



ADOPTED

Galiano Island Local Trust Committee

Minutes of Regular Meeting

Date: May 7, 2018
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present: Laura Busheikin, Chair
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Miles Drew, Bylaw Enforcement Manager
Warren Dingman, Bylaw Enforcement Officer
Heather Martin, Recorder

Public Present: There were approximately 18 members of the public in attendance.

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12.30 p.m. She acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

— To move the closed In Camera meeting regarding bylaw enforcement after agenda item 11.1 to accommodate planned bylaw enforcement visits

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Roger Pettit spoke in favour of split zoning, saying it was used coast-to-coast and is sometimes the best solution. In the case of the Stevens application, he said split zoning was the right approach in order to contain the industrial uses to a small section of the property.

He directed a question to the bylaw enforcement officer, asking why the process of enforcement was triggered only by complaints when some violations are clearly visible from the road. Miles Drew replied that the enforcement policy was largely complaint-driven because his department doesn't have unlimited resources, and outlined the specific situations that trigger the enforcement process without a complaint being placed.

Line Marie St. Jacques read a letter in support of the Stevens application and submitted it to RPM Kojima.

Debbie Holmes asked RPM Kojima whether, in the case of split zones in the forest zone where the remainder of the property remains in F1, the F1 portion would require rezoning in order to make any further land use changes. Mr. Kojima confirmed that any changes not allowed in the F1 zone would require rezoning.

Louise Decario said she found the maps for the Stevens application confusing and said the road network plan would have been useful to see.

RPM Kojima replied that all the schedules to the OCP, including the road network plan on schedule C, were on the website in PDF form, which allows zooming in and out; producing maps for printing is a more expensive undertaking that limits to what staff can do. He recommended the use of the online tool road MapIT.

Art Moses asked to have on the record that, in his view, the planner made a false analogy at the last LTC meeting when, in reply to his question about split zones, he mentioned that the rezoning of DL 57 by the conservancy also involved a split zone. Mr. Moses argued that the agricultural area in DL 57 does not constitute a split zone.

RPM Kojima replied that they would have to agree to disagree on that point.

Roger Pettit stated that a split zone is a split zone; two zones on one parcel indicate a split zone.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated April 9, 2018 (for Adoption)

The following amendments to the minutes were presented for consideration:

- Removing the third sentence in Bowie Keefer’s statement at the second town hall, p.12 of the agenda package. His statement will now end with “the importance of an alternate route for emergencies.”
- Removing the reference to the Affordable Housing strategy in the Top Priorities Report on p.8 of the agenda package.

By general consent the minutes of the Local Trust Committee meeting of April 9, 2018 were adopted as amended.

6.2 Section 26 Resolutions Without Meeting Report

None

6.3 Advisory Planning Commission Minutes Dated March 12, 26 & April 3, 5, 2018

The GILTC received the APC minutes.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated April 2018

Information received as presented.

8. DELEGATIONS

None

9. CORRESPONDENCE

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

None

10. APPLICATIONS AND REFERRALS

10.1 GL-RZ-2017.1 (Stevens) - Staff Report

RPM Kojima presented the staff report and said a draft covenant would be presented at the next LTC meeting for consideration. Trustees asked the following questions:

Trustee Harris asked and got confirmation that we are now waiting for MoTI to comment on the new road alignment and that the new covenant is being prepared.

Trustee Pottle asked if the GILTC would have to look at amending Schedule C in light of the new road alignment. RPM Kojima said he didn't think so; the wording in the OCP allows the GILTC some flexibility.

There was some discussion about the map in the agenda package, and it was clarified that a new, more current map had been prepared by Mr. Stevens and emailed to staff and trustees on May 2. The new map shows that the new road dedication will now stay on DL 37. It was agreed this was an improvement.

Chair Busheikin asked for and received clarification about the covenant being prepared.

10.1.1 Galiano Island Advisory Planning Commission Response to Bylaws 265 & 266

The APC's referral report on the Stevens application was studied and discussed in detail. It was agreed that APC had done a very thorough job, and that the report reflected that the Commission represented a cross-section of the community.

As part of this, there was discussion about development permit areas and emergency evacuation routes through the property.

GL-2018-029

It was moved and seconded that the Galiano Island Local Trust Committee request staff to bring forward proposed wording to respond to APC recommendation number 5, with a brief analysis of pros and cons.

CARRIED

The meeting adjourned for a brief recess at 2:00 p.m., and was called back to order at 2:16 p.m.

The discussion returned to the APC report, and a general review continued. RPM Kojima agreed to provide options on recommendation number 6.

10.2 Salt Spring Island Local Trust Committee Bylaws No. 498 & 499 Referral

GL-2018-030

It was moved and seconded that the Galiano Island Local Trust Committee's interests are not affected by Salt Spring Island Local Trust Committee Bylaws No. 498 & 499.

CARRIED

By general consent it was agreed to move items 11 and 16 to the end of meeting, and proceed to reports.

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated April 2018

On the dock review, it was reported the Penelakut are preparing to designate a representative to work with a small contract to advance the project.

On the Affordable Housing review, APC Chair Sheila Anderson reported that the referral report is well underway. The APC is still waiting for the CRD Housing Needs Assessment report, but will be meeting twice more in May to complete the work and prepare the report. Chair Busheikin reported on new provincial legislation currently being introduced that will require all municipalities to have

a housing needs assessment prepared, so we will be ready. Once the legislation is created, funding for affordable/rental housing may become available.

Stephen Rybak asked that the Top Priorities report be amended to show that the Telecommunications Strategy project will not end December 2017, and expressed the hope it might still be viable. Trustee Harris said the Local Planning Committee has received the report, and RPM Kojima reported it has been referred to the June Trust Council meeting. The Trust Council could endorse an island-wide policy Telecommunications Strategy in mid-June. After that it will come back to the local trust committee. The next step would be to compare the report prepared by Trust consultants with that created by Galiano's Special APC, and to identify any aspects of the former that the Special APC may want to incorporate into its report.

12.1.2 Projects List Report Dated April 2018

Received as presented.

12.2 Applications Report Dated April 2018

It was reported that the Crystal Mountain Society is consulting with a surveyor, and the next step will be to direct their surveyor to prepare a survey plan. RPM Kojima said they are coming back with relatively minor changes, but the big change is that the Trust Fund Board is willing to take on the property. The society plan to come back to the Galiano Island Local Trust Committee with any changes they've made to the application.

12.3 Trustee and Local Expense Report Dated February 2018

Information received as presented.

12.4 Adopted Policies and Standing Resolutions

It was noted item 7, on the moratorium on TUPs for STVRs, will be looked at in conjunction with the bylaw enforcement report later in the meeting.

12.5 Local Trust Committee Webpage

None

12.6 Chair's Report

Chair Busheikin reported attending the Association of Vancouver Island Coast Communities' annual convention in Victoria, where the Minister of Municipal Affairs and Housing talked about several issues, notably housing. It was agreed more study is to be done on the effect of geoduck aquaculture before any more further development is allowed as per Trust advocacy on the subject. She is getting ready for Trust Council in June.

12.7 Trustee Report

Trustee Harris reported that:

- The Chair of the Trust alerted us that the medical services fee we have been paying is being scrapped, but the money will now come from property taxes, so it seems all municipalities will be dealing with a significant property tax increase.
- The Gulf Islands have been excluded from the empty house tax.
- Galiano Green may be moving forward soon, despite an unexpected delay while an issue with the Agricultural Land Commission is resolved.
- A new affordable housing rental proposal for the Heritage Forest Land has the potential to move ahead quickly. For the first time in 20 years there are Federal, Provincial and Municipal moneys being set aside for affordable rental housing, so shovel-ready projects will be first to receive the money.
- The recent crisis with B.C. Ferries service, and the fact we were given only 24-hours notice of a visit from the CEO of the corporation, seem due to inadequate communications and decision-making by B.C. Ferries.
- B.C. Ferries has issues with the Queen of Cumberland that appear to be more of a Transport Canada safety concern. Businesses and islanders in general have been severely affected by the situation.

Trustee Pottle said her understanding is that the Galiano Green community has its covenant with the Agricultural Land Commission, but that the Executive Committee may be considering an appeal of that decision citing new information. She also reported on land in the middle of the Gossip island in the Nature Protection zone, which is now Crown Land. She reported on promising discussions on the affordable housing project for the Heritage Forest, and on discussions with Montague residents who are concerned about a number of derelict and live-aboard vessels.

12.8 Trust Fund Board Report Dated April 2018

Chair Busheikin said the big news is that legislation has been prepared for the Trust Fund Board to change its name after 15 years of lobbying. Replying to a question from Trustee Pottle on the Dragonfly proposal which was rejected, Chair Busheikin said it was a difficult decision, but the area was very small and in the middle of an affordable housing project, so it was decided it would be too difficult to manage.

13. NEW BUSINESS

13.1 Annual Report LTC Endorsement - Staff Report

GL-2018-030

It was moved and seconded that the Galiano Island Local Trust Committee approves the attached text for inclusion in the 2017-2018 Annual Report, for

approval by the Trust Council and submission to the Minister of Municipal Affairs and Housing.

CARRIED

13.2 Approval Process for Community Water Systems on Salt Spring Island - Staff Memo and Attachment

Chair Busheikin noted this was distributed widely because it was decided it was a great report and really important for everyone to read.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for June 11, 2018, at the South Community Hall, Galiano Island

Trustee Harris asked for clarification on whether our last meeting before the election would take place in October. RPM Kojima replied that it could be in November if necessary, while noting elections are being held one month earlier this time than last.

15. TOWN HALL

Stephen Rybak requested that large maps be provided next time the Stevens application is on the agenda, so that everyone can be “on the same page”.

Kiyo Okuda spoke against the Stevens application, and said he was against split zoning because it was in essence a defacto subdivision. He also spoke to the issue of east side access and the necessity of such an access for emergencies, and suggested the Stevens application should be tied to making them responsible for the maintenance and service of that corridor.

Sheila Anderson also spoke on the issue of the east side road and the idea of providing emergency access routes. She said the road would not have to meet MoTI standards to be effective as an emergency route, noting that Bluff Road, which is a substandard road, was used very recently for the emergency rerouting of traffic for two days.

Akasha Forest said the APC did not have enough clear information about what it could comment on with the Stevens application, particularly where it pertained to water protection issues. She mentioned concerns with the internal haul road going very close to a development permit area and to wetlands, the shallow aquifers on Gustin Road, and the use of products to reduce dust that could affect the aquifers. She asked that in future the APC be provided with the highest quality information possible, including best mapping.

Debbie Holmes said establishing a roadway was critical to the development of any forest lot applications. She said the recommendations made in the APC report on the Stevens proposal were very important, and said the covenant would support what the community has been working on for decades.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Bylaw Enforcement Report re. Short Term Vacation Rentals - Staff Report

Warren Dingman presented and spoke to the bylaw enforcement Memorandum. He noted the number of short-term vacation rentals online when enforcement was started, and said he has not noticed a rise in those numbers. At the moment, seven unlawful sites are in various stages of enforcement, while up to twelve Air BnB's may also be unlawful. Bylaw enforcement does not receive many complaints about specific STVRs, only general complaints about the fact they exist.

Trustee Harris asked if he was able to put together a density map showing where STVRs are most prevalent. Miles Drew said that would be difficult to produce.

Responding to Trustee Harris's question about moving forward, Mr. Dingman said the resolution putting a moratorium on TUPs was problematic and that continuing to allow TUPs allows operators to make a case, whether or not their application is accepted.

RPM Kojima noted that allowing TUPs for STVRs has not created a proliferation of new applications; most of the ones being processed are long-time operators wanting to come into compliance, and said it appears to be a steady rather than a growing industry.

Responding to a question about the cost of the enforcement operation, Mr. Dingman said they spend eight to ten hours a month on people who are not making applications, which is a significant reduction of hours; what would cause more work is stopping and then restarting the issuance of TUPs.

Chair Busheikin said it seemed bylaw enforcement was asking the GILTC to rescind its standing resolution or make a motion to remove it. Discussion ensued among trustees. It was decided to defer this discussion to the June GILTC meeting, because the APC report on Affordable Housing, which touches on this issue, may be ready in June.

The meeting was closed to go in Camera at 3:50 p.m.

16. CLOSED MEETING (Distributed Under Separate Cover)

*It was **moved** and **seconded** that the meeting be closed in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (d, f & i) for the purpose of considering:*

- *Adoption of In-Camera Minutes dated April 9, 2018*
- *Legal Advice*
- *Bylaw Enforcement Issues*

CARRIED

16.1 Recall to Order

The meeting was recalled to order at 4:45 p.m.

16.2 Rise and Report

Chair Busheikin rose and reported that the trustees adopted minutes, received legal advice and discussed bylaw enforcement.

17. ADJOURNMENT

By general consent the meeting was adjourned at 4:46 p.m.

Laura Busheikin, Chair

Certified Correct:

Heather C. Martin, Recorder