

# ADOPTED

**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.**

<b><u>PRESENT:</u></b>	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.

**Dora Fitzgerald** stated that she is glad to see Statutory Rights of Way (SRW) on the agenda for the reason that her clients (RomagnoliéSmith) have been waiting to establish emergency access to their F1 lot and would like the bylaw related to their application passed.

**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 13<sup>th</sup> 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 tidal power exploration. 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 a similar referral 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 to AVICC executive as a member at large. Chair Hancock stated that oil spill response times were discussed, a motion was passed requesting 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**

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**RECORDER**

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**CHAIR**