

ADOPTED

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE MEETING
HELD ON MONDAY, JUNE 11, 2012 AT 1:00 PM
AT THE NORTH 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
	Kaitlin Kazmierowski	Island Planner
	David Millership	Recording Secretary
	Miles Drew	Bylaw Enforcement Manager

There were approximately thirteen (13) members of the public present.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 1:05 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 AGENDA

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

- *Added Item 8.3* – Loepky letter dated June 4, 2012 re: Galiano Island Land Use Bylaw (Sawmilling)
- *Renumbered Item 11.4.1 to Item 11.4.2* – Notice Enforcement Bylaw No. 228 Policy Package
- *Renumbered Item 11.4.2 to Item 11.4.1* – Notice Enforcement Bylaw No. 228
- *Renumbered Item 9.1 to Item 9.2* – Referral of Mayne Island Bylaw No. 157 (LUB Amendment)
- *Renumbered Item 9.2 to Item 9.3* – Draft Bylaws No. 235 and 236 for GL-RZ-2011.2 (Dewinetz) Staff Report
- *Added Item 9.1* – Statutory Right Of Way (Romagnoli/Smith)

The agenda was Approved as amended by consent.

2.1 Questions on Agenda Items

None

2.2 Town Hall Session

Chair Hancock invited the public to make comments.

Doug Latta stated that the Galiano Land And Community Housing Trust (GLCHT) has decided to purchase the land relating to their application prior to the rezoning process and that such purchase should be completed this week. Mr. Latta stated that the community is currently financing the proposed purchase of the land and invited anyone to contribute. Mr. Latta stated that the current financing structure relies on community contributions for a period of six months before a mortgage is able to take effect. Mr. Latta stated that the next GLCHT Annual General Meeting (AGM) would take place at 2:00 p.m. on June 17, 2012 at the South Hall.

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

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes for Adoption

5.1.1 Minutes of May 14, 2012 Local Trust Committee Business Meeting

Amendments:

- *Page 3 third paragraph* – replace “during” with “after”
- *Page 7 Item 9.3 eighth paragraph* – replace “the fact that the Gary Oak tree is a” with “the fact that Garry Oak Meadows are a”

The Minutes of May 14, 2012 Local Trust Committee Business Meeting were Adopted as amended by consent.

5.2 Public Hearing Records and Community Information Meeting Notes

5.2.1 Notes of May 14, 2012 Community Information Meeting

The Notes of May 14, 2012 Community Information Meeting were Received by consent.

5.3 Section 26 Resolutions-without-meeting

None

5.4 Advisory Planning Commission

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Kazmierowski provided information.

7. DELEGATIONS

None

8. CORRESPONDENCE

Correspondence items are received by virtue of being on the agenda.

Correspondence received concerning applications and/or projects is considered with the application/project.

8.1 E. Kennedy letter dated May 28 2012 re: Galiano Island Shore Accesses

Planner Kazmierowski provided information.

Michael Hoebel was in attendance as a representative of the Galiano Island Parks and Recreation Commission (GIPRC).

There was some discussion regarding required setbacks from the sea, Development Variance Permit (DVP) applications, possible setback from the sea exemption(s), Morning Beach stair access, bank erosion, wave action, repairs, steel stair(s) structure(s) and Land Use Bylaw(s) (LUB) review.

Resolution GL-LTC-48-12

It was Moved and Seconded that the Galiano Island Local Trust Committee requests the Chair to write to the Galiano Island Parks and Recreation Commission informing them that there is a Land Use Bylaw review in process of regulations regarding setbacks from the sea and that the Local Trust Committee will examine exemption for local parks from regulation.

CARRIED

8.2 G. Webber Atkins, MFLNR dated April 13, 2012 re: PFML

Resolution GL-LTC-49-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to report back to the Local Trust Committee regarding progress with the Ministry of Forests, Lands and Natural Resource Operations proposed amendments relating to Private Managed Forest Land and specifically regarding public consultations.

CARRIED

8.3 Loepky letter dated June 4, 2012 re: Galiano Island Land Use Bylaw (Sawmilling)

There was some discussion regarding bylaw enforcement, LUB allowances and restrictions, Gossip Island, Galiano's forestry history, commercial versus local sawmilling, small lots, process, next steps and the possibility of the two parties working together to find a solution.

Chair Hancock acknowledged receipt of the letter and stated that the Local Trust Committee (LTC) has taken it under advisement.

Regional Planning Manager (RPM) Kojima stated that as far as he is aware this is the first time such a complaint has been received.

Planner Kazmierowski will contact the parties involved, find out if a commercial operation is involved and report back to the LTC.

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Statutory Right Of Way (Romagnoli/Smith)

Planner Kazmierowski provided information and referred to draft document *Section 219 Covenant and Section 218 Statutory Right Of Way*.

Dora Fitzgerald was in attendance and spoke on behalf of the application.

There was some discussion regarding the Capital Regional District (CRD) possibly nominating the North Galiano Fire Department (NGFD) as the covenant holder and that the NGFD would decide such at their July 2, 2012 meeting. The NGFD would also check the maintenance and safety of the road access in question.

There was some discussion regarding expenses, Crystal Mountain relationship, Road Network Plan and logistics pertaining to the Statutory Right of Way taking the place of the covenant in the future upon request of the LTC.

RPM Kojima stated that the covenant puts an obligation on the applicant in terms of the Statutory Right of Way taking the place of the covenant at a future date.

Resolution GL-LTC-50-12

It was Moved and Seconded that the Galiano Island Local Trust Committee delegate's authority to the Chair to sign/execute Section 219 Covenant and Section 218 Statutory Right Of Way and the Forestry covenant for GL-RZ-2005.2 (Romagnoli/Smith).

CARRIED

The final bylaw will come back to the LTC for approval at a later date and in the meantime Planner Kazmierowski and Dora Fitzgerald will continue to communicate with each.

9.2 Referral of Mayne Island Bylaw No. 157 (LUB Amendment)

Resolution GL-LTC-51-12

It was Moved and Seconded that the Galiano Island Local Trust Committee considered Proposed Mayne Island Local Trust Area Bylaw No. 157, (Land Use Bylaw Amendment) referral and decided *Interests Unaffected by Bylaw* and directs staff to respond appropriately.

CARRIED

9.3 Draft Bylaws No. 235 and 236 for GL-RZ-2011.2 (Dewinetz) Staff Report

Planner Kazmierowski provided information from *Staff Report dated May 31, 2012 (File No.: GL-RZ-2011.2) Re: Draft Bylaws No. 235 (OCP) and No. 236 (LUB)*.

Planner Kazmierowski stated that in addition to the information provided in the staff report, there are two covenants pertaining to tree cutting which the applicant will not seek to remove (one of them is pending BC Parks input), there are more protective measures for the wetland area(s) and the Official Community Plan (OCP) Water Supply Policy 2(e) study will be part of the process.

Richard Dewinetz was in attendance and spoke on behalf of the application.

Mr. Dewinetz stated that costs associated with the required legal document relating to the Galiano Island Housing Society (Page Drive) should not be at his expense for the reason that he is the one donating the land.

Chair Hancock encouraged Mr. Dewinetz to share some news regarding the building of a new North Galiano Fire Department (NGFD) Hall.

Mr. Dewinetz stated that upon the sale of the fourth lot, he would be contributing fifty thousand dollars (\$50,000.00) toward the building of a new NGFD Hall.

Trustee Decario stated that it should be clarified that the twelfth lot is a land transfer and not a donation as it is coming out of parks allocation and is an amenity.

Mr. Dewinetz stated his preference to keep the “donation” versus “transfer” dialogue open for the reason that he would prefer to use “donation” terminology for tax purposes.

There was some discussion regarding process relating to the sale of the twelfth lot.

Mr. Dewinetz stated that if the Galiano Island Housing Society (Page Drive) agrees then the cleanest process would be for him to market/sell the twelfth lot and then give a cheque/donation to the Galiano Island Housing Society (Page Drive).

There was some discussion regarding subdivision, covenants, layout, home plate, Development Permit Areas (DPA's), ecosystem DPA process and BC Parks.

Trustee Pottle stated that so far she has heard of one person expressing concern regarding water supply relating to the drilling of new wells.

Mr. Dewinetz stated that the recent drilling of wells has produced successful water calculations of between three and a half (3.5) and thirty (30) gallons per minute.

Trustee Decario stated that as per OCP Water Supply Policy 2(e), it is preferred that Mr. Dewinetz supply a water report to the LTC prior to the time of subdivision and in time for Public Hearing.

RPM Kojima asked Mr. Dewinetz if the LTC would be supplied the water report prior to Public Hearing.

Mr. Dewinetz responded that probably yes, the report would be available to the LTC prior to Public Hearing and that such a request seems reasonable.

There was further discussion regarding options and lot 12.

Chair Hancock stated that Mr. Dewinetz and his lawyer would propose a draft agreement pertaining to the required legal document relating to the Galiano Island Housing Society (Page Drive) for Islands Trust legal counsel review and that at such point a cost(s) estimate for legal work could be determined.

Trustee Decario asked if BC Parks knows they would be receiving land(s) zoned Nature Protection (NP).

Planner Kazmierowski stated that BC Parks would review all terms upon referral.

There was some discussion regarding BC Parks short and long term plans for the land specifically relating to access, parking and traffic flow.

RPM Kojima stated that there will be a discussion with BC Parks regarding their plans and that such would take place prior to Public Hearing.

Chair Hancock stated that the LTC would need to know BC Parks plans before any actual rezoning occurs.

Mr. Dewinetz stated that the end of lot 25 would be an ideal place for a Bodega Ridge Provincial Park staging area.

Chair Hancock stated that as per the LTC standing resolutions, GIPRC would be part of the referral process.

Resolution GL-LTC-52-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to work with the applicant to obtain a required groundwater assessment as per Official Community Plan Water Supply Policy 2(e).

CARRIED

Resolution GL-LTC-53-12

It was Moved and Seconded that Galiano Island Local Trust Committee Proposed Bylaw No. 235, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2012” be given First Reading.

CARRIED

Resolution GL-LTC-54-12

It was Moved and Seconded that Galiano Island Local Trust Committee Proposed Bylaw No. 236, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2012” be given First Reading.

CARRIED

Resolution GL-LTC-55-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to refer Proposed Bylaw No. 235 and Proposed Bylaw No. 236 to the Galiano Advisory Planning Commission.

CARRIED

Resolution GL-LTC-56-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to schedule a Community Information Meeting and Public Hearing for Proposed Bylaw No. 235 and Proposed Bylaw No. 236.

CARRIED

Resolution GL-LTC-57-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to report back to the Galiano Island Local Trust Committee with a cost estimate for legal review of the legal undertaking pertaining to the transfer of funds from the sale of proposed lot 12, to the Galiano Island Housing Society.

CARRIED

Resolution GL-LTC-58-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to work with the applicant to draft a Section 219 covenant and enter into a cost recovery agreement with the applicant for associated legal work.

CARRIED

Note: there was a break at 2:30 p.m. and the meeting reconvened at 2:45 p.m.

10. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

10.1 Galiano Groundwater Regulation Review (Phase Two) – Staff Report

Planner Kazmierowski provided information from *Staff Report dated May 30, 2012 (File No.: GL-6500-20 Groundwater Phase II) Re: Galiano Groundwater Regulation Review (Phase Two)* and highlighted the main recommendations.

There was some discussion regarding process and Development Approvals Information (DAI) bylaw.

There was some discussion regarding the Waterline Resources report, the two monitoring wells currently on Galiano and how to get more monitoring wells.

Planner Kazmierowski stated that the LTC could make it a requirement that upon subdivision for every three wells drilled a fourth also be drilled for monitoring purposes. Planner Kazmierowski stated that responsibilities associated with maintaining and servicing monitoring wells can become an issue but that having more monitoring wells is a great long-term sustainability goal.

There was some discussion regarding subdivision servicing regulations, scope of the LUB review and impact(s) of a 48 - 72 hour pump test(s) requirement.

Resolution GL-LTC-59-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to include standards for potable water supply in the Land Use Bylaw review.

CARRIED

Resolution GL-LTC-60-12

It was Moved and Seconded that the Galiano Island Local Trust Committee defers consideration of Development Permit Area amendments pertaining to groundwater protection until the Land Use Bylaw review has been substantially concluded.

CARRIED

Resolution GL-LTC-61-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend the third item on the Top Priorities list to include Groundwater Protection Development Permit Areas policy review.

CARRIED

Resolution GL-LTC-62-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to include the “Well Testing and Reporting Guidelines” as part of an update to the Development Approvals Information Bylaw.

CARRIED

10.2 Galiano Island Land Use Bylaw Review: Scoping, budget and timeline – Staff Report

Planner Kazmierowski provided information from *Staff Report dated May 29, 2012 (File No.: GL 6500-20 LUB Review) Re: Galiano Island Land Use Bylaw Review: Scoping, Budget and Timeline (Preliminary Report)*.

There was some discussion regarding special meetings, LUB scope and which amendments to possibly strike from the list.

Trustee Pottle stated that land adjacent to the current cemetery is being purchased for its' expansion.

There was some discussion regarding desalinization, wells, water supply, Sand and Gravel Resources policy, bylaw enforcement, regulations and identifiers pertaining to strata common property, zoning, wildlife protection and eagles nests, DPA's, LUB's, split-zoned lots regulations and Lions Hall zoning regulations.

Resolution GL-LTC-63-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to strike No. 24 (Sand and Gravel Resources) and No. 34 (Review of regulations pertaining to strata common property) from Attachment 1, in the Land Use Bylaw review.

CARRIED

Resolution GL-LTC-64-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to prepare a detailed report on the Land Use Bylaw priority topics.

CARRIED

Resolution GL-LTC-65-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to schedule a special meeting for July or the last half of August, to review a detailed staff report on the Galiano Island Land Use Bylaw review.

CARRIED

Resolution GL-LTC-66-12

It was Moved and Seconded that the Galiano Island Local Trust Committee endorses the timeline and budget presented in the staff report dated May 29, 2012.

CARRIED

11. REPORTS

11.1 Work Program Reports

11.1.1 Galiano Island Local Trust Committee Work Program - Report dated June 2012

Provided for information purposes only.

11.2 Applications Report

11.2.1 Galiano Island Applications Report – June 2012

Planner Kazmierowski provided information and applications were discussed with regards to status and action.

11.3 Expense/Budget Reports

11.3.1 LTC Expense Report

Provided for information purposes only.

11.3.2 LTC Expense Budget 2012-2013

Provided for information purposes only.

11.4 Bylaw Enforcement

11.4.1 Notice Enforcement Bylaw No. 228

Bylaw Enforcement Manager (BEM) Drew provided information from *Staff Report dated May 30, 2012 (File No.: Bylaw No. 228) Re: Final Adoption of Bylaw Notice System Bylaw.*

Chair Hancock thanked BEM Drew for his hard work relating to the Bylaw Enforcement Notification System.

Resolution GL-LTC-67-12

It was Moved and Seconded that Galiano Island Local Trust Committee Proposed Bylaw No. 228, cited as "Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 228, 2011" be Adopted.

CARRIED

11.4.2 Notice Enforcement Bylaw No. 228 Policy Package

Bylaw Enforcement Manager (BEM) Drew provided information from *Staff Report dated May 30, 2012 (File No.: Bylaw No. 228, 2011) Re: Appointment of Screening Officers, Designation of Screening Officer Powers and Duties, Bylaw Violation Notice Cancellation Policy, Stipulation of the Form of Violation Notice.*

There was some discussion regarding the Bylaw Enforcement Assistant role, processes, implementation, Draft Bylaw Violation Notice and overall logistics related to staffing, ticketing and ticketing cancellations.

Resolution GL-LTC-68-12

It was Moved and Seconded that the Galiano Island Local Trust Committee appoints the Bylaw Enforcement Assistant, Bylaw Enforcement Coordinator and Regional Planning Manager as Screening Officers pursuant to Galiano Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 228, 2011.

CARRIED

Resolution GL-LTC-69-12

It was Moved and Seconded that the Galiano Island Local Trust Committee adopts the Bylaw Enforcement Notice Bylaw Screening Officers' Powers and Duties Policy attached to staff report dated May 30, 2012.

CARRIED

Resolution GL-LTC-70-12

It was Moved and Seconded that the Galiano Island Local Trust Committee stipulates that the Bylaw Violation Notice included in staff report dated May 30, 2012, is the form of violation notice to be used pursuant to the Bylaw Enforcement Notice Bylaw No. 228, 2011.

CARRIED

11.4.3 Short Term Vacation Rental Enforcement Policy

BEM Drew provided a verbal update regarding Short Term Vacation Rental (STVR) Enforcement Policy.

BEM Drew stated that enforcement has so far been concentrated on Salt Spring Island, Mayne Island and North Pender Island as there have been problems with STVR's there. BEM Drew stated that enforcement officers have been directed to proactively enforce STVR's which operate in overtly commercial ways (ie: advertise themselves and/or use third party management).

BEM Drew stated that enforcement of STVR violations on Galiano Island would soon begin for the reason that five (5) complaints have so far been received and at a glance there appear to be approximately twenty-five (25) or more STVR violations taking place.

BEM Drew recommended the LTC adopt a STVR enforcement policy/strategy such as the ones Salt Spring Island, Mayne Island and North Pender Island have adopted before enforcement begins on Galiano.

There was some discussion regarding the North Pender Island approach that uses a set of seven criteria for enforcement prioritization, therefore targeting the top offenders.

There was some discussion regarding the Hornby Island approach and the division of consensus within the community regarding such.

There was some discussion regarding noise/nuisance complaints, finite resources and the ability for those STVR's that are not overtly commercial most likely being able to "fly under the radar".

BEM Drew stated that enforcement is not currently targeting STVR's that operate via word of mouth to family and friends.

There was some discussion regarding Temporary Use Permits (TUP's), holding enforcement in abeyance for the time being, the need for community consultation, referring the matter to the Advisory Planning Commission (APC), resources, timing, priorities, overall approach, process and next steps.

Resolution GL-LTC-71-12

It was Moved and Seconded that the Galiano Island Local Trust Committee requests the Bylaw Enforcement Manager to report back to the Galiano Island Local Trust Committee with a policy regarding nuisance complaints in relation to Short Term Vacation Rentals.

CARRIED

11.5 Policies and Standing Resolutions Report

Provided for information purposes only.

11.6 Galiano Island LTC Web Page for Review

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

- *Add* – Staff/Waterline Resources report pertaining to Galiano Groundwater Regulation Review (Phase Two).
- *Add* – Staff report pertaining to the Dewinetz rezoning application.

11.7 Chair's Report

Chair Hancock stated that he has been busy readying for the Trust Council meeting on June 12 - 14, 2012, on North Pender Island and that many events are planned. He attended a workshop on the proposed National Marine Conservation Area exploring ways for the Province and Islands Trust to proceed with such; possibly by way of phased implementation and/or Zoning to the high water mark. Chair Hancock stated support for the Province being serious about creating a National Marine Conservation Area.

11.8 Trustee Report

Trustee Decario stated that she is looking forward to attending Trust Council on June 12 - 14, 2012. Trustee Decario stated that she has been doing a lot of research and reading lately, has enjoyed people dropping in for conversations during her office hours and feels there is a lot of positivity in the community at the moment.

Trustee Pottle stated that she is looking forward to attending Trust Council on June 12 - 14, 2012. Trustee Pottle stated that she has been doing a lot of research and reading lately and has enjoyed the many people dropping in for conversations during her Tuesday office hours.

12. OTHER BUSINESS

12.1 Upcoming Meetings

12.1.1 Local Trust Committee Business Meeting at 1:00 p.m. Monday, July 9, 2012, South Community Hall, Galiano Island

The meeting is scheduled as stated.

13. TOWN HALL MEETING

Chair Hancock invited the public to make comment.

Cathy Stephenson stated support for the Trustees approach to the STVR situation and the recognition that there is a need for community input on the issue.

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

14. ADJOURNMENT

Resolution GL-LTC-72-12

It was Moved and Seconded that the Galiano Island Local Trust Committee meeting be adjourned at approximately 4:50 p.m.

CARRIED

RECORDER

CHAIR