



ADOPTED

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: August 29, 2016
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

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

Staff Present: Kim Stockdill, Acting Planner 2
Colleen Doty, Recorder

Others Present: Approximately 30 members of the public

1. CALL TO ORDER

Chair Grams called the meeting to order at 12:34pm. He acknowledged the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Item 10.8 was moved to 10.4, reordering the rest of applications
- New Schedule A for 13.2 (copies circulated)

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Chair Grams noted this Town Hall would address agenda items.

Debbie Holmes referred to the application for a tree cutting Development Permit within Development Permit Area No. 3 (DPA 3). She summarized the history of the bylaw limiting tree harvesting to sustainable rates, the need to protect water resources and biodiversity. She noted importance of educating everyone on sustainable tree-cutting.

Stephen Rybak, referring to Schedule A Land Use Bylaw (LUB) No. 127, 2011, Contraventions and Penalties, asked whether the penalties listed were for each offence, one-time fees, or for repeat offences?

A/Planner 2 Kim Stockdill noted that Miles Drew, Bylaw Enforcement Officer who drafted the bylaws, could be phoned later in the meeting.

Louise Decario, referred to Schedule A of LUB No. 127, and indicated it would be helpful to have changes highlighted. With respect to the tree-cutting Development Permit application, she expressed the following concerns with the Staff Report of August 19, 2016:

- the statement to remove tree debris to mitigate fire hazard, as debris is different from trees .
- page 38 notes that DPA 3 is for larger lots, but DPA 3 was intended for every lot on Galiano
- staff noted in staff report the impact on groundwater was minimal because surrounding lots are heavily forested. Does this mean tree removal is acceptable as long as neighbours do not remove trees?

She requested that the number of trees to be replanted should be specified in the permit and that the Local Trust Committee send a letter to tree-cutters informing them of bylaws.

Akasha Forest expressed concerns about DPA 3 tree-cutting permit application. She was on the committee that developed bylaws and the bylaw was intended to cover the entire island, regardless of lot size. She suggested that misinformation in the Staff Report should be rectified. Province of BC is moving toward watershed protection, with planning at the watershed and ecosystem level. She urged the LTC to take cumulative watershed effects into consideration.

Doug Latta referred to page 3 of agenda, Item 14.2, the Special Meeting to be held September 19, 2016.

A/Planner 2 Stockdill noted information on this Special Meeting will be released in the upcoming weeks.

Debbie Holmes noted repeated violations to tree-cutting bylaws within DPA 3. While it is a process of education, she believes this should be the last time before we say no more.

Louise Decario commented that bylaw enforcement is complaint-driven and believes if other violations haven't received complaints doesn't mean we should do nothing.

Sidney Brannan referred to optional recommendation No. 8 identified in the August 18, 2016 Staff Report with respect to the Wolstenholme application and questioned what might trigger the optional requirement of a groundwater assessment.

A/Planner 2 Stockdill noted it was an option for LTC to consider.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes

By general consent the Local Trust Committee meeting minutes of July 4, 2016 were adopted and the Public Hearing Record Dated July 4, 2016 was received and adopted.

6.2 Section 26 Resolutions Without Meeting Report

none

6.3 Advisory Planning Commission Minutes

none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated August 2016

none

8. DELEGATIONS

none

9. CORRESPONDENCE

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

9.1 Email from R. Moyle re Requirements for a Secondary Suite

A/Planner 2 Stockdill provided background, noting that R. Moyle's property was very close to being permissible and that neither use nor density can be varied. The only options are to rezone, or amend the LUB to permit a secondary suite on property less than 0.4 ha. She will calculate how many properties on Galiano are less than 0.4 ha and report back to LTC.

10. APPLICATIONS AND REFERRALS

10.1 Thetis Island Local Trust Committee Bylaw No. 101 Referral

There was reference to the commitment the LTC made to First Nations (FN). Lyackson FN will conduct their own studies on this area and are not inclined to approve the proposal. The Valdes Island Conservancy Association has concerns about the tidal area involved. While Galiano Island's interests are unaffected, the LTC would like to ensure that the Protocol Agreement and Lyackson FN views are respected.

GL-2016-069

It was MOVED and SECONDED,

that the interests of the Galiano Island Local Trust Committee are unaffected by this bylaw.

CARRIED

10.2 Mayne Island Local Trust Committee Bylaw No. 170 Referral

GL-2016-070

It was MOVED and SECONDED,

that the interests of the Galiano Island Local Trust Committee are unaffected by this bylaw.

CARRIED

10.3 North Pender Island LTC Bylaws No. 203 & 204 Referral

GL-2016-071

It was MOVED and SECONDED,

that the interests of the Galiano Island Local Trust Committee are unaffected by this bylaw.

CARRIED

10.4 GL-TUP-2016.1 (Stettner) - Staff Memo – moved up to 10.4

A/Planner 2 Stockdill summarized the application, as provided in the agenda package. The applicants were in attendance.

Trustee Pottle requested A/Planner 2 Stockdill obtain bylaws from Section Seven Water Works (SSWW). Their bylaws allow for a maximum of 5000 gallons per month. They do not prohibit Short Term Vacation Rentals (STVR's) within their strata.

Trustee Harris wondered whether applicant would install a backup water collection (potable) system in addition to having a covenant, as SSWW is concerned. A/Planner 2 Stockdill noted that the Temporary Use Permit (TUP) that was circulated refers to a 16,000L capacity rainwater collection system.

There was discussion as to how likely the STVR was to exceed 5000 gallons per month. The applicant stated that their annual average would be under that limit. It was noted that water-dry months are the concern and that SSWW are only obliged to approve water use for residents.

A/Planner 2 Stockdill noted that SSWW had the authority, under their bylaws, to charge residents for water use that exceeds monthly limits; the covenant would enable SSWW to turn off water once usage exceeded monthly limits.

LTC were of the view that a covenant is required for this permit application.

10.5 GL-DP-2016.3 (Barber) - Staff Report

The applicant was present. The following points were raised regarding this application for a tree-cutting permit within DPA 3 :

- Options available to LTC if they did not approve the permit application; LTC could approve with conditions, such as mitigation efforts to replant, or have a report;
- Disclosure of bylaws by realtor prior to sale of property had occurred;
- Precedent-setting nature of tree-cutting action;
- Damage to surrounding environs: a lake appears due to loss of trees amounting to 18 cords of wood;
- Reluctance of LTC to approve this Development Permit (DP). If owners had applied for a DP in the first place, a technical expert would have assessed beforehand how best to approach it;
- Importance of sending a message to tree-cutters and community that this cannot be done, and how best to communicate this to community;
- Publishing a public letter of apology in local newspaper;
- Impact on neighbours: wind hazard, increased water flow, lack of privacy, loss of old arbutus;
- Retaining an expert to discuss how much remediation is possible;
- Conditions of permit, which must be tied to guidelines of DPA 3;
- Having staff report on measures to discourage future infractions;
- Attaching DPA 3 guidelines to this specific DP and for future applications;
- Lack of requirement to replant trees within RR zoning

The applicant accepted responsibility and valued the community input. He committed to whatever remediation was needed.

A/Planner 2 Stockdill will prepare a report identifying conditions consistent with the DPA-3 guidelines for the Development Permit.

Chair Grams recessed the regular meeting at 2:02pm for a break. The meeting reconvened at 2:20pm.

10.6 GL-RZ-2016.1 (Wolstenholme) - Staff Report

A/Planner 2 Stockdill provided an overview. As it was post-public hearing, no new information could be provided to the LTC. The applicants were present.

Discussion of the following items took place:

- How to require water catchment without new construction: amending Land Use Bylaws to require a rain-water cistern tied to use; or, through a section 219 covenant;
- The option of having a report done on impacts of proposed inn on quality and quantity of groundwater on surrounding environs

GL- 2016-072

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee require the registration of a covenant under section 219 of the *Land Title Act* from the registered owners of Lot A, District Lot 3 Galiano Island, Cowichan District, Plan 48087 that would require a rainwater collection system with a capacity of 16,000L for the construction of dwelling units on the subject property and the addition of 30,000L additional capacity (each dwelling unit gets 16,000L) as a condition of final bylaw approval.

CARRIED

GL-2016-073

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee give Second Reading to proposed Bylaw No. 259, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2016."

CARRIED

GL-2016-074

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee give Third Reading to proposed Bylaw No. 259, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2016."

CARRIED

GL-2016-075

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee give Second Reading to proposed Bylaw No. 260, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2016."

CARRIED

GL-2016-076

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee give Third Reading to proposed Bylaw No. 260, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2016."

CARRIED

GL-2016-077

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee proposed Bylaw Nos. 259 and 260 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

GL-2016-078

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee proposed Bylaw No. 259 be forwarded to the Minister of Community, Sport and Cultural Development for approval.

CARRIED

A/Planner 2 Stockdill noted the covenant would be a condition of final bylaw approval. After that approval, the LTC could ensure the covenant was registered.

There was further discussion and questions with respect to installing a water meter:

- Was it appropriate to add a meter to the water use of the well?
- Did the LTC wish to regulate the metering and determine appropriate yields?
- What would a 12-person inn consume?
- Once water usage info becomes available is there a mechanism for applying a tank?
- The wording of the s. 219 covenant such that rain-barrel catchment be required.
- Once data is obtained from meter, then how would capacity be determined? Will we need an expert report?
- Number of stressors in the area and the need to plan accordingly;
- Possibility of having a working group examine the area as a pilot project

Chair Grams explained how Salt Spring Island's water protection authority operates and questioned if buildout occurred according to the OCP, would resources be over stressed; and how the OCP could be framed to confine further development of island.

GL-2016-079

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee require a meter to be installed and data provided to the Trust with respect to consumption as a condition of final approval.

CARRIED

10.7 GL-RZ-2016.2 (GL Conservancy DL 57) - Preliminary Staff Report

A/Planner 2 Stockdill summarized the proposal. The applicant was present.

There was discussion of approaching the applicant to have an observation well on the property and this being a community benefit as a condition of approval. The professional engineer doing the groundwater report could also look at having an observation well. The applicant was supportive of the idea to have a test well, noting that a year-round spring is the well.

It was noted that campsites are prohibited in the LUB, but in this case, the Galiano Conservancy Association campsites are an accessory use, educational, with no commercial aspect to them.

Louise Decario noted that p. 14 refers to potable water while the recommendation on page 15 goes beyond.

It was noted that the time to refer an application to the Advisory Planning Committee was once all information was received and draft bylaws approved.

GL-2016-080

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee request staff to proceed with the application GL-RZ-2016.2 (Galiano Conservancy) and to prepare draft bylaws.

CARRIED

GL-2016-081

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee require a Groundwater Assessment Report prepared by a Registered Professional Engineer or Hydrologist for GL-RZ-2016.2 (Galiano Conservancy) to determine if the proposed change of use would have impacts on the quality and quantity on groundwater.

CARRIED

10.8 GL-DP-2016.4 (Swan) - Staff Report

Report was provided as information in the agenda package.

GL-2016-082

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee approve issuance of Development Permit GL-DP-2016.4 (Swan).

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Dock Review - Staff Report

Report was provided as information in the agenda package. It was noted that a decision was not required at this point.

GL-2016-083

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee request staff to draft an online survey to gather input from the community with respect to dock policies and regulations.

CARRIED

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated August 2016
No further discussion.

12.1.2 Projects List Report Dated August 2016
No further discussion.

12.2 Applications Report Dated August 2016 (attached)

A/Planner 2 Stockdill noted several Temporary Use Permit (TUP) requests for Short Term Vacation Rentals (STVR's). Crystal Mountain Society's application is going to legal review. Applicant will address the community benefit and present comments at next Town Hall on October 1, 2016.

12.3 Trustee and Local Expense Report Dated June 2016 (attached)

Provided as information.

12.4 Adopted Policies and Standing Resolutions (attached)

Provided as information.

12.5 Local Trust Committee Webpage

none

12.6 Chair's Report

Chair Grams noted there would be biannual meetings with San Juan councillors. There will be a presentation of Trust Council Chief Information Officer's transition plan should Salt Spring Island chose to incorporate. Considerable community consultation will happen if a referendum triggers that. Incorporation process is nearing conclusion and the roads assessment has been published. A report on liabilities to be assumed by community under incorporation will be forthcoming, probably sometime in September, with a final report in October-November. If the recommendation is to proceed to referendum the Minister would likely approve it before Christmas and the referendum will likely occur in February 2017.

12.7 Trustee Report

Trustee Harris noted Islands Trust is having a visioning session in Sidney in early September to determine its future. Saturday, October 1st is the next LTC meeting and the Galiano Green Public Hearing is September 19th. He has fielded many questions with respect to STVRs.

Trustee Pottle attended an August 25th meeting and heard lots of recommendations as a part of the local planning committee where the top priority is affordable housing. A decision was made to get a legal opinion on liability to Local Trust Committees for holding housing agreements. Density can be identified in different ways.

12.8 Trust Fund Board Report

none

13. NEW BUSINESS

13.1 2017-18 Budget: LTC Project Funding Requests - Staff Memo

GL-2016-084

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee approve and forward the draft 2017-2018 LTC Project Budget Request to the Financial Planning Committee as presented.

CARRIED

13.2 Galiano Island BEN Amendment Bylaw No. 258 - Staff Report

A/Planner 2 Stockdill provided an overview. Enforcement Bylaw Sections 3.12 and 3.13 were originally omitted, but are now included in new Schedule A. She noted outstanding questions around frequency with which one can be penalized and the need to track revisions in future document versions.

GL-2016-085

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee gives First Reading to Draft Bylaw No. 258 cited as Galiano Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 228, 2011 Amendment No. 1, 2016.

CARRIED

GL-2016-086

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee gives Second Reading to Proposed Bylaw No. 258 cited as the Galiano Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 228, 2011 Amendment No. 1, 2016.

CARRIED

GL-2016-087

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee gives Third Reading to Proposed Bylaw No. 258 cited as Galiano Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 228, 2011 Amendment No. 1, 2016.

CARRIED

GL-2016-088

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee refers Proposed Bylaw No. 258 to the Executive Committee for approval.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for October 1, 2016, at the South Community Hall, Galiano Island

14.2 Special Local Trust Committee Meeting to be held September 19, 2016, at 12:30 pm, at the Lion's Hall, Galiano Island

15. TOWN HALL

Janice Oakley provided an update on Crystal Mountain Society's (CMS) application. CMS has been reaching out to neighbours and broader community with respect to: scope of development, number of parking spots, water management, septic system, traffic, what happens if land is sold, emergency access, accessibility to forest trails, and keeping people informed. Report on Community Benefit will be forthcoming. Affordable housing is of interest as is a covenant with Islands Trust Fund; they are investigating fire standpipe and wish to meet provincial standards for metering and watershed protection. It was noted a transfer of land in exchange for density is not part of this proposal.

Debbie Holmes noted the Development Permit was not approved today for tree-cutting. Staff will report on conditions that can be attached to that permit. She hoped this was an education for tree fallers and the community.

Akasha Forest:

- Applauded minute-taking
- Requested access to CRD reports which provide grants for various projects to have the benefit of hearing about them first hand. We have a tourism-development strategy but would like to know how this ties in to sustainability of water use and cumulative effects and questioned if funding to study watershed planning was an option.
- Requested that water use be the next project for the APC once it is in place for telecommunications. Noted a better understanding of each watershed area is important to tie in cumulative uses in applications. Suggested sourcing potential funding to get people working in that direction.

Chair Grams noted that a CRD director attends every Salt Spring Island (SSI) meeting. Dave Howe has a number of islands to attend. The LTC could request a report informing community of progress. He favours having a water APC.

Suzanne Fournier agreed with having a water strategy. She was pleased CMS was consulting with neighbours and noted the importance of having a community meeting where everyone receives same information. She expressed concern about septic issues and would like to see density in exchange for title and a community benefit.

Art Moses supported meaningful consultation and would like to see an open public meeting, perhaps at North End Hall. He would like to see transfer of title as a community benefit and commented on policies on F1 rezoning. F3 option is not an unreasonable option. Recommended the LTC proceed on basis of every other forestry lot and noted concern about fragmentation, sewage, water use.

Janice Oakley noted there have been three public meetings in the last year.

Libby McLelland noted the merits of speaking to individuals.

Trustees were supportive of the CRD director or his alternate attending LTC meetings. They will be on the agenda near the beginning of the meeting and should be prepared to give a report.

Suzanne Fournier, with respect to CMS proposal, queried about residential use, because they plan to have a residential caretaker and rent out huts.

In response to a question A/Planner 2 Stockdill indicated there was no definition of "hut" in the LUB. A caretaker unit is a form of a dwelling. A hut is not.

Louise Decario, with respect to CMS, asked whether they were going to have a neighbourhood community meeting.

Janice Oakley indicated they would have another one.

Akasha Forest requested the LTC ask for a financial report with respect to water management.

There being no further comments, Chair Grams recessed for a closed meeting at 4:21pm.

16. CLOSED MEETING (Distributed Under Separate Cover)

16.1 Motion to Close the Meeting

GL-2016-089

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (a) & (d) for the purpose of considering:
Adoption of In-Camera Meeting Minutes Dated May 2, 2016
Appointment of APC Members
AND that the recorder and staff attend the meeting.

CARRIED

The meeting reconvened at 4:30.

16.2 Recall to Order

16.3 Rise and Report

The resolution to reconvene was read.

17. ADJOURNMENT

By general consent the meeting was adjourned at 4:31 pm.

George Grams, Chair

Certified Correct:

Colleen Doty, Recorder