

ADOPTED

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON MONDAY, APRIL 7, 2014, AT 12:30 PM
AT THE SOUTH ISLAND COMMUNITY HALL,
GALIANO ISLAND, B.C.**

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

There were approximately fifteen (15) members of the public present.

1. CALL TO ORDER

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

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

2. APPROVAL OF THE AGENDA

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

- Added to item 10.2 – Proposed Development Variance Permit for GL-DVP-2013.4 (Haley)
- Added to item 10.3 – Response to the Staff Report dated March 28, 2014 Re: Crystal Mountain Rezoning Application
- Added to item 12.2 – Discussion regarding GL-RZ-2013.1 and GL-SUB-2013.1 applications

The agenda was Approved, as amended, by consent.

2.1 Questions on Agenda Items

None

3. TOWN HALL

Chair Hancock invited the public to make comment.

Andrew Loveridge stated support for affordable housing, the Galiano Land and Community Housing Trust (GLCHT), and invited the Trustees to attend the Tuesday March 18, 2014, GLCHT board meeting.

Doug Latta provided an update regarding GLCHT and stated reluctance with the Local Trust Committee's (LTC) support for the Capital Regional District (CRD) to administer the GLCHT housing agreement.

Jemma Lee stated support for affordable housing, GLCHT, and the LTC not CRD administering the GLCHT housing agreement.

There was some discussion regarding the GLCHT final report still needing to be received by the LTC and Community Information Meeting (CIM) process.

Elizabeth Latta stated support for GLCHT and the LTC not CRD administering the GLCHT housing agreement. She commented that the GLCHT housing agreement could become a template for other islands and that it makes more sense for the Islands Trust' not another government agency (i.e.: the CRD) to govern such, noting the messy handling of recycling programs. Ms. Latta also stated support for GL-RZ-2004.6 (Crystal Mtn).

Chair Hancock responded that there are seven regional districts and that the CRD, not Islands Trust, has jurisdiction over solid waste and affordable housing. He said that the CRD would work with GLCHT to administer the housing agreement. The CRD became involved in such matters due to difficulties arising from a Salt Spring Island affordable housing project.

There was some discussion regarding process.

Chair Hancock stated that the CRD, not the LTC, has the expertise to administer the GLCHT housing agreement and that the LTC would gladly support/assist GLCHT when possible.

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

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. PREVIOUS MEETINGS

6.1 Local Trust Committee Minutes for Adoption

6.1.1 Galiano Island Local Trust Committee Meeting Minutes of March 3, 2014

The Minutes of March 3, 2014, Local Trust Committee Meeting were Adopted by consent.

6.1.2 Galiano Island Local Trust Committee Special Meeting Minutes of March 8, 2014

The Minutes of March 8, 2014, Local Trust Committee Special Meeting were Adopted by consent.

6.2 Public Hearing Record and Community Information Meeting

6.2.1 Galiano Island Local Trust Committee Community Information Meeting Notes of March 8, 2014

The Notes of March 8, 2014, Local Trust Committee Community Information Meeting were Received by consent.

6.3 Section 26 Resolutions without Meeting

RWM Report dated March 2014, provided for information.

One resolution regarding Proposed Bylaw No. 227 being Adopted via Resolution without Meeting (RWM) and relating to the Zizzy/Brown application was mentioned.

6.4 Advisory Planning Commission

None

7. BUSINESS ARISING FROM THE REPORT

7.1 Follow-up Action Report

Planner Nichols provided information from FUAL Report dated March 2014, and items were discussed with regards to status and action.

Specific to item No. 9 – Planner Nichols reported that employees are not regulated under home occupation, as agriculture is a permitted use.

8. DELEGATIONS

None

9. CORRESPONDENCE

Note: correspondence received concerning applications and/or projects is considered with the application/project.

None

10. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

10.1 GL-DP-2013.2 (Ghai) Memo

10.1.1 Emailed Letter dated February 17, 2014, from D. Jones to Islands Trust re GL-DP-2013.2 (Ghai)

Chair Hancock stated that item 10.1 and item 10.1.1 would be addressed together.

Planner Nichols provided information from Memorandum dated March 28, 2014, (File No.: GL-DP-2013.2 (Ghai)) Re: GL-DP-2013.2 New Reports for Consideration in Evaluating the Development Permit Application.

David McKerrell and Stephen Carter were in attendance and spoke on behalf of the application.

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

There was some discussion regarding: D. Jones correspondence not being copied to the applicant (Ghai); Member of the Legislative Assembly (MLA) and Ministry of Forests, Lands and Natural Resource Operations (MFLNRO) involvement; two different biologist reports supporting the current location of the proposed dock; impact(s) the proposed dock would have on neighbours and the environment; proposed dock preventing neighbours from launching their boat; observations made by diver Andy Lamb of Thetis Island, which were read aloud by Marjorie Cerezin; possibility of legal action if the Development Permit (DP) is issued; eel grass, kelp and sensitive ecosystems; resiliency of environment; potential deconstruction impact(s) of current dock structure(s); possible alternate location(s) for the proposed dock; applicant bathymetric mapping; process being messy due to the LTC not having the opportunity to be involved from the beginning; considering the application as though the pilings, which were constructed prior to reporting, are not there already; riparian rights; LTC authority; docks potentially being considered via rezoning application(s) as per Galiano's Official Community Plan (OCP); Tenures Branch waiting for a response from the Islands Trust; new mapping information; riparian rights being civil matters; LTC not being able to deny the DP if guidelines are met; neighbours appealing to the Ombudsman due to proper process not having been followed; LTC and neighbours frustration with process; neighbours being ok with the proposed dock if it is moved northward and put on a 90 degree angle; concern(s) regarding eel grass; property owners not being able to sign away riparian rights that are on Crown Land(s); LTC options; best location for the proposed dock; possible safety issues related to moving the proposed dock northward and putting it on a 90 degree angle; initial referral and information that was or was not included; process and next steps.

GL-2014-022

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee directs staff to amend GL-DP-2013.2 (Ghai) to reflect the orientation of the dock that was contained in the original application for tenure.

CARRIED

David McKerrell stated that DP guidelines have been met.

Chair Hancock responded that the proposed dock pilings were constructed prior to the applicant consulting the LTC and that such is a problem, which has resulted in LTC guidelines not having been met.

Chair Hancock stated that the new location for the proposed dock would hopefully meet LTC guidelines.

10.2 GL-DVP-2013.4 (Haley) Staff Report

Planner Nichols provided information from Staff Report dated March 28, 2014, (File No.: GL-DVP-2013.4 (Haley)) Re: Development Variance Permit and stated that no concerns have been raised by neighbours or the public regarding this application. He noted that under site context on page two of the staff report he would replace “3.7 ha (29.2 acres)” with “3.7 ha (9.2 acres)”.

Applicant Joseph Haley was in attendance and spoke on behalf of the application.

There was some discussion regarding the history of the property, the property being well screened and bylaw enforcement.

GL-2014-023

It was MOVED and SECONDED,

That Galiano Island Local Trust Committee Development Variance Permit GL-DVP-2013.4 (Haley) to permit an existing accessory dwelling (carport) be Approved.

CARRIED

10.3 GL-RZ-2004.6 (Crystal Mtn) Staff Report

Planner Nichols provided information from Staff Report dated March 27, 2014, (File No.: GL-RZ-2004.6 Crystal Mountain) Re: Preliminary Report – Bylaw Amendment Application.

Applicants Stephen Foster and Helen Foster as well as Crystal Mountain Board of Directors member Elizabeth Mclelland were in attendance and spoke on behalf of the application.

There was some discussion regarding: application history; LTC options; staff recommendations; Temporary Use Permits (TUPs); illegal use; rezoning; Stephen Foster’s written response to Staff Report dated March 28, 2014, Re: Crystal Mountain Rezoning Application, which he read aloud; land(s)/lots involved; latest development plan; OCP; forestlands; retreat centre’s; process; Trustee Pottle’s site visit; number of planned meditation huts; clustering; emergency access; covenants; and concern regarding extra meditation huts having already been built, even if they are removable.

Note: there was a break at 2:35 p.m. and the meeting reconvened at 3:00 p.m.

There was further discussion regarding: Crystal Mountain being a not for profit registered charity; the land(s) having being purchased via donation(s); the need for a retreat centre such as Crystal Mountain; Crystal Mountain being a community benefit/amenity; topography of the land(s) and various habitats; intent being to cherish the land(s); profit not being a motive for development; desire to cluster 25 meditation huts on 25% of the land(s) and covenant the other 75% of land(s); ecosystem protection being a priority; ecosystem education opportunities; privacy needs for the people using the meditation huts; this being a unique application; meditation huts being 150 square feet (sqf) each; challenges related to merging one lot that is zoned residential with one lot that is zoned forestry; 75/25 rule; rezoning; transferring 75% of the land(s) to a conservancy of some sort instead of covenanting it; Crystal Mountain's mission statement; Galiano Island Film School zoning; Crystal Mountain being a meditation and educational centre; Rural Comprehensive Development (RCD) zoning; Crystal Mountain mostly serving three kinds of meditators; desire to use the whole environment if possible; concern regarding emergency access, building codes and fire issues; Vancouver Island Health Authority (VIHA); water supply; bible camps on Keats Island and Gambier Island; onus being on the applicant to provide the LTC with information and keep an application moving forward; applications usually being closed after a period of two years with no activity; staff recommendations; LTC options; the complicated history of this file as it has been open for 10 years; bylaw compliance issues; need for Crystal Mountain to consult with Planner Nichols; closing this application and starting fresh with a new one; timeline; fees; and fee credits.

GL-2014-024

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee resolves to proceed no further with application GL-RZ-2004.6 (Crystal Mountain) and directs staff to assist Crystal Mountain with any information regarding new application procedures.

CARRIED

There was some discussion regarding Bylaw Enforcement (BE) and liabilities.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Short Term Vacation Rentals (STVR) Report

Planner Nichols provided information from Staff Report dated March 28, 2014, (File No.: 6500-20-STVR) Re: Short Term Vacation Rental (STVR) Project – Next Steps.

There was some discussion regarding: TUPs; home occupation in relation to owners and renters; different scenarios that would permit an owner(s) to have an STVR; TUPs for owners not living on their property; owners with multiple properties; not amending the fees bylaw; costs associated with mail outs and BE; and the average STVR generating \$1265.00 per week.

GL-2014-025

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee directs staff to draft bylaw amendments to permit Short Term Vacation Rentals by: i) amending Land Use Bylaw cited as “Galiano Land Use Bylaw No. 127, 1999”, Section 3, Home Occupations Regulations ii) amending Official Community Plan cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995”, Section VII, Temporary Use Permits.

CARRIED

11.2 Contractor Home Base Report

Planner Nichols provided information from Staff Report dated March 28, 2014, (File No.: 6500-20-LUB Amendment-Contractor Yards) Re: Contractor Home Base – Options for Discussion.

There was some discussion regarding: it probably being too soon for a CIM; the need for contractor yards on Galiano; possibility of setting up an advisory committee; LTC needing more information; Light Industrial (LI) zoning; and outside storage.

GL-2014-026

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee directs staff to prepare a Project Charter and Terms of Reference making use of a Focus Group to advise the Galiano Island Local Trust Committee on issues related to Contractor Home Base.

CARRIED

There was some discussion regarding noise and estimating the number of contractor yards on Galiano.

12. REPORTS

12.1 Work Program Reports

Planner Nichols provided information from Work Program Report dated March 2014. Items were discussed with regards to status and action and Planner Nichols will update the Top Priorities and Projects lists according to LTC recommended amendments.

12.2 Applications Reports

Planner Nichols provided information from Applications Report dated March 2014, and items were discussed with regards to status and action.

Specific to GL-RZ-2013.1 Purpose – Planner Nichols will replace “from two F1 zoned lots” to “from one F1 zoned lot”.

There was some discussion regarding GL-RZ-2013.1 and GL-SUB-2013.1, specifically relating to: land(s) that would be transferred to parks; BC Parks not wanting the land(s); communication(s) between agencies; and community support for a trail.

GL-2014-027

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee request that the Approving Officer not waive Section 75 (access to water) of the *Land Title Act* as it pertains to application GL-SUB-2013.1 due to the policies contained in the Galiano Island Official Community Plan cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995", requesting that public access to the foreshore be implemented. The policies addressing foreshore access are outlined as follows:

1. Residential - Residential Advocacy Policies

The Local Trust Committee considers that it is in the public interest that the approving officer requires provision of access to bodies of water or Crown land under section 75 of the *Land Title Act* whenever land is subdivided, regardless of whether the access may practically be developed as a roadway for motor vehicles.

2. Shoreline and Marine Protection

The Ministry of Transportation and Infrastructure and the Galiano Parks and Recreation Commission shall be requested to provide signs at foreshore accesses.

6. Parks and Recreation

Shore access points, parks, and proposed Trail Network are shown on Schedule "E" and provincial, community and small parks acquired at the time of subdivision are identified on Schedule "B" of this Plan.

Section III

Land Transportation Policies

q) In all subdivisions bordering on a body of water, the Approving Officer shall be requested to require public access to the foreshore, subject to the Approving Officer's discretion, sufficient area for parking at foreshore accesses, emergency vehicle standards for all new roads, and driveways, road construction designed only for the zoned residential capacity and consolidation of road accesses from subdivisions onto main roads.

Plus Schedule E – Parks and Trails

<http://www.islandstrust.bc.ca/ltc/gl/pdf/glocpsche.pdf>

CARRIED

GL-2014-028

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee directs staff to work with applicant GL-RZ-2013.1 to pursue dedication of land east of the roadway as a local park to be managed by the Capital Regional District.

CARRIED

There was some discussion regarding BC Parks, and enforcement may be a reason why they don't want the land(s).

12.3 Expense/Budget Reports

Expense/Budget Reports dated March 2014, provided for information.

The LTC noted some inaccuracies.

12.4 Bylaw Enforcement

None

12.5 Policies and Standing Resolutions Report

12.5.1 Policies and Standing Resolutions Report

Planner Nichols provided information from Memorandum dated March 27, 2014, (File No.: 3040-06) Re: Draft Standing Resolution – Community Wells as a Community Benefit.

GL-2014-029

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee adopt the following standing policy: That the Galiano Island Local Trust Committee will consider as a community benefit for all rezoning applications where there is an increase in density, the establishment of an instrumented observation well.

CARRIED

The LTC agreed by consent to address item 13.2 prior to item 12.6.

13.2 Groundwater Toolkit & Memo

Trustee Decario provided information from Memorandum dated March 19, 2014, Re: Gulf Islands Groundwater Protection – A Regulatory Toolkit.

12.6 Galiano Island LTC Web Page for Review

Chair Hancock asked for any additions or changes to the LTC web page (www.islandstrust.bc.ca/islands/local-trust-areas/galiano).

No specific updates were made; Planner Nichols will update routine items as necessary.

12.7 Chair's Report

Chair Hancock stated that he attended a wonderful conference on civic governance and that the highlight was a workshop on catalyzing communities. He said that he is preparing for the Association of Vancouver Island & Coastal Communities convention on April 11, 2014, in Parksville.

12.8 Trustee Report

Trustee Decario stated that Colleen Doty would be the new backup minute taker for the LTC whilst also being the minute taker for the Advisory Planning Commission (APC). Trustee Decario said that she has been attending to regular business and office hours and has had many discussions with the public regarding mobile food trucks, parks etc.

Trustee Pottle stated that she has been attending to regular business and office hours and has had many discussions with the public outside of office hours. She said that concerns have been raised regarding mobile food trucks and contractors that have a lot of equipment in their yards. She mentioned that she would be participating in the April 12, 2014, floating protest associated with the Peoples' Procession & Rally Against the Pipelines, which is being organized by Burnaby Residents Opposing Kinder Morgan Expansion (BROKE).

13. OTHER BUSINESS

13.1 Upcoming Meetings

The next Galiano Island Local Trust Committee meeting will be held on May 5, 2014, at 12:30 pm, at the South Community Hall on Galiano Island.

The meeting is scheduled as stated.

13.2 Groundwater Toolkit & Memo

As amended, this item was addressed prior to item 12.6.

13.3 2013-2014 Annual Report Submission

GL-2014-030

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee approves the attached text for inclusion in the 2013-2014 Annual Report for approval by Trust Council and submission to the Minister of Community, Sport, and Cultural Development.

CARRIED

14. TOWN HALL MEETING

Chair Hancock invited the public to make comment.

Michael Hoebel stated that the Southern Gulf Islands Economic Development Commission (SGI EDC) would make their water transportation survey results available in approximately eight weeks.

There was some discussion regarding regional versus local projects and that affordable housing is included in the SGI EDC agenda.

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

15. MOTION TO CLOSE MEETING

GL-2014-031

It was MOVED and SECONDED,

That pursuant to Section 90(a) and (f) of the Community Charter, the Galiano Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting February 3, 2014, Galiano LTC In-Camera Minutes and to consider Advisory Planning Commission appointments; and further that staff and Recording Secretary, David Millership remain present.

CARRIED

Note: the public was asked to adjourn at 5:00 p.m.

See separate In Camera Meeting minutes dated April 7, 2014.

Note: the public reconvened at 5:10 p.m.

16. RECALL TO ORDER

Chair Hancock reported: the adoption of February 3, 2014, Local Trust Committee In Camera Meeting minutes; appointment of Colleen Doty as Alternate Minute Taker to the LTC and Secretary to the Galiano APC; and appointment(s) of Barry New and Dave Koster to the Galiano APC.

17. ADJOURNMENT

GL-2014-032

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee meeting be adjourned at approximately 5:15 p.m.

CARRIED

RECORDER

CHAIR