

ADOPTED

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON MONDAY, FEBRUARY 3, 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
	Robert Kojima	Regional Planning Manager
	Kris Nichols	Island Planner
	Kate Emmings	Ecosystem Protection Specialist
	David Millership	Recording Secretary

There were approximately eighteen (18) 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.

Chair Hancock requested that members of the public state their name prior to making a comment.

2. APPROVAL OF THE AGENDA

Chair Hancock asked for any additions or changes to the agenda; no amendments were made.

The agenda was Approved by consent.

There was some discussion regarding Islands Trust participation in the National Energy Board (NEB) hearing process relating to Kinder Morgan.

Chair Hancock stated that the Executive Committee (EC) would be meeting soon to discuss Kinder Morgan NEB hearing process participation and that intervener and/or reading a statement for the record are action(s) being considered. He stated that a vote on how best to participate would be held by Trust Council (TC).

2.1 Questions on Agenda Items

None

2.2 Town Hall Session

Chair Hancock invited the public to make comment.

Sandy Moodie stated concern regarding Proposed Bylaw No. 241. He commented that not permitting the sale of lumber would hurt the local economy and that the required 10 metre (m) setback for sawmills is too restrictive. He asked the Local Trust Committee (LTC) why they removed wording related to contractor yards.

Trustee Pottle responded and there was some discussion regarding the following: this being a complicated issue; the wording related to contractor yards not satisfying anyone; Advisory Planning Commission (APC) comments; Dave Gerlach comments; consideration of Temporary Use Permits (TUPs) and neighbour concerns; compliance not enforcement being an objective of the LTC; and following up with a review of Light Industrial (LI) zoning.

Trustee Decario responded and there was some discussion regarding the following: the need for island contractors; APC comments; the issue of scale and the LTC being concerned with the point at which a contractor would be considered too big for their lot and/or neighbourhood; and following up with a review of Light Industrial (LI) zoning.

Dave Gerlach stated concern regarding future LTC decisions that might require him to rezone his property to LI and specifically relating to tax implications, zoning processes and the overall need for LI properties on Galiano. He stated support for removing limits on outside storage within home occupation section guidelines.

Michael Sharp stated concern regarding the average age of a Galiano resident being 59 years and commented that the LTC should encourage business opportunities for young people via land use regulations. He stated that imposing strict zoning regulations (i.e.: Woodstone Residence, Film School etc.) discourages start-up businesses.

There was some discussion regarding TUPs and their six-year limit(s).

Sam Maberley stated concern regarding future LTC decisions that might require him to rezone his property and asked what the definition of light industrial versus heavy industrial is. He commented that he is a farmer that relies on tractors and other kinds of equipment and that he uses his equipment to service his and other people's needs.

Regional Planning Manager (RPM) Kojima responded that Proposed Bylaw No. 241 is not about LI zoning or contractor yards, but temporary sawmilling. He stated that LTC discussions were originally centered on defining contractor yards within home occupation section wording but such was retracted when more complicated issues were identified.

Doug Latta stated support for affordable housing and provided an update regarding Galiano Land and Community Housing Trust (GLCHT). He stated support for swift process relating to GLCHT and their rezoning application. He commented that GLCHT is funded by community raised funds and generosity not "investors".

There was some discussion regarding the LTC needing to receive a final report from GLCHT before process can continue.

Andrew Loveridge stated support for limiting tanker traffic throughout Gulf Island(s) waters. He stated concern with Kinder Morgan and stated support for the Executive Committee (EC) to take intervener action relating to National Energy Board (NEB) hearing process participation.

Chair Hancock responded that the EC is working to estimate the cost(s) involved in taking intervener action and that such cost(s) will need to be considered alongside available budget. He also mentioned that the EC is working in broad-format regarding oil spill preparedness and that the provincial government representative seems very open to addressing the current lack of preparedness.

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

3. COMMUNITY INFORMATION MEETING

3.1 Galiano Island Local Trust Committee Bylaw No. 241

See separate Community Information Meeting (CIM) notes dated February 3, 2014.

4. PUBLIC HEARING

4.1 Galiano Island Local Trust Committee Bylaw No. 241

See separate Public Hearing (PH) record dated February 3, 2014.

Note: there was a break at 1:55 p.m. and the meeting reconvened at 2:15 p.m.

The LTC agreed by consent to address item 10.3 prior to item 5.

10.3 Eelgrass Mapping – Memo

Chair Hancock introduced Kate Emmings, Islands Trust Fund Ecosystem Protection Specialist and she provided information from Memorandum dated January 22, 2014 Re: Islands Trust/Islands Trust Fund Eelgrass Mapping.

Ms. Emmings presented key findings, recommendations and mapping specific to eelgrass in the Galiano Island Local Trust Area.

Below is a summary of her presentation.

- Eelgrass Mapping relating to Galiano was completed in December 2013 by SeaChange Marine Conservation Society under contract with the Islands Trust.

- Approximately 16.7% of Galiano's shoreline has eelgrass presence and approximately 20% of Galiano's associated islands shorelines have eelgrass presence. Parker Island and Gossip Island were noted to have extensive eelgrass beds in sections of their shorelines while no eelgrass was observed around Sphinx Island, the Ballingall Islets, Wise Island, Julia Island, Charles Island and Lion Islet.
- Eelgrass prefers shorelines that aren't rocky and it is a critical nearshore habitat for birds, mammals, invertebrates and commercial and non-commercial fish. Eelgrass acts as a sort of nursery for many species of fish, with 80% of commercial fish living in eelgrass areas at some point during their lifespan(s).
- Eelgrass beds are an important carbon sink.
- Contaminants, shading from docks, overwater structures, increased sedimentation, marine traffic, and developmental pressures from shoreline land use threaten eelgrass ecosystems and the species that eelgrass support.
- Education, working with partner groups, and maintaining regulatory best practices are key to eelgrass survival.

Chair Hancock invited the Trustees and public to ask questions and/or make comment.

Doug Latta asked if eelgrass restoration is possible.

Ms. Emmings responded that two areas on Galiano were identified for eelgrass restoration. She stated that restoration is possible but that eelgrass is difficult to get established. She commented that establishment techniques such as weighing down plants with washers and/or transplanting nearby plants provide the best chances for restoration success.

A member of the public stated support for Islands Trust/Islands Trust Fund Eelgrass Mapping information being used to advocate oil spill mitigation and oppose Kinder Morgan.

Ms. Emmings responded that project information is being shared with partners in order to raise awareness but that specific advocacy is being addressed by the Executive Committee via Trust Council.

Trustee Pottle asked if eelgrass on the east side of Galiano is affected by the Fraser River.

Ms. Emmings responded that there wasn't baseline data to compare current data to but that such information might now be possible to obtain via study in the future.

Chair Hancock stated the importance of eelgrass as a carbon sink and that the relationship between the upland and foreshore is critical to eelgrass.

There being no further questions and/or comments from the Trustees and/or public, Chair Hancock thanked Ms. Emmings for her presentation.

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes for Adoption

5.1.1 Galiano Island Local Trust Committee Meeting Minutes of December 9, 2013

Amendments:

- Page 8, item 10.1, end of second paragraph – replace “fs” with “facts”.

The Minutes of December 9, 2013 Local Trust Committee Meeting were Adopted as amended by consent.

5.2 Public Hearing Record and Community Information Meeting

None

5.3 Section 26 Resolutions without Meeting

RWM Report dated January 2014 provided for information.

5.4 Advisory Planning Commission

5.4.1 Galiano APC Adopted Meeting Minutes of October 3, 2013 and January 14, 2014

Received for information.

5.4.2 Galiano APC Draft Minutes of January 21, 2014

Received for information.

6. BUSINESS ARISING FROM THE REPORT

6.1 Follow-up Action Report

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

Specific to item No. 7 Activity – Planner Nichols will replace “RMW” with “RWM”.

7. DELEGATIONS

None

8. CORRESPONDENCE

None

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 Salt Spring Island Local Trust Committee Bylaw Referrals re Bylaws 472, 474 (OCP) and 475 (LUB)

GL-2014-001

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee considered Salt Spring Island Local Trust Committee Proposed Bylaw No. 472 cited as “Salt Spring Island Land Use Bylaw, 1999,” and Proposed Bylaw No. 474 cited as “Salt Spring Island Official Community Plan Bylaw No. 434, 2008,” and Proposed Bylaw No. 475 cited as “Salt Spring Island Land Use Bylaw, 1999” and decided Interests Unaffected by Bylaws.

CARRIED

9.2 Mayne Island Local Trust Committee Bylaw Referrals re Bylaws 159 (OCP) and 160 (LUB)

GL-2014-002

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee considered Mayne Island Local Trust Committee proposed Bylaw No. 159 cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2013.” (OCP) and Bylaw No. 160 cited as “Mayne Island Land Use Bylaw No 146, 2008” and decided Interests Unaffected by Bylaws.

CARRIED

9.3 Galiano Island Local Trust Committee Bylaw No. 241 – Post Public Hearing Memo

Planner Nichols provided information from Memorandum dated January 7, 2014 (File No.: GL-6500-20 (LUB Review)) Re: Proposed Bylaw No. 241 (LUB) – Post Public Hearing, and 3rd Reading.

There was some discussion regarding the following: comments made by the public; 10m setback; moving timber from one lot to another; bylaw enforcement; being courteous to neighbours; commercial sale of lumber; Temporary Use Permits (TUPs); home occupation; Saturday sawmilling; and possible amendments to Proposed Bylaw No. 241.

Regional Planning Manager Kojima stated that Proposed Bylaw No. 241, as written right now, is objective and enforceable. He stated that permitting even a limited amount of commercial activity might end up encouraging it, which is not intended.

Chair Hancock stated that it is difficult to make a bylaw that addresses all scenarios.

GL-2014-003

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee amends Proposed Bylaw No. 241 cited as "Galiano Island Land Use Bylaw No. 127, 1999" section 1 c) by replacing the word "weekends" with the word "Sundays" and by adding the words "and Saturdays from May 1 to September 30" after the words "statutory holidays".

CARRIED

GL-2014-004

It was MOVED and SECONDED,

That Galiano Island Local Trust Committee Proposed Bylaw No. 241, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2013" as amended be given Third Reading.

CARRIED

GL-2014-005

It was MOVED and SECONDED,

That Galiano Island Local Trust Committee Proposed Bylaw No. 241, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2013" be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

9.4 GL-DVP-2013.3 (Williams) – Memo

Planner Nichols provided information from Memorandum dated January 24, 2014 (File No.: GL-DVP-2013.3 (Williams)) Re: Requirement of Second Survey to Determine Natural Boundary of the Sea.

GL-2014-006

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee rescinds their December 9, 2013 resolution recommending that staff obtain a second survey to determine the natural boundary of the sea as it pertains to GL-DVP-2013.3 (Williams).

CARRIED

There was some discussion regarding application reconsideration timing.

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Groundwater Report

Planner Nichols provided information from Staff Report dated January 21, 2014 (File No.: 6500-20-Groundwater Protection DPA Policy Review) Re: Groundwater Protection DPA Policy Review.

There was some discussion regarding the following: staff recommendations; low, moderate, and high areas; Waterline Resources Inc. Report; and Development Permit Area (DPA) process.

Regional Planning Manager Kojima stated that the purpose is to improve the current DPA situation within the 140m definition but not the 50m definition and then maybe expand scope in the future.

GL-2014-007

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee directs staff to proceed to revise existing Development Permit Area (DPA 4) based on a combination of the recommendations of Waterline Resources Inc. and work conducted in the Local Planning Committee draft document on groundwater protection with the overall intent to improve the existing groundwater Development Permit Area.

CARRIED

GL-2014-008

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee directs staff to draft a Project Charter.

CARRIED

10.2 Short Term Vacation Rental (STVR) – Memo

Planner Nichols provided information from Memorandum dated January 21, 2014 (File No.: 6500-20-Short Term Vacation Rental Review) Re: Update Report on Short Term Vacation Rental (STVR) Project.

Planner Nichols stated that 158 survey responses had been received so far.

There was some discussion regarding Survey Monkey servers and Internet Protocol (IP) addresses.

Chair Hancock thanked Island Planner Nichols and Planner 1 Farris for their hard work.

10.3 Eelgrass Mapping – Memo

As amended, this item was addressed prior to item 5.

11. REPORTS

11.1 Work Program Reports

Planner Nichols provided information from Work Program Report dated January 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.

There was some discussion regarding the following: contractor yards; home occupation; zoning; docks; rezoning; process; home base and other islands home occupation regulations.

GL-2014-009

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee directs staff to amend the Work Program Top Priorities list by moving Top Priority item No. 3 (Dock Review) to the Work Program Projects list and adding a new Top Priority item No. 3 called "Contractors Home Base".

CARRIED

11.2 Applications Reports

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

There was some discussion regarding the following: GL-SUB-2007.1 (Zizzy/Brown); a Landworks Consultants summary report; minimization of park roads in Nature Protection (NP) zones; lot dedication and the community benefit process; standing policies; and Parker Island.

Chair Hancock suggested with regards to community benefit and lot creation that once a lot is created, then lot title be immediately transferred to the designated group/organization.

Regional Planning Manager Kojima stated that community benefit process needs to be approached consistently and that the LTC could do so on a case-by-case basis or via a standing policy.

11.3 Expense/Budget Reports

Expense/Budget Reports dated January 2014 provided for information.

11.4 Bylaw Enforcement

None

11.5 Policies and Standing Resolutions Report

11.5.1 Policies and Standing Resolutions Report

Provided for information.

11.5.2 Bylaw Enforcement and Planning Applications – Memo

Regional Planning Manager Kojima provided information from Memorandum dated January 20, 2014 (File No.: 3040-06) Re: Policies and Standing Resolutions – Bylaw enforcement and planning applications.

There was some discussion regarding the following: bylaw enforcement policy; complex enforcement files; LTC briefings prior to application(s) consideration; process and timing; and the LTC being able to request more information from bylaw enforcement and/or planning staff at any time.

GL-2014-010

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee adopts the following policy: On properties where there is an open bylaw enforcement file, planning staff should refer planning applications to the Bylaw Enforcement Manager for comment where one or more of the following circumstances exist: 1. There have been significant delays or longer than typical timelines in the enforcement process 2. The LTC is considering on-going, relevant policy or regulatory changes that could impact enforcement 3. Litigation has been recommended 4. Legal counsel has been involved (beyond providing a basic interpretation) 5. There has been enforcement action beyond seeking voluntary compliance (e.g. a BEN warning or ticket, adjudication, a compliance agreement negotiated, etc.) 6. There has been, or is an expectation of, joint enforcement with other jurisdictions 7. There is potential for impact on other related enforcement files.

CARRIED

GL-2014-011

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee rescinds the following policies or standing resolutions: 1. GL-LTC-118-04 (Policy 1 - Road Network Plan) 2. GL-LTC-130-04 (Policy 2 - Forest 1 and 3 Lots) 3. GL-LTC-137-04 (Policy 3 – F3 Covenant) 4. Policy 4 (F3 Covenant) 5. Policy 5 (Subdivision Applications)

CARRIED

GL-2014-012

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee deletes policy GL-LTC-85-09 (Policy 6 - Parks Commission referral) and replace it with the following: "That staff refer all applications adjacent to a park or ocean access to the Galiano Island Parks and Recreation Commission for comment."

CARRIED

11.6 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.

11.7 Chair's Report

Chair Hancock stated that the Executive Committee (EC) is reviewing requests for decision from Trust Council (TC) on how it may participate in the Kinder Morgan National Energy Board hearing process. He stated that the EC is preparing for March Trust Council on Hornby Island, where the 2014-2015 Islands Trust budget will be adopted.

11.8 Trustee Report

Trustee Decario stated that she attended a Financial Planning Committee (FPC) meeting last week and would be attending another one later this month. She stated that she would also be attending a Local Planning Committee (LPC) meeting in preparation for March TC on Hornby Island.

Trustee Pottle stated that she has been attending to regular business and talking to many people regarding STVRs as well as Contractors Home Base. She stated that she attended a Gulf Islands Alliance (GIA) presentation regarding Kinder Morgan, and that she would be attending March TC on Hornby Island.

12. OTHER BUSINESS

12.1 Upcoming Meetings

The next Business Meeting of the Galiano Island Local Trust Committee will be held on March 3, 2014 at 12:30 p.m., at the South Community Hall, Galiano Island.

The meeting is scheduled as stated.

The next Community Information Meeting of the Galiano Island Local Trust Committee re: Short Term Vacation Rentals (STVRs) will be held on March 8, 2014 at 1:00 p.m., at the Lion's Park Hall, Galiano Island.

The meeting is scheduled as stated.

12.2 Community Benefit re Rezoning of Forestry Property

There was some discussion regarding the following: previous discussion(s) under item 11.2; expansion of eligible groups/organizations beyond the current two affordable housing groups; monies attained via community benefit being equally divided between all eligible groups/organizations; current Official Community Plan (OCP) policy 1.6 (c) wording and possible amendments; general policies; recognized conservancies; applicant(s) choosing from a list of eligible groups/organizations; lot title being transferred at time of lot creation to applicant chosen eligible group/organization; process; legality; potential for applicant(s) to not choose an affordable housing group/organization for community benefit; applicant(s) role in making proposed community benefit(s) attractive to the community; LTC choosing group/organization for community benefit being problematic; Landworks Consultants application(s) process; and possible ongoing costs for different groups/organizations.

There was some discussion regarding options for moving forward and the LTC decided to continue discussion(s) in the future.

12.3 Islands Trust News Release re Dewinetz Proposal

Provided for information.

13. TOWN HALL MEETING

Chair Hancock invited the public to make comment; no comments were made and he closed the Town Hall meeting.

14. MOTION TO CLOSE MEETING

GL-2014-013

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 consideration to adopt November 18, 2013 Galiano LTC In Camera Minutes and to receive updated information regarding a Bylaw Enforcement issue; and further that staff and Recording Secretary remain present.

CARRIED

Note: the public was asked to adjourn at 5:10 p.m.

See separate In Camera Meeting minutes dated February 3, 2014.

Note: the public reconvened at 5:15 p.m.

15. RECALL TO ORDER

Chair Hancock reported the adoption of November 18, 2013 Local Trust Committee In Camera Meeting minutes.

16. ADJOURNMENT

GL-2014-014

It was MOVED and SECONDED,

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

CARRIED

RECORDER

CHAIR