

Adopted



Galiano Island Local Trust Committee Minutes of Special Meeting

Date: November 23, 2019
Location: Lions Park Society
992 Burrill Road, Galiano Island, BC

Members Present: Dan Rogers, Chair, Island Trustee
Tahirih Rockafella, Island Trustee
Jane Wolverton, Island Trustee

Staff Present: Brad Smith, Island Planner
Robert Kojima, Island Planner
Carly Bilney, Recorder

Public: There were approximately (50) members of the public.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 12:07 p.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations, particularly the Penelakut. Chair Rogers made introductions and outlined the parameters and agenda of the meeting.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. COMMUNITY INFORMATION MEETING

3.1 Bylaws No. 265 & 266 re: GL-RZ-2017.1 (Stevens)

Regional Planning Manager (RPM) Kojima provided background on Bylaws No. 265 and 266 re GL-RZ-2017.1 and associated documents and described the proposed changes. He noted there will be opportunity for community members to voice their views at a public hearing scheduled for December 9, 2019.

The public was then given approximately 20 minutes to view the maps provided. Chair Rogers invited brief questions from members of the public.

(Note: "Q" is questions/comments and "A" means answers/comments.)

Q: What is causing the delay in the current application?

A: The current Local Trust Committee (LTC) has made changes to the bylaws that are now going through the public hearing process.

Q: What would be the implications of what is currently registered compared to what is proposed?

A: If the application went ahead the future highway would connect at the east side road. The connection would be on the property instead of beyond the property.

Q: Why is the Ministry of Transportation and Infrastructure (MOTI) changing its approach when it originally approved the Road Network Plan (RNP) that has been accepted by the community? Why is this the decision of MOTI and not of the LTC, as part of the RNP? Will the applicant build the new road that has been proposed for emergency access?

A: Two statutory right of ways are currently open. The emergency road that is there is currently being used and another road is not needed at this time.

Q: Why is the east side road not the emergency access route if it is a good enough road to be used currently by the applicant?

A: The road crosses an active gravel pit and the LTC decided it would be more reasonable to construct a road along a small portion of the property line rather than through the middle of a work yard. Comments were made in support of the amended route and having gravel sourced on Galiano.

Q: How can the LTC proceed with an amendment to create an additional highway route without amending the RNP and without thorough investigation and disclosure to the community? How can a bylaw be invoked when it is in conflict with the OCP?

A: The OCP is meant to be a guiding document. Decision makers look to the OCP for guidance and policies are meant to guide decisions rather than prescribe regulation.

Q: Why was it noted by MOTI in a 2018 staff report that a segment of the property would be dedicated and open to the public when the more important route comes from the east side road?

A: MOTI is not in the business of opening and maintaining highways it does not need, but will only take what is required.

Q: Why did the LTC not commit to the east side road as an emergency route in keeping with the RNP? Why was there not a community information meeting regarding the change?

A: The road is overgrown. The CRD right-of-way is very well done with a culvert in place. There was lots of discussion on the issue. The RNP provides guidance for future land-use decisions.

Q: Is there a forest plan with this application?

A: No, there is no forest plan with the application. This is a rezoning of a forest property to allow for a house. The application would result in a portion of the lot being rezoned to Forest Industrial, which is a unique zone created for the applicant.

Q: What is meant by a community amenity and what is its value? What are the guidelines in place to define a community amenity?

A: The Galiano OCP does not have specific policies or guidance for defining a community amenity.

Q: Comments were made concerning the lack of emergency access to the south end of the island for residents living north of Gustin Road. Will these easements be put into place immediately?

A: There is a statutory right of way currently in place for emergency access on all three pathways (dotted lines on the maps provided). The current emergency access route is represented as a black dotted line on the map that runs from the east side road, which crosses the creek through the quarry.

Q: Will an emergency road be available and immediately accessible to the community?

A: It will be available to the public under the guidance of emergency service providers, such as the fire department. Two routes have been registered with the CRD for emergency access. The CRD will hold liability for the road that is opened on the two emergency accesses on the application. The LTC hopes to have fire and emergency officials identify routes that are currently passable, though there is an issue of liability for private property owners.

Q: Given the definition of subdivision as provided in the Galiano OCP, how would the split zoning proposed in the application not change the number, shape, size or arrangement of the lot? Do not the provisions of the application require subdivision and not split zoning?

A: The covenant that is currently registered has a clause that does not allow for subdivisions.

Q: Is there data related to the amount of commercial truck traffic that will be generated in the future from the new zoning and how much is generated now? Has the LTC considered how trucks access the property? Comments were made regarding the greenhouse gas emissions that will increase with additional traffic and a need to determine a baseline of information.

A: The previous and current LTC discussed the impact of truck traffic and considered zoning bylaws and covenants that include hours of operation. Zoning was crafted in a way that permits only the uses that are currently occurring. The LTC noted the concern and will take it into consideration.

Q: What right do neighbouring property owners have to use the right of way for access?

A: Neighbouring properties would have to go through the rezoning process and show that they have access for easement. The statutory right of way would be registered in perpetuity whereas the covenant is registered for 50 years.

Q: Who will pay for the maintenance of the industrial roads?

A: The owner has agreed that the roads will be kept in a working condition. They will be inspected annually by the fire department.

A break was held between 2:10 p.m. and 2:36 p.m.

4. SHORT TERM VACATION RENTALS - OPEN HOUSE

Chair Rogers welcomed the audience back and introduced Island Planner Brad Smith. Approximately 40 people were in attendance.

4.1 Short-Term Vacation Rentals

4.1.1 Presentation

Planner Smith presented a report on Short-Term Vacation Rentals (STVR) and explained what has been done on Galiano to date. He noted this meeting is the first step to gauging community sentiment on the issue.

4.1.2 Town Hall

Chair Rogers invited questions and comments from the community. Members of the public made the following points:

- The income generated by short-term rentals is important income that is often the only way to pay mortgages;
- Galiano is a tourist-driven economy;
- STVRs bring visitors who spend money locally;
- The ferries could cut back sailings if there are not enough visitors to the island;
- STVRs create employment for locals who help run them;
- Support for regulations that limit water use;
- The community can feel outnumbered by guests;
- Concern regarding the impact of tourism on the environment;
- There is a lack of housing available on Galiano;
- People have left the island because they were unable to find long-term housing;
- The housing shortage on Galiano is not related to the number of STVRs;
- Some STVR operators noted they would not rent their housing long term if they were not allowed to rent on a short-term basis;
- The TUP process is an imperfect tool that takes up a great deal of LTC time;
- Some rules regarding STVRs are acceptable, but they should be simple and inexpensive to administer; and
- Some dwellings used for STVRs are not suitable for year-round use.

Members of the public proposed the following suggestions for the LTC:

- Collect water use data and encourage rain water catchment and storage;
- Pursue business licensing for STVRs, in coordination with the CRD, as an alternative to the TUP process;
- Deal with problematic rentals on a case-by-case basis;
- Use incentives to encourage homeowners to rent a portion of their home for long-term use;
- Create safety standards that must be met by STVR operators;

- Address the housing shortage by allowing tiny homes or multiple smaller dwellings rather than restricting STVRs; and
- Consider the evolving demographics of the island and how housing needs may change in the future.

4.1.3 Open House

During discussion the additional points were made by the LTC:

- Proactive enforcement of STVR rules has resulted in a few more files being opened on Galiano by the three bylaw enforcement officers who operate in the Trust area;
- There is a moratorium on new TUPs until the project is complete, but TUP renewals are permitted;
- The STVR review process is in the early stages and the LTC has not decided whether there should be more or less regulation;
- The Trust recognizes there are water issues and has hired a freshwater specialist on staff who should provide data the LTC can draw upon;
- The TUP approach seems to be creating more controversy than the home owner occupation rules; and
- The LTC often receives comments suggesting the number of STVRs on Galiano has contributed to the island's housing shortage.

5. **ADJOURNMENT**

By general consent the meeting was adjourned at 4:16 p.m.

Dan Rogers, Chair

Certified Correct:

Carly Bilney, Recorder