	\$300.00	\$225.00	\$150.00	Yes	50%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Owner/Operator Or Dwelling Exceeds Maximum Area Restriction In Galiano Inn (Comprehensive Resort) Zone					
9.3(B).11	More Than One Laundry Area Or Laundry Area Exceeds Maximum Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.3(B).12	Non-licenced Lounge Or More Than One Licenced Lounge Or Lounge Exceeds Maximum Seating Restriction In Galiano Inn (Comprehensive Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.3(B).13	Exceed Maximum Height Restriction Of Building/Structure In Galiano Inn (Comprehensive Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3(B).14	Encroachment Of Buildings/Structures/Tanks/Sheds/Replacement Parking Sites Into Setback In Galiano Inn (Comprehensive Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3(B).16	Inadequate Landscape Screen For Unenclosed Storage Areas In Galiano Inn (Comprehensive Resort) Zone	\$100.00	\$75.00	\$50.00	Yes	75%
9.4.1	Non Permitted Use In Public House Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.4.2	Exceed Maximum Lot Coverage Restriction In Public House Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.4.3	More Than One Accessory Dwelling On Permitted Lot In Public House Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.4.4	Floor Area For Serving Customers/ Seating Capacity Exceeds Maximum Restriction In Public House Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.4.5	Exceed Maximum Height Restriction For Building/Structure In Public House Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.4.6	Encroachment Of Building/Structure/Unenclosed Storage Areas Into Setback In Public House Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.4.8	Inadequate Landscape Screen For Unenclosed Storage Areas In Public House Commercial Land Zone	\$100.00	\$75.00	\$50.00	Yes	75%
9.4.9	Fail To Provide Compliant Area For Unloading Of Goods From Commercial Vehicles In Public House Commercial Land Zone	\$250.00	\$187.50	\$125.00	Yes	75%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
9.5.1	Non Permitted Use In Commercial Private Film School Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.5.2	More Than One Commercial Private Film School Or School Exceeds Total Floor Area Restriction In Commercial Private Film School Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.5.3	Overnight Accommodation Of Students/Staff Exceed Maximum Restriction In Commercial Private Film School Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.5.4	More Than One Accessory Dwelling On Permitted Lot In Commercial Private Film School Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.5.5	Exceed Maximum Lot Coverage Restriction In Commercial Private Film School Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.5.6	Exceed Maximum Height Restriction For Building/Structure In Commercial Private Film School Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.5.7	Encroachment Of Building/Structure/Unenclosed Accessory Storage Area Into Setback In Commercial Private Film School Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.5.9	Inadequate Landscape Screen For Unenclosed Storage Areas In Commercial Private Film School Zone	\$100.00	\$75.00	\$50.00	Yes	75%
9.6.1	Non Permitted Use In Light Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.6.2	Exceed Maximum Lot Coverage Restriction In Light Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.6.3	More Than One Dwelling On Lot In Light Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.6.4	Exceed Maximum Height Restriction For Building/Structure In Light Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.6.5	Encroachment Of Building/Structure Into Setback In Light Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.6.6	Encroachment Of Building/Structure For Animals Into Setback In Light Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.6.8	Inadequate Landscape Screen In Light Industrial Zone	\$100.00	\$75.00	\$50.00	Yes	75%
9.6(A).1	Non Permitted Use In Forest Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.6(A).2	Exceed Maximum Lot Coverage Restriction In Forest Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.6(A).3	More Than One Dwelling On Lot In Forest Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	50%
9.6(A).4	Exceed Maximum Height Restriction	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	For Building/Structure In Forest Industrial Zone					
9.6(A).5	Encroachment Of Building/Structure Into Setback In Forest Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.6(A).6	Encroachment Of Building/Structure For Animals Into Setback In Forest Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.6(A).8	Inadequate Landscape Screen On Lots On Which Light Industrial Uses Are Conducted In Forest Industrial Zone	\$100.00	\$75.00	\$50.00	Yes	75%
11.1.1	Non Permitted Use In Nature Protection Zone	\$300.00	\$225.00	\$150.00	Yes	50%
11.1.2	Non Permitted Building/Structure In Nature Protection Zone	\$300.00	\$225.00	\$150.00	Yes	50%
12.1.1	Non Permitted Use In Marine Protection Zone	\$300.00	\$225.00	\$150.00	Yes	50%
12.1.2	Non Permitted Building/Structure Or Residential Use Of A Watercraft In Marine Protection Zone	\$300.00	\$225.00	\$150.00	Yes	50%
12.2.1	Non Permitted Use In Marine Zone	\$300.00	\$225.00	\$150.00	Yes	50%
12.2.2	Private Float And Walkway Exceed Total Length Permitted From Natural Boundary Of Sea In Marine Zone	\$300.00	\$225.00	\$150.00	Yes	75%
12.2.3	Non Permitted Commercial/Industrial Activity In Connection With Use Of Docks/Floats/Wharves Or Non Permitted Residential Use Of A Watercraft In Marine Zone	\$300.00	\$225.00	\$150.00	Yes	50%
12.2.4	Non Permitted Siting Of Docks/Floats/Wharves In Marine Zone	\$300.00	\$225.00	\$150.00	Yes	75%
12.3.1	Non Permitted Use In Marine Service Zone	\$300.00	\$225.00	\$150.00	Yes	50%
12.3.2	Non Permitted Siting Of Structures In Marine Zone	\$300.00	\$225.00	\$150.00	Yes	75%
12.4.1	Non Permitted Use In Marine Commercial Water Zone	\$300.00	\$225.00	\$150.00	Yes	50%
12.4.2	Exceed Maximum Height Restriction For Building/Structure In Marine Commercial Water Zone	\$300.00	\$225.00	\$150.00	Yes	75%
12.4.3	Non Permitted Siting Of Building/Structure In Marine Commercial Water Zone	\$300.00	\$225.00	\$150.00	Yes	75%
12.4.4	Non Permitted Residential Use Of Watercraft In Marine Commercial Water Zone	\$300.00	\$225.00	\$150.00	Yes	50%
12.5.1	Non Permitted Use In Marine Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	50%
12.5.2	More Than One Dwelling On Lot In	\$300.00	\$225.00	\$150.00	Yes	50%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Marine Commercial Land Zone					
12.5.3	Exceed Maximum Lot Coverage Area Restriction In Marine Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	75%
12.5.4	Exceed Maximum Height Restriction Of Building/Structure In Marine Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	75%
12.5.5	Encroachment Of Building/Structure/Unenclosed Storage Area From Setback In Marine Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	75%
12.5.7	Inadequate Landscape Screen For Unenclosed Storage Areas In Marine Commercial Land Zone	\$100.00	\$75.00	\$50.00	Yes	75%
12.6.1	Movement Of Float Planes Other Than Taxiing Or Water Area Used For Recreational/Transportation Activities Involving Personal Watercraft In Montague Harbour	\$300.00	\$225.00	\$150.00	Yes	75%
14.1.1	Fail To Provide Minimum Parking Spaces As Per Table 2: Off Street Parking Standards	\$250.00	\$187.50	\$125.00	Yes	75%
14.5	Non Permitted Siting/Setback Of Parking Space	\$250.00	\$187.50	\$125.00	Yes	75%
14.6	Fail To Provide Sufficient Manoeuvring Area For Parking Space	\$250.00	\$187.50	\$125.00	Yes	75%
14.7	Parking Space Does Not Meet Size Requirements	\$250.00	\$187.50	\$125.00	Yes	75%
14.8	Fail To Provide Minimum Bicycle Parking	\$250.00	\$187.50	\$125.00	Yes	75%
15.1	Parking Areas Improperly Screened	\$250.00	\$187.50	\$125.00	Yes	75%
16.1	Non Permitted Sign/Area Of Sign/Type Of Sign In Commercial Zones	\$150.00	\$112.50	\$75.00	Yes	75%
16.3	Non Permitted Sign/Area of Sign/Type Of Sign In Non-Commercial Zones	\$150.00	\$112.50	\$75.00	Yes	75%
16.4.1	Non Permitted Permanent Sign Projecting Over Highway/Public Property	\$150.00	\$112.50	\$75.00	Yes	75%
16.4.2	Non Permitted Flashing/Blinking Illuminated Signs	\$150.00	\$112.50	\$75.00	Yes	75%
16.4.3	Non Permitted Signs Making Noise	\$150.00	\$112.50	\$75.00	Yes	75%
16.4.4	Non Permitted Illuminated Signs	\$150.00	\$112.50	\$75.00	Yes	75%
16.4.5	Non Permitted Sign Advertising Discontinued Business	\$150.00	\$112.50	\$75.00	Yes	75%

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 228, 2011

A BYLAW TO RESPECT THE ENFORCEMENT OF BYLAW NOTICES WITHIN THE GALIANO ISLAND LOCAL TRUST AREA

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

WHEREAS the Galiano Island Local Trust Committee wishes to regulate the Enforcement of Bylaw Notices in the Galiano Island Local Trust Area;

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

Citation

1. This Bylaw may be cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 228, 2011”.

1.0 INTERPRETATION

In this Bylaw:

- 1.1 “Act” means the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c 60.
- 1.2 “Registry” means the North Shore Bylaw Notice Adjudication Registry established pursuant to section 6 of this bylaw.
- 1.3 “LTC” means the Galiano Island Local Trust Committee.

2.0 DEFINITIONS

The terms in this bylaw have the same meaning as the terms defined in the *Act*.

3.0 BYLAW CONTRAVENTIONS

The bylaws and bylaw contraventions designated in Schedule “A” attached to this bylaw may be dealt with by Bylaw Violation Notice.

4.0 PENALTY

The penalty for a contravention referred to in Section 3 is as follows:

- (1) subject to paragraphs (2) to (4), is the Penalty amount set out in column A1 of Schedule “A” as attached to this bylaw;
- (2) if received by the Islands Trust within 14 days of the person receiving or being presumed to have received the bylaw violation notice, is the Early Payment Penalty set out in column A2 of Schedule “A” as attached to this bylaw applies;
- (3) if more than 28 days after the person has received or is presumed to have received the bylaw violation notice, is subject to a late payment surcharge in addition to the penalty under paragraph (1), and is the Late Payment Surcharge set out in column A3 of Schedule “A” as attached to this bylaw or
- (4) if paid under a compliance agreement, may be reduced as provided under column A5 of Schedule “A” as attached to this bylaw.

5.0 PERIOD FOR PAYING OR DISPUTING NOTICE

- 5.1 A person who receives a bylaw violation notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw violation notice,

- (1) pay the penalty, or
- (2) request dispute adjudication

by filling in the appropriate portion of the bylaw violation notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Islands Trust as directed on the bylaw violation notice.

- 5.2 A person may pay the indicated penalty after 14 days of receiving the notice subject to the applicable surcharge for late payment in accordance with Section 4(3) of this bylaw, but no person may dispute the bylaw violation notice after 14 days of receiving it.
- 5.3 Where a person was not served personally with a bylaw violation notice and advises the Islands Trust that they did not receive a copy of the original notice, the time limits for responding to a bylaw violation notice under Sections 5, 6 and 7 of this bylaw do not begin to run until a copy of the bylaw violation notice is re-delivered to them in accordance with the *Act*.

6.0 BYLAW NOTICE DISPUTE ADJUDICATION SYSTEM

- 6.1 The Registry is established as a bylaw violation notice dispute adjudication system in accordance with the *Act* to resolve disputes in relation to bylaw violation notices.
- 6.2 The civic address of the Registry is 141 West 14th Street, North Vancouver, BC, V7M 1H9.
- 6.3 Every person who is unsuccessful in dispute adjudication in relation to a bylaw violation notice, or a compliance agreement under the dispute adjudication system established under this Section, must pay the Islands Trust an additional fee of \$25.00 for the purpose of the Islands Trust recovering the costs of the adjudication system.

7.0 SCREENING OFFICERS

- 7.1 The position of screening officer is established.
- 7.2 The following are designated classes of person that may be appointed as screening officers:

- (1) Regional Planning Manager;
- (2) Bylaw Enforcement Coordinator;
- (3) Bylaw Enforcement Officer;
- (4) Bylaw Enforcement Assistant;

and the LTC may appoint screening officers from these classes of persons by name of office or otherwise.

- 7.3 The powers, duties and functions of screening officers are as set out in the *Act*, and include the following powers:
 - (1) Where requested by the person against whom a contravention is alleged, to communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw violation notice dispute adjudication system and the fee or fees payable in relation to the bylaw violation notice enforcement process;
 - (2) To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the *Act*:
 - (a) the person against whom a contravention is alleged or their representative;
 - (b) the officer issuing the bylaw violation notice;
 - (c) the complainant or their representative;
 - (d) the Islands Trust staff and record regarding the disputant's history of bylaw compliance.

- (3) To prepare and enter into compliance agreements under the *Act* with persons who dispute bylaw violation notices, including to establish terms and conditions for compliance that the screening officer considers necessary or advisable, including time periods for payment of penalties and compliance with the bylaw;
- (4) To provide for payment of a reduced penalty if a compliance agreement is entered into as provided in column A5 of Schedule "A" as attached to this bylaw; and
- (5) To cancel bylaw violation notices in accordance with the *Act* or LTC policies and guidelines.

7.4 The bylaw contraventions in relation to which a screening officer may enter into a compliance agreement are indicated in column A4 of Schedule "A" as attached to this bylaw.

7.5 The maximum duration of a compliance agreement is one year.

8.0 BYLAW ENFORCEMENT OFFICERS

Persons acting as any of the following are designated as bylaw enforcement officers for the purposes of this bylaw and the *Act*:

- (a) Bylaw Enforcement Coordinator;
- (b) Bylaw Enforcement Officer.

9.0 FORM OF BYLAW VIOLATION NOTICE

The LTC may, from time to time, stipulate the form or forms of the bylaw violation notice provided the bylaw violation notice complies with Section 4 of the *Act*.

10.0 SCHEDULES

The following schedules are attached to and form part of this bylaw:

- (a) Schedule A – Galiano Island Land Use Bylaw No. 127, 1999 Contraventions and Penalties.

READ A FIRST TIME THIS DAY OF ,20__

READ A SECOND TIME THIS DAY OF ,20__

READ A THIRD TIME THIS DAY OF ,20__

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS DAY OF ,20__

ADOPTED THIS DAY OF ,20__

SECRETARY

CHAIR

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.2	Non Permitted Use Of Accessory Building/Structure As Home Occupation Prior To Primary Building/Structure Constructed And Occupied	\$250.00	\$187.50	\$125.00	Yes	50%
2.3.1	Non Permitted Use Of Accessory Building/Structure, Other Than Cottage, For Human Habitation	\$300.00	\$225.00	\$150.00	Yes	50%
2.3.2	Non Permitted Use Of Land/Building/Structure For Mobile Home Parks/Manufactured Home Parks/Commercial Campgrounds	\$300.00	\$225.00	\$150.00	Yes	50%
2.3.3	Non Permitted Use Of Land/Building/Structure For Commercial Aquaculture	\$300.00	\$225.00	\$150.00	Yes	50%
2.3.5	Non Permitted Use Of Boat Launching Ramp/Marina/Dock For Launching Personal Watercraft	\$300.00	\$225.00	\$150.00	Yes	50%
2.3.8	Non Permitted Use Of Land/Building/Structure For Waste Disposal On Land/Marine Areas	\$500.00	\$375.00	\$250.00	Yes	50%
2.4	Non Permitted Use Of Lot For Wrecking/Storage Of Derelict Automobiles/Used Or Discarded Machinery/Equipment Except As Permitted In Light Industrial Zone.	\$150.00	\$112.50	\$75.00	Yes	50%
2.5	Exceed Height Restriction For Accessory Building/Structure	\$300.00	\$225.00	\$150.00	Yes	75%
2.7	Exceed Floor Area Restriction For Accessory Building/Structure Other Than Cottage	\$300.00	\$225.00	\$150.00	Yes	75%
2.8	Exceed Floor Area Restriction For Cottage	\$300.00	\$225.00	\$150.00	Yes	75%
2.12	Non Permitted Siting Of Building/Structure In Marine Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	75%
2.13	Non Permitted Siting Of Sewage Absorption Fields	\$300.00	\$225.00	\$150.00	Yes	75%
2.14	Non Permitted Siting Of Building/Structure For Farm Animals	\$300.00	\$225.00	\$150.00	Yes	75%
2.15	Non Permitted Siting Of Building/Structure Used For Human Habitation/Occupancy In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%
2.16	Non Permitted Siting Of Sign/Fence/Pumphouse With Floor Area Greater Than 10 Square Metres	\$300.00	\$225.00	\$150.00	Yes	75%
3.2	Home Occupation On Premise Not Being Occupied As Dwelling	\$250.00	\$187.50	\$125.00	Yes	50%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.3	Home Occupation Not Conducted Entirely Within Operator's Dwelling Unit Or Accessory Building/Structure Or Non Permitted Exterior Storage Of Materials/Products/Equipment	\$250.00	\$187.50	\$125.00	Yes	50%
3.4	Not Retaining Residential Appearance Due To Home Occupation Or Non Permitted Business Sign	\$250.00	\$187.50	\$125.00	Yes	50%
3.5	More Than Three Persons Employed In Home Occupation Or No Employee Residing Permanently On Premises Of Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.6	Non Permitted Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.7	Home Occupation Producing Waste/Noise/Vibration/Glare/Fumes/Odours/Illumination/Electrical Interference Detectable Off Lot Or Home Occupation Consumes Excessive Groundwater	\$250.00	\$187.50	\$125.00	Yes	50%
3.8	Exceed Maximum Number Bedrooms In B&B	\$250.00	\$187.50	\$125.00	Yes	50%
5.1.6	Encroachment Of Building/Structure Into Setback In Village Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.6	Encroachment Of Building/Structure Into Setback In Village Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.8	Encroachment Of Building/Structure Into Setback In Small Lot Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.5	Encroachment Of Building/Structure Into Setback In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.5	Encroachment Of Building/Structure Into Setback In Rural 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.5	Encroachment Of Building/Structure Into Setback In Rural 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.6	Encroachment Of Building/Structure/Use Permitted Under Article 5.6.1 Into Setback In Rural 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
6.1.5	Encroachment Of Building/Structure Into Setback In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%
6.1.6	Encroachment Of Non-Residential Building/Structure Into Setback In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.1.4	Encroachment Of Building/Structure Into Setback In Forest 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.1.5	Encroachment Of Building/Structure Into Setback Of Lot Line That Does	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Not Abut Highway In Forest 1 Zone					
7.2.5	Encroachment Of Building/Structure Into Setback In Forest 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.2.6	Encroachment Of Building/Structure Into Setback From Lot Line That Does Not Abut Highway In Forest 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.3.5	Encroachment Of Building/Structure Into Setback In Forest 3 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.4.5	Encroachment Of Building/Structure Into Setback In Heritage Forest Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.4.6	Encroachment Of Building/Structure Into Setback From Lot Line That Does Not Abut A Highway In Heritage Forest Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.5.5	Encroachment Of Building/Structure Into Setback In Forest Land Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	75%
7.5.6	Encroachment Of Building/Structure Into Setback From Lot Line That Does Not Abut Highway In Forest Land Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.1.5	Encroachment Of Building/Structure Into Setback In Senior Citizen Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.2.6	Encroachment Of Building/Structure Into Setback In Community Facility Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.3.3	Encroachment Of Building/Structure Into Setback In Emergency And Health Services Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.4.3	Encroachment Of Building/Structure Into Setback In Utility Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
8.5.8	Encroachment Of Building/Structure Into Setback In Health And Wellness Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.1.6	Encroachment Of Building/Structure/Unenclosed Accessory Storage Areas Into Setback In Retail Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.2.9	Encroachment Of Building/Structure Into Setback In Visitor Accommodation (Inn) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3.6	Encroachment Of Building/Structure Into Setback In Visitor Accommodation (Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3(A).6	Encroachment Of Building/Structure Except Fence/Pumphouse Into Setback In Visitor Accommodation (Rural Resort) Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.3(B).14	Encroachment Of	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Buildings/Structures/Tanks/Sheds/Replacement Parking Sites Into Setback In Galiano Inn (Comprehensive Resort) Zone					
9.4.6	Encroachment Of Building/Structure/Unenclosed Storage Areas Into Setback In Public House Commercial Land Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.5.7	Encroachment Of Building/Structure/Unenclosed Accessory Storage Area Into Setback In Commercial Private Film School Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.6.5	Encroachment Of Building/Structure Into Setback In Light Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
9.6(A).5	Encroachment Of Building/Structure Into Setback In Forest Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
16.1	Non Permitted Sign/Area Of Sign/Type Of Sign In Commercial Zones	\$150.00	\$112.50	\$75.00	Yes	75%
16.3	Non Permitted Sign/Area of Sign/Type Of Sign In Non-Commercial Zones	\$150.00	\$112.50	\$75.00	Yes	75%
16.4.1	Non Permitted Permanent Sign Projecting Over Highway/Public Property	\$150.00	\$112.50	\$75.00	Yes	75%
16.4.2	Non Permitted Flashing/Blinking Illuminated Signs	\$150.00	\$112.50	\$75.00	Yes	75%
16.4.3	Non Permitted Signs Making Noise	\$150.00	\$112.50	\$75.00	Yes	75%
16.4.4	Non Permitted Illuminated Signs	\$150.00	\$112.50	\$75.00	Yes	75%
16.4.5	Non Permitted Sign Advertising Discontinued Business	\$150.00	\$112.50	\$75.00	Yes	75%

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

DRAFT

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE SPECIAL MEETING
HELD WEDNESDAY, FEBRUARY 29, 2012 AT 2:00 PM.
AT THE SOUTH COMMUNITY HALL
141 STURDIES BAY ROAD, GALIANO ISLAND, B.C**

PRESENT:

Ken Hancock	Chair
Louise Decario	Local Trustee
Sandy Pottle	Local Trustee
Robert Kojima	Regional Planning Manager
Kaitlin Kazmierowski	Island Planner
Patricia Joyce	Minute Taker

GUESTS:

Garth Webber Atkins	Ministry of Forests, Lands and Natural Resource Operations
Laura Coward	Ministry of Forests, Lands and Natural Resource Operations

There were approximately 100 members of the public present.

1. CALL TO ORDER

The Meeting was called to Order at 2.15pm

Chair Hancock introduced the Meeting, noting that the meeting is being held for the purpose of meeting with staff from the Ministry of Forest Lands and Natural Resources Operations to discuss the *Privately Managed Forest Lands Act* (PMFL) on Galiano and in British Columbia.

2. APPROVAL OF AGENDA

The Chair suggested that the agenda be amended to allow time for a Town Hall , following the Questions and Answers period in agenda item 5.

The Trustees agreed that the Agenda be so amended.

3. INTRODUCTIONS & COMMENTS

The Chair introduced participants in the meeting, and outlined the meeting goals, emphasising that this is an information meeting and knowledge gathering meeting, and that civil behaviour and mutual respect would be expected, and that there be no personal attacks.

**4. MINISTRY OF FOREST LANDS AND NATURAL RESOURCE OPERATIONS
STAFF COMMENTS**

Ms. Garth Webber Atkins addressed the meeting, describing the *PMFL Act* and items are restricted by the Act, Ms. Webber Atkins referred to ongoing interaction between the PMFL and other ministries and jurisdictions (e.g. Union of BC Municipalities).

Regarding residences on lands in the PMFL, Webber Atkins explained that the provincial government may consider amendments to the legislation that would permit local governments to regulate but not prohibit residences on PMFL lands. . It is possible that a compromise may be offered which may help find a resolution to the present stalemate.

5. Privately Managed Forest Land Act - Questions and Answer Period.

The Chair invited questions from the Trustees.

Trustee Decario asked for more clarification on "regulate but not prohibit" and wondered whether Development Permit Areas would be included.

Trustee Pottle asked the same, and also how much accountability would be given to the Road Network Plan.

A question was asked regarding expectations of property owners.

Ms. Webber Atkins noted that the Islands being under the *Islands Trust Act* does make a difference.

Regional Planning Manager (RPM) Kojima commented that this meeting flows from the Official Community Plan Review process with regard to Forest Lands.

Trustee Decario commented that there are hopes that Galiano Road Network Plan can be worked into the ongoing process.

Chair Hancock added that this is a conceptual idea at present with possible resolution being in the future.

The Chair opened the meeting to questions from the Public.

Michael Sharp asked 2 questions:

- 1) Whether or not the Local Trust Committee can issue a Development Permit on a property already registered in the PMFL.
- 2) Could a Bylaw be passed now to allow a dwelling on such a property?

The answer given was yes.

Gary Coward asked whether "regulate" means "apply conditions".

Ms. Webber Atkins indicated that a concern was that applying the current zoning regulation could lead to prohibition.

A member of the public spoke of the current OCP regulation which allows a house on an F1 Lot only if a portion of the land is "given up".

Chair Hancock commented that it is not known at this time what recognition the B.C. government may give to local government at the time of application.

Ms Webber Atkins commented in response to the question of rezoning: If a Landowner asks for rezoning for more than 1 house or another use, this is not the concern of the PMFL.

Roy Smith raised the issue of boundaries & the Ministry of Forests perimeters. He asked if the Local Trust Committee had a Development Permit Area regarding Groundwater, with conditions for an owner constructing a house, would this interfere with the PMFL?

Answer: Yes, if the DPA is connected to the dwelling or if groundwater could be affected by taking down trees.

Andrew Loveridge expressed concern that the exercise of "regulate" and "prohibit" could result in one becoming the other.

RPM Kojima advised that the legal definition of "regulate" and "prohibit" would prevent that.

Walter Forstbauer referring to rezoning at discretion of the Local Trustees asked whether there is a difference between the *PMFL Act* and the *Forest Land Reserve Act*.

Trustee Decario responded that there is a difference; The Forest Land Reserve was a true reserve with one of its objects being protection of forests from urban development. Applications for inclusion in or exclusion from the FLR were always referred to the Local Government for comment. This does not happen with the PMFL. The PMFL Act is merely a tax classification.

Bernie Boshier re regulation for PMFL lots: Will there be some provision to put an end to disallowance of a dwelling. He understands that a dwelling may be allowed but the Local Trust Committee can regulate the dwelling's siting.

Ms Webber Atkins said, the Ministry's proposal could put an end to the issue

Glenna Mattin with regard to Section 21 of the PMFL: asked, has exemption from this section been requested so that the Local Trust Committee will have ability to "regulate" or "prohibit".

Ms. Webber Atkins advised that the Local Trust Committee has authority to regulate issues around dwellings.

Jim Trueit expressed concern that the Trustees can pass a bylaw that rules that buildings can be built, but that it can have a roof but no walls. This seems unfair to him.

Sandy Martin commented that the land which made up the MacMillan Bloedel Tree Farms was regulated in a satisfactory manner.

Gary Moore attempted to read a Delegation document; the Chair ruled Mr. Moore out of order; Mr. Moore asked whether or not the Ministry of Forests recognises the unique

character of Galiano Island and whether she was aware of the signed disclosure statements.

Ms. Webber Atkins indicated that she is very aware of the uniqueness and that she is also aware of the MacMillan Bloedel disclosure statement.

Kathy Stevenson indicated that the process of resolving differences takes an inordinate amount of time and can the Ministry of Forests give an indication of when a resolution might come about.

Ms. Webber Atkins suggested by 2014.

Richard Dewinetz asked whether the regulations of the PMFL are consistent throughout the province or by specific areas or zones.

Ms. Webber Atkins indicated that she is not sure; but she recognized that different geographical locations have different needs. .

Geoff Gaylor explained that the Forest Advisory Committee for the Official Community Plan Review had advised the Local Trust Committee not to make changes to the existing Forest section of the Galiano bylaws because of concerns with the PMFL forest management practices which could interfere with our watersheds. Allowing houses to be built was not the problem. In his opinion all stakeholders, including the PMFL need to get beyond houses being the only issue.

Ms. Webber Atkins said she was here today because of the dwelling issue. She would be happy to discuss forest practices with Mr. Gaylor at another time.

Linda Knesevic asked a question regarding the request for exemption from Section 21 of the *Private Managed Forest Lands Act*.

Trustee Pottle responded that Galiano bylaws predate the PMFL Act. Galiano has so much land in Forestry and under the existing bylaws these lands have greater protection than they would have under the Private Managed Forest Lands (PMFL). She added the concern of the Local Trust Committee resulted in Islands Trust Council being asked to request this exemption. 39% of Galiano forest lands are now registered in the PMFL and rising. The reality of the PMFL prevents the Local Trust Committee from proceeding with necessary work, e.g. Road Network Plan.

Sandy Martin asked why the government of B.C. has not stopped Galiano from asking for exemption.

Ms. Webber Atkins indicated that the government has been reluctant to interfere as it is a Local Government matter to resolve.

Debbie Holmes presented her concerns about ground water resources; the Local Trust Committee looks to the Ministry of Forests. Does the ministry have the legal obligation to protect water under the land, whether that land is under the PMFL or not?

Chair Hancock indicated that the answer to the above question depends on

what amendments may yet be made to the *Water Management Act*.

Ms. Webber Atkins hears the many concerns about groundwater and believes that there is enough scope in the *Water Management Act* to take all resources and needs into account. The PMFL Act does require reforestation

Trustee Decario commented that completion of the *Water Management Act* is still two or three years away.

Trustee Pottle indicated that the PMFL Act review of 2007 removed community watersheds from the wording in the Act and replaced it with licensed water intake. On Galiano the only water resource is groundwater.

Ursula Deshields expressed concern regarding pesticides and herbicides in surface water, which she understands are not controlled or prohibited by the *Private Managed Forest Lands Act*.

Elizabeth Latta noted that the *Private Managed Forest Lands Act* is concerned with the whole province, and asked how individual owners can get access to advocacy.

Ms. Webber Atkins indicated that issues regarding dwellings on Forest Lands come under the jurisdiction of the Local Trust Committee. Other uses of Forest Lands are under the jurisdiction of the PMFL Act and are regulated by their staff, who respond to complaints; audits are done on a rotation.

Ms. Laura Coward confirmed that audits of all properties are carried out once in every 5 years, and more frequently when complaints are investigated. Independent Foresters are hired to carry out audits. Dwelling aspects would be looked after by the LTC.

Sandy Pottle questioned how many folios exist in B.C. and on Galiano Island.

Brian Morgenstern had questions concerning "regulate" and "prohibit" and uniformity in the Province. Is uniformity a goal regarding comparable Forest Areas? And if so, how is this arrived at?

Ms. Webber Atkins indicated that yes, owners would be expected to conform to applicable standards.

Ken Millard asked whether Forest Lots registered under the PMFL receive managed tax classification.

Ms. Webber Atkins answered yes.

Mr. Millard then suggested that if the footprint of a house on Forest Land is residential, that portion of the land is no longer in the PMFL.

Ms. Webber Atkins answered that she was unsure if this was so.

Mr. Millard asked that the Ministry find an answer to the question and forward it to the Local Trust Committee.

Dora Fitzgerald commented on threatened ecosystems that are unique on Galiano and are very small compared with very large areas elsewhere in the province. What is the likelihood of having a regulation that can apply to all threatened areas?

Ms. Webber Atkins commented that she is not sure how to reconcile these differences and that the work of the *Private Managed Forest Lands Act* is oriented toward managing forest practices.

Bruce Jordan asked about the average size of Forest Lot in B.C and on Galiano.

Ms. Webber Atkins indicated that there is a large range of sizes and is unable to be specific at this moment.

Maureen Preston asked for confirmation that all the Forest Lots on Galiano have been audited.

Answer: Yes.

Trustee Pottle commented that the Attorney General had recently made scathing comments about Forestry and asked the Ministry to comment.

Ms. Laura Coward responded that the PMFL staff is doing a good job of regulating in B.C.

It was noted that at a Forest Practices Board Workshop, it had been suggested that the Coastal Douglas-fir zones be a high priority and that local governments be given more authority to do this.

Ms. Webber Atkins commented that education of landowners is ongoing.

Trustee Pottle indicated that conservation is a high priority for the Islands Trust and asked if this is so for the PMFL.

Ms. Webber Atkins indicated that conservation is not their mandate, and suggested that this concern be addressed to the Ministry of Environment.

Olaf Knesevic read a letter that he had written to the Ministry of Forests, regarding the "no walls" regulation, public road access, and his expectation for equity with other owners. He went on to say that forest lands should have the same regulations as any other lots.

Ms. Webber Atkins agreed that these expectations should be met.

Margaret Chegidden explained the situation of the Forest lot owned by herself and her husband. It is an F2 lot of 30 acres; they have practiced Forestry for 20 years, which has been very difficult without a home on the property. They are not allowed to build a home, because they have an easement into the property but no public road.

The Chair called for a break at 3:55 pm.

The Chair reconvened the meeting at 4:10 pm.

Richard Dewenitz commented and confirmed information re the Tax Base on Forest Lands.

Michael Sharp asked, if there is a house on PMFL land, when the PMFL is finally enacted, would it take precedence over local government authority?

Roy Smith made a suggestion for Government - that there be a broader view of dwelling use on Forest Lands. Also that attention be paid to landslip (on slopes) and consider exceptions to protect dwelling use. A comment on ground water usage was added.

5.1 DELEGATION

Misty McDuffee of Gulf Islands Alliance requests exemption from *Private Managed Forest Lands Act*, Section 21, for all areas where the coastal Douglas Fir is found (on the Gulf Islands and Southern Vancouver island) so that these areas can be successfully protected. Granting of this exemption would give Local Trust Committees clear authority to protect unique ecosystems. She added there is inconsistency between the PMFL Act and the unique Coastal Douglas Fir Zone. Therefore Ms. McDuffee emphasized that the Gulf Islands Alliance recommends exemption of the whole from Section 21 be granted.

Trustee Decario asked whether recognition of the concern for the Coastal Douglas Fir Zone by the Ministry of Forests could lead to protective legislation. The Ministry made four (4) recommendations a year ago, and have extended education opportunities to private landowners and NGOs. Trustee Pottle added that workshops are being held in response to concerns about ecological impacts of forestry processes, and that a recommendation was put forward to further empower local governments.

Fred King said we are not talking about protection. It's about allowing owners to live on their land without giving anything up. He wants to live on his Forest Lot land.

Joy Brown, a Forest Lot owner is a lover of the land and being part of the community of Galiano; thousands of trees have been planted on her land. Owners are the best stewards

Doug Latta commented on the length of driveways that would be allowed on Forest Lots from the road to the house site, indicating that trees will not grow back once cleared for a driveway.

Mary Eliot spoke positively of the history of ownership of her land, and the care of old growth trees.

Bowie Keefer echoed Joy Brown and encouraged us all to continue to demonstrate a strong environmental ethic. A proposal by the PMFL brings the "sides" together - no clear cutting will happen here again; we will "manage" our forests responsibly which will take care of ground water.

Walter Forstbauer indicated that roads are needed for forestry to be carried out; the safest place to build a home is in the centre of a Lot. Regulations are good but should be reasonable.

Sandy Martin commented that all owners want to protect their land and pleaded that one house per lot be allowed - that is all that is being asked for.

Debbie Holmes suggested that a sustainable cut level of forestry will protect both forest and water and that this concept is a bridge on which to make connections. Ms. Holmes offered thanks for this meeting.

Richard DeWenitz said that people who are denied the right to live on their land are more likely to clearcut.

Jim Trueit suggested that we are all environmental stewards and that the PMFL Act so far has been good and helpful to Land Owners.

Ursula Deshield pointed out that the "Preserve and Protect" legislation was put in place because the Gulf Islands is a unique environmental area. Owners say they are not able to live on their land; they can but there are regulations to be observed.

Nadia Krebs indicated that Galiano Trustees want to see a house on every Forest Lot without the encumbrance of the PMFL.

Elizabeth Latta asked: does the Trust require water catchment for new dwellings?

Robert Kojima: Yes for some water management areas.

Gary Coward indicated that salt water intrusion is common on Galiano on waterfront properties. The *Water Management Act* must be enacted soon. Mr. Coward indicated copies of his letter to the Ministry of Forest, Lands and Natural Resource Operations on this topic.

Rose Longini emphasized that Galiano as a whole is an ecosystem - 16 miles long and 2 miles wide- protection of elevated groundwater catchment areas is needed.

Kathy Stevenson indicated that she has heard much in common between people during the meeting, and she believes the PMFL should be able to come up with good resolutions.

Rosemarie Umana asked why the Forest Lot Owners did not participate in the OCP Review meetings and other community opportunities.

It was stated that discussion meetings like this one are the way forward.

Panel Comments: Thanked the LTC for the opportunity, for the presence of the Forest Ministry staff, and all members of the public. The Trustees look forward to the forming of constructive solutions and working together while observing the

Islands Trust Policy Statement.

Justin Stevenson attempted to give a vote of thanks to all concerned.

The Chair indicated copies of two documents (one explaining the PMFL) available for the taking.

6. The Chair adjourned the meeting at 5:05 pm.

RECORDER

CHAIR

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

DRAFT

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE MEETING
HELD ON MONDAY, APRIL 16, 2012 AT 12:15 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
	Robert Kojima	Regional Planning Manager
	Kaitlin Kazmierowski	Island Planner
	David Millership	Recording Secretary

There were approximately thirty (30) members of the public present.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 12:20 p.m. Introductions were made and the meeting introduced.

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

2. APPROVAL OF AGENDA

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

- *Added Item 8.11* – Chegwiddden Correspondence Dated March 9, 2012 Re: Lot 46 Zoning Designation
- *Added to Item 9.4* – Reid Correspondence Dated April 9, 2012 Re: Development Variance Permit GL-DVP-2012.2 Lot 7 Gossip Island
- *Added Item 10.3* – Statutory Rights Of Way

The agenda was Approved as amended by consent.

2.1 Questions on Agenda Items

None

2.2 Town Hall Session

Chair Hancock invited the public to make comment.

Andrew Loveridge stated support for the Galiano Land and Community Housing Trust (GLCHT) and requested expedited treatment for related application GL-RZ-2011.1.

Tom Hennessy stated that GLCHT has been working hard and working well with Planner Kazmierowski. He stated that GLCHT recently met with J.G. Consulting Services Ltd. on Salt Spring Island and that development consultant Janis Gauthier, will soon provide GLCHT a report regarding housing agreement recommendations. Mr. Hennessy stated that J.G. Consulting Services Ltd. supports GLCHT current plans and location.

Doug Latta stated that once GLCHT receives the J.G. Consulting Services Ltd. report regarding housing agreement recommendations, then GLCHT would send their proposed housing agreement to Planner Kazmierowski. He stated support for Islands Trust legal counsel reviewing the GLCHT proposed housing agreement.

Regional Planning Manager (RPM) Kojima responded that Planner Kazmierowski would be away for the next two weeks and that he would handle her file(s) in her absence.

Andrew Loveridge stated support for GL-RZ-2011.2 (Dewinetz). Mr. Loveridge stated support for conservation and commented that allowing people to live on their land(s) encourages good stewardship and reduces the risk of land clearing.

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 Minutes of February 29, 2012 Local Trust Committee Special Meeting

Chair Hancock stated that the minutes needed further review and encouraged additional comments for inclusion.

Resolution GL-LTC-15-12

It was Moved and Seconded that the Galiano Island Local Trust Committee defers adoption of Minutes of February 29, 2012 Local Trust Committee Special Meeting to the next business meeting on May 14, 2012.

CARRIED

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

Four (4) resolutions were referenced.

5.4 Advisory Planning Commission

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Kazmierowski provided information.

Trustee Decario requested that the two information pamphlets relating to Draft Bylaw No. 228, be mailed to the community ahead of the May 14, 2012 meeting, and that both the long and short versions of the bylaw be included in the agenda package.

7. DELEGATIONS

None

8. CORRESPONDENCE

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

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

8.1 J. Rowlandson email dated February 6, 2012 re: Support for Rural Cycling

Resolution GL-LTC-16-12

It was Moved and Seconded that the Galiano Island Local Trust Committee urges the Province of British Columbia to invest in cycling infrastructure in rural communities, in order to accelerate the availability and broaden the range of cycling opportunities for commuter, recreational and competitive cyclists living in and visiting rural and urban areas.

CARRIED

Trustee Pottle stated there would be a need for further discussion and public input regarding any proposed increased width and refurbished road shoulders to accommodate cycling.

8.2 A. Shaw letter dated February 18, 2012 re: February 13th LTC Meeting

Chair Hancock stated that he has already responded to Ms. Shaw and that he thanked her for her comments.

Trustee Decario stated that Ms. Shaw did not attend the February 13, 2012 meeting and that her comments are therefore based on hearsay a little bit. Trustee Decario stated that the minutes of the February 13, 2012 Local Trust Committee (LTC) Business Meeting accurately reflect what happened.

8.3 L. Livermore letter dated February 17, 2012 re: February 13th LTC Meeting

Chair Hancock stated that he has already responded to Ms. Livermore and that he thanked her for her comments.

Trustee Decario stated that Ms. Livermore did not attend the February 13, 2012 meeting and that her comments are therefore based on hearsay a little bit. Trustee Decario stated that the minutes of the February 13, 2012 Local Trust Committee (LTC) Business Meeting accurately reflect what happened.

8.4 C. Stephenson email dated February 15, 2012 re: February 13th LTC Meeting

No action

8.5 A. Shaw email dated March 1, 2012 re: Thank you

.No action

8.6 P. LeBlond email dated March 1, 2012 re: February 29th Info Meeting

No action

8.7 C. Bastedo letter dated March 9, 2012 re: Forest Lot Owners on Galiano

Chair Hancock commented that as a matter of process, correspondence that is cc'd to the LTC is not usually included in the agenda but that in this case it was for the reason that the information was directly relevant to the LTC.

There was some discussion regarding the accuracy/inaccuracy of the statement "Forest Lot Owners on Galiano have to give away 75% of their land in order to live on it."

8.8 P. Midgley letter dated March 19, 2012 re: Parking on Galiano Island

There was some discussion regarding possible ways in which to address the parking issue.

Resolution GL-LTC-17-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to add Parking to the Work Program Projects list with specific reference to P. Midgley correspondence dated March 19, 2012 regarding Parking on Galiano Island, and write to Mr. Midgley thanking him for his comments and input and informing him of the Local Trust Committees decision.

CARRIED

8.9 M. & N. Harting email dated March 21, 2012 re: Forest Land Issues

no action

8.10 I. Kramer letter dated March 19 2012 re: F1 Zone

There was some discussion regarding the need to clarify exactly what Mr. Kramer is proposing; application process and the hope for a resolution.

Resolution GL-LTC-18-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to reply to Mr. Kramer, by thanking him for his letter dated March 19, 2012 regarding F1 Zone and encouraging him to contact staff at anytime to examine options relating to his properties.

CARRIED

8.11 Chegwiddden Correspondence Dated March 9, 2012 Re: Lot 46 Zoning Designation

Planner Kazmierowski provided information.

There was some discussion regarding F2 and FLR zoning, application process, emergency access and FLR regulations.

Resolution GL-LTC-19-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to add District Lot 46 property to the list of Land Use Bylaw amendments under item No. 2 LUB Updates on the Work Program Projects list.

CARRIED

Chair Hancock stated that staff would contact the Chegwiddden's and provide them with an update.

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 GL-DVP-2011.6 (Waterfall & Kowalski)

Planner Kazmierowski provided information from *Staff Report dated February 28, 2012 (File No.: GL-DVP-2011.6 (Waterfall & Kowalski)) Re: Development Variance Permit GL-DVP-2011.6 (Waterfall & Kowalski)*.

Planner Kazmierowski stated that no letters of support/concern were received.

Lawrence Waterfall and Janusz Kowalski were in attendance and spoke on behalf of the application.

There was some discussion regarding site visits; date(s) of work(s) done; Development Permit Areas (DPA's); setbacks; stairs being considered a "structure"; the need for a proper survey; the need for a hazardous slope engineering assessment; protection of foreshore; safety; visual impact and potential liability.

Resolution GL-LTC-20-12

It was Moved and Seconded that the Galiano Island Local Trust Committee amends GL-DVP-2011.6, by DELETING article g) and that GL-DVP-2011.6 be approved as amended, for all existing and proposed structures except the portion of beach access stairs currently sited within the 7.5 metre setback to the natural boundary of the sea, and the 6 metre setback to the exterior side lot line.

CARRIED

9.2 GL-RZ-2011.2 (Dewinetz)

Planner Kazmierowski provided information from *Revised Staff Report dated March 30, 2012 (File No.: 3650-25/GL-RZ-2011.2 (Dewinetz))* Re: *Preliminary Staff Report for GL-RZ-2011.2 (Dewinetz)*.

Planner Kazmierowski stated that one letter of support from BC Parks was received.

Richard Dewinetz was in attendance and spoke on behalf of the application. He stated that BC Parks does not support *Figure 11: Road Network Plan designations* in the revised staff report. Mr. Dewinetz referred to *Figure 11: Road Network Plan designations* as the “road to nowhere”.

Mr. Dewinetz stated concern that the revised staff report forced consideration for community housing despite the application already including considerable benefit(s) to the province and community. He stated concern that BC Parks might oppose the idea of having to give up land(s) for community housing. Mr. Dewinetz also stated his concern of any necessary potential infrastructure services costs relating to forced consideration for community housing.

There was some discussion regarding wetland protection, forest protection, affordable/community housing, road network plan (RNP), extended care plan for Galiano seniors via the Page Drive Society, Mr. Dewinetz concerns, past application requirements, Zizzy/Brown application requirements, logistics, density trading, covenants and next steps.

Resolution GL-LTC-21-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to prepare draft bylaws for GL-RZ-2011.2 (Dewinetz).

CARRIED

Resolution GL-LTC-22-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to explore the option of community housing with the applicant (Richard Dewinetz) and report back at a future meeting.

CARRIED

9.2.1 G. Coward email dated March 5, 2012

Gary Coward was in attendance and stated support for affordable housing initiatives.

Chair Hancock thanked Mr. Coward for his input and stated that since the Zizzy/Brown application is post public hearing no further discussion could ensue.

9.3 GL-RZ-2006.3 (McNab)

Planner Kazmierowski provided information relating to recent correspondence with Gundy McNab.

There was some discussion regarding whether or not it makes sense to keep the GL-RZ-2006.3 (McNab) file open.

Resolution GL-LTC-23-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to proceed no further with application GL-RZ-2006.3 (McNab) and notify the applicant of any related refund(s), as well as options for moving forward in the future.

CARRIED

9.4 GL-DVP-2012.2 (Chesney-Weibe)

Planner Kazmierowski provided information from *Staff Report dated April 3, 2012 (File No.: GL-DVP-2012.2) Re: Development Variance Permit for Lot 7 Gossip Island*, and additional Reid Correspondence Dated April 9, 2012 Re: Development Variance Permit GL-DVP-2012.2 Lot 7 Gossip Island.

Planner Kazmierowski stated that several letters of support and one letter of concern were received.

Ellen Chesney and David Wiebe were in attendance and spoke on behalf of the application.

There was some discussion regarding a site visit; date(s) of work(s) done; rationale; setbacks, front/rear lot line determination; survey mapping accuracy; privacy screening; building without a permit(s); building inspections and safety.

Chair Hancock encouraged the applicants to address their neighbour's concerns and use appropriate privacy screening to do so.

Ms. Chesney and Mr. Weibe stated that they would address their neighbours concerns and use appropriate privacy screening to do so.

Resolution GL-LTC-24-12

It was Moved and Seconded that Galiano Island Local Trust Committee Development Variance Permit application GL-DVP-2012.2 (Chesney-Weibe) be approved.

CARRIED

Resolution GL-LTC-25-12

It was Moved and Seconded that the Galiano Island Local Trust Committee recommends to applicant(s) Chesney-Weibe that privacy screening be installed on the north side of the deck as agreed to in today's meeting.

CARRIED

Note: there was a break at 2:50 p.m. and the meeting reconvened at 3:10 p.m.

9.5 GL-RZ-2011.1 (GLCHT) – Update on Housing Agreement

Karen Ausrine, a member of the public requested that she make a statement at this time and Chair Hancock agreed.

Karen Ausrine stated that she operates a publishing business on Galiano and has lived in nine (9) different places over the past two and a half (2.5) years. She stated that she is in need of affordable housing and supports application GL-RZ-2011.1 (GLCHT) as well as all affordable housing initiatives. Ms. Ausrine stated that she knows at least six (6) people in need of affordable housing and that she supports the ownership model being proposed by GLCHT. Ms. Ausrine said she and many people in need of affordable housing have low-income jobs but are happy and choose to live on Galiano too.

Ms. Ausrine stated concern with the many empty dwellings on Galiano – dwellings that could potentially be rental properties. She added that anything the LTC can do to help the affordable housing issue is appreciated.

Chair Hancock thanked Ms. Ausrine for her statement.

Planner Kazmierowski provided information from *Staff Report dated April 3, 2012 (File No.: GL-RZ-2011.1 (GLCHT)/3650-25) Re: Rezoning Application for Galiano Land and Community Housing Trust – Housing Agreement Update.*

Tom Hennessy was in attendance and spoke on behalf of the application.

Chair Hancock reminded everyone of the new information provided in the Town Hall session pertaining to the housing agreement.

Chair Hancock stated that the LTC and staff need adequate time for due process and asked GLCHT and the community to respect that.

There was some discussion regarding legal estimates, budget and next steps.

Resolution GL-LTC-26-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to obtain an estimate for legal work associated with the finalization of the GL-RZ-2011.1 (GLCHT) housing agreement.

CARRIED

There was some discussion regarding housing agreements in general, governance structure, grants and funding sources.

Chair Hancock suggested GLCHT might approach the Canada Mortgage and Housing Corporation (CMHC) and/or the Capital Regional District (CRD) when considering grants/funding options.

Tom Hennessy stated support for GLCHT being a local project run and administered by community members, and to date there hasn't been time to explore additional funding options. He stated that Vancouver City Savings Credit Union (Vancity), has a number of innovative mortgage options available and that they have been very supportive of the project thus far.

9.6 GL-CL-01-2012/GL-CL-02-2012/GL-CL-03-2012 (Ocean Power Project for Porlier Pass)

Planner Kazmierowski provided information and stated that Ocean Power project leaders are interested in gauging Islands Trust and public sentiment with regards to potential and appropriate locations for a tidal pass power project(s). She stated that one expressed location of interest is between Galiano Island and Valdes Island.

Planner Kazmierowski stated that a tidal pass power project is described as using a “suspending” type “structure” that is submerged and floating within the “water column” for the purpose of power generation. Planner Kazmierowski added that ideas are being explored at this time to determine the viability of such a project(s).

There was some discussion regarding temporary use permits and Gabriola Island.

Trustee Decario stated that she does not support these types of projects.

Chair Hancock stated that he appreciates the LTC being asked for its opinion and that the LTC would like to be kept informed throughout the Ocean Power Project process so that everyone can become more knowledgeable on what Ocean Power hopes to do.

10. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

10.1 Potential Forest Policy Amendments

RPM Kojima provided information from *Memorandum dated March 1, 2012 (File No.: GL-6500-20 (2012)) Re: Potential Forest Policy Amendments*.

Trustee Decario stated that related Schedules should replace all references to “accessory dwelling” with “dwelling accessory to forest”.

Trustee Pottle commented she is interested in what amendments the Ministry of Forests, Lands and Natural Resource Operations might consider pertaining to the *Private Managed Forest Land (PMFL) Act*. Trustee Pottle said that PMFL status has created a conundrum of sorts in that a F1 zoned land owner can potentially enter PMFL, build a house and then exit PMFL, but upon exiting PMFL there isn't an appropriate zone for the property to go into anymore, as F1 zone does not permit a house.

There was some discussion regarding deferring this issue and the need for further discussion.

Chair Hancock encouraged the Trustees to consider various solutions/recommendations for this issue, adding it might become a model/template for other local governments also addressing PMFL issues.

There was some discussion regarding the 1997 Forest Land Reserve (FLR) protocol agreement.

Chair Hancock stated that the Ministry of Forests, Lands and Natural Resource Operations is not interested in interfering with non-PMFL lots, but is always looking for equity. He said that the issue at hand is about non-PMFL lots not PMFL lots.

There was some discussion regarding the Work Program Projects list and LTC initiated rezoning.

Resolution GL-LTC-27-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to move Work Program Top Priorities Item No. 1 to the Work Program Projects list.

CARRIED

10.2 Follow-up from February 29, 2012 meeting with staff from Ministry of Forests, Lands and Natural Resource Operations

There was some discussion regarding property assessments; zoning; land use; tax classification; PMFL and local government powers.

Resolution GL-LTC-28-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to write to Garth Webber Atkins, and Laura Coward, to thank them for their attendance and participation at the Galiano Island Local Trust Committee Special Meeting held on February 29, 2012, and;

THAT the Galiano Island Local Trust Committee welcomes and supports in principle the Ministry of Forests, Lands and Natural Resource Operations proposal to examine local governments ability to regulate land use on Private Managed Forest Lands.

CARRIED

10.3 Statutory Rights Of Way

RPM Kojima provided information.

There was some discussion regarding a change in attitude within the CRD relating to their involvement in covenants including Statutory Rights of Way (SRW), legal advice, administration and next steps.

RPM Kojima said he would obtain legal advice regarding next steps; attend a scheduled related meeting with David Marlor, Director of Local Planning Services and provide the LTC an update at the next meeting.

11. REPORTS

11.1 Work Program Reports

11.1.1 Galiano Island Local Trust Committee Work Program - Report dated April 2012

Provided for information purposes only.

Resolution GL-LTC-29-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to move Work Program Projects list Item No. 2, to the Work Program Top Priorities as Item No. 1.

CARRIED

11.2 Applications Report

11.2.1 Galiano Island Applications Report – April 2012

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

Tom Hennessy stated that in relation to GL-RZ-2011.1 (GLCHT), the Agricultural Land Commission (ALR) had received their application but had not yet issued a decision.

11.3 Expense/Budget Reports

11.3.1 LTC Expense Report

Provided for information purposes only.

11.3.2 Adopted LTC Budget

None

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; amendments were as follows:

- Under *Applications* – add GL-RZ-2011.2 (Dewinetz)

11.7 Chair's Report

Chair Hancock reported he recently attended an Association of Vancouver Island and Coastal Communities (AVICC) conference and that former GLLTC Chair Gary Steeves was elected as an honorary executive. Chair Hancock stated that oil spill response times were discussed, a request was made for no further increase in tanker traffic to/from Burrard Inlet (which has increased ten fold) and that the Harper government is laying off British Columbia (BC) spill response employees.

Chair Hancock stated that the next Trust Council meeting would take place on June 12-14, 2012, on North Pender Island and that oil spills will be a topic for discussion.

11.8 Trustee Report

Trustee Decario reported that she attended the March 2012 Trust Council meeting and that there would be no increase in property taxes this year, nor a comprehensive review of the Policy Statement. She stated that due to a re-organization of Southern Gulf Islands policing, the Royal Canadian Mounted Police (RCMP) resident on Galiano would be moved to Pender Island at a future time. Trustee Decario added that she has been busy attending to office hours, emails and phone calls.

Trustee Pottle reported that she attended the March 2012 Trust Council meeting and that discussions regarding riparian areas in relation to PMFL were very interesting. She added that she attended a Coastal Douglas-fir Stewardship workshop.

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 Local Trust Committee Business Meeting at 1:00 p.m. Monday, May 14, 2012, South Community Hall, Galiano Island

The meeting is scheduled as stated.

12.2 A Strategic Approach to Islands Trust Communications

Memorandum dated February 21, 2012 Re: A Strategic Approach to Islands Trust Communications was received for information purposes only.

12.3 Annual Report

Chair Hancock provided information from *Memorandum dated April 3, 2012 Re: Galiano Local Trust Committee 2011-2012 Annual Report*.

Resolution GL-LTC-30-12

It was Moved and Seconded that the Galiano Island Local Trust Committee approves for publication the "2011-2012 Annual Report Submission of Galiano Local Trust Committee Highlights and Accomplishments" (optional: as amended on April 16, 2012).

CARRIED

13. TOWN HALL MEETING

Chair Hancock invited the public to make comment.

Tom Hennessy stated support for two rather than one community housing lot being considered within application GL-RZ-2011.2 (Dewinetz) in order to make up for the Zizzy/Brown application, not including consideration for one community housing lot.

Chair Hancock responded by cautioning Mr. Hennessy not to suggest "piling on" negotiations.

Bowie Keefer stated support for affordable housing, park creation and careful park design. He stated that application GL-RZ-2011.2 (Dewinetz) is very generous. Mr. Keefer also stated support for a legislative approach, equitable DPA approach and possible protocol agreement relating to PMFL issues.

Allan Doty asked what a staging area for Bodega Ridge Park might include.

Planner Kazmierowski responded that BC Parks would let the LTC know their plans but that a staging area would most likely include ten (10) parking spots, signage and outhouses.

Mr. Doty responded by stating concern with any additional parking creation for the reason that parking lots already exist on Bodega Beach Drive.

Gwilym Smith asked the LTC for more information regarding the re-organization of the Galiano RCMP.

Chair Hancock responded that five (5) RCMP officers will eventually service the Southern Gulf Islands and be based on Pender Island.

Trustee Decario added that Galiano and Pender Islands dominate the Southern Gulf Islands RCMP policing efforts.

Roger Petit stated concern with potential increased traffic on Vineyard Way relating to a possible staging area for Bodega Ridge Park.

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

14. ADJOURNMENT

Resolution GL-LTC-31-12

It was Moved and Seconded that the Galiano Island Local Trust Committee meeting be adjourned at approximately 5:00 p.m.

CARRIED

RECORDER

CHAIR



Islands Trust

RWM From: April 06, 2012 To: May 03, 2012

Print Date: May-03-2012

Galiano Island

Resolution #	Action	Resolution Description	Resolution Date
2012-06	In Favour	THAT the Galiano Island Local Trust Committee instructs staff to enter into a cost recovery agreement allowing Islands Trust legal counsel to review a housing agreement for rezoning application GL-RZ-2011.1 (Galiano Land and Community Housing Trust)	Apr 26, 2012



Islands Trust

Follow Up Action Report w / Target Date

Galiano Island
Apr-16-2012

No.	Activity	Responsibility	Target Date	Status
1	Defer consideration of minutes of Feb 29th to next meeting	Kathy Jones Robert Kojima Sharon Lloyd-deRosario	May-07-2012	Done
2	BEN bylaw CIM: 1. Mail-out copies of bylaw enforcement pamphlets 2. Bring both versions of BEN bylaw to CIM meeting	Miles Drew Stephanie Somers	Apr-30-2012	Done
3	Bicycle infrastructure funding request - forward copy of signed resolution to Velo Village	Kaitlin Kazmierowski	May-11-2012	Done
4	Add Public Parking issues to LUB project list - DONE Write to P. Midgley thanking him for submission - DONE (KN)	Kaitlin Kazmierowski	May-07-2012	Done
5	Letter to I. Kramer from Chair thanking him for submission (apr/12 agenda) - DONE (KN)	Kaitlin Kazmierowski	May-14-2012	Done
6	FLR zoning - add review of FLR zone to list of LUB amendments. Inform Cheggwidden's of outcome.	Robert Kojima	Apr-23-2012	Done
7	GL-DVP-2011.6 (Waterfall) - issue permit as AMENDED, copy BEO.	Kathy Jones Robert Kojima	Apr-20-2012	Done
8	GL-RZ-2011.2 (Dewinetz) - prepare draft bylaws, work with applicant examine community housing option.	Kaitlin Kazmierowski	May-07-2012	On Going
9	GL-RZ-2006.3 (McNab): - letter to applicant, copy BEO - DONE - close rezoning file, send refund if any - ON-GOING	Kaitlin Kazmierowski Sharon Lloyd-deRosario	May-08-2012	On Going
10	Issue GL-DVP-2012.2 (Chesney Weibe)	Kathy Jones Sharon Lloyd-deRosario	Apr-23-2012	Done

11	GLTCH - 1) Legal services request for estimate to review housing agreement - DONE 2) Cost recovery agreement for work - ON-GOING 3) Review housing agreement by legal counsel	Kaitlin Kazmierowski Robert Kojima	May-07-2012	On Going
12	Letter to MFLNRO re Poirlier Pass tidal power	Kaitlin Kazmierowski	May-14-2012	Done
13	Forest policy amendments - move to projects list, move LUB update to Top Priorities	Robert Kojima	Apr-17-2012	Done
14	Inform MFLNRO staff of LTC resolution with respect to PMFLA review	Robert Kojima	Apr-17-2012	Done
15	explore interim options for reserving SRWs for emergency access	Robert Kojima	Apr-23-2012	On Going
16	Prepare draft LTC expense budget	Louise Decario	May-07-2012	Done
17	Add Dewinetz application reports to webpage	Kaitlin Kazmierowski	May-11-2012	Done
Apr-26-2012				
No.	Activity	Responsibility	Target Date	Status
1	Galiano Island Local Trust Committee instructs staff to enter into a cost recovery agreement allowing Islands Trust legal counsel to review a housing agreement for rezoning application GL-RZ-2011.1 (Galiano Land and Community Housing Trust)	Nancy Roggers		On Going

STAFF REPORT

File No.: GL-BP-23-07

To: Galiano Island Local Trust Committee
for the meeting of May 14, 2012

From: Kaitlin Kazmierowski, Island Planner

CC: Robert Kojima, Regional Planning Manager

Re: Discharge of Covenant EW062082 on lot 6, District Lots 30 and 31,
Galiano Island, Cowichan District, Strata Plan VIS 5536 (1590 Sticks
Allison Rd)

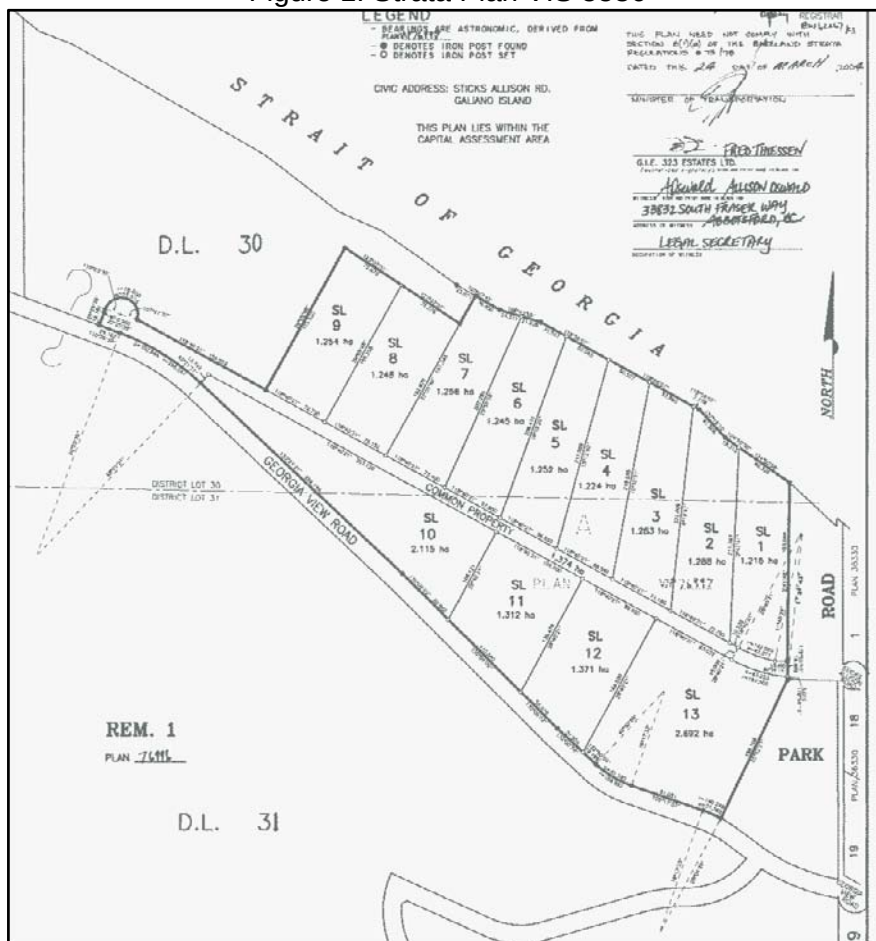
BACKGROUND:

All strata lots within Strata Plan VIS 5536 are subject to Galiano Island Local Trust Committee covenant EW062082 (attachment 1). The covenant states the following:

"No buildings or structures of any kind shall be occupied on a Lot until a water well has been drilled and a duly qualified professional engineer has designed water treatment facilities or equipment suitable to provide potable water pursuant to the *Galiano Island Land Use Bylaw*, No. 127, 1999 and has advised the Covenantee in writing of such determination."

The owners of the subject property cited above ("Lot 6") recently submitted a report from Hodge Hydrogeology Consulting (attachment 2). The report has been reviewed by staff and it has been determined that it satisfies the provisions of the covenant. The owners now wish to discharge the covenant from the title of their property, and as the LTC holds the covenant, a resolution to discharge the covenant is required. The owners have provided a written request to the LTC to consider this action (attachment 3). Figure 1 below is strata plan VIS 5536.

Figure 1: Strata Plan VIS 5536



STAFF COMMENTS:

The March 9, 2012 Hodge Hydrogeology Consulting report clearly states that there is sufficient water quantity and quality to meet the provisions of the covenant which include the standards for potable water supply in the Land Use Bylaw as well as the Guidelines for Canadian Drinking Water Quality.

Staff support the discharge of this covenant from the property but recognize the additional challenge that discharging a covenant from a strata lot poses as it also requires agreement from the strata council. The LTC can indicate its support for this discharge at this time, but in order for the discharge to be completed, the owners would be required to obtain the required documentation from the Land Titles Office, which will require sign-off from the chair of the strata board as well as from the LTC. Staff have noted that several strata lots subject to the covenant have residential improvements, but it is uncertain whether not these have adhered to the provisions of the covenant. Final occupancy may have been issued despite the covenant, meaning that several properties would require to submit hydrological report similar to the one provided as attachment 2.

RECOMMENDATIONS:

THAT the Galiano Island Local Trust Committee indicate support for the discharge of covenant EW062082 on lot 6, District Lots 30 and 31, Galiano Island, Cowichan District, Strata Plan VIS 5536.

THAT the Galiano Island Local Trust Committee direct staff to contact landowners with residential improvements within strata plan VIS 5536 to inform them of their requirement to satisfy the provisions of covenant EW062082.

Prepared and Submitted by:



Kaitlin Kazmierowski
Island Planner

April 11, 2012

Date

Concurred in by:



Robert Kojima
Regional Planning Manager

April 11, 2012

Date

REGISTERED VIEW62082

018474 2004-08-19-15.21.29.2362

Land Title Act

Form C

(Section 233) / L

Province of

British Columbia

20 MAY 2004 14:30

EW062082

GENERAL INSTRUMENT - PART I (This Area for Land Title Use Only)

Page 1 of 6 pages

1. Application: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

6/7
Allison Oswald, Legal Secretary
ROSBOROUGH & COMPANY
33832 South Fraser Way
Abbotsford, B.C. V2S 2C5
859-7171 (Client No. 010429)
File No. 94-1516 Galiano

Signature of Agent

Allison Oswald

2. Parcel Identifier(s) and Legal Description(s) of Land:
(PID) (Legal Description)

See Schedule

3. Nature of Interest:

Description

Document Reference
(page and paragraph)

Person Entitled to Interest

01

04/05/20 14:30:40 01 VI

565941

CHARGE

\$60.00

See Schedule

4. Terms: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms

D.F. No.

(b) Express Charge Terms

XX

Annexed as Part 2

(c) Release

There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.
If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. Transferor(s): *

See Schedule

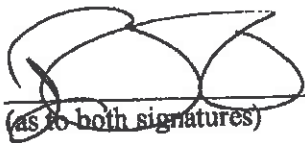
6. Transferee(s): (including postal address(es) and postal code(s) and occupation(s):

See Schedule

7. Additional or Modified Terms: * n/a

8. Execution(s): ** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)



(as to both signatures)

MICHAEL BURKE
33832 South Fraser Way,
Abbotsford, B.C.
V2S 2C5

Execution Date

Y	M	D
3	5	15

SIGNATURE(S)

G.I.E. 323 ESTATES LTD.

by its authorized signatories:



FRED THIESSEN

OFFICER OF THE REGISTRY

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach Schedule in Form E.

**If space insufficient, continue executions on additional page(s) in Form D.

**Land Title Act
Form D
Executions Continued**

Page 2 of 6 pages

Officer Signature(s)


(as to both signatures)

WAYNE QUINN
A COMMISSIONER FOR TAKING
AFFIDAVITS FOR BRITISH COLUMBIA
ISLANDS TRUST
SUITE 200, 1607 FORT STREET
VICTORIA BC V8W 1Y9

2401-0216

Execution Date

Y	M	D
03	06	16

Transferee(s) Signature(s)

**GALIANO ISLAND LOCAL
TRUST COMMITTEE** by its
authorized signatory(ies):

**OFFICER'S CERTIFICATION:**

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

Land Title Act
Form E
Schedule

Page 3 of 6 pages

Enter the required information in the same order as the information must appear on the Freehold Transfer Form, Mortgage Form or General Document Form.

2. Parcel Identifier(s) and Legal Description(s) of Land:*

Strata Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 Galiano Island
Cowichan District Strata Plan VIS ~~VIS~~05536

3. Nature of Interest:*

Description	Document Reference (page & paragraph)	Person Entitled to Interest
Section 219 Covenant	Page 4 to 6	Transferee

5. Transferor(s):*

G.I.E. 323 ESTATES LTD. (Incorporation No. 411323) of #107, 3600 Townline Road,
Abbotsford, B.C., V2T 5W8

6. Transferee(s): (including postal address(es) and postal codes(s) and occupations(s):*

GALIANO ISLAND LOCAL TRUST COMMITTEE, of 2nd Floor, 1627 Fort Street, Victoria,
B.C., V8R 1H8

TERMS OF INSTRUMENT – PART II
RESTRICTIVE COVENANT

THIS AGREEMENT dated for reference is

BETWEEN:

G.I.E. 323 ESTATES LTD. (Incorporation No. 411323) of #107, 3600
Townline Road, Abbotsford, B.C., V2T 5W8

("Covenantor")

AND:

GALIANO ISLAND LOCAL TRUST COMMITTEE, a corporation
under the *Islands Trust Act* of British Columbia, having an office at 2nd
Floor, 1627 Fort Street, Victoria, B.C., V8R 1H8

("Covenantee")

WHEREAS:

- A. The Covenantor is the owner in fee simple of lands on Galiano Island described as Strata Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 Galiano Island, Cowichan District Plan VIS 5526 (collectively referred to as the "Lots" and singularly as the "Lot");
- B. The Galiano Island Local Trust Committee requires registration of this Covenant;
- C. The *Land Title Act*, s. 219 provides *inter alia*, that a covenant including provision in respect to the use of land and building on land may be registered as a charge against title to the Lots in favour of the Covenantor;
- D. There are wells drilled (the "Well") to service the Lots, but no proven supply of potable water approved by the Medical Health Officer has been proven from the wells servicing the Lots.

NOW THEREFORE in consideration of the approval of subdivision by the Ministry of Transportation and Highways, the Covenantor pursuant to s. 219 of the *Land Title Act* grants the following covenant to the Covenantee on the terms and conditions herein:

1. No buildings or structures of any kind shall be occupied on a Lot until a water well has been drilled on the lot and a duly qualified professional engineer has designed water

treatment facilities or equipment suitable to provide potable water pursuant to the *Galiano Island Land Use Bylaw, No. 127, 1999* and has advised the Covenantee in writing of such determination.

2. IT IS MUTUALLY UNDERSTOOD, agreed and declared by and between the parties hereto that:
- a. nothing contained or implied herein shall prejudice or affect the rights and powers of the Covenantee in the exercise of its functions under any public and private statutes, by-laws, orders and regulations, all of which may be fully and effectively exercised in relation to the said Lots as if this Agreement had not been fully executed and delivered by the Covenantor.
 - b. the covenants set forth herein shall charge the said Lots pursuant to Section 219 of the *Land Title Act* and shall be covenants the burden of which shall run with the said Lots. It is further expressly agreed that the benefit of all covenants made by the Covenantor herein shall accrue solely to the Covenantee and that this Agreement may be modified by agreement of the Covenantee with the Covenantor, or discharged by the Covenantee alone;
 - c. wherever the singular or masculine is used herein, the same shall be construed as meaning the plural, feminine or the body corporate or politic where the context or the parties so require and, where the Covenantor consists of more than one person, the term "Covenantor" shall mean all such persons jointly and severally;
 - d. this Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns; and
 - e. the parties hereto shall do and cause to be done all things and execute and cause to be executed all documents which may be necessary to give proper effect to the intention of this Agreement.

This is the instrument creating the condition or covenant entered into under Section 219 of the *Land Title Act* by the registered owner(s) referred to herein and shown on the print of plan annexed hereto and initialed by me.

Approving Officer

- 13.18 No roadway may be located so as to divert the flow of a surface watercourse or divert or contaminate in any way a groundwater aquifer, but this section does not prohibit the culverting of a surface watercourse for a roadway crossing or the construction of a stormwater retention facility provided that such culverting or construction is in accordance with the Land Development Guidelines.
- 13.19 The design of roadways must to the greatest extent possible follow the natural contours of the land so as to minimize the extent of cutting and filling required to construct the roadway, and hydro and other utility lines must follow highway rights of way indicated on the Road Network Plan, Schedule C to the Galiano Island Official Community Plan.
- 13.20 Native vegetation must be reinstated in all portions of a highway not comprising the roadway, following the completion of construction of a roadway and any associated utilities.
- 13.21 No roadway may be located or constructed so as to connect Galiano Island to any other island.

Standards for Potable Water Supply

- BL209 13.22 A building permit shall not be issued for a building to be used as a dwelling in the water management area depicted on Schedule C unless the building is equipped with a cistern for the storage of rainwater having a capacity of at least 16,000 litres.
- BL130; 20913.23 If a well is proposed as a source of potable water for a proposed subdivision, the applicant for subdivision must provide the written certification under seal of an Engineer or Professional Hydrologist with experience in groundwater hydrology that there is in respect of each building, structure, or use of land permitted by this bylaw on each proposed lot an available supply of potable water in the amounts set out in Table 1 and meeting or exceeding the Guidelines for Canadian Drinking Water Quality, and that the extraction from the groundwater table of that amount of water in respect of each permitted building, structure or use will not adversely affect the quantity or quality of water obtainable from any existing well or surface water then used as a source of potable water.

TABLE 1: Potable Water Supply Standards	
USE	VOLUME (litres per day)
Residential including cottage	2275
Agriculture	2275
Forest	2275
Commercial	3640
Visitor Accommodation	3185
Industry	3640
All other uses	2275

- 13.24 If the certification referred to in section 13.23 cannot be made, the approving officer may nonetheless approve the subdivision in the following circumstances:
- 13.24.1 where the applicant provides a community water system complying with the requirements of this bylaw; or
- 13.24.2 where the applicant grants a covenant restricting the development of the subdivision to the buildings, structures and uses in respect of which a certification can be made under section 13.23.
- BL209 13.25 For the purposes of the certification referred to in section 13.23, the Engineer or Professional Hydrologist must supply supporting pump test documentation indicating that the test was of sufficient duration to establish in accordance with generally accepted hydrological engineering

practice the long term reliability of the water supply, and the pump test must be conducted so as not to adversely affect the quantity or quality of water obtainable from any existing well used as a source of potable water.

- BL209 13.26 If an Engineer or Professional Hydrologist provides a certification under section 13.23 as to the quality of a proposed source of potable water, the certification must include a plan of the proposed subdivision indicating the location where each pump test was conducted and each water sample was taken, and a statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan.
- 13.27 If a community water system is proposed, the water system must comply in all respects with applicable provincial enactments and the applicant must provide the written certification of an Engineer with experience in groundwater hydrology that the proposed community water system will not adversely affect the quantity or quality of water obtainable from any existing well or surface water supply then used as a source of potable water. No community water system may be supplied with water other than that which is obtained on the island on which the system is located.
- BL209 13.28 An applicant is not required to fulfill the requirements of section 13.23 for boundary adjustment subdivisions provided that: there would be no increase in density or intensity of use beyond what was permitted before the boundary adjustment took place; and that all of the lots subject to the boundary adjustment have an established supply of water.
- BL130

Standards for Sewage Disposal

- BL209 13.29 Each lot that is proposed to be created by subdivision must be demonstrated by the applicant to contain an area or areas of sufficient size and appropriate characteristics to satisfy the requirements of the Vancouver Island Health Authority Subdivision Standards in respect of the buildings, structures and uses that are permitted on the lot by this bylaw.
- 13.30 The information referred to in section 13.28 must be provided to the building inspector where an application for a building permit is made and the information has not previously been provided in respect of the subdivision of the lot on which the building is proposed to be constructed, except that the information need only be provided in respect of the building or structure that is the subject of the permit application and no information need be provided if the application is made pursuant to B.C. Regulation 406/95 in respect of an owner-built dwelling.

HODGE HYDROGEOLOGY CONSULTING

1-10121 Fifth Street, Sidney, BC V8L 2X8 Phone: (250) 656-6022

Date: March 9, 2012

File: 12-006

Mr. George Wasty
8560 Caversham Court
Vancouver, BC
V6P 6R8



Dear Mr. Wasty:

**Re: Certification of Groundwater Quantity and Quality – WIN 12697
located on Lot 6 at 1590 Sticks Allison Road West located on District
Lots 30 and 31, Plan VIS 5536, Galiano Island, Cowichan District.**

With reference to my Formal Report dated March 9, 2012 and pursuant to Galiano Island Land Use Bylaw No. 127 – 1999, I can certify the following:

A) I am a Professional Hydrogeologist with over 40 years of experience in groundwater Hydrogeology. In addition, I have written several groundwater related publications for most of the major Gulf Islands and am very familiar with the geology of Galiano Island.

B) My investigations and analyses have shown that there is sufficient available groundwater to provide the required amount of potable water for 1590 Sticks Allison Road west on a continuous basis. In addition, the extraction from the groundwater aquifer of that amount of water is not expected to adversely effect the quantity or quality of water attainable from any existing well or surface water that is used as a source of potable water.

See Table 1 below for a summary of well water supply capacity.

Table 1

Well on Strata Lot No. 6 and WIN.	Volume of water required (L/day)	Volume capacity of well (L/day)
1 – 12697	2275	> 14,729

Reported data at the time of testing indicates that this specific well can yield the above capacity based on 18 hours of pumping and 6 hours of rest. Although knowledge and experience in this area of Galiano Island, suggests that this well will sustain this pumping rate over time, it is considered unnecessary to pump this well at this capacity for domestic purposes. Based on 18 hours of pumping and 6 hours of rest, this well will readily meet Islands Trust requirement.

Water quality analyses from the subject well demonstrates that the groundwater from the well will not require treatment.

Notes:

1. See Galiano Island Land Use Bylaw 127 - 1999.
2. All parameters analysed have concentrations that comply with Canadian or BC Health Act Safe Drinking Water Regulations.

All required supporting documentation have been provided in the Formal Report of March 9, 2012 referenced above.

Summary:

The drilled well covered in this certification can supply a sustainable, long-term potable water supply. The subject well is excellent and the best I have encountered on the Gulf Islands. Final Occupancy should be granted to the owner based on results for groundwater quantity and quality.

If you have any questions or require any further information, please do not hesitate to contact the undersigned.

Yours very truly,

W. S. Hodge



HODGE HYDROGEOLOGY CONSULTING

W.S. Hodge, P. Geo.

HODGE HYDROGEOLOGY CONSULTING

1-10121 Fifth Street, Sidney, BC, V8L-2X8 Telephone: (250) 656-6022

Date: March 9, 2012
File: 12-006

Mr. George Wasty
8560 Caversham Court
Vancouver, BC
V6P 6R8

GROUNDWATER QUANTITY AND QUALITY FOR WIN 12697 LOCATED AT 1590 STICKS ALLISON ROAD WEST ON GALIANO ISLAND, BC

On March 1, 2012, Wellmaster Pumps and Water Systems Ltd. conducted a 6 hour constant rate pumping test with a 40 minute recovery on the drilled well (WIN 12697) on the property described above.

WIN 12697 was tested in order to determine the estimated long-term yield of the well. The subject well was in a flowing state at the time of the test. The well record has been shown in Appendix A.

Groundwater recharge likely occurs from the south (upslope) towards the north (downslope). Furthermore, groundwater recharge appears to flow from sandstone through several hectares of established and uncontaminated community forest land.

Because this well is always in a flowing state, it was not considered necessary by the owner to have a submersible pump installed.

Because the pumping test was carried out at a time of near maximum groundwater recharge (winter testing), the pumping rate has been determined based on utilizing 50 percent of the available drawdown at the time of testing.

The long-term pumping rate of WIN 12697 has been determined as at least 0.23 L/s or 3.0 lgpm).

This letter report also presents laboratory certificates from MB Laboratories Ltd. Based on the parameters analysed, the subject well meets the Canadian and BC drinking water standards. The pH is slightly elevated but has not changed appreciably since April 2004. Treatment is not recommended.

1.0 WELL LOCATION

WIN 12697 is located approximately 20 m (65 ft) north of Sticks Allison road west and is approximately 100 m (330 ft) upslope and south of the home. The property is reported as 1.2 ha or 3 acres in size.

2.0 WELL CONSTRUCTION

WIN 12697 is 152 mm or 6-inch diameter and 152.4 m or 500 ft deep. The main water bearing fracture is reported at 144.8 m or 475 ft below ground surface. The estimated yield at the time of construction was approximately 3.03 L/s or 40.0 lgpm. The water well contractor was D.A. Smithson and Sons Ltd.

3.0 BEDROCK GEOLOGY

Galiano Island is made up of sedimentary clastic rocks belonging to the Nanaimo Group of Late Cretaceous Age (Muller and Jeletsky, 1970). The Gabriola Formation is the most extensive geologic formation with its principal lithology being sandstone. It underlies the southwest one-third and all of the north end of Galiano Island.

4.0 PUMPING TEST DISCUSSION

WIN 12697 was tested by Wellmaster Pumps and Water Systems Ltd. at a constant rate of 0.23 L/s or 3.0 lpm for 6 hours with 40 minutes of recovery (Appendix B).

The testing of WIN 12697 commenced at 7:10 am, March 1, 2012 at a constant discharge rate of 0.23 L/s (3.0 lpm). Because WIN 12697 was in a flowing state at the time of testing, the well could not be bled or water levels monitored. The pressure gage was therefore monitored as the groundwater was discharged at a constant rate through a garden hose to waste approximately 30 m or 100 ft to the west. The flow was carefully checked periodically using a measured container and stopwatch.

Water level equilibrium was reached after approximately 90 minutes of constant rate pumping. Less than 2 percent of the available drawdown was utilized during this test. Available drawdown has been estimated as the distance *between* the static water level and the major water-bearing fracture. The long-term pumping rate of WIN 12697 has been determined as at least 0.23 L/s or 3.0 lpm).

All drawdown and recovery measurements have been shown in Appendix B.

Because the well was tested during a period of maximum or near maximum recharge (winter testing) a safety factor of 50 percent (i.e. 50 percent of the available drawdown at the time of testing can be utilized) has been applied to the test data.

5.0 WATER QUALITY DISCUSSION

Slight hydrogen sulphide odour was detected during testing. The groundwater was clear during all of the pumping test. Near the middle of testing, water samples were collected, stored in a cooler and taken directly by HHC to MB Laboratories Ltd. in Sidney, BC to analyse for drinking water parameters. WIN 12697 was also tested on two occasions in the field for groundwater temperature and specific conductivity. The groundwater temperature was 7° C (cold / normal is approx. 10° C) and 235 umhos/cm at 25 minutes and 7° C and 255 umhos/cm at 70 minutes. The groundwater may be colder than normal because the water level was in a flowing state.

Water samples were received by the Laboratory within 4 hours after collection. The Laboratory analyses for the well has been shown in Appendix C.

Based on the parameters analysed, the subject well meets the Canadian and BC drinking water standards. The pH is slightly elevated but has not changed appreciably since April 2004. Treatment is not recommended.

6.0 CONCLUSIONS AND RECOMMENDATIONS

6.1 The subject well (WIN 12697) is a 152 mm (6-inch) diameter well, completed to a depth of 152.4 m or 500 ft in the underlying sedimentary bedrock. The well location, design and depth were not determined by HHC.

6.2 The subject well was tested in March, 2012. *Because the pumping test was carried out at a time of near maximum groundwater recharge (winter testing), the long-term pumping rate has been determined based on utilizing 50 percent of the available drawdown at the time of testing. The water level was in a flowing state (flowing artesian) when tested.*

6.3 The long-term pumping rate of WIN 12697 has been determined as at least 0.23 L/s or 3.0 lpm).

6.4 It is recommended that *the pressure gage and flow rate* be monitored and recorded periodically by the owner. This is particularly important in the late summer and early fall when water levels are historically lowest.

6.5 The groundwater for WIN 12697 was acceptable for health at the time of sampling. Although pH is slightly elevated, this is an aesthetic issue and treatment is not recommended. Approval for final occupancy should be granted to the owner. This is an excellent well for both quantity and quality.

7.0 REFERENCES

Muller, J.E. and J.A. Jeletsky, 1970. Geology of the Upper Cretaceous Nanaimo Group, Vancouver Island and Gulf Islands, B.C. Geological Survey of Canada, Paper 69-25.

8.0 DISCLAIMER

This report has been prepared in accordance with generally accepted groundwater engineering practices. Hodge Hydrogeology Consulting (HHC) has exercised reasonable skill, care and diligence to assess the information acquired during the preparation of this report and the opinions expressed herein are considered valid at the time of writing. Changes in site conditions can occur, however, whether due to natural events (e.g. climate change, earthquakes) or human activities (e.g. recharge area modification) and these changes can impact well yields and water quality. In addition, changes in regulations and standards can occur, whether they result from legislation or the broadening of knowledge.

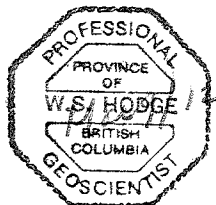
This letter report is therefore subject to review and revision as changed conditions are identified. We have relied on information supplied by others such as pumping test contractor and a certified water testing laboratory. This information is believed to be accurate but cannot be guaranteed by HHC. Furthermore, HHC was not involved and cannot be held responsible for the design, location or depth of the subject well.

Finally, if the recommendations in this report are *not* implemented, HHC assumes no responsibility for any adverse consequences that may result.

Yours sincerely,

W.S. Hodge

W.S. Hodge, P. Geo.
HODGE HYDROGEOLOGY CONSULTING



Appendix A

Water Well Record

**DRILLED WELL ON LOT 6 – 1590 STICKS ALLISON ROAD
WEST / GALIANO ISLAND, BC**

Driller: D.A. Smithson
and Sons Ltd.

Date Drilled: Unknown

Feet		Description of Geologic Formation
From	To	
0	18	Steady drilling in very hard bedrock.
18	500	Steady drilling in very hard bedrock. Fractured @ 475 ft. with approximately 40.0 Imperial gallons per minute.
500		Bottom of hole.
		(Estimated yield = 40.0 Igpm)
		(<u>Estimated</u> only by the driller at the time of construction – a constant rate pumping test by a qualified pumping test contractor allows a much more reliable calculation).
		Total depth of well = 500 ft
		Final stick-up = unknown
		Static water level = flowing artesian – 16 PSI @ last check.
		Surface seal = unknown
		Developed by air
		Liner = No

Appendix B

Pumping Test Data

DRAWDOWN DATA

PAGE 1 OF 1

PROJECT: George Wasty

WELL NO :

LOCATION: Strata Lot 6 / 1590 Sticks Allison Rd west WELL ID PLATE NO: 12697

DATE OF TEST - START: March 1, 2012

FINISH: March 1, 2012

REFERENCE PT: Pressure gage in well enclosure

AMSL: Unknown

PUMP INTAKE DEPTH: no Pump (m) Below Ref. Pt.

START WATER LEVEL: flowing (m) Below Ref. Pt.

END WATER LEVEL: flowing (m) Below Ref. Pt.

TIME	ELAPSED TIME (t) (minutes)	DRAWDOWN (metres)	PUMPING RATE (IGPM)	TIME	ELAPSED TIME (t) (min)	DRAWDOWN (metres)	PUMPING RATE (IGPM)	COMMENTS
7:10 am	0	64 lbs	Adj rate		210	59.5 lbs	3.0	Samples taken by HHC
Mar 1	1	64 lbs	3.0		240	59.5 lbs		
2012	2	64 lbs	Sulphur		270	59.5 lbs		
	3	61 lbs	H ₂ O Clear		300	59.5 lbs	3.0	
	4	61 lbs			360	59.5 lbs		End of test
	5	61 lbs						Start recovery
	6	60 lbs						*Water level was in a
	7	60 lbs						flowing state during
	8	60 lbs						the entire test
	9	60 lbs						
	10	60 lbs						
	12	60 lbs						
	14	60 lbs						
	16	60 lbs	3.0					
	18	60 lbs						
	20	60 lbs						
	25	60 lbs	3.0					
	30	60 lbs						
	35	60 lbs						
	40	60 lbs						
	45	60 lbs						
	50	60 lbs						
	55	60 lbs						
	60	60 lbs						
	70	60 lbs						
	80	60 lbs						
	90	59.5 lbs						
	120	59.5 lbs						
	150	59.5 lbs	3.0					
	180	59.5 lbs						
	210	59.5 lbs						

PAGE 1 OF 1

WELL NO:

WELL ID PLATE NO: 12697

FINISH: March 1, 2012

AMSL: Unknown

Below Ref. Pt.

Below Ref. Pt.

Below Ref. Pt.

[illegible]

Appendix C

Water quality data

April 2004 water quality data

May 2004 well report

Hodge Hydrogeology
Bill Hodge
#1 - 10121 Fifth St.
Sidney, BC
V8L 2X8

01Mar12 1:45p
FWS
water
1

W100151

TEL: (250) 656-6022
FAX: (250) 656-6099
bill.hodge@shaw.ca

Arrival temp.: 9.0C

Sample: Mr. Wasty

Site Code	Date	Time	CFU/100 ml		CFU/100 ml		CFU/100 ml
			TC	T-NC	FC	F-NC	E.coli
1590 Sticks Allison	01Mar12	09:30a	0	0	0	0	0
1590 Sticks Allison	DUP	09:30a	0	0	0	0	0

TC = total coliform bacteria

FC = fecal coliform bacteria (aka thermotolerant coliforms)

NC = non-coliform bacteria

CFU/100 ml = colony forming units per 100 milli-litres

Results may be adversely affected if samples are submitted to the laboratory more than 24 to 30 hours after collection.

E. coli = Escherichia coli, FDA/BAM 8th ed, 1995 + Revision A, 1998
Bergey's Manual of Systematic Bacteriology vol 1, AOAC 1984; J.Clin.Micro.,
J.Intern.Systm.Bact.

Comments:

For Interpretation of Results:

Total or Fecal Coliforms present greater than 0 CFU/100mL (0 CFU/mL):

IF Coliform numbers exceed safe limits for drinking water-
water is not suitable for drinking without treatment.

Total Non-coliform bacteria (=Lactose Fermentors) equal to or greater than
200 CFU/100mL (2.0 CFU/mL):

IF the number of organisms present exceed recommended guidelines for
drinking water; treatment is strongly recommended.

- see following page for chemistry results -

K. Paneque-Martinez
Microbiologist

W. Riggs
Sr. Microbiologist

M.B. LABS LTD

T: 656-1334 F: 656-0443 E: mblabs@pacificcoast.net W: www.mblabs.com

Hodge Hydrogeology
Bill Hodge
#1 - 10121 Fifth St.
Sidney, BC
V8L 2X8

TEL: (250) 656-6022
bill.hodge@shaw.ca

01Mar12 1:45p
FWS
water
1

W100151 pg2

Arrival temp.: 9.0C

Sample: Mr. Wasty - 1590 Sticks Allison Rd West 01Mar12 09:30a

ELEMENTS	SAMPLE	UNITS	Maximum Limits Permissible In Drinking Water*	
1) Aluminium	Al	4.98	mg/L	no limit listed
2) Antimony	Sb	<0.500	ug/L	6.00 ug/L
3) Arsenic	As	<0.500	ug/L	10.0 ug/L
4) Barium	Ba	0.046	mg/L	1.00 mg/L
5) Beryllium	Be	<0.003	mg/L	no limit listed
6) Boron	B	1.39	mg/L	5.00 mg/L
7) Cadmium	Cd	<0.000	mg/L	5.00 ug/L
8) Calcium	Ca	8.07	mg/L	200 mg/L
9) Chromium	Cr	<0.010	mg/L	0.050 mg/L
10) Cobalt	Co	<0.020	mg/L	no limit listed
11) Copper	Cu	<0.008	mg/L	1.00 mg/L
12) Gold	Au	<0.040	mg/L	no limit listed
13) Iron	Fe	0.101	mg/L	0.300 mg/L
14) Lanthanum	La	<0.020	mg/L	no limit listed
15) Lead	Pb	<0.500	ug/L	10.0 ug/L
16) Magnesium	Mg	0.062	mg/L	50.0 mg/L
17) Manganese	Mn	0.004	mg/L	0.050 mg/L
18) Molybdenum	Mo	<0.020	mg/L	no limit listed
19) Nickel	Ni	<0.050	mg/L	no limit listed
20) Phosphorus	P	0.030	mg/L	no limit listed
21) Potassium	K	0.272	mg/L	no limit listed
22) Scandium	Sc	<0.050	mg/L	no limit listed
23) Silicon	Si	2.89	mg/L	no limit listed
24) Silver	Ag	<0.010	mg/L	0.050 mg/L
25) Sodium	Na	53.0	mg/L	200 mg/L
26) Strontium	Sr	0.026	mg/L	no limit listed
27) Titanium	Ti	<0.010	mg/L	no limit listed
28) Tungsten	W	<0.050	mg/L	no limit listed
29) Vanadium	V	<0.010	mg/L	no limit listed
30) Zinc	Zn	<0.001	mg/L	5.00 mg/L
Hardness (mg/L CaCO3)		20.4	mg/L	0-75 mg/L = soft
pH		8.72	units	6.5 to 8.5

* As per Canadian or B.C. Health Act Safe Drinking Water Regulation BC Reg 230/92, & 390 Sch 120, 2001. Task Force of Canadian Council of Resource & Envir. Ministers Guidelines for Canadian Drinking Water Quality, 1996. Ammend. Health Canada (2006).

Comments:

pH: extremes in pH can lead to corrosion (too low) or incrustation (too high) of pipes & plumbing fixtures. Water with low pH allows metals to dissolve into water; water with high pH reduces disinfection efficacy, increases THM & scale formations.

R. Bilodeau
Analytical Chemist

H. Hartmann
Sr. Analytical Chemist

M.B. LABS LTD

T: 656-1334 F: 656-0443 E: mblabs@pacificcoast.net W: www.mblabs.com

GA08-018

* Client/Code

Gulf Island Pump
 NR MI Site 1 0-22
 Galliano, BC
 V08 100

Date 05Apr04 B:324
 Source Well
 Type of Sample water
 No. of Samples 1

No. W08761

TEL: (250) 539-2222
 FAX: (250) 539-2222

Comments Arrival temp.: 16.00

Date Recd	Date	Time	CFU/100 ml TC	CFU/100 ml FC	CFU/100 ml NC
OIE Estates Well Head LOT 6	04Apr04	01:00p	0	0	0

TC = total coliform bacteria
 FC = fecal coliform bacteria
 NC = non-coliform bacteria

Results may be adversely affected if samples are submitted to the laboratory more than 24 to 30 hours after collection.

Comments:

For Interpretation of Results:

Total or fecal Coliforms present greater than 0 CFU/100ml (0 CFU/mL):

IF Coliform numbers exceed safe limits for drinking water -
 water is not suitable for drinking without treatment.

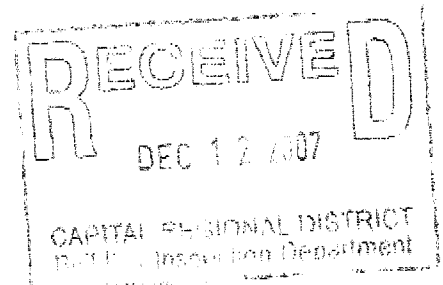
Total Non-coliform bacteria (Non-Lactose Fermenters) equal to or greater than
 200 CFU/100ml (200 CFU/mL):

IF the number of organisms present exceed recommended guidelines for
 drinking water; treatment is strongly recommended.

- see following page for chemistry results -

J. Winchester
 Microbiologist

W. Rigg
 Sr. Microbiologist



MB LABS LTD.
 ANALYTICAL TESTING SERVICES

P.O. BOX 2103, SIDNEY, B.C. V0L 3B6

TEL: (250) 656-1834 FAX: 666-0443

6A08-018

Client/Codes
 Gulf Island Pumps
 RR #1 Site 1 C-22
 Galliano PC

Date 05Apr04 8:37a
 Source Well
 Type of Sample water
 All samples 1

No. W58763

TEL: (250) 539-2222
 FAX: (250) 539-2222

Comments

Sample: GIX Estates Well Head 04Apr04 01:00p

6

ELEMENTS		SAMPLE	UNITS	Maximum Limits Permissible In Drinking Water*	
1)	Aluminium	Al	0.097	mg/L	no limit listed
2)	Antimony	Sb	<0.500	ug/L	6.00 ug/L
3)	Arsenic	As	<0.500	ug/L	25.0 ug/L
4)	Barium	Ba	<0.009	mg/L	1.00 mg/L
5)	Beryllium	Be	<0.003	mg/L	no limit listed
6)	Boron	B	0.908	mg/L	5.00 mg/L
7)	Cadmium	Cd	<1.00	ug/L	5.00 ug/L
8)	Calcium	Ca	6.71	mg/L	200 mg/L
9)	Chromium	Cr	<0.010	mg/L	0.050 mg/L
10)	Cobalt	Co	<0.020	mg/L	no limit listed
11)	Copper	Cu	<0.008	mg/L	1.00 mg/L
12)	Gold	Au	<0.040	mg/L	no limit listed
13)	Iron	Fe	<0.010	mg/L	0.300 mg/L
14)	Lanthanum	La	<0.020	mg/L	no limit listed
15)	Lead	Pb	<0.500	ug/L	10.0 ug/L
16)	Magnesium	Mg	0.042	mg/L	50.0 mg/L
17)	Manganese	Mn	<0.004	mg/L	0.050 mg/L
18)	Molybdenum	Mo	<0.020	mg/L	no limit listed
19)	Nickel	Ni	<0.050	mg/L	no limit listed
20)	Phosphorus	P	<0.085	mg/L	no limit listed
21)	Potassium	K	1.19	mg/L	no limit listed
22)	Scandium	Sc	<0.060	mg/L	no limit listed
23)	Silicon	Si	4.60	mg/L	no limit listed
24)	Silver	Ag	<0.010	mg/L	0.050 mg/L
25)	Sodium	Na	50.4	mg/L	200 mg/L
26)	Strontium	Sr	0.022	mg/L	no limit listed
27)	Titanium	Ti	<0.010	mg/L	no limit listed
28)	Tungsten	W	<0.050	mg/L	no limit listed
29)	Vanadium	V	<0.010	mg/L	no limit listed
30)	Zinc	Zn	<0.001	mg/L	5.00 mg/L
Hardness (mg/L CaCO ₃)		16.8	mg/L	0-75 mg/L = soft	
pH		8.09	units	6.5 to 8.5	

* As per Canadian or B.C. Health Act Safe Drinking Water Regulation BC Reg 230/92,
 & 390 Sch 120, 2001. Task Force of the Canadian Council of Resource and
 Environment Ministers - Guidelines for Canadian Drinking Water Quality, 1996.

Comments:

pH: extremes in pH can lead to corrosion (too low) or incrustation (too high) of pipes
 & plumbing fixtures. Water with low pH allows metals to dissolve into water; water
 with high pH reduces disinfection efficacy, increases THM & scale formations.

M LABS LTD.
 ANALYTICAL & TESTING SERVICES

R. Bilodeau
 Analytical Chemist
 P.O. BOX 2103, SIDNEY, B.C. V8L 3S6

H. Hartmann
 Sr. Analytical Chemist
 TEL: (250) 656-1334 FAX: 656-2443

WELL REPORT

GA08-018

GULF ISLANDS PUMPS & WATER COND.

RR 1 S-1 C-22

Galliano B.C. VON 1P0

Phone/Fax (280) 839-2222

cell/fax toll free 1-888-838-2222

Date: 18 May 04

G.I.E. Estates - Galliano BC

Well/Lot Number 6

Well Depth: 500 Ft

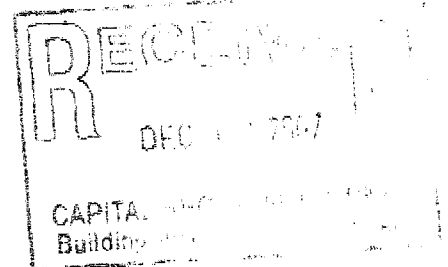
Well Produces: 40 GPM

Artisan well has been capped.

At last check producing 16 PSI at well head

Water test proved good with no bacteria present.

All Chemistry is satisfactory. ✓



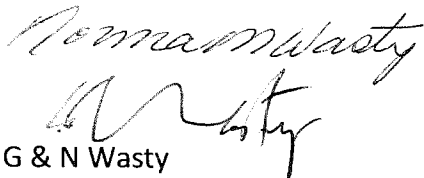
Galiano Island Local Trust Committee
via Kaitlin P Kazmierowski
Island Planner
Island Trust
200 - 1627 Fort Street
Victoria, B.C.
V8R 1H8

March 21, 2012

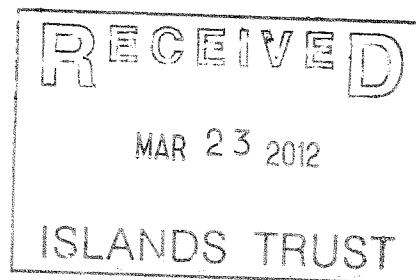
Re: S.219 Restrictive Covenant (EW 062082 on Strata Lot 6, District Lots 30 & 31, Galiano Island , Cowichan District, Strata Plan VIS 5536

We are the owners of the above described Strata Lot 6. As a requirement for us to obtain a Certificate of final occupancy for our house on this lot, we were required to comply with the above stated covenant. As we have now satisfied the terms of the above stated covenant, we request the Trust Committee to remove this covenant from the above stated property.

Sincerely,



G & N Wasty
(mailing address) 8560 Caversham Court
Vancouver,
B.C.
V6P 6R8





Memorandum

200 - 1627 Fort Street Victoria BC V8R 1H8

Telephone **(250) 405-5151** FAX: (250) 405-5155

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

information@islandstrust.bc.ca www.islandstrust.bc.ca

Date May 2, 2012
For May 14, 2012 LTC Meeting

File: GL-DVP-2011.4

To Galiano Island Local Trust Committee

From Kris Nichols
Planner 1
Local Planning Services

Re Covenant for GL-DVP-2011.4 and Next Steps

The purpose of this memo is to inform the Galiano Island Local Trust Committee (LTC) that Islands Trust staff has received three copies of the final Section 219 covenant association with Development Variance Permit – GL-DVP-2011.4 (Serink).

The last time the LTC considered this application was on September 28, 2011 when a resolution-without-meeting was held and the following resolution was passed:

THAT the Galiano Island Local Trust Committee requests staff to enter into a cost-recovery agreement with the applicant for GL-DVP-2011.4 (Melvin Serink) so that Islands Trust legal counsel may prepare a covenant restricting cottage use on Lot A, DL 15, Plan 35729, Galiano Island

Prior to that on July 11, 2011, the LTC passed the following resolution:

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to work with applicant GL-DVP-2011.4 (Serink) on a suitably worded covenant and revised Development Variance Permit for Local Trust Committee consideration at a future meeting.

The original development variance permit presented to the LTC in July of 2011 has been modified by staff to include additional language regarding the description of 'woodshed' and 'garage' in order to improve language consistency between the covenant and the permit. In addition, a new provision has been added to the permit (#4) which again links to the terms of the covenant to ensure that if the woodshed is removed it cannot be re-built, but that the variance would still apply to the garage. Both modifications were based upon advice received by Islands Trust legal counsel.

It is now appropriate to have the Galiano Island Local Trust Committee to:

- a) reconsider a revised Development Variance Permit (GL-DVP-2011.4), attached; and
- b) appoint the chair to execute the covenant (a copy of which is attached to this memo for information).

pc Robert Kojima, Regional Planning Manager

Attachments: Revised Development Variance Permit
Covenant



PROPOSED

Revised May 2, 2012

GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT VARIANCE PERMIT

GL-DVP-2011.4

TO: Melvin Serink

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

Lot A, District Lot 15, Galiano Island, Cowichan District, Plan 35729.
2. "Galiano Island Land Use Bylaw No. 127, 1999" is varied as follows:
 - a) Section 2.8 is varied to allow the total combined floor area of all accessory buildings on the lot to be 139.6 square metres, which consists of a woodshed (an accessory building of floor area of 41.1 square metres used for the storage of firewood) and a garage (an accessory building of 98.5 square metres). The current regulations establish a maximum combined floor of accessory buildings other than cottages of 70 square metres for the property.
 - b) Article 5.3.8.2 is varied to allow an accessory building (garage) to be as close as 1.99 metres of an interior side lot line. The current regulations establish a setback of 6 metres from an interior side lot line.
3. All work must be consistent with that shown on Schedule 'A' attached to and forming part of this permit.
4. Should the woodshed be demolished, deconstructed or otherwise removed from the lands at any time, the variance shall be thereby amended to allow only the existing garage.
5. 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, 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 ____, 2012 .

Deputy Secretary, Islands Trust

Date of Issuance

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

GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-DVP-2011.4
SCHEDULE 'A'

BRITISH COLUMBIA LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE

PARCEL IDENTIFIER: 000-359-131 (MVC ADDRESS: 533 STICKS ALLISON ROAD (EAST))

LEGAL DESCRIPTION:
 LOT A, DISTRICT LOT 15, GALIANO ISLAND, COMCHAM DISTRICT, PLAN 35729

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.

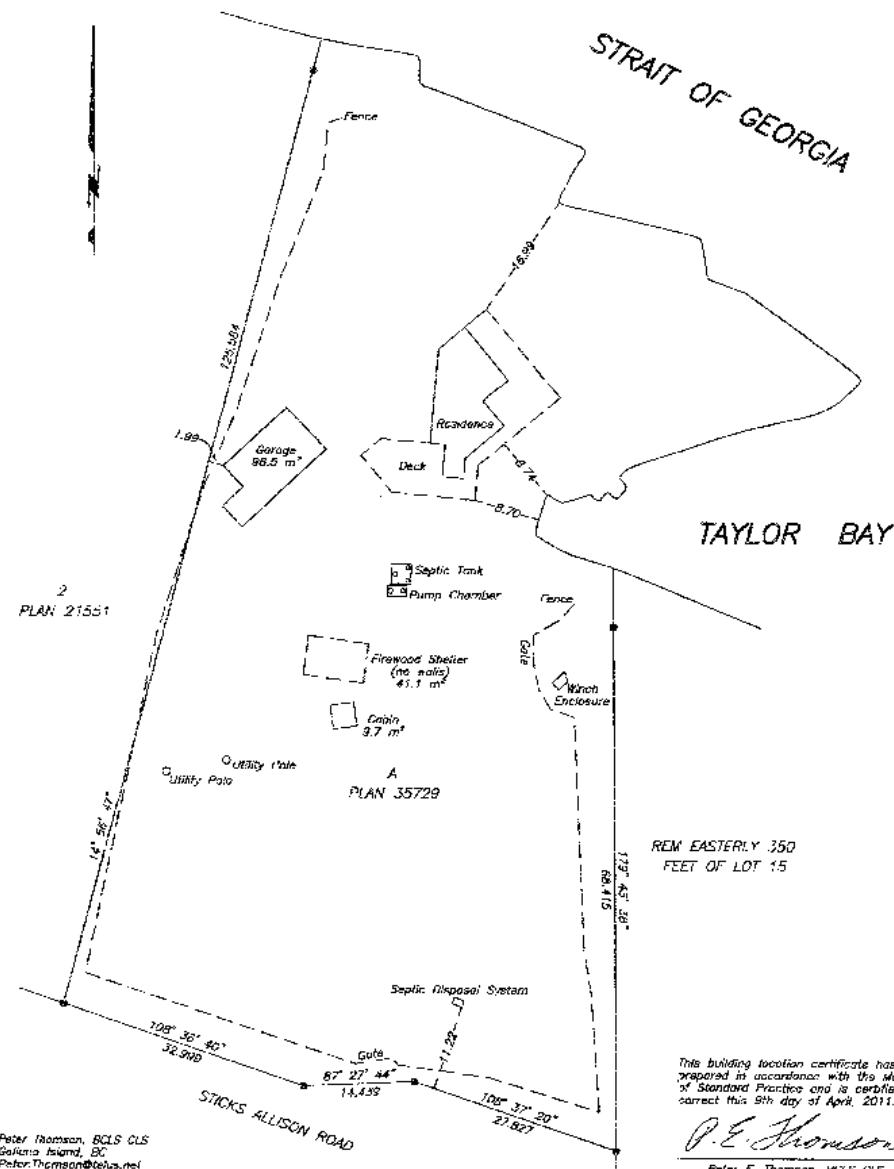
All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or in part without the consent of the signatory.

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

Survey post found shown thus 

Dimensions to buildings are to the outside of the siding.

Scale 1:500



LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

1331658021 PAGE 1 OF 7 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Joanna Track, Barrister & Solicitor

YOUNG ANDERSON

1616 - 808 Nelson Street

Vancouver

BC V6Z 2H2

Phone: (604) 689-7400

File: 2-660

[Covenant]

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

000-359-131

**LOT A DISTRICT LOT 15 GALIANO ISLAND COWICHAN DISTRICT PLAN
35729**

STC? YES ☐

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

Covenant

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.

(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

MELVIN TERRY SERINK

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

GALIANO ISLAND LOCAL TRUST COMMITTEE

A LOCAL TRUST COMMITTEE INCORPORATED PURSUANT TO THE ISLANDS TRUST ACT

SUITE 200, 1627 FORT STREET

Incorporation No

VICTORIA

BRITISH COLUMBIA

N/A

V8R 1H8

CANADA

7. ADDITIONAL OR MODIFIED TERMS:

N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Execution Date

Transferor(s) Signature(s)

Y	M	D

MELVIN TERRY SERINK

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM D**

EXECUTIONS CONTINUED

PAGE 2 of 7 pages

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Y M D

GALIANO ISLAND LOCAL TRUST
COMMITTEE by its authorized
signatories:

Name:

Name:

(as to both signatures)

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

TERMS OF INSTRUMENT – PART 2

SECTION 219 COVENANT

THIS COVENANT dated for reference the 13th day of March, 2012 is

BETWEEN:

MELVIN TERRY SERINK, 5530 Monarch Street, Burnaby, B.C. V5G
3R4

(the "Owner")

AND:

GALIANO ISLAND LOCAL TRUST COMMITTEE, Suite 200, 1627
Fort Street, Victoria, British Columbia, V8R 1H8

(the "Trust Committee")

WHEREAS:

- A. The Owner is the registered owner in fee simple of those lands (the "Lands") legally described in Item 2 of the *Land Title Act* Form C which is attached to and forms part of this Covenant;
- B. The Owner has constructed on the Lands an accessory building used for the storage of fire wood having a floor area of approximately 41.1 square metres (the "Woodshed");
- C. The Owner has constructed on the Lands an accessory building used as a garage having a floor area of approximately 95.8 square metres (the "Garage");
- D. The Woodshed and the Garage, together, have a floor area greater than that permitted by Galiano Island Land Use Bylaw No. 127, 1999 (the "Land Use Bylaw");
- E. The Owner has applied to the Trust Committee for a variance to the Land Use Bylaw in order to allow for an increase in the allowable floor area for accessory buildings on the Lands, and has offered to grant a covenant under Section 219 of the *Land Title Act* to reduce overall lot coverage by prohibiting the construction of a cottage on the Lands;
- F. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of a municipality, in respect of the use of land, the building on land, the subdivision of land and the preservation of land or a specific amenity on land;

NOW THEREFORE THIS COVENANT WITNESSES that in consideration of the sum of Ten Dollars (\$10.00) now paid by the Trust Committee to the Owner (the receipt and sufficiency of which

are hereby acknowledged by the Owner) the Owner covenants, promises and agrees, pursuant to section 219 of the *Land Title Act*, as follows:

Definitions

1. In this Covenant, the terms "accessory", "cottage", "floor area" and "lot coverage" have the meaning given to them in the Land Use Bylaw.

Section 219 Covenant

2. The Owner shall not construct, install or place any cottage on the Lands, and the Owner shall not apply for any building permit for such construction, and the Owner agrees that the Trust Committee may refuse to issue a building permit or any other authorization for any such construction or installation of a cottage on the Lands.

Bylaw to the Contrary

3. This Covenant shall restrict use and building on the Lands in the manner provided herein notwithstanding any right or permission to the contrary contained in any bylaw of the Trust Committee, including the Land Use Bylaw.

Costs

4. The Owner will reimburse the Trust Committee for the legal fees incurred by the Trust Committee in relation to the drafting and preparation of this Covenant.

Discharge of Covenant

5. If the Owner has, to the satisfaction of the Trust Committee, demolished, deconstructed, or otherwise removed the Woodshed from the Lands, the Trust Committee shall execute and deliver to the Owner a discharge, in registrable form, of this Covenant from title to the Lands, which discharge shall be prepared and registered at the expense of the Owner.

Runs with Lands

6. Every obligation and covenant of the Owner in this Covenant constitutes both a contractual obligation and a covenant granted under section 219 of the *Land Title Act* in respect of the Lands. This Covenant burdens and runs with, and binds the successors in title to, the Lands and each and every part into which the Lands may be subdivided or consolidated by any means.

No Public Law Duty

7. Where the Trust Committee is required or permitted by this Covenant to form an opinion, exercise its discretion, express satisfaction, make a determination or give its consent, the Trust Committee is under no public law duty of fairness or natural justice in that regard and the Trust Committee may do any of those things in the same manner as if it were a private party and not a public body.

No Obligation to Enforce

8. The rights given to the Trust Committee by this Covenant are permissive only and nothing in this Covenant imposes any legal duty of any kind on the Trust Committee to anyone, or obliges the Trust Committee to enforce this Covenant, to perform any act or to incur any expense in respect of this Covenant.

Waiver

9. An alleged waiver of any breach of this Covenant is effective only if it is an express waiver in writing of the breach in respect of which the waiver is asserted. A waiver of a breach of this Covenant does not operate as a waiver of any other breach or continuing breach of this Covenant.

No Effect on Powers

10. This Covenant does not:
 - (a) affect or limit the discretion, rights or powers of the Trust Committee under any enactment;
 - (b) affect or limit any enactment applying to the Lands; or
 - (c) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Lands.

Severance

11. If any part of this Covenant is for any reason held to be invalid by a decision of a court with the jurisdiction to do so, the invalid portion is to be considered severed from the rest of this Covenant and the decision that it is invalid does not affect the validity of the remainder of this Covenant.

Priority

12. The Owner will, at the Owner's expense, do or cause to be done all acts reasonably necessary to register this Covenant against title to the Lands with priority over all

financial charges, liens and encumbrances registered, or pending registration, at the time of application for registration of this Covenant against the title to the Lands.

Interpretation

13. In this Covenant:

- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Covenant;
- (c) the term "enactment" has the meaning given to it under the *Interpretation Act* (British Columbia) on the reference date of this Covenant;
- (d) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (e) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided;
- (f) reference to a particular numbered section or article, or to a particular numbered schedule, is a reference to the correspondingly numbered or lettered article, section or schedule of this and any schedules to this Covenant form part of this Covenant; and
- (g) where the word "including" is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word "including".

Further Assurances

14. The Owner must do and cause to be done all things and execute all documents and cause to be done all things necessary to give effect to the intention of this Covenant.

Governing Law

15. This Covenant shall be governed by and construed in accordance with the laws of the Province of British Columbia which shall be deemed to be the proper law thereof.

Enurement

16. This Covenant and each and every provision hereof shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns, as the case may be.

Entire Agreement

17. This Covenant is the entire agreement between the parties regarding its subject.

Contract and Deed

18. By executing and delivering this Covenant, each of the parties intends to create both a contract and a deed executed and delivered under seal.

IN WITNESS WHEREOF the parties have executed this Covenant on Forms C and D to which this Covenant is attached and which form part of this Covenant.

END OF DOCUMENT



STAFF REPORT

File No.: GL-TUP-2012.1 (GL 354025)

To: Galiano Island Local Trust Committee
for the meeting of May 14, 2012

From: Kaitlin Kazmierowski, Island Planner
Kris Nichols, Planner 1

CC: Robert Kojima, Regional Planning Manager

Re: Staff Report for GL-TUP-2012.1 (Galiano Conservancy Association)

Owner: Galiano Conservancy Association
Applicant: Ken Millard, Director Galiano Conservancy Association
Location: 10825 Porlier Pass Drive
Legal: District Lot 57, Galiano Island, Cowichan District, PID: 002 025 175

THE PROPOSAL:

This proposal seeks the granting of a Temporary Use Permit (TUP) in order to conduct educational and retreat programming activities and associated overnight camping uses for up to 36 people on the subject property. The proposed uses would be facilitated by the Galiano Conservancy Association (GCA), who purchased the subject property in February 2012. Educational programming would be the primary use on the subject property, with associated overnight camping and related infrastructure limited to two specific areas. This proposal is meant to serve as a precursor to a future rezoning of the property for a permanent Restorative Learning Centre; however, this vision is still in development.

SITE CONTEXT:

The subject property is 76.08 hectares (188 acres), with 2 kilometres of waterfront, located on the eastern side of Galiano Island, south of Retreat Cove on Porlier Pass Road. The property is split zoned Rural 2 (R2) and Agriculture (AG), as per Figure 2 below. As part of their educational programming, the applicants will be using the agriculture zoned portion of the property for farming. Surrounding properties include the Trust Fund Board owned Trincolmali Nature Sanctuary to the south east, two Forest 1 (F1) zoned properties to the north and north east, and a split zoned R2/ AG property located to the north west. A Rock Fish conservation area is located off-shore. On March 21, 2012, staff conducted a site visit and confirmed the presence of two streams both subject to Riparian Development Permit Area guidelines. Photos from this site visit are included in the report.

Until recently, the site has been actively logged and was farmed in the past. The site contains several temporary buildings and structures, many of which are on pallets and in various states of disrepair. It is anticipated that these buildings and structures will gradually be removed as the property becomes more active with the proposed use. An existing residence and a storage shed will remain for use of a caretaker. The shoreline is an undisturbed area containing old growth Douglas-fir/ Arbutus and Garry Oak with associated ecosystems. The shoreline is very steep. The property slopes from the north east corner out towards the shore, and contains two flatter plateau areas which traverse the property from north west to south east. The property rises to a maximum elevation of 160m above sea level at the north eastern corner.

Figure 1: Subject area

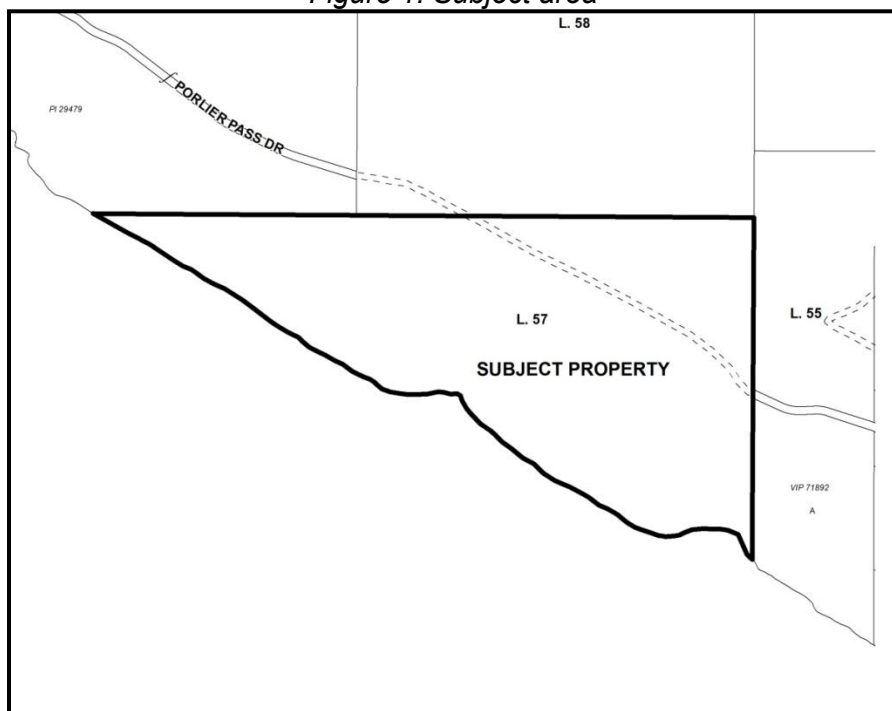


Figure 2: Zoning Map

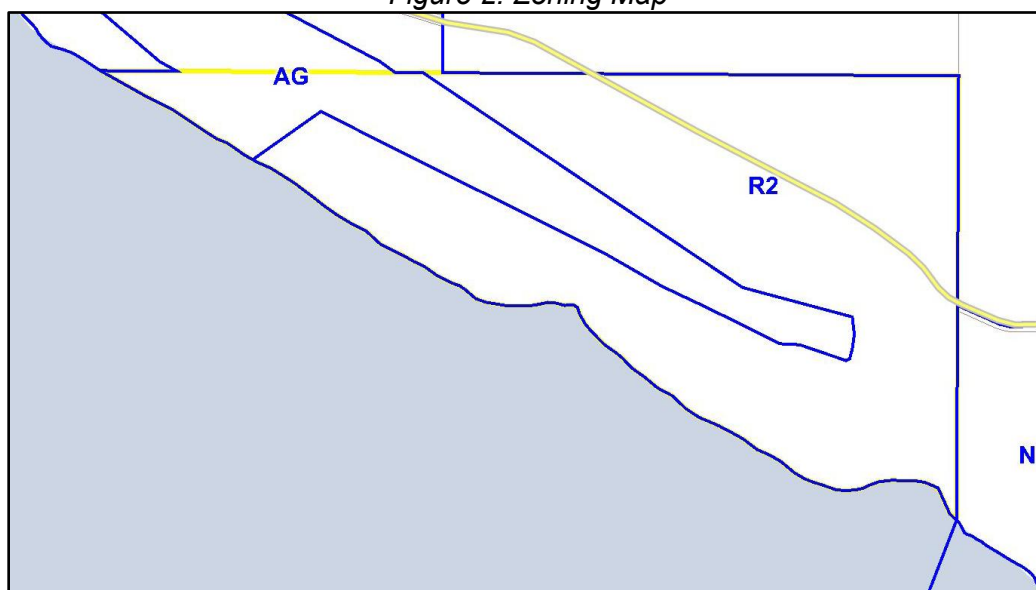


Figure 3: Topography of the subject area (2m contour intervals)

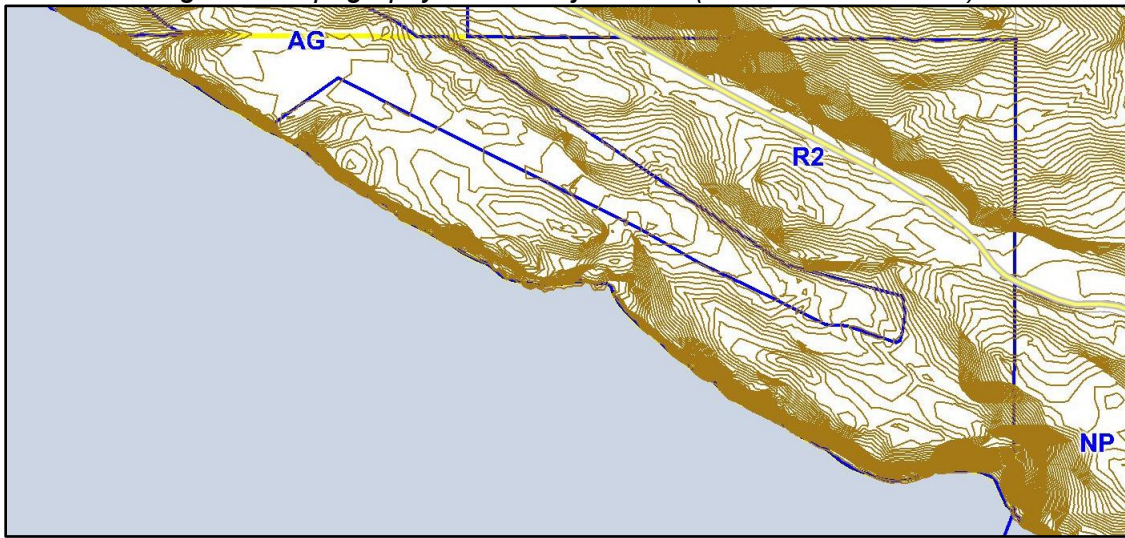


Figure 4: Orthophoto



Figure 5: Proposed Primary Camping Area



Figure 6: Looking north from proposed primary campground



Figure 7: Looking south from well location



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

There are a number of goals, policies and recommendations that are applicable to this property given the ecosystems (forest and marine) that are present. Given the resources on the property (agricultural land, forests, wildlife and vegetation and coastal areas and marine shorelands), the policy statement contains goals, policies and recommendations around their stewardship.

Official Community Plan:

The property is designated Rural (R) and Agriculture (AG). The intent of the Rural designation is to allow for larger lot developments to provide opportunities for a variety of rural activities without impinging on neighbours. The Agriculture designation is to work in concert with lands within the Agricultural Land Reserve (ALR). The OCP contains a number of objectives, policies and advocacy policies to support agricultural use of the land.

There are four development permit areas located on the property (see Figures 8-11) that the owners will have to take into consideration as the property is made ready for the intended use. For the most part it is understood that the intended uses do not impact the development permit areas. However, these must be considered when any alteration to the site is occurring such as the construction of private access roads to the proposed campgrounds. If any alteration is to occur in a development permit area, generally, an application is required prior to proceeding with the development.

Figure 8: Steep Slope Hazard (DPA 7)

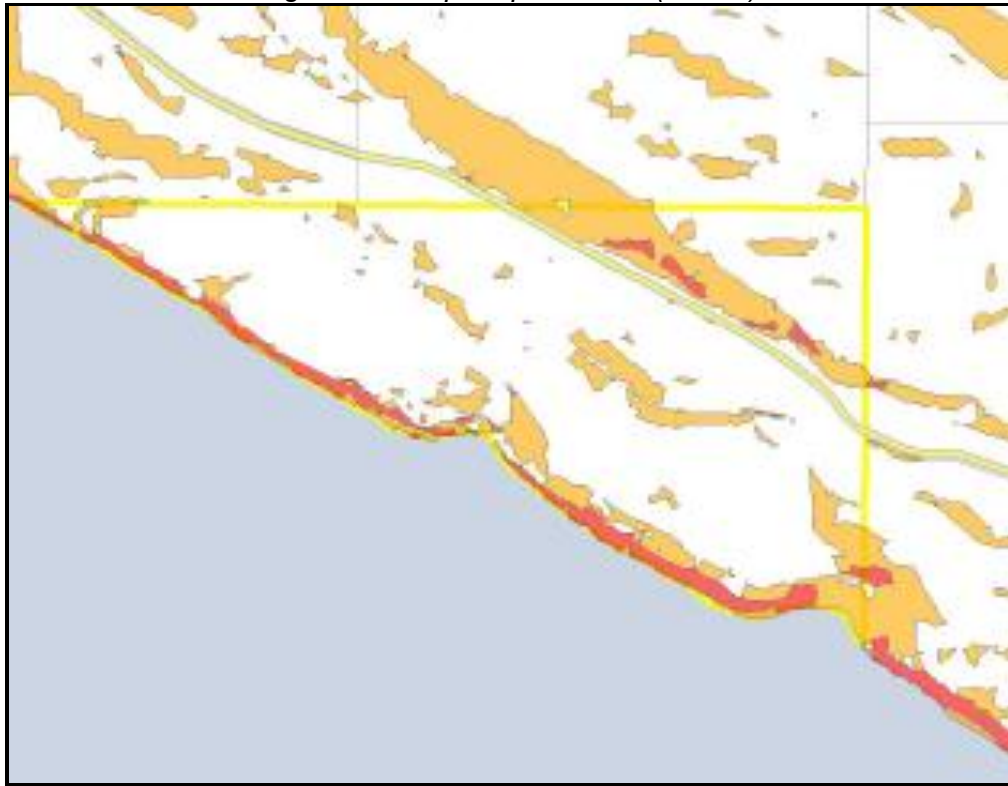


Figure 9: Sensitive Ecosystem (DPA 5)

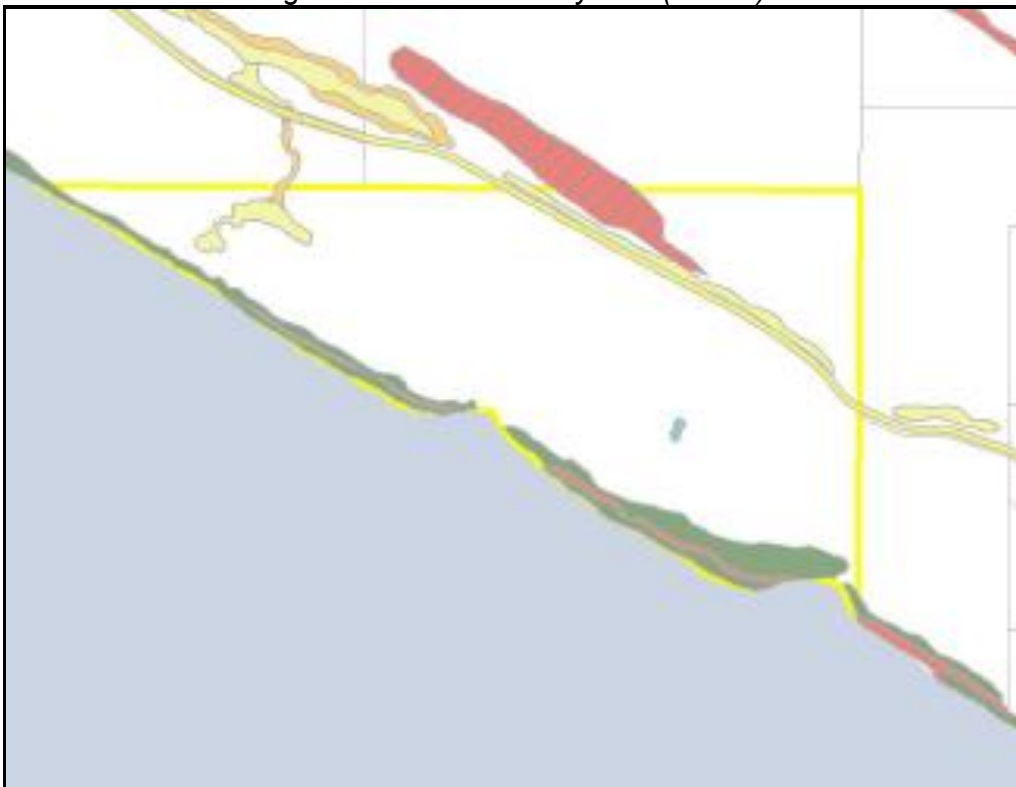


Figure 10: Riparian (DPA 1)

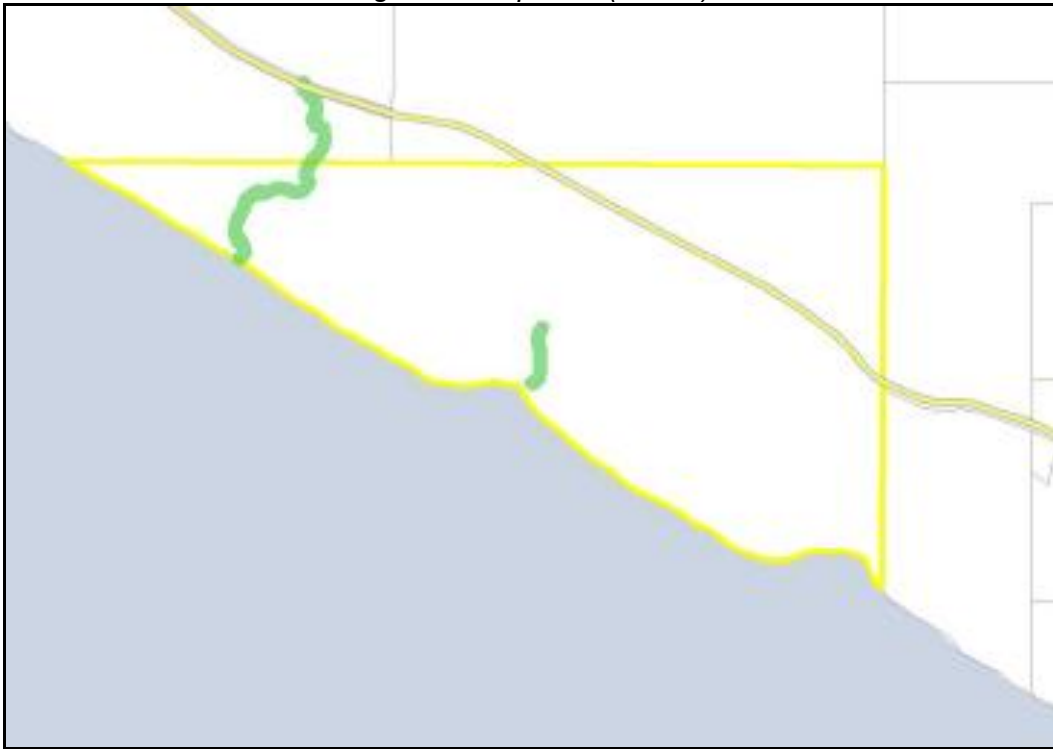
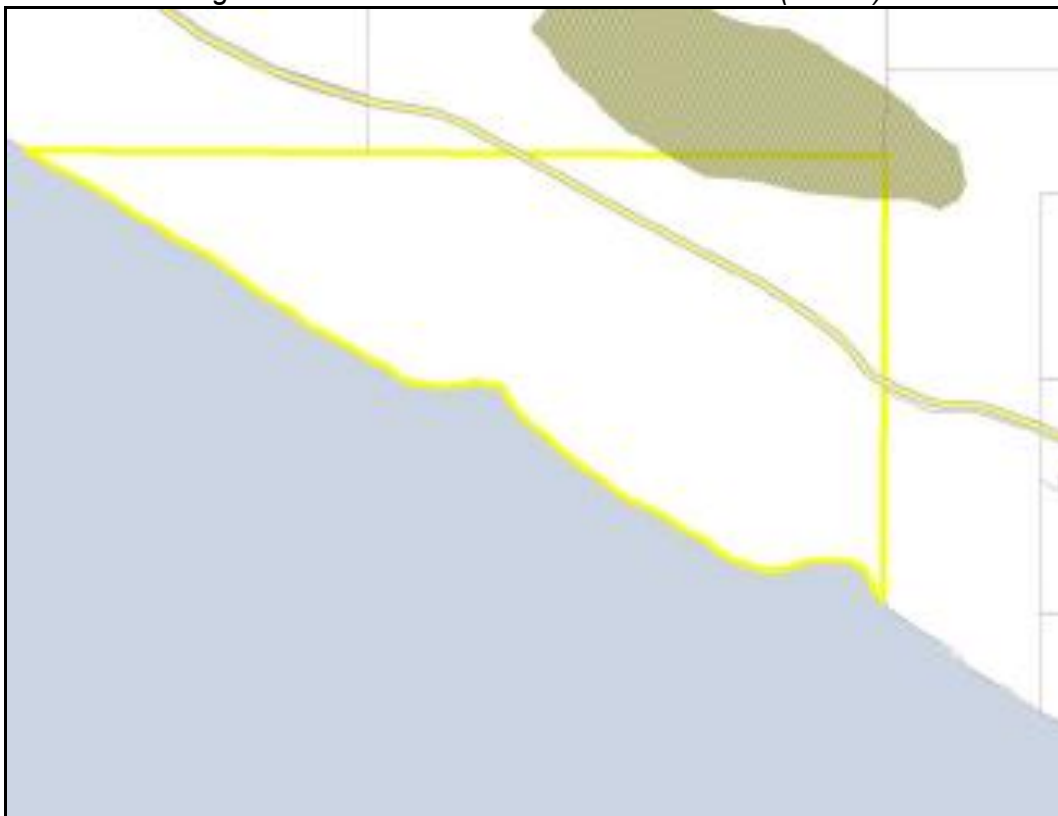


Figure 11: Elevated Groundwater Catchment (DPA 4)



Land Use Bylaw

The subject property is split zoned Rural 2 (R2) and Agriculture (AG).

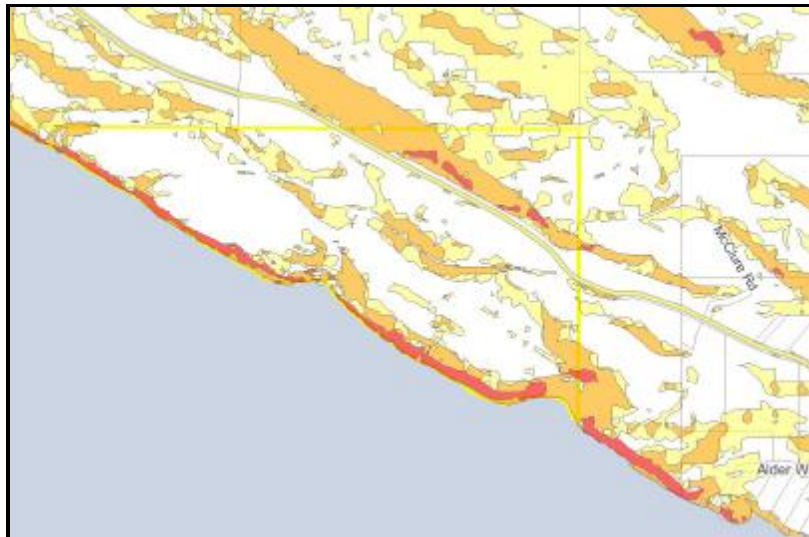
Islands Trust Fund:

There are no Trust Fund Board covenants on the property. The Islands Trust Fund does own the adjacent Trincolmali Nature Sanctuary. The Islands Trust Fund has been referred this application and a staff response supporting the application was received on May 1, 2012 (see appendix 4).

Sensitive Ecosystems and Hazard Areas:

The steep slope hazard mapping does show some areas of high, medium and low hazards on the property particularly along the shoreline. These are generally addressed in the Steep Slope DPA.

Figure 12: Steep slope hazard mapping



Archaeological Sites:

There are no registered archaeological sites on the property or in close proximity. Notwithstanding the foregoing, and by copy of this report, the owners are advised that the unearthing of any archaeological resource should be reported to the Archaeology Branch.

Covenants:

There are no registered covenants on title. However, there is mention that the lands are subject to the Agricultural Land Reserve.

Climate Change Mitigation and Adaptation

The property has been logged in the recent past and it is anticipated that the construction of the campgrounds will not further disturb the forested/vegetated areas as many areas have already been cleared as part of the logging. As with any coastal properties storm surges may be a concern, but proposed development is away from the shoreline.

COMMUNITY INFORMATION MEETING(S):

Temporary Use Permits do not require Community Information Meetings or public hearings. The permit is advertised in the local newspaper and the surrounding property owners are notified prior to final consideration by the LTC at a regularly scheduled meeting.

RESULTS OF CIRCULATION:

The notification period for this application began on May 3, 2012, and will continue until May 14, 2012. At the writing of this report, staff have received no public submissions. Should staff receive any submissions prior to the May 14, 2012 LTC meeting, these will be presented at that time.

STAFF COMMENTS:

Section 920.2 of the British Columbia *Local Government Act* states (see Appendix 1) that an Official Community Plan or a zoning (land use) bylaw may provide general conditions and designate areas where temporary use permits (TUP) may be allowed. The Galiano Official Community Plan Bylaw No. 108 states that the Local Trust Committee may issue temporary use permits for all areas covered by the plan (i.e. all of Galiano Island).

A Temporary Use Permit (TUP) is a flexible planning tool used to permit and regulate a use on a property that would otherwise not be permitted due to the current zoning. The Islands Trust has developed an application guide for TUPs which is attached for reference as Appendix 2. This guide outlines what a TUP is, when it is required, and the application process. A TUP can be issued for a period of up to 3 years, with a possibility of renewal for up to an additional 3 years. The granting of the permit, the conditions of the permit, the length of the permit, and whether or not it will be granted renewal are all at the discretion of the LTC. Any construction, demolition or land alteration associated with a TUP may not commence until a temporary use permit is obtained for the project.

A TUP can be issued for uses that may only require a limited one-time permit (e.g., gravel processing), or may be issued so that a use can be “incubated” in order to test whether or not it is an appropriate use at a particular site. This TUP is in consideration of whether this use, environmental education and retreat programming with associated overnight camping, will work on this property.

The proposed TUP attached as Appendix 3 outlines the specific conditions for this property. It outlines the conditions for the environmental education and retreat programming, the associated camping (Primary and Auxiliary), specific areas and general use of the lot. It sets out conditions such as the number of participants at any one time, the layout of the camping areas and the permitted uses.

The owners have met with staff on several occasions to discuss the proposal and also walk the site. The overall intent is to initiate this environmental education and retreat program for the 2012 summer season with a plan to rezone the property (residential portion) prior to the temporary use permit expiring (i.e. within 3 years). The applicants would like to establish a permanent Galiano Restorative Learning Center on-site in the future.

To prepare the lot for the proposed use, the owners will need to construct a number of tent platforms and buildings such as a shower facility, outhouses and a communal kitchen area. The tenting areas were chosen as they were recently disturbed (logged) thereby lessening any additional impact to the property. These areas are also easily accessible by an existing road and are relatively flat. The owners will be constructing access roads to a standard that will permit emergency response vehicles to easily access the site. The owners have agreed in cooperation with the North Galiano Fire Department to install a standpipe for firefighting purposes near an existing pond. For water for the participants, the owners will be developing an elevated storage tank which will allow the water to be gravity fed to the campsite. There is an existing well/spring which will need to be restored to be functional. The owners are aware that as this is a temporary use permit, and that after 3 years they may have to remove any structures/alterations associated with the temporary use if the permit is not renewed or a rezoning granted.

The Nature Conservancy of Canada have partnered with the owners and provided them with a great deal of funding to purchase the property. As such, the owners must develop a management plan to be approved by the Nature Conservancy of Canada. This plan is due by February 2013 and will include the protection of significant ecological values located on the property. This partnership also precludes the construction of any permanent structures on the property until the management plan is approved.

Should the conditions of the TUP not be followed they will be enforced as would a zoning infraction through Bylaw Enforcement. That being said, the owners have every intention to follow the conditions of the TUP to provide an opportunity for environmental educational programming now and well into the future. Given the conditions of the TUP and the Galiano Conservancy Association's reputation on the Island for protecting its environmental integrity (ecosystems, habitats, forests and wetlands), staff are recommending that the temporary use permit be approved for a three (3) year term. The draft permit is included in this report as appendix 3.

RECOMMENDATIONS:

THAT Temporary Use Permit GL-TUP-2012.1 (Galiano Conservancy Association) **BE APPROVED.**

Prepared and Submitted by:

Kris Nichols

Kris Nichols, Planner 1

April 26, 2012

Date

Concurred in by:



Robert Kojima, RPM

May 2, 2012

Date

Appendix 1: Excerpt from Local Government Act Section 920 (2) and 921

920.2 For the purposes of section 921,

- (a) an official community plan, or
- (b) a zoning bylaw

may designate areas where temporary uses may be allowed and may specify general conditions regarding the issue of temporary use permits in those areas.

Temporary use permits

921 (1) On application by an owner of land, a local government may issue a temporary use permit

(a) by resolution, in relation to land within an area designated under section 920.2, or

(b) by bylaw, in relation to land within an area outside a municipality, if there is no official community plan in effect for the area.

(2) [Repealed 2000-7-167.]

(3) A temporary use permit may do one or more of the following:

- (a) allow a use not permitted by a zoning bylaw;
- (b) specify conditions under which the temporary use may be carried on;
- (c) allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

(4) If a local government proposes to pass a resolution allowing a temporary use permit to be issued, it must give notice in accordance with subsections (5) and (6).

(5) The notice must

- (a) state
 - (i) in general terms, the purpose of the proposed permit,
 - (ii) the land or lands that are the subject of the proposed permit,

(iii) the place where and the times and dates when copies of the proposed permit may be inspected, and

(iv) the date, time and place when the resolution will be considered, and

(b) be published in a newspaper at least 3 and not more than 14 days before the adoption of the resolution to issue the permit.

(6) Section 892 (4) to (7) applies to the notice.

(7) Sections 890, 891, 892, 894 and 913 apply to a bylaw under subsection (1) (b).

(8) As a condition of the issue of a permit, a local government may require the owner of the land to give an undertaking to

(a) demolish or remove a building or structure, and

(b) restore land described in the permit to a condition specified in the permit by a date specified in the permit.

(9) An undertaking under subsection (8) must be attached to and forms part of the permit.

(10) If the owner of the land fails to comply with all of the undertakings given under subsection (8), the local government may enter on the land and carry out the demolition, removal or restoration at the expense of the owner.

(11) The owner of land in respect of which a temporary use permit has been issued has the right to put the land to the use described in the permit until

(a) the date that the permit expires, or

(b) 3 years after the permit was issued,

whichever occurs first.

(12) In addition to any security required under section 925 (1), a local government may require, as a condition of issuing the permit, that the owner of the land give to the local government security to guarantee the performance of the terms of the permit, and the permit may provide for

(a) the form of the security, and

(b) the means for determining

- (i) when there is default under the permit, and
- (ii) the amount of the security that forfeits to the local government in the event of default.

(13) A person to whom a temporary use permit has been issued may apply to have the permit renewed, and subsections (8) to (12) apply.

(14) A permit issued under this section may be renewed only once.

(15) If a local government delegates the power to issue a temporary use permit under this section, the owner of land that is subject to the decision of the delegate is entitled to have the local government reconsider the matter.

APPLICATION GUIDE

Temporary Use Permit



Islands Trust

What is a Temporary Use Permit?

Section 920.2 of the British Columbia *Local Government Act* states that an Official Community Plan or a zoning (land use) bylaw may provide general conditions and designate areas where temporary use permits may be allowed.

Upon receipt of an application, a Local Trust Committee may, by resolution, issue a temporary use permit if the property is designated for such use by the Official Community Plan or land use bylaw. Despite a land use bylaw, a temporary use permit may be issued to allow any use not permitted by zoning.

Any construction, demolition or land alteration associated with the above may not commence until a permit is obtained for the project.

The applicant may be required to provide an undertaking to restore the land, demolish or remove any buildings or structures permitted by a temporary use permit upon the permit's expiration. The applicant may further be required to provide a letter of credit to guarantee the performance of the terms of a permit. The letter of credit is returned when the project is completed in accordance with the conditions in the temporary use permit or if the project has not substantially commenced prior to the expiration of the permit.

The owner will have the right to use the land in accordance with the terms of a permit until the expiration date or three years after issue of a permit, whichever comes first. Permits may be renewed only once for an additional three-year term. Conditions of a temporary use permit are binding on all existing and future owners during the time period specified in a permit.

Should a temporary use permit be issued by the Local Trust Committee, you may need to apply for a building permit or a siting and use permit prior to commencing the construction or use of buildings allowed under a temporary use permit.

When Do You Need to Apply For a Temporary Use Permit?

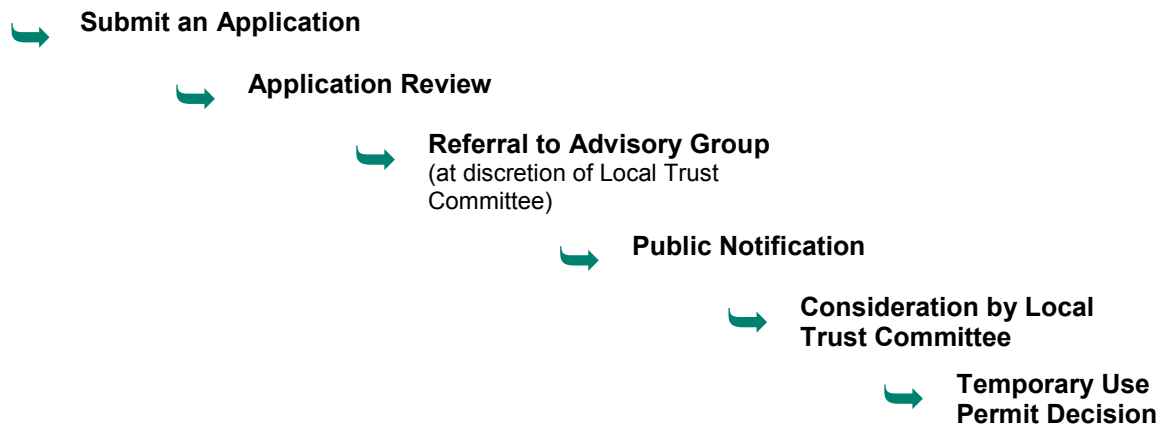
You need to apply for a temporary use permit when you want to:

- commence a temporary use, including associated construction, demolition or land alteration on your property that is within a temporary use permit area and which is not permitted under current bylaws;
- renew an existing temporary use permit (permits may be renewed only once); and
- alter an existing temporary use permit.

The Temporary Use Permit Application Process

The major stages in the Temporary Use Permit Application Process are:

Pre Application



Step 1 — Pre-Application

Prior to submitting your development proposal, you may wish to contact local planning staff to review bylaws, policies and regulations that may affect your proposal. You will need to consider the following:

- **Temporary Use Permit Area General Conditions:** Identify the permit area within the Official Community Plan or land use bylaw where your property is located and review the general conditions;
- **Zoning and other applicable Bylaws.** Each property in the Trust Area is subject to specific regulations. Regulations such as site coverage, setbacks, building height and parking may impact your proposal. It may also be useful to review the applicable Official Community Plan policies for the area and the Islands Trust Policy Statement;
- **Other Regulations.** It may be necessary to contact other agencies to ensure matters such as adequate services to the site, access to highways and building code requirements are adequately addressed; and,
- **Specific Requirements.** In some instances, you may be advised to secure the services of a qualified consultant to address specific concerns with your application. Such consultants may include engineers, biologists, architects or planners, depending on the location of your property and the nature of your proposal.

Step 2 — Submit an Application

Once you have reviewed all applicable regulations and completed your project plans, you must complete a temporary use permit application form and submit it to the Islands Trust office. Islands Trust staff will be available to assist, however you will be expected to provide the following:

- a copy of a recent State of Title Certificate. If the applicant is an agent of the owner, then the owner(s) must sign the authorization on the application form;
- copies of any covenants and easements;
- a brief description of the proposed development;
- the proposed duration of the temporary use (maximum three years);
- three full-size sets of plans that clearly indicate pertinent information about the number of parking stalls, setbacks, heights etc. The drawings should be titled and in a scale that can be easily reviewed.
- the correct fee. Please note that staff will not begin processing your application until all information required on the application form has been provided and the appropriate fee has been paid.

In some circumstances, there may be additional requirements of which you shall be advised. These may include detailed elevation and landscaping plans, and a letter of credit to guarantee completion of any required work.

Step 3 — Application Review

Once a complete application is received, planning staff will evaluate your proposed development against the temporary use permit general conditions in the Official Community Plan or Land Use Bylaw, zoning regulations and Islands Trust Policy Statement as they apply to your proposal. The application review process may involve referrals to outside government agencies such as the Ministry of Transportation and Infrastructure, the Regional District Building Inspectors and the Regional Health Inspectors.

Step 4 — Referral to Advisory Group

Your application may be referred by the Local Trust Committee to the Advisory Planning Commission. You, or your consultant, will be expected to present your proposal to the commission. The Advisory Planning Commission may recommend to the Local Trust Committee that either the application proceed as proposed, proceed with conditions, require major revisions to the application and a second presentation to the Advisory Planning Commission or that the application be rejected. Any comment that is offered by the commission is advisory only and the final decision rests with the Local Trust Committee.

Step 5 — Public Notification

In accordance with the *Local Government Act*, the Islands Trust will publish a notice and location map in the local newspaper not less than three, nor more than 14, days prior to the adoption of a resolution to issue the Permit by the Local Trust Committee.

Additionally, a notice, location map and a copy of the draft temporary use permit will be mailed or hand- delivered to all property owners and residents located near the subject property (as defined in the relevant Local Trust Committee's Development Procedure bylaw) for review and comment.

Step 6 — Consideration by Local Trust Committee

Staff will prepare a report for the Local Trust Committee that includes background documentation, recommendations of the Advisory Planning Commission and any comments received from the public. The report will provide an evaluation of the application and recommendations. The Local Trust Committee will then consider the application on the date specified in the notice, and may issue the permit, request additional information, or that reject the proposal.

Step 7 — Temporary Use Permit Decision

Approval of a temporary use permit may be subject to certain conditions, such as a letter of credit to restore land or to secure landscaping. Once these conditions are met, the permit can be issued. When the permit is issued, Islands Trust staff will file a notice with the Land Titles Office that there is a temporary use permit on the property and it will be registered on the land title. A copy of the permit will be sent to the owner, to appropriate government agencies and a copy will be maintained on file at the Islands Trust office.

The owner will have the right to use the land in accordance with the terms of the permit until the date the permit expires or three years after issue, whichever comes first. Permits may be renewed only once. Conditions of temporary use permits are binding on all existing and future property owners during the time period specified in the Permit.

For Further Information. . .

This information is intended to provide guidance only and should not be interpreted as a right to a development approval if the steps indicated are followed. Please consult the *Local Government Act* and its regulations, as well as the other Islands Trust applicable bylaws for the definitive requirements and procedures. For any further information, please contact your Islands Trust Office.

Appendix 3- Draft Temporary Use Permit



Proposed

GALIANO ISLAND LOCAL TRUST COMMITTEE TEMPORARY USE PERMIT GL-TUP-2012.1 (Galiano Conservancy Association)

10825 Porlier Pass Road

To: Galiano Conservancy Association

1. This Permit applies to the land described below:

District Lot 57, Galiano Island, Cowichan District, PID 002-025-175 shown on Schedule "A", which is attached to and forms part of this Permit.

2. This Permit is issued for the purpose of permitting the owner to conduct the following uses on their property:
 - a) environmental education and retreat programming; and
 - b) overnight camping directly associated with the use in 2a) above.
3. and is subject to the following conditions:

Environmental Education and Retreat programming shall be subject to the following condition:

- a) shall be limited to passive recreation, retreat and outdoor education activities requiring no additional buildings or structures other than those directly associated with permitted use 2b);

Overnight Camping associated with Environmental Education and Retreat Programming shall be subject to the following conditions:

- b) the "Primary Camping Area" shall be limited to the 1.0 hectare area and the "Auxiliary Camping Area" shall be limited to 0.25 hectare area as specified in Schedule 'B';
- c) the general lay out plan shall be sited substantially in accordance with Schedule 'C';
- d) the maximum number of participants permitted to take part is thirty-six (36);
- e) the maximum number of participants permitted to take part in the area labelled "Auxiliary Camping Area" in Schedule 'B' is twenty (20);
- f) the maximum number of tent platform structures in the "Auxiliary Camping Area" is limited to ten (10);
- g) one outhouse is permitted in the "Auxiliary Camping Area" in accordance with Schedule 'C';
- h) no other new buildings or structures are permitted in the "Auxiliary Camping Area";

- i) the maximum number of participants permitted to take part in the area labelled "Primary Camping Area" is thirty-six (36);
- j) the following buildings and structures, and no others are permitted in the "Primary Camping Area" in accordance with Schedule C:
 - 18 tent platform structures
 - 2 outhouses
 - 1 shower facility, up to 30 square metres in size and 5 metres in height;
 - 1 communal food preparation (kitchen) and eating area, up to 60 square metres in size and 9 metres in height;
- k) tent platform structures shall be no larger than 9 square metres each;
- l) food preparation activities in the communal food preparation and eating area must be conducted by participants only;
- m) overnight camping must only occur in either the "Primary Camping Area" or the "Auxiliary Camping Area", at a given time; concurrent use of both areas is prohibited;
- n) one fully contained fire pit is permitted in each camping area (Primary and Auxiliary) identified in Schedule 'B';

General Property Use shall be subject to the following conditions:

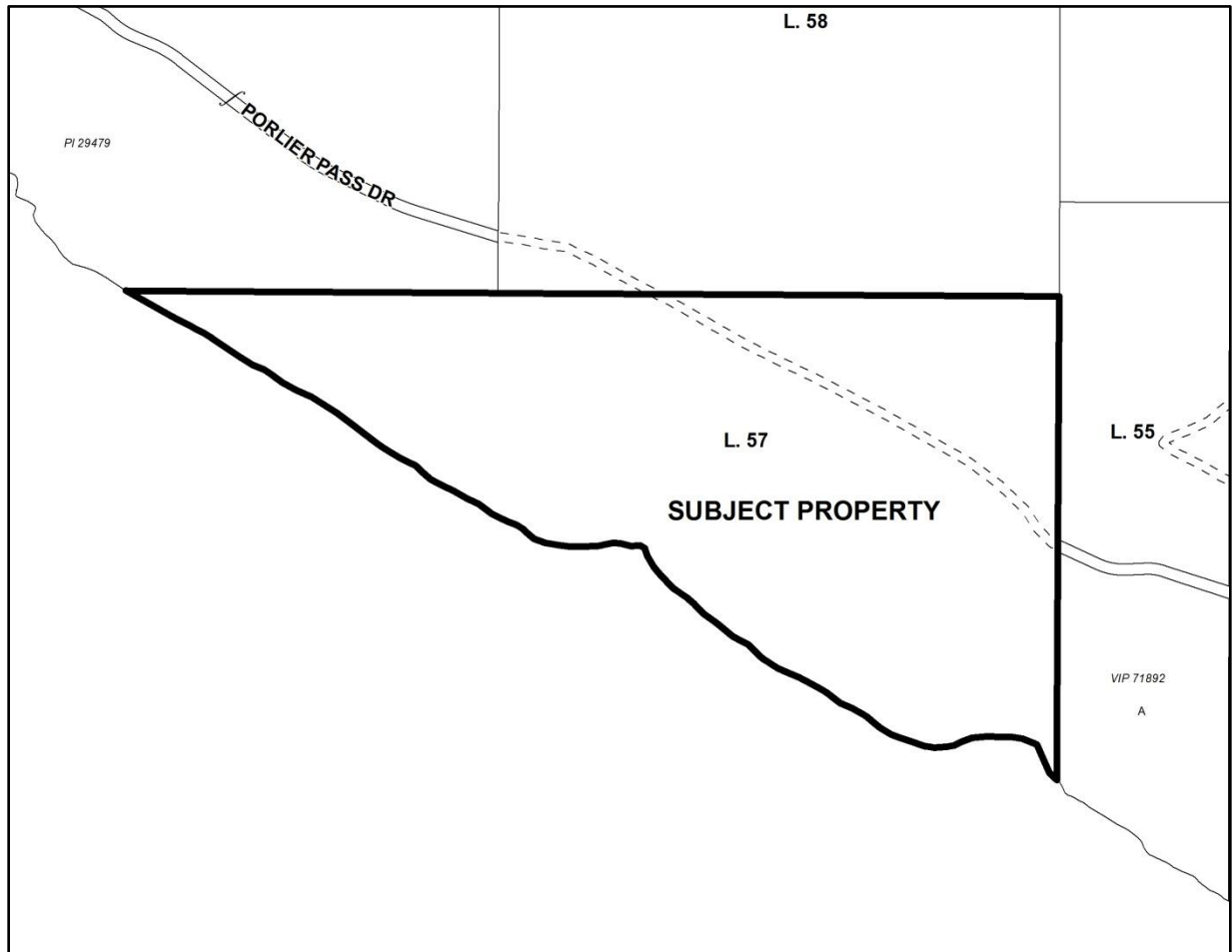
- o) the owners are restricted to a maximum of one (1) non-illuminated information kiosk structure, as shown in Schedule 'B', not to exceed 10 square metres in area, 5 metres in height, and must be sited a minimum of 6 metres from Porlier Pass Road;
 - p) despite Land Use Bylaw provisions, the owner must provide parking space/design for a minimum of two (2) vehicles on the property, and parking must be otherwise consistent with the parking regulations set out in the Galiano Island Land Use Bylaw;
 - q) use of recreational vehicles are prohibited;
 - r) one existing residence is permitted for use as a caretaker's residence and no other residential uses are permitted on the property for the duration of this permit;
 - s) one existing storage shed is permitted for accessory use, and no other accessory uses are permitted on the property for the duration of this permit;
 - t) one elevated water storage tank (storage cistern) is permitted to provide gravity fed water to the camping area; and
4. This permit will remain in place until such time that it expires or a successful rezoning has been obtained by the owner.
 5. This Permit expires on _____, 2015.
 6. This is not a Building Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF _____, 2012.

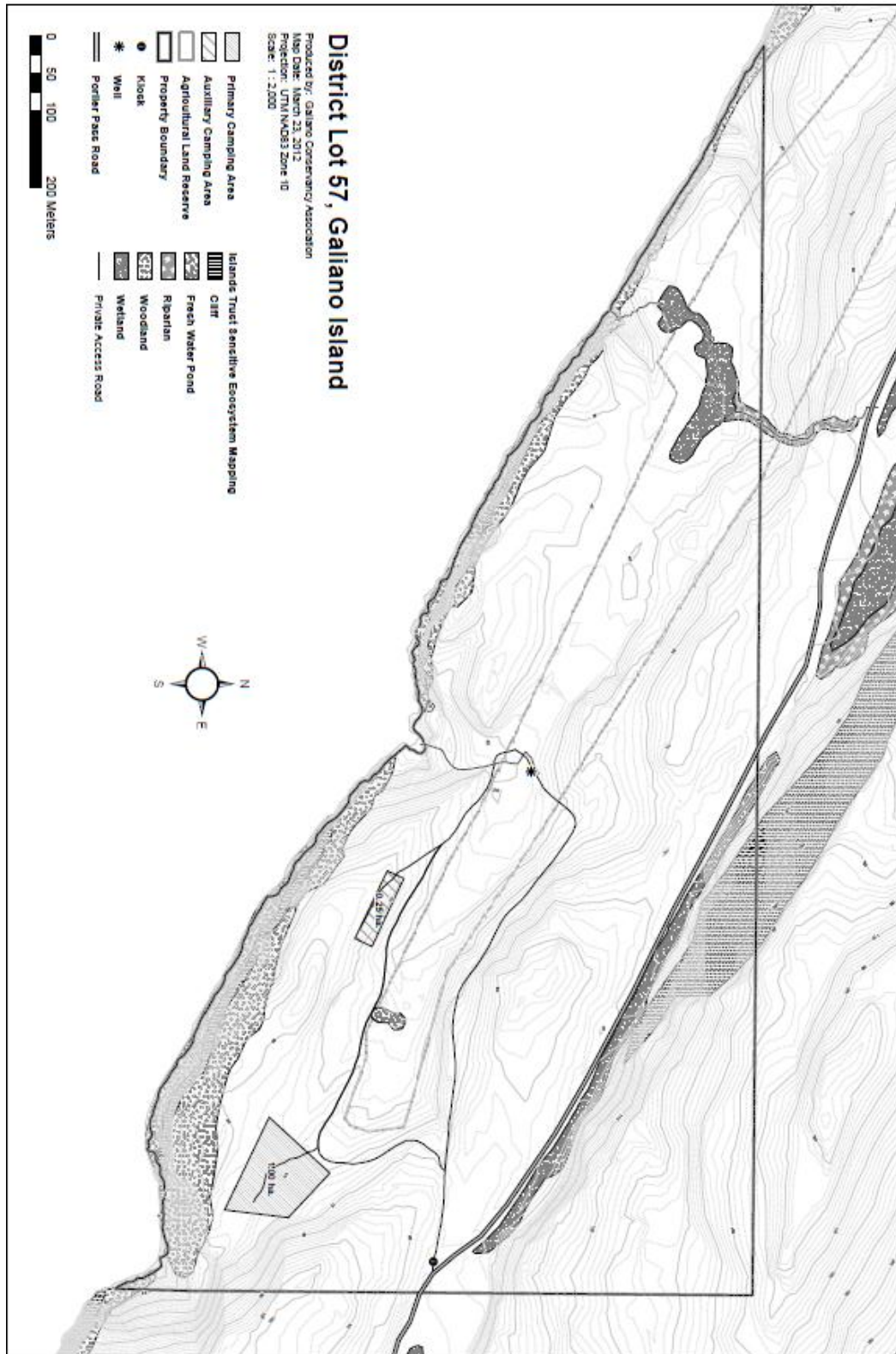
Deputy Secretary, Islands Trust

Date Issued

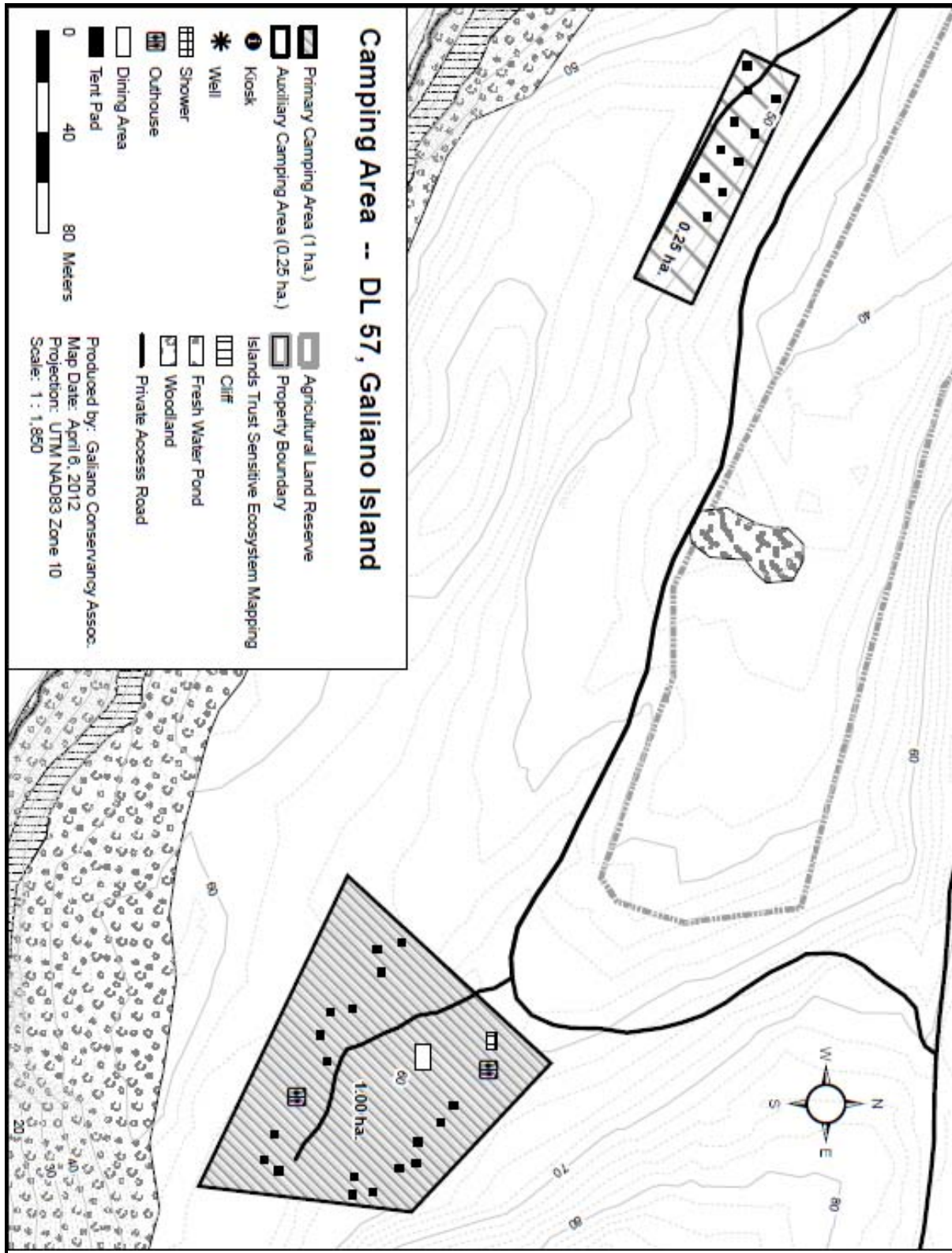
**GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-TUP-2012.1
SCHEDULE A**



**GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-TUP-2012.1
SCHEDULE B**



GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-TUP-2012.1
SCHEDULE C



Appendix 4- May 1, 2012 letter of support from Jennifer Eliason, Manager of Islands Trust Fund



May 1, 2012

To Kaitlin Kazmierowski;

Re: Galiano Conservancy Association's application for a Temporary Use Permit

I write to express the Islands Trust Fund's support for the Galiano Conservancy Association's proposed Galiano Island Restorative Learning Centre. The Centre and the proposed surrounding conservation network will undoubtedly serve as a model for sustainable community living within the natural environment.

The Trust Fund Board owns the adjacent property, the Trincomali Nature Sanctuary. The Trust Fund Board next meets May 17th, 2012, and has not yet had an opportunity to review this TUP application.

The Trust Fund Board has previously provided support for this project with a grant to the Conservancy of \$3,000 for the appraisal of the property.

The Islands Trust Fund has worked with the Galiano Conservancy Association on a range of projects, from ecosystem mapping and stewardship education, to land acquisition and conservation covenants. Given their track record of success, we are confident that the proposed Learning Centre and planned environmental education and retreat programming will be a tremendous success.

Yours truly,

Jennifer Eliason
Manager, Islands Trust Fund

The Islands Trust Fund is a conservation land trust, established by the Province in 1990 to protect the sensitive ecosystems of the Strait of Georgia and Howe Sound islands. The Islands Trust Fund offers innovative conservation tools, empowering island landowners to protect and preserve tracts of land forever. To date, the Islands Trust Fund has permanently protected over 1,000 hectares of natural habitat.



Memorandum

200-1627 Fort Street Victoria, BC V8R 1H8

Telephone 250. 405-5151 FAX: 250. 405-5155

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC 1.800.663.7867

information@islandstrust.bc.ca www.islandstrust.bc.ca

Date May 3, 2012 File Number GL-RZ-2011.2

To
From Kaitlin Kazmierowski
Island Planner
Local Planning Services

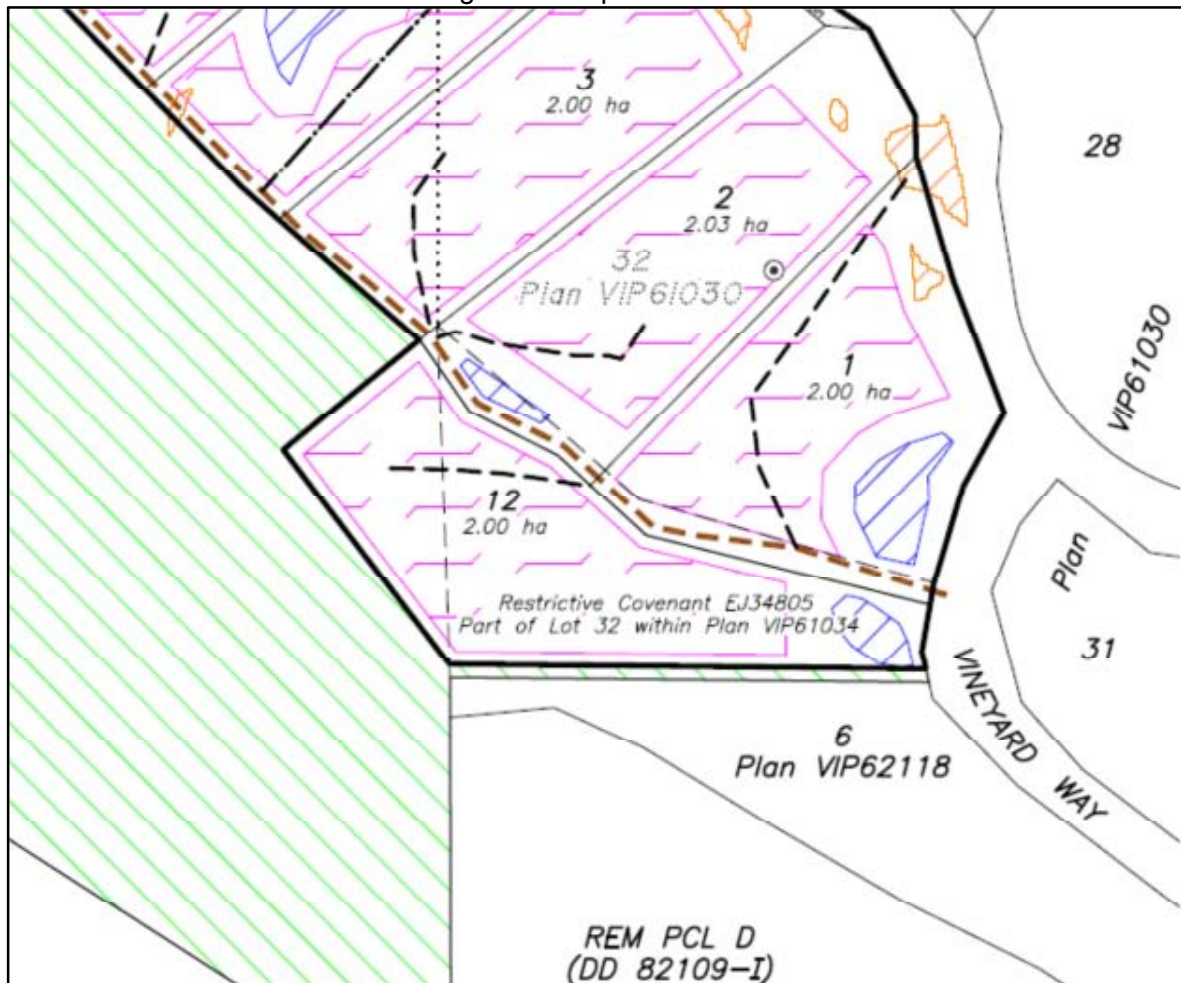
Re Update on proposed Community Housing lot for GL-RZ-2011.2 (Dewinetz)

At the regular business meeting of April 16, 2012, the Galiano Island Local Trust Committee (LTC) directed staff to work with the applicant to explore the option of including community housing in their application, and to report back at a future meeting. In recent communication with the applicant, staff have been provided with the following information regarding the addition of a proposed twelfth lot, created for the purposes of supporting community housing on Galiano Island:

- A 2.02 hectare (5 acre) area for a twelfth lot has been identified, surveyed and a percolation test has been ordered.
- All development costs for the proposed twelfth lot will be paid for including water and driveway, and the lot will be marketed along with the other 11 proposed lots, but the owner has agreed not to apply any marketing costs to proposed lot 12.
- The local realtor has agreed to forgo commission on the sale of proposed lot 12.
- Proposed lot 12 will remain in Winmark Capital's name until it is sold, at which point \$35,000 will be deducted from the sale price to cover the costs of development.
- Upon sale of the lot and deduction of development costs, all remaining funds will be transferred to the Galiano Island Housing Society (Paige Drive).

A sketch of the location of proposed lot 12 is included below for information. Proposed lot 12 does not comply with subdivision requirements pertaining to the 1:4 width to length ratio, nor the 10% frontage rule. Should the LTC wish to pursue this option, the 10% frontage requirement can be waived by the LTC during the subdivision process, while a variance will be required to address the width to length ratio. A 6 metre wide panhandle has been left along the southern edge of proposed lot 12 in order to facilitate the creation of a hiking trail as per Schedule E (Parks and Trails) of the Galiano Island Official Community Plan (OCP). Schedule E currently designates this area as the location for a proposed hiking trail connection. In addition, the applicant has stated that the proposed homeplate for lot 12 has been reduced in order to allow for a future covenant to protect the wetland on-site. The applicant has also stated that with the addition of proposed lot 12, the amount of area to be transferred to BC Parks would be reduced from 67.24 hectares to 65.24 hectares (72.8% of the total land area), while the residential portion would be increased from 22.34 hectares to 24.34 hectares (27.2% of the total land area).

Figure 1: Proposed lot 12



The proposal appears to meet the criteria set out in OCP policy 1.6 c) as it pertains to supporting community housing via applications that would increase density. Should the LTC wish to proceed with this proposal, additional work regarding the logistics of transferring the funds to the appropriate housing society, and the timing of such a transfer within the context of the rezoning would need to be explored. Currently, staff are seeking an indication from the LTC that the current proposal should be pursued and included in draft bylaws. The LTC may wish to consider the following options:

1. Provide staff with direction to pursue the land owner's current proposal and include proposed lot 12 in future bylaws.
2. Provide staff with direction to work with the land owner in order to develop an alternate proposal that meets the LTC's request for community housing.
3. Proceed no further with the exploration of a community housing option for this application.

Prepared and submitted by:

Kaitlin Kazmierowski
Island Planner

Pc: Robert Kojima, RPM



Top Priorities

Galiano Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	LUB update	1. Amendments resulting from OCP review 2. Review of regulations for docks and structures in setback from the sea and geo-thermal 3. Review of split-zoned lot regulations 4. review of regulations pertaining to strata common property 5. Review of Parking Regulations - on-site parking and public parking issues generated from associated islands (see correspondence from P. Midgely on agenda of Apr/12) 6. Sign Regulations 7. Waste transfer station regulations 8. Review of zoning regulations for Lions' Hall 9. Review of FLR and F2 zoning and Land Transportation policy (o) requirement	Apr-16-2012	Kaitlin Kazmierowski	Mar-31-2013	On Going

2	Review Subdivision Servicing Regulations	Review detailed recommendations of Waterline Report, review existing subdivision regulations, prepare options for amendments	Jun-13-2011	Kaitlin Kazmierowski	Apr-02-2012	On Going
3	DPA Implementation	1. Update of Development Approval Information Bylaw 2. Public communications 3. Development of Administrative procedures	Dec-12-2011	Kaitlin Kazmierowski	Mar-31-2012	On Going



Islands Trust

Print Date: May-03-2012

Projects

Galiano Island

No.	Description	Activity	Received/Initiated	Status
1	Soil Removal and Deposit Bylaw	Review need and options for implementation of soil removal and deposit bylaw	Sep-12-2011	On Going
2	OCP amendment to review definition of "tree"		Dec-12-2011	On Going
3	Short Term Vacation Rentals		Dec-12-2011	On Going
4	Provincial Advocacy	- Letter from Steve Thomson, Minister of Forests dated Nov 2, 2011 to be brought forward for action at the appropriate time - Staff directed to request meetings with the following:	Feb-13-2012	On Going
5	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



Islands Trust

Applications w / Status - Galiano Island Status: Open

Print Date: May-03-2012

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2010.2	Scoones Planner: Kaitlin Kazmierowski	Aug-25-2010	To allow the retaining wall to be as close as 1ft from the property line.

Planning Status

Status Date: May-02-2012

Met with applicant. He is waiting for a survey and will submit it when completed.

Status Date: Jan-25-2012

Sent a letter requesting a survey by Feb 24, 2012. If no survey is submitted, bylaw enforcement will be notified.

Status Date: Jun-27-2011

Requested survey June 21, 11

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2011.4	Serink Planner: Kaitlin Kazmierowski	Apr-12-2011	533 STICKS ALLISON RD 1) to vary the setback 2) to increase allowable floor area of accessory building

Planning Status

Status Date: Apr-23-2012

covenant received, LTC to be requested to appoint chair as signatory

Status Date: Apr-03-2012

Applicant has entered into cost recovery, application to be re-considered at May 14 2012 LTC meeting.

Status Date: Feb-24-2012

Draft covenant sent to applicant. Staff waiting for comment.

Rezoning

11.2.1

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

Planning Status

Status Date: Mar-01-2012

Applicants are interested in pursuing a rezoning. Will meet with planning staff to discuss options in March 2012

Status Date: Feb-03-2012

Sent a letter requesting indication that applicant would still like to continue with their application. Deadline to respond is March 2 2012.

Status Date: Jul-27-2011

Staff contacting applicant to determine if/how they want to proceed with application.

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

Planning Status

Status Date: Mar-01-2012

Staff working with CRD to determine emergency access status.

Status Date: Nov-04-2011

Staff working on final cov. edits and securing emergency road as per RNP.

Status Date: Sep-30-2011

Public hearing on proposed bylaw 210 being held Oct 17.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2008.2	KIng Planner: Kaitlin Kazmierowski	Feb-22-2008	To amend the zoning from F1 to F3

Planning Status

Status Date: Mar-01-2012

Met with applicant who is still interested in pursuing a rezoning. Staff currently working with the applicant to determine the best course of action.

Status Date: Feb-03-2012

Sent a letter requesting indication that applicant would still like to continue with their application. Deadline to respond is March 2 2012.

Status Date: Jul-27-2011

Staff contacting applicant to determine if/how they want to proceed with their application.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2011.1	Galiano Land and Community Housing Planner: Kaitlin Kazmierowski	Oct-06-2011	Rezone Agriculture and Residential to Community Facility-Affordable housing.

Planning Status

Status Date: May-03-2012

Consultant has been hired by applicants to work on housing agreement. Applicants are willing to enter into cost recovery. Staff waiting for cost recovery agreement in order to commence legal review.

Status Date: Apr-03-2012

Staff report for April 16th meeting recommends professional help for finalization of housing agreement

Status Date: Mar-01-2012

Staff working with GLCHT on Housing Agreement. To attend a public meeting held by GLCHT on March 6, 2012

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2011.2	Winmark Capital Inc. - Richard Dewinetz Planner: Kaitlin Kazmierowski	Dec-21-2011	To amend the OCP/LUB to change 90 hectares of F1 lands to Park Land & RR.

Planning Status

Status Date: May-03-2012

Applicants have submitted a proposal for an additional lot for community housing purposes. Memo at May 14th presents this proposal and seeks direction for future work.

Status Date: Mar-01-2012

Staff to present preliminary report at March 12, 2012 LTC meeting

Status Date: Jan-03-2012

Sent letter of acknowledgment of receipt of fees and application to applicant; copied to Trustees and forwarded to Planner.

Subdivision

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2007.1	LPG Landplan Group Inc (Zizzy/Brown)	Feb-12-2007	Creating 6 new lots. DL 72 and Lot 15, DL 71 and 77, Plan VIP61007. X-reference GL-RZ-2005.3

Planner: Kaitlin Kazmierowski

Planning Status

Status Date: May-03-2012

Applicants to vary the location of the easement slightly and will prepare an updated survey to replace the one in the current covenant.

Status Date: Apr-03-2012

Applicant has responded with several comments on the draft covenant. Planner working with applicant and legal counsel to satisfy these.

Status Date: Mar-01-2012

Planner waiting applicant's comments on draft covenant.

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2008.2	William Alexander & Lennis Shirley Campbell c/o	May-15-2008	Subdivision to create 14 new lots, DL 57 x-Reference GL-RZ-2008.3 (Proposed bylaws 201 OCP and 202 LUB)
Planner: Gary Richardson			

Planning Status

Status Date: Apr-16-2012

Letter to proceed no further has been received. File to be closed.

Status Date: Apr-03-2012

New owners (Conservancy) have been asked to confirm in writing that this application is to proceed no further.

Status Date: Sep-13-2010

Waiting for applicant to satisfy PLA conditions nothing for staff to do at this time.

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2010.1	Land Survey Inc.	Jun-03-2010	ELLIS RD To create 2 lots
Planner: Kris Nichols			

Planning Status

Status Date: Feb-09-2012

PLA received from MoTI dated April 1, 2011

Status Date: Oct-29-2010

Status Date: Sep-13-2010

Response sent to MOTI September 13, 2010.

File Number	Applicant Name	Date Received	Purpose
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Planner:

Planning StatusTemporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
GL-TUP-2012.1	Galiano Conservancy Assoc. c/o Ken Millard Planner: Kaitlin Kazmierowski	Mar-27-2012	10825 PORLIER PASSAGE DR For educational programming; overnight camping up to 36 people and to construct a roadside kiosk.

Planning Status

Status Date: Apr-24-2012

Notice and Proposed Permit sent, Draft report prepared for May meeting

Status Date: Apr-03-2012

Application to be brought to LTC for consideration at May 14 2012 meeting

Status Date: Mar-28-2012

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

Kathy Jones

From: Nancy Roggers
Sent: April-26-12 10:51 AM
To: Kaitlin Kazmierowski; Ken Hancock; Kris Nichols; Louise Decario; Robert Kojima; Sandy Pottle; Kathy Jones; Sharon Lloyd-deRosario
Cc: Cindy Shelest
Subject: Galiano Expense report - final year end to March 31/12

Islands Trust
LTC EXP SUMMARY REPORT F2012
 Invoices posted to March 31, 2012

625 Galiano	Invoices posted to March 31, 2012	Budget	Spent	Balance
65000	LTC "Trustee Expenses"	1,000.00	517.67	482.33
65200	LTC Local Exp LTC Meeting Expenses	6,500.00	3,531.15	2,968.85
65210	LTC Local Exp APC Meeting Expenses	-	155.89	(155.89)
65220	LTC Local Exp Communications	-	805.70	(805.70)
65230	LTC Local Exp Special Projects	-	-	-
65240	LTC Local Exp Miscellaneous	-	85.00	(85.00)
TOTAL LTC Local Expense		6,500.00	4,577.74	1,922.26
72300	Project OCP update	20,000.00	10,786.21	9,213.79
72301	Project LUB update	15,000.00	5,117.56	9,882.44
TOTAL OCP Expense		35,000.00	15,903.77	19,096.23

Thanks!

Nancy Roggers
 Finance Officer

Islands Trust
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 Victoria, B.C. V8R 1H8
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 Fax: (250) 405-5155
www.islandstrust.bc.ca

Preserving *island* communities, culture and environment

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PROPOSED

Galiano Island Local Trust Committee Expense Budget

2012-2013

\$6500

	G/L Code	Budget
LTC Meeting Expenses	65200	3 900
APC Meeting Expenses	65210	650
Communications	65220	650
Special Projects	65230	1 000
Miscellaneous	65240	300
Total		6 500

Galiano Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: October 19, 2011

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.	Sept. 26, 2008	GL-RWM-12-08	RZ applications	THAT Galiano Island Local Trust Committee instructs staff to advise potential applicants that, upon receipt of a zoning amendment application, the Local Trust Committee will consider placing the application in abeyance until the completion of a review of the Official Community Plan policies, if in the opinion of the Local Trust Committee, the application may affect or be affected by the review, and that Staff be instructed to post notice to the public on the Islands Trust internet website to this effect.
7.	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.
8.	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.
9.	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.

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


Population (2011):

Approximately 1,138

Size:

5,810 hectares (14,356 acres)

Location:

26 kilometres north-east of the Swartz Bay ferry terminal located on Vancouver Island.

[Land Use Planning](#)
[Related Planning Services](#)
[Related Resources](#)
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Galiano Island Local Trust Committee

Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the Galiano Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

May 2012

- [Southern Board of Variance - Request for Expressions of Interest](#)

September 2011

- [Parks Canada Letter date June 30, 2011 re: Heritage Lighthouse Protection Act](#)

July 2011

- ["Guide to Environmentally Friendly Building and Renovating in the Southern Gulf Islands"](#)
- Fact sheet: ["Choosing a Building Site on your Lot"](#)
- Fact sheet: ["Making Changes to your Lot Line"](#)
- Fact sheet: ["Applying for a Variance"](#)

October 2010

- [2007 Community Energy and Emission Inventory Reports \(CEEIs\) now available](#)
- [New Islands Trust GHG Emission Inventories webpage posted](#)

[^ top](#)

Planner Office Hours on Galiano Island

- [Planner Office Hours on Galiano Island -April - May 2012](#)

Galiano Island Local Trust Committee Projects

General

- [Potential Amendments to Forest Designation and F1 Zone - Staff Report dated October 4, 2011](#)
- ["A Guide to Environmentally Friendly Building and Renovating in the Southern Gulf Islands" booklet](#)
- [A "Choosing a Building Site on your Lot" fact sheet](#)
- [A "Making Changes to your Lot Line" fact sheet](#)
- [An "Applying for a Variance" fact sheet](#)
- [Geological Hazard Mapping Project- Final Consultant report March 31, 2010](#)

Climate Change Action

- [Staff Report - October 2009](#)
- [Community Engagement Tools](#)
- [Climate Wise Islands](#)
- [Staff Report - January 29, 2010](#)
- [Adopted Bylaw No. 206](#)

Groundwater Study

Committee Links

[Committee Home](#)
[Trustee Membership](#)
[Contact Trustees](#)
[Contact Planning Staff](#)
[Planning Bylaws](#)
[Administrative Bylaws](#)
[Meetings Schedule](#)
[Meeting Agendas](#)
[Meeting Minutes](#)
[Resolutions-Without-Meeting](#)
[Associated Islands](#)
[Land Use Application Forms](#)

- [Galiano Groundwater Study- Phase One \(Waterline Resources Inc. March 31, 2011\)](#)

Official Community Plan Review

Consolidation

- [Galiano Island Official Communtiy Plan Bylaw No. 108, 1995 - consolidated November 25, 2011](#)

Land Use Bylaw Review

- [Staff Report - April 26, 2010](#)
- [Staff Report - August 31, 2010](#)

Applications

Rezoning Application : GL-RZ-2005.2 (Smith/Romagnoli)

- [Staff Report dated July 29, 2010](#)

Rezoning Application: GL-RZ-2011.1(Affordable Housing)

- [Staff Report dated November 3, 2011](#)
- [Staff Report dated November 28, 2011](#)
- [Proposed Bylaw No. 233](#)
- [Proposed Bylaw No. 234](#)

Rezoning Application: GL-RZ-2011.2 (Richard Dewinetz)

- [Preliminary Staff Report dated March 30, 2012](#)
- [Preliminary Layout Plan, prepared February 29, 2012](#)

[^ top](#)