



**GALIANO ISLAND  
LOCAL TRUST COMMITTEE  
BUSINESS MEETING AGENDA  
TO COMMENCE AT 1:00 PM, NOVEMBER 19, 2012  
AT THE SOUTH COMMUNITY HALL  
20925 PORLIER PASS ROAD, GALIANO ISLAND, B.C**

\*Approximate time is provided for the convenience of the public only and is subject change without notice.

	<b>Page #</b>	<b>*Approx. Time*</b>
<b>1. CALL TO ORDER</b>		1:00 pm
<b>2. APPROVAL OF AGENDA</b>		1:05 pm
2.1 Questions on Agenda Items		
2.2 Town Hall Session		
<b>3. COMMUNITY INFORMATION MEETING - none</b>		
<b>4. PUBLIC HEARING - none</b>		
<b>5. PREVIOUS MEETINGS</b>		1:15 pm
<b>5.1 Local Trust Committee Minutes for Adoption</b> (attached)		
5.1.1 Minutes of October 15, 2012 Local Trust Committee Business Meeting	<b>1</b>	
<b>5.2 Public Hearing Records and Community         Information Meeting - none</b>		
<b>5.3 Section 26 Resolutions-without-meeting</b> (attached)	<b>14</b>	
<b>5.4 Advisory Planning Commission</b>		
5.4.1 Advisory Planning Commission Minutes of November 2, 2012 (attached)	<b>15</b>	
<b>6. BUSINESS ARISING FROM THE MINUTES</b>		
<b>6.1 Follow-up Action Report (attached)</b>	<b>18</b>	
<b>7. DELEGATIONS - none</b>		

<b>8.</b>	<b>CORRESPONDENCE</b> - (attached) <i>[correspondence received concerning applications and/or projects is considered with the application/project]</i>	1:30 pm
8.1	<b>M. Beach email dated October 8, 2012 re: Affordable Housing Project</b>	<b>20</b>
8.2	<b>M. Beach email dated October 17, 2012 re: Affordable Housing Project</b>	<b>21</b>
<b>9.</b>	<b>APPLICATIONS, PERMITS, BYLAWS AND REFERRALS</b> - none	
<b>10.</b>	<b>LOCAL TRUST COMMITTEE PROJECTS</b>	1:45 pm
10.1	<b>6500-20 Land Use Bylaw Review</b>	
10.1.1	Proposed Bylaw No. 237 (LUB Amendment No. 2, 2012 – for consideration of Second Reading (attached))	<b>23</b>
10.1.2	Proposed Bylaw No. 238 (LUB Amendment No. 3, 2012 (Chegwidden) (attached))	<b>29</b>
10.1.3	Proposed Bylaw No. 239 (LUB Amendment No. 4, 2012 (Amendments) and Bylaw Amendment Options (attached))	<b>34</b>
----- <b>BREAK ( 15 minutes)</b> -----		
<b>11.</b>	<b>REPORTS</b>	3:15 pm
11.1	<b>Work Program Reports</b> - for Information	
11.1.1	Galiano Island Local Trust Committee Work Program - Report dated November 2012 (attached)	<b>43</b>
11.2	<b>Applications Report</b> - for information	
11.2.1	Galiano Island Applications Report dated November 2012 (attached)	<b>46</b>
11.3	<b>Expense/Budget Reports</b> - for information	
11.3.1	LTC Expense Report - (attached)	<b>50</b>
11.3.2	LTC Budget 2012-2013 (attached)	<b>51</b>
11.4	<b>Bylaw Enforcement</b> - none	
11.5	<b>Policies and Standing Resolutions Report</b> (attached) – for information	<b>52</b>
11.6	<b>Galiano Island LTC Web Page for Review</b> (attached) – for information	<b>54</b>
11.7	<b>Chair’s Report</b>	
11.8	<b>Trustee Report</b>	

<b>12.</b>	<b>OTHER BUSINESS</b>	4:15 pm
<b>12.1</b>	<b>Upcoming Meetings</b>	
12.1.1	Local Trust Committee Business Meeting at 1:00 p.m. Monday, December 3, 2012, South Community Hall, Galiano Island	
12.1.2	Proposed 2013 Local Trust Committee Meeting Schedule (attached)	<b>56</b>
<b>12.2</b>	<b>Advisory Planning Commission Memberships Expire (attached)</b>	<b>58</b>
<b>13.</b>	<b>TOWN HALL MEETING</b>	
<b>14.</b>	<b>ADJOURNMENT</b>	4:30 pm

MINUTES OF THE GALIANO ISLAND  
LOCAL TRUST COMMITTEE MEETING  
HELD ON MONDAY, OCTOBER 15, 2012 AT 1:00 PM  
AT THE NORTH ISLAND COMMUNITY HALL,  
GALIANO ISLAND, B.C.

<b><u>PRESENT:</u></b>	Ken Hancock	Chair
	Sandy Pottle	Local Trustee
	Louise Decario	Local Trustee
	Robert Kojima	Regional Planning Manager
	Kris Nichols	Island Planner
	David Millership	Recording Secretary

There were approximately six (6) 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 to Item 10.2* – Staff Report dated October 5, 2012 Re: Proposed Land Use Bylaw Amendments For Discussion
- *Added to Item 11.8* – Trustee Decario update regarding the triangle/road median
- *Added to Item 10.2.1* – Trustee Pottle update regarding George Loeppky meeting and sawmilling

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 comment.

**Ron Taylor** stated that he is trying to satisfy the covenant between Stevens and Galiano Island Local Trust Committee (GLLTC) and requested that the Local Trust Committee (LTC) acknowledge receipt of the hydrologists report and “sign off” signature, once received via Resolution Without Meeting (RWM). Mr. Taylor stated support for an “appropriate professional” being given authority to “sign off” on water results/reports rather than specifically a hydrologist.

There was some discussion regarding subdivision, proving potable water, RWM and hydrologists versus engineers’ expertise.

**Tom Hennessy** stated concern that the Galiano Land And Community Housing Trust (GLCHT) lease agreement, housing agreement and general processes are being slowed due to Islands Trust lawyers. Mr. Hennessy stated that GLCHT has decided that no building will take place on the property until the zoning process has been completed. He stated concern with the GLCHT application process and misunderstandings that have resulted in a potential applicant trespassing on GLCHT property. Mr. Hennessy stated that GLCHT has contacted a hydrologist and is pursuing related LTC resolutions.

Planner Nichols responded that Islands Trust legal counsel is rather waiting for GLCHT to fulfill the Agricultural Land Commission (ALC) requested change(s) to the proposed covenant.

Doug Latta stated that the GLCHT lease agreement is being amended to prevent the possibility of affordable housing being used as a summer home by way of an already accepted applicant coming into wealth at a future date. He stated that the current lease agreement only states that an applicant cannot own other property.

Trustee Decario asked where the GLCHT lease and housing agreements are currently.

Planner Nichols responded that the GLCHT lease and housing agreements are currently with GLCHT.

Regional Planning Manager (RPM) Kojima stated concern that GLCHT is initiating the application process without proper legal work being confirmed first.

Chair Hancock stated that GLCHT applicant Melanie Beach, who has stated concern regarding Tom Hennessy and the GLCHT application process, is not here to defend herself and therefore any such discussion regarding Ms. Beach should not ensue.

Chair Hancock stated that the current situation between Ms. Beach and Mr. Hennessy/GLCHT could be a learning opportunity for GLCHT as well as a note of caution. Chair Hancock stated concern that GLCHT has been moving forward with processes prior to LTC approval.

There was some discussion regarding the Official Community Plan (OCP) definition of affordability.

There was some discussion regarding the GLCHT “point system” being used to help with the screening of applicants.

Chair Hancock stated that giving applicants negative points doesn't make sense. Chair Hancock stated for example that an applicant who is working three jobs in order to be able to afford housing and thus doesn't have time to volunteer in the community shouldn't be negatively penalized for not volunteering in the community - if the potential applicant were given some help and provided affordable housing then the potential applicant might not have to work three jobs and thus might then have time to volunteer in the community.

**Ron Taylor** asked why the GLCHT agreements are subject to LTC signature.

RPM Kojima responded that such is the way the documentation has been drafted.

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 September 17, 2012 Local Trust Committee Business Meeting

Amendments:

- *Page 2 third paragraph* – replace “Mr. Dick” with “Mr. Dyck”

- *Page 5 Item 8.3* – add “and the letter will be entered into the STVR file.” after the word “advisement”.
- *Page 5 Item 8.4* – add “and the letter will be entered into the STVR file.” after the second instance of the word “referendum”.
- *Page 6 third paragraph* – replace “prints” with “footprints”.
- *Page 9 Item 11.7* – delete “he will be working with Islands Budget Committee next”.
- *Page 9 Item 11.8 first paragraph* – replace “She has been connecting with BC Parks regarding Trails development.” with “She attended a meeting with BC Parks regarding parks management”.
- *Page 9 Item 11.8 second paragraph* – replace “Conservancies” with “Parks”.

The Minutes of September 17, 2012 Local Trust Committee Business Meeting were Adopted as amended by consent.

## **5.2 Public Hearing Records and Community Information Meeting**

None

## **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 Nichols provided information and items were discussed with regards to status and action.

Trustee Decario stated that with regards to item No. 1, applicant(s) representative Dora Fitzgerald contacted her to mention that the necessary documents are still with the applicant(s) lawyer and that the lawyer is waiting to hear from the applicant(s).

RPM Kojima stated that with regards to item No. 1, if the LTC has not heard from the applicant(s) by the next meeting then staff will send a follow-up letter.

RPM Kojima stated that with regards to item No. 4, staff is waiting to hear back from the Penelakut Tribe.

RPM Kojima stated that with regards to item No. 8, meeting dates are being discussed and are pending a BC Parks budget approval.

RPM Kojima stated that with regards to item No. 13, such should be deferred for the reason that the Ministry of Transportation and Infrastructure (MoTI) has undergone recent staff changes and is also currently subject to a hiring freeze.

RPM Kojima provided an update regarding potential Private Managed Forest Land (PMFL) meetings and stated that such may be addressed next year now as there have been ministry changes.

## **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 M. Beach email dated September 17, 2012 re: Affordable Housing Project**

Received by virtue of being on the agenda.

#### Resolution GL-LTC-102-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to draft a letter for signature by the Chair responding to Ms. Beach by explaining the Local Trust Committee's jurisdiction and inviting ongoing participation in the process.

**CARRIED**

## **9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS**

None



## 10. LOCAL TRUST COMMITTEE PROJECTS

### 10.1 Land Use Bylaw No. 237, Amendment No. 2, 2012 (Amendments)

Kris Nichols provided information from *Staff Report dated October 3, 2012 (File No.: GL 6500-20 (LUB Review)) Re: Galiano Bylaw No. 237, Amendment No. 2, 2012 A Bylaw to Amend Galiano Island Land Use Bylaw No. 127, 1999.*

There was some discussion regarding process and Planner Nichols stated that animal husbandry would be addressed at a later date.

*Attachment 1* item numbers 1 a) through tt) were each discussed by the LTC in relation to possible amendments and the LTC agreed by consent to revise the bylaw as follows.

h) *Discussion:* regarding clarification of permitted cottage.

*Revision:* none

i) *Revision:* replace “community garden” with “community gardens” and throughout where applicable.

*Revision:* replace “farmers markets” with “farmers’ markets” and throughout where applicable.

*Revision:* update section/subsection numbering in the bylaw.

j) *Discussion:* regarding Lions Hall designation/description and wording relating to setbacks and walkways.

*Revision:* Planner Nichols and Ron Taylor will discuss further and Planner Nichols will report back to the LTC with recommendations.

k) *Revision:* replace “must not exceed a height of 5 metres or one storey.” with “must not exceed one storey and a height of 5 metres.” and throughout where applicable.

r) *Revision:* delete r).

s) *Revision:* remove reference to “agricultural buildings”.

t) *Revision:* remove reference to “agricultural buildings”.

There was some discussion regarding the need for consistency throughout the forest zones regarding regulations and relating to accessory buildings and forestry buildings.

v) *Revision:* delete “, except that agricultural buildings and structures and those used for timber production and harvesting must not exceed a height of 9 metres.”

kk) *Discussion:* regarding Light Industrial (LI) accessory use and heights.

*Revision:* none

pp) *Discussion:* regarding Lot 46, OCP policy o), Statutory Right Of Way (SRW), Road Network Plan (RNP) and covenants.

*Revision:*

Resolution GL-LTC-103-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to strike pp) from Draft Bylaw No. 237.

**CARRIED**

Resolution GL-LTC-104-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to prepare a new bylaw section incorporating contents of pp) and to discuss with the Lot 46 landowner their willingness regarding granting a covenant reserving future road dedication.

**CARRIED**

There was some discussion regarding zoning and BC Parks and what might be permitted in the staging area for Bodega Ridge.

Resolution GL-LTC-105-12

It was Moved and Seconded that Galiano Island Local Trust Committee revised Draft Bylaw No. 237 cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2012” be given First Reading.

**CARRIED**

Resolution GL-LTC-106-12

It was Moved and Seconded that the Galiano Island Local Trust Committee forward Proposed Bylaw No. 237 as amended to the Galiano Island Advisory Planning Commission for review and comment.

**CARRIED**

*Note: there was a break at 3:30 p.m. and the meeting reconvened at 3:45 p.m.*

**10.2 Land Use Bylaw Amendments**

10.2.1 Staff Report re: Options

Planner Nichols provided information from *Staff Report dated October 5, 2012 (File No.: GL-6500-20 (LUB Review)) Re: Proposed Land Use Bylaw Amendments for Discussion.*

Item numbers 1 through 8 of the staff report were each discussed by the LTC in relation to options and possible amendments.

*1. Split Zoned Lots [22]*

There was some discussion regarding different approaches to dealing with split-zoned lots with most islands opting to try and get rid of them.

Trustee Pottle stated concern with landowner's losing density if the LTC were to "down-zone" property titles.

Trustee Decario stated support for moving ahead and trying to amend the Land Use Bylaw (LUB).

Chair Hancock stated support for further exploration of options and possible amendments before making a decision.

Resolution GL-LTC-107-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to prepare a draft bylaw to amend section 2.20 to only permit additional dwellings to the extent that the respective zone permits lots to be created by subdivision.

**CARRIED**

2. *Eagle Nests Identification and Protection [18]*

There was some discussion regarding what timeframe is used to determine/designate a nest(s) as “vacant” and Development Permit Area (DPA).

Resolution GL-LTC-108-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to develop a draft Official Community Plan amendment for Eagle Nests Development Permit Area.

**CARRIED**

3. *Possible Waste Transfer Site Zoning [24]*

There was some discussion regarding an existing site on Galiano and the desire to give it a legal designation with some basic regulations.

There was some discussion regarding Temporary Use Permit (TUP), LI zone and uses and waste management plans.

Resolution GL-LTC-109-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to report back with amending bylaws for both the Official Community Plan and Land Use Bylaw to permit the operation of a waste transfer use on the selected site.

**CARRIED**

The LTC directed staff to consult with the owner of the existing site in question in order to discuss preferences and options including TUP.

4. *Permitting Stairs within Setbacks for Public Bodies [21]*

There was some discussion regarding trail(s) width, setbacks and safety.

The LTC felt that setbacks from the side yards did not need to be addressed.

Resolution GL-LTC-110-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend Section 2.14 Setbacks from Watercourses so that the setback to the sea does not apply to public bodies constructing of public accesses on public land owned or operated by that body on a dedicated highway or other public access.

**CARRIED**

Resolution GL-LTC-111-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend Section 2.18 Siting Exceptions stating that the siting regulation setback to the sea does not apply to foreshore accesses constructed by a public body on a dedicated highway or other public access.

**CARRIED**

*5. Measurement of Building Size (Floor Area) [29]*

Resolution GL-LTC-112-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to establish a floor area measurement definition for green building energy efficient construction alternatives (environmentally friendly buildings) that permits measurement to the inner surface of the outside walls.

**CARRIED**

*6. Small Lot Sawmilling [34]*

Trustee Pottle provided an update regarding her meeting with George Loepky pertaining to sawmilling. Trustee Pottle stated that Mr. Loepky told her that his neighbor is milling his own timber as well as some for other properties and is installing footings for constructing a storage building.

There was some discussion regarding the fact that Mr. Loepky's neighbour is not doing sawmilling solely for his own use and is hence already conducting activities beyond what the scope of the current bylaw intended.

Resolution GL-LTC-113-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend the bylaw to state that sawmilling is to be for the use of the landowner unless otherwise permitted in the zone.

**CARRIED**

*7. Marine Geo-Thermal [19, 21]*

There was some discussion regarding the excellent carbon benefits of marine geo-thermal as well as marine environmental concerns relating to infrastructure impacts and the need to maintain protection of species such as eelgrass.

Resolution GL-LTC-114-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to draft bylaws amending Development Permit Area 2 and Land Use Bylaw to permit ocean loop geo exchange and include Development Permit Area guidelines.

**CARRIED**

*8. Accessory Building Allowances [28]*

There was some discussion regarding permitted square footage for accessory buildings and what is needed.

Resolution GL-LTC-115-12

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to draft a bylaw to remove maximum floor area from accessory buildings and apply lot coverage provisions.

**CARRIED**

**11. REPORTS**

**11.1 Work Program Reports**

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

Provided for information purposes only.

### 11.1.2 Islands Trust Council Strategic Plan 2011 – 2014

Provided for information purposes only.

## 11.2 Applications Report

### 11.2.1 Galiano Island Applications Report – October 2012

Planner Nichols 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 Budget 2012-2013

Provided for information purposes only.

## 11.4 Bylaw Enforcement

None

## 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* – Resolution(s) and staff report relating to Bylaw 237.

## 11.7 Chair's Report

Chair Hancock stated that he recently attended the 2012 Union of British Columbia Municipalities (UBCM) Convention in Victoria and will be attending an upcoming final consultation meeting regarding a feasibility study relating to the Southern Strait of Georgia National Marine Conservation Area (NMCA).

## 11.8 Trustee Report

Trustee Decario stated that Lony Rockafella, has been looking after the triangle/road median and has already lowered the shrubbery

height(s). She stated that she attended an excellent GLCHT meeting regarding rainwater harvesting.

Trustee Pottle stated that she has had a lot of contact with people regarding affordable housing and sawmilling. She stated that she will be attending the October 26, 2012, NMCA consultation meeting.

## **12. OTHER BUSINESS**

### **12.1 Upcoming Meetings**

12.1.1 Local Trust Committee Business Meeting at 1:00 p.m. Monday, November 19, 2012, South Community Hall, Galiano Island

The meeting is scheduled as stated.

## **13. TOWN HALL MEETING**

Chair Hancock invited the public to make comment.

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

## **14. ADJOURNMENT**

Resolution GL-LTC-116-12

It was Moved and Seconded that the Galiano Island Local Trust Committee meeting be adjourned at approximately 5:05 p.m.

**CARRIED**

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**RECORDER**

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**CHAIR**





**Islands Trust**

# RWM From: October 04, 2012 To: November 08, 2012

## Galiano Island

Resolution #	Action	Resolution Description	Resolution Date
2012-08	In Favour	THAT the Galiano Local Trust Committee acknowledge receipt of information that addresses the Restriction of Use on Covenant FB358859, for the property located at 645 Gulf Drive, Galiano Island, Cowichan District, Lot B, Plan VIP88144, Sections 5 and 8, PID 002-025-175. The Local Trust Committee has been advised in writing that a duly qualified professional engineer with experience in groundwater hydrology has designed water treatment facilities or equipment suitable to provide potable water to Lot B pursuant to the Land Use Bylaw.	Oct 24, 2012
2012-07	In Favour	THAT Galiano Island Local Trust Committee Business Meeting to be held on December 10, 2012 be rescheduled to December 3, 2012.	Oct 17, 2012

**DRAFT****MINUTES OF GALIANO ISLAND ADVISORY PLANNING COMMISSION MEETING**

held Friday, November 2, 2012, at 10am.

at Galiano Activity Centre Meeting Room  
1290 Sturdies Bay road, Galiano Island.

Present: Sheila Anderson, Chair, Jeffrey Patterson, Vice Chair, Tahirih Rockafella,  
Ursula Deshield.

Absent: Keith Erickson, Karen Harris, Barry New.

Minute Taker: Patricia Joyce, APC Secretary

COPIED TO

 PLANNER LTC KA

1. **CALL TO ORDER:** The meeting was called to order at 10.03am.

2. **APPROVAL OF AGENDA:**

It was Moved and Seconded that the Agenda be approved as circulated.

CARRIED

3. **PREVIOUS MINUTES:**

Minutes of June 28, 2012 Meeting were approved by email prior to submission to the Islands Trust in response to referral of proposed bylaws 235 and 236.

**RESOLUTION**

It was Moved and Seconded that the Advisory Planning Commission Minutes of June 28th, 2012, which were approved by emails, be formally approved by motion at a meeting.

CARRIED

4. **PROPOSED BYLAW 237** Consideration of Referral Response.

APC Members discussed under 1.g) and 1.h) the essential differences between bed and breakfasts and agri-tourist accommodations.

**RESOLUTION**

It was Moved and Seconded that in 1. a) regarding the proposed addition of 2.1.6 "horticulture in all residential zones", that the Local Trust Committee be requested to confirm why this is necessary, when 2.1.3 already permits this.

CARRIED

Looking at proposed additions to definitions in Bylaw 237 members noticed that "community gardens" definition was broad enough to include orchards and nurseries., However after discussion APC agreed to the following resolution.

**RESOLUTION**

It was Moved and Seconded that the Galiano Advisory Planning Commission recommend that in proposed ByLaw No. 237, page 1, 1.i) the words "community plant" be inserted in 8.2.1.8 before "nurseries".

CARRIED

page 4, 1.00)

Looking at this proposed amendment “1.00)” APC members considered the benefit of this proposed change for the F2 zone’s specific reference to the allowance for “accessory buildings and structures in accordance with 2.8 – 2.13” and thought perhaps this same reference should be added to all zones that permit accessory buildings and structures, so it is very clear to the user of the LUB that they are allowed and where to look for the limitations. This would seem appropriate in light of the proposed addition of height limitation for accessory buildings and structures already proposed for addition in each zone.

#### **RECOMMENDATION**

The APC recommends that the Local Trust Committee consider adding reference to accessory buildings entitlement within each residential zone in which they are allowed. For example in the RR zone insert under the heading Permitted Density an additional clause following 5.4.2 , stating “Accessory buildings and structures in accordance with Section 2.8 – 2.13”, in order to aid interpretation by users of the Land Use Bylaw document.

#### **RECOMMENDATION**

The APC recommends that the Local Trust Committee add an additional word to amendment pp) line 2 of, which would then read “.....accessory dwelling unit for the owner, employee or operator of a principal use”.

#### **RESOLUTION**

It was Moved and Seconded that it be understood that the Advisory Planning Commission's responses indicate that we support approval of proposed Bylaw 237 subject to the Local Trust Committee’s considering our specific motions and recommendations.

CARRIED

### **5. GENERAL APC BUSINESS**

It was noted that two of the members present did not have the latest version of the LUB in hand and had had to review the bylaw from the internet. The Chair will follow up on this.

The Chair reported that after receiving this referral by email she had requested printed copies, and they were then printed and sent to the island with the Planner, and collected by the Chair, with the idea that individual members could at least receive printed copies at the APC meeting, or sooner if they wished to pick up. Some members by then had already printed it out for themselves. The Chair explained that her concern was that the Islands Trust paper free goals not mean simply a downloaded cost onto volunteer APC members, who need the copies in front of them when they come to meetings. The discussion concluded in the following resolution.

#### **RESOLUTION**

It was Moved and Seconded that the Local Trust Committee request that in future all referral information be both emailed, AND mailed in printed form to

each APC member and to the Secretary.

CARRIED

**6. NEXT MEETING DATE**

No date was set.

**7. ADJOURNMENT**

It was Moved and Seconded that the meeting be adjourned at 12.05pm.



# Islands Trust

## Follow Up Action Report w/ Target Date

### Galiano Island Jun-11-2012

No.	Activity	Responsibility	Target Date	Status
1	Chair Hancock designated to sign and execute the S. 219 covenant, the S. 218 SRW and the sustainable forestry covenant for GL-RZ-2005.2 (Romagnoli-Smith). Sept 21/12 - email to applicants Oct 15/12 - trustees report that applicants out of country	Robert Kojima Gary Richardson	Nov-01-2012	On Going

### Jul-09-2012

No.	Activity	Responsibility	Target Date	Status
2	GL-RZ-2011.1 (GLCHT) Staff directed to schedule a CIM upon receipt of: confirmation of ALC covenant on title, comprehensive site plan, housing agreement and land lease, and professional assessment of the availability of sustainable long-term groundwater and rainwater catchment (Sept amendments).	Kris Nichols	Feb-18-2013	On Going

No.	Activity	Responsibility	Target Date	Status
3	GL-RZ-2011.2 (Dewinetz): -Staff to invite representatives from BC Parks to attend a future CIM for this application. - Staff to enter into cost recovery with the applicant for a legal review of the agreement between the applicant and the Galiano Island Housing Society - DONE -Staff to work with the applicant to obtain the required groundwater assessment as per OCP policy 2e) -Staff to schedule a CIM and Public Hearing -Staff to work with the applicant to draft a S. 219 covenant and enter into cost recovery with the	Kris Nichols	Feb-18-2013	On Going

application for associated legal work

4 Staff to schedule a meeting with the Penelakut Tribe in the fall. Robert Kojima Nov-18-2012 On Going

Note: Oct. 23, 2102 heard back from CAO, Ruth Saunder, who is supportive of a meeting provided that the Galiano Trustees have an agenda so that topics are addressed and it is a meaningful meeting or if there are specific issues that require follow up from a previous meeting.

## Sep-17-2012

No.	Activity	Responsibility	Target Date	Status
11	9.1 GLCHT - applicants to provide corrected site plan and accompanying tables  Resolution to amend GL-LTC-75-12 to require professional assessment of rainwater catchment proposal	Kris Nichols	Feb-18-2013	On Going
13	Staff to arrange meeting between LTC and MoTI staff to discuss Galiano issues.  Note: deferred pending hiring of new manager in MoTI Saanich office.	Robert Kojima Kris Nichols	Jan-31-2013	On Going

## Oct-15-2012

No.	Activity	Responsibility	Target Date	Status
14	10.1 Proposed Bylaw No. 237. That staff amend the the bylaw as per LTC's direction, send out as a referral to agencies and to APC.  Staff to bring back Bylaw No. 237 for second reading at the Nov. 19, 2012 meeting.	Kathy Jones Kris Nichols	Nov-19-2012	Done
15	10.2 - Report back with draft bylaws on 8 items	Kathy Jones Kris Nichols	Oct-19-2012	Done
16	Minutes to be adopted as amended	Sharon Lloyd-deRosario	Nov-19-2012	Done
17	RWM for changing the December meeting to Dec. 3, 2012.	Kathy Jones Sharon Lloyd-deRosario	Nov-19-2012	Done
18	8.0 Correspondence - to respond to correspondence received.	Ken Hancock	Nov-19-2012	On Going
18	Staff to report back with an option report to discuss remaining issues for possible bylaw consideration (i. e. subdivision regulations, etc.)	Kris Nichols	Nov-19-2012	Done

## Kathy Jones

---

**From:** Sharon Lloyd-deRosario on behalf of gltctwebmail  
**Sent:** October-09-12 9:27 AM  
**To:** Kris Nichols  
**Subject:** FW: Galiano Island Local Trust Committee

Hi Kris, please see the Galiano LTC-email below.  
 Thanks

*Sharon Lloyd-deRosario*

*Planning Secretary*

*Islands Trust*

*Tele: 250-405-5167*

*Email: [slloydderosario@islandstrust.bc.ca](mailto:slloydderosario@islandstrust.bc.ca)*

*Web: [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)*

*"Preserving Island Communities Culture and Environment"*



*Please consider the environment before printing this email*

**From:** [mcbeach@uvic.ca](mailto:mcbeach@uvic.ca) [<mailto:mcbeach@uvic.ca>]

**Sent:** October-08-12 5:18 PM

**To:** gltctwebmail

**Cc:** [mcbeach@uvic.ca](mailto:mcbeach@uvic.ca)

**Subject:** Galiano Island Local Trust Committee



**Islands Trust**

Preserving **island** communities, culture and environment.

October 08, 2012

**From:** melanie beach  
**Email:** [mcbeach@uvic.ca](mailto:mcbeach@uvic.ca)

**Subject:** Galiano Island Local Trust Committee

Hi Sandi, it was nice talking to you yesterday. The board of GLTCH kicked me out like I thought they were going to. I got a letter from them stating that the vote didn't really happen basically. I talked to Virginia Monk after and she is looking into the whole thing. Thank God!  
 I have letters and documentation regarding my acceptance as an applicant. If you want to see any of the letters, please do not hesitate to ask. I will try to keep in touch if anything new happens.

Hope you had a great thanksgiving.

Melanie

[www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

## Kathy Jones

---

**From:** Sharon Lloyd-deRosario on behalf of gltwebmail  
**Sent:** October-17-12 4:32 PM  
**To:** Kris Nichols  
**Subject:** FW: Galiano Island Local Trust Committee

Another one, thanks

### *Sharon Lloyd-deRosario*

*Planning Secretary*

*Islands Trust*

*Tele: 250-405-5167*

*Email: [slloydaderosario@islandstrust.bc.ca](mailto:slloydaderosario@islandstrust.bc.ca)*

*Web: [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)*

*"Preserving Island Communities Culture and Environment"*



*Please consider the environment before printing this email*

**From:** [mcbeach@uvic.ca](mailto:mcbeach@uvic.ca) [mailto:[mcbeach@uvic.ca](mailto:mcbeach@uvic.ca)]

**Sent:** October-17-12 8:19 AM

**To:** gltwebmail

**Cc:** [mcbeach@uvic.ca](mailto:mcbeach@uvic.ca)

**Subject:** Galiano Island Local Trust Committee



## Islands Trust

Preserving **island** communities, culture and environment.

October 17, 2012

**From:** melanie beach  
**Email:** [mcbeach@uvic.ca](mailto:mcbeach@uvic.ca)

**Subject:** Galiano Island Local Trust Committee

Hi Sandi, I would like to send you copies of all the paperwork I have, mostly letters from GLTCH.

The letter without a date was the one I recieved after talking to you last Sunday.

Since then, the board called the police on me and tried to charge me with trespassing.

These guys feel no obligation to honor a legal contract, nor do they even realize that they can't charge me with trespassing if I am not on their land, and I wonder who's name is on the title anyway, for them to feel they have this right.

They have no clue of their legal rights and want to be the governing board of 20 residents. I think the clause of "how well you get along with others" is to allow discrimination so they can only let in people willing to let them break the law.

continued... max 1000 characters

[www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)



## Kathy Jones

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**From:** Sharon Lloyd-deRosario on behalf of gltctwebmail  
**Sent:** October-17-12 4:31 PM  
**To:** Kris Nichols  
**Subject:** FW: Galiano Island Local Trust Committee

See below, thanks

*Sharon Lloyd-deRosario*

*Planning Secretary*

*Islands Trust*

*Tele: 250-405-5167*

*Email: [slloydderosario@islandstrust.bc.ca](mailto:slloydderosario@islandstrust.bc.ca)*

*Web: [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)*

*"Preserving Island Communities Culture and Environment"*



*Please consider the environment before printing this email*

**From:** [mcbeach@uvic.ca](mailto:mcbeach@uvic.ca) [mailto:[mcbeach@uvic.ca](mailto:mcbeach@uvic.ca)]

**Sent:** October-17-12 8:22 AM

**To:** gltctwebmail

**Cc:** [mcbeach@uvic.ca](mailto:mcbeach@uvic.ca)

**Subject:** Galiano Island Local Trust Committee



**Islands Trust**

Preserving **island** communities, culture and environment.

October 17, 2012

**From:** melanie beach  
**Email:** [mcbeach@uvic.ca](mailto:mcbeach@uvic.ca)

**Subject:** Galiano Island Local Trust Committee

continued...

I am more committed to Galiano than anyone on the board. When I mentioned my community hours at the meeting, Doug brought up the question of who was going to pay him for his hours. I said I didn't care, and that he should not count the endless meetings that they have held discussing how to get me out. NOT ONE meeting was held to discuss helping me build a house, even after I got 3 votes from the selection comitee.

They are backing me in a corner to blame me for my reactions. I still want to be there. I am hoping you can help protect my approved application, cause I know that they will make it impossible for me to get in again, should the rezoning be successful.

Thank you for you time and patience, I will send a package today.

Melanie Beach

[www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

**File No.:** GL 6500-20 (LUB  
Review)

**To:** Galiano Local Trust Committee  
For the meeting of November 19, 2012

**From:** Kris Nichols  
Island Planner

**CC:** Robert Kojima  
Regional Planning Manager

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**Re: Galiano Bylaw No. 237, Amendment No. 2, 2012**  
**A Bylaw to Amend Galiano Island Land Use Bylaw No. 127, 1999**

**BACKGROUND:**

The Galiano Island Local Trust Committee (LTC) at the October 15, 2012 meeting reviewed the draft bylaw and made some revisions to the wording and content. The LTC passed the following resolution:

*“It was Moved and Seconded that Galiano Island Local Trust Committee revised Draft Bylaw No. 237 cited as “Galiano Island Land Use Bylaw No. 127, 199, Amendment No. 2, 2012” be given First Reading.”*

A second resolution was passed that the proposed bylaw be forwarded to the Galiano Island Advisory Planning Commission (APC) for review and comment.

**STAFF COMMENTS:**

The proposed bylaw has been forwarded to the APC and other agencies for review and comment. As of the writing of this report no comments have been received.

Should the LTC wish the bylaw can be given second reading and staff be directed to schedule a public hearing.

**RECOMMENDATIONS:**

1. **THAT** the Galiano Island Local Trust Committee gives proposed Bylaw No. 237 Second Reading.
2. **THAT** the Galiano Island Local Trust Committee direct staff to schedule a public hearing for proposed Bylaw No. 237.

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Prepared and Submitted by:



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Kris Nichols

November 2, 2012

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Date

Concurred in by:

November 7, 2012

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Date

# PROPOSED

## GALIANO ISLAND LOCAL TRUST COMMITTEE

### BYLAW NO. 237

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#### A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

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The Galiano Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Galiano Island Trust Committee Area under the *Islands Trust Act*, enacts as follows:

1. Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999” is amended as follows:
  - a) By amending Section 2.1 by adding Subsection 2.1.5 “emergency landing area for emergency evacuation” and by adding Subsection 2.1.6 “horticulture in all residential zones”
  - b) By amending Subsection 2.3.2 by deleting “,manufactured home parks”
  - c) By amending Section 2.6 by inserting the words “, wind turbine, roof top mounted solar panels” after the word “silo”.
  - d) By amending Section 2.9 by replacing the words “section 2.9” with “section 2.10”
  - e) By amending Section 2.13 by replacing the words “section 2.7” with “section 2.8”
  - f) By amending Section 2.24 by replacing the words “section 2.20” with “section 2.23”
  - g) By amending Subsection 6.1.1 by adding Article 6.1.1.6 “agri-tourist accommodation as an accessory use, subject to Subsection 6.1.8, and as permitted by the Land Reserve Commission.”
  - h) By amending Section 6.1 by adding the following after Subsection 6.1.8:

“Agri-Tourist Accommodation

    - 6.1.9 agri-tourist accommodation must be accessory to a working farm operation;
    - 6.1.10 agri-tourist accommodation must be situated on land that is in the AG (Agricultural) zone and the Agricultural Land Reserve;
    - 6.1.11 agri-tourist accommodation must be situated in a permitted dwelling or cottage;
    - 6.1.12 agri-tourist accommodation may include associated uses such as meeting rooms and dining facilities for paying registered guests, but may not include a restaurant or any commercial or retail goods and services other than those permitted by the Agricultural (AG) Zone;
    - 6.1.13 the maximum number of guests that may be accommodated in any agri-tourist operation at any one time, either alone or in combination with a bed and breakfast, is not to exceed 6 guests and 3 bedrooms.”
  - i) By amending Subsection 8.2.1 by adding the following Articles: “8.2.1.5 community gardens”, “8.2.1.6 farmers’ markets”, “8.2.1.7 community orchards”, and “8.2.1.8 nurseries”
  - j) By amending Subsection 10.1.1 by adding Articles “10.1.1.4 farmers’ markets” and “10.1.1.5 community hall”.
  - k) By amending Subsection 5.1.5 by adding after the first sentence the words, “Accessory buildings and structures must not exceed one storey and a height of 5 metres.”

- l) By amending Subsection 5.2.5 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres."
- m) By amending Subsection 5.3.7 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres."
- n) By amending Subsection 5.4.4 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres."
- o) By amending Subsection 5.5.4 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres, except that agricultural buildings and structures and those used for timber production and harvesting must not exceed a height of 9 metres."
- p) By amending Subsection 5.6.4 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres, except that agricultural buildings and structures and those used for timber production and harvesting must not exceed a height of 9 metres."
- q) By amending Subsection 6.1.4 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres, except that agricultural buildings and structures and those used for timber production and harvesting must not exceed a height of 9 metres."
- r) By amending Subsection 7.2.4 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres, except those used for timber production and harvesting must not exceed a height of 9 metres."
- s) By amending Subsection 7.5.1 by deleting the numbers "7.1.5.8" and replacing with "7.5.1.8".
- t) By amending Subsection 7.5.4 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres, except those used for timber production and harvesting must not exceed a height of 9 metres."
- u) By amending Subsection 8.1.4 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres."
- v) By amending Subsection 8.2.5 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres"
- w) By amending Subsection 8.3.2 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres."
- x) By amending Subsection 8.4.2 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres."
- y) By amending Subsection 8.5.7 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres."
- z) By amending Subsection 9.1.2 by adding the word ", employee" after the word "owner".
- aa) By amending Subsection 9.1.5 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres."
- bb) By amending Subsection 9.2.4 by adding by adding the word ", employee" after the word "owner".
- cc) By amending Subsection 9.2.8 by adding after the first sentence the words, "Accessory buildings and structures must not exceed one storey and a height of 5 metres."
- dd) By amending Subsection 9.3.2 by adding the word ", employee" after the word "owner".

- ee) By amending Subsection 9.3.5 by adding after the first sentence the words, “Accessory buildings and structures must not exceed one storey and a height of 5 metres.”
- ff) By amending Subsection 9.3(A).3 by adding by adding the word “, employee’s” after the word “owner’s”.
- gg) By amending Subsection 9.3(A).5 by adding after the first sentence the words, “Accessory buildings and structures must not exceed one storey and a height of 5 metres.”
- hh) By amending Subsection 9.3(B).10 by adding by adding the word “, employee” after the word “owner”.
- ii) By amending Subsection 9.4.5 by adding after the first sentence the words, “Accessory buildings and structures must not exceed one storey and a height of 5 metres.”
- jj) By amending Subsection 9.5.6 by adding after the first sentence the words, “Accessory buildings and structures must not exceed one storey and a height of 5 metres.”
- kk) By amending Subsection 9.6.4 by adding after the first sentence the words, “Accessory buildings and structures must not exceed one storey and a height of 5 metres.”
- ll) By amending Subsection 9.6(A).4 by adding after the first sentence the words, “Accessory buildings and structures must not exceed one storey and a height of 5 metres.”
- mm) By amending Subsection 10.1.3 by adding after the first sentence the words, “Accessory buildings and structures must not exceed one storey and a height of 5 metres.”
- nn) By amending Subsection 12.5.4 by adding after the first sentence the words, “Accessory buildings and structures must not exceed one storey and a height of 5 metres.”
- oo) By amending Subsection 7.2.2 by replacing the words “Section 2.7” with “Sections 2.8 – 2.13”
- pp) By amending Subsection 9.6.1 by adding Article “9.6.1.11 one self-contained accessory dwelling unit for the owner or operator of a principle use”
- qq) By amending Subsection 11.1.1 by adding Articles “11.1.1.4 ecological restoration” and 11.1.1.5 “passive recreation”
- rr) By amending Subsection 13.9 by deleting the words “avoided wherever possible” and replaced with “is prohibited” and to remove “if possible” in the second sentence.
- ss) By amending Section 17.1 by adding the following definitions in alphabetical order:

“agri-tourist accommodation” means a use accessory to a working farm operation for the purpose of accommodating commercial guests within specific structures on specific portions of a parcel of land.”

“community gardens” means a private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family.”

“ecological restoration” is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed.”

“farmers’ market means an occasional or periodic market held in an open area or in a structure where groups of individual vendors offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and crafts items and bakery goods.”

"horticulture" means the use of land for the rearing of plants."

"passive recreation" means non-motorized outdoor leisure activities which can be carried out with a minimal impact to the natural environment including but not limited to hiking, picnicking, horseback riding and bicycling."

- B. This bylaw may be cited for all purposes as the "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2012".

READ A FIRST TIME THIS	15 <sup>th</sup>	DAY OF	October	2012
PUBLIC HEARING HELD THIS			DAY OF	201x
READ A SECOND TIME THIS			DAY OF	201x
READ A THIRD TIME THIS		DAY OF		201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS			DAY OF	201x
ADOPTED THIS			DAY OF	201x

\_\_\_\_\_  
DEPUTY SECRETARY

\_\_\_\_\_  
CHAIR

U:\LOCAL TRUST COMMITTEES\Galiano\Bylaws\Amendments\Proposed\First Reading\Attachment 1 - Bylaw No. 237\_LUB Amendment (as amended Oct 15).docx

**File No.:** GL 6500-20 (LUB  
Review)

**To:** Galiano Local Trust Committee  
For the meeting of November 19, 2012

**From:** Kris Nichols  
Island Planner

**CC:** Robert Kojima  
Regional Planning Manager

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**Re: Galiano Bylaw No. 238, Amendment No. 3, 2012**  
**A Bylaw to Amend Galiano Island Land Use Bylaw No. 127, 1999**

**BACKGROUND:**

The Galiano Island Local Trust Committee (LTC) passed a motion at their October 15, 2012 meeting directing staff to prepare a bylaw to amend Subsection 7.5.3 (Forest Land Reserve Zone) by changing the wording to the Permitted Residential Density subsection which would permit a dwelling to be built on lots, specifically District Lot 46, that previously could not have a dwelling due to not having highway access as per the bylaw requirements.

At the meeting, staff were requested to discuss with the owner of Lot 46 the possibility of them granting a covenant reserving future road dedication as it relates to the Road Network Plan (Schedule C) in the OCP. Please see Figure 1 for reference to this plan and the Lot 46. Staff have had a number of conversations with the owner who pointed out there is a great deal of history with his lot and their desire to build a dwelling on it.

Currently, the owner is willing to explore the idea of requiring a covenant to reserve a future road dedication through the property. This would provide an option to the Ministry of Transportation and Infrastructure should it deem necessary to construct a road as per the Road Network Plan at a later date. The covenant would address the reserving of a future road dedication.

The owner has stated that there should be no cost to him to accomplish this as it is a request of the LTC to establish and register a covenant. There will be costs associated with drafting and registering a covenant. The owner also expressed concern over this covenant becoming a future encumbrance that may financially impact his family at a



later date or that it may alter their PMFL status. Staff have stated that this is not the intent nor should it impact their PMFL status should a road need to be constructed at a later date. Currently, along with numerous other property owners on Galiano they have an easement through their lot providing access to lots beyond. This was a requirement when the lots were sold by MacMillan Bloedel.

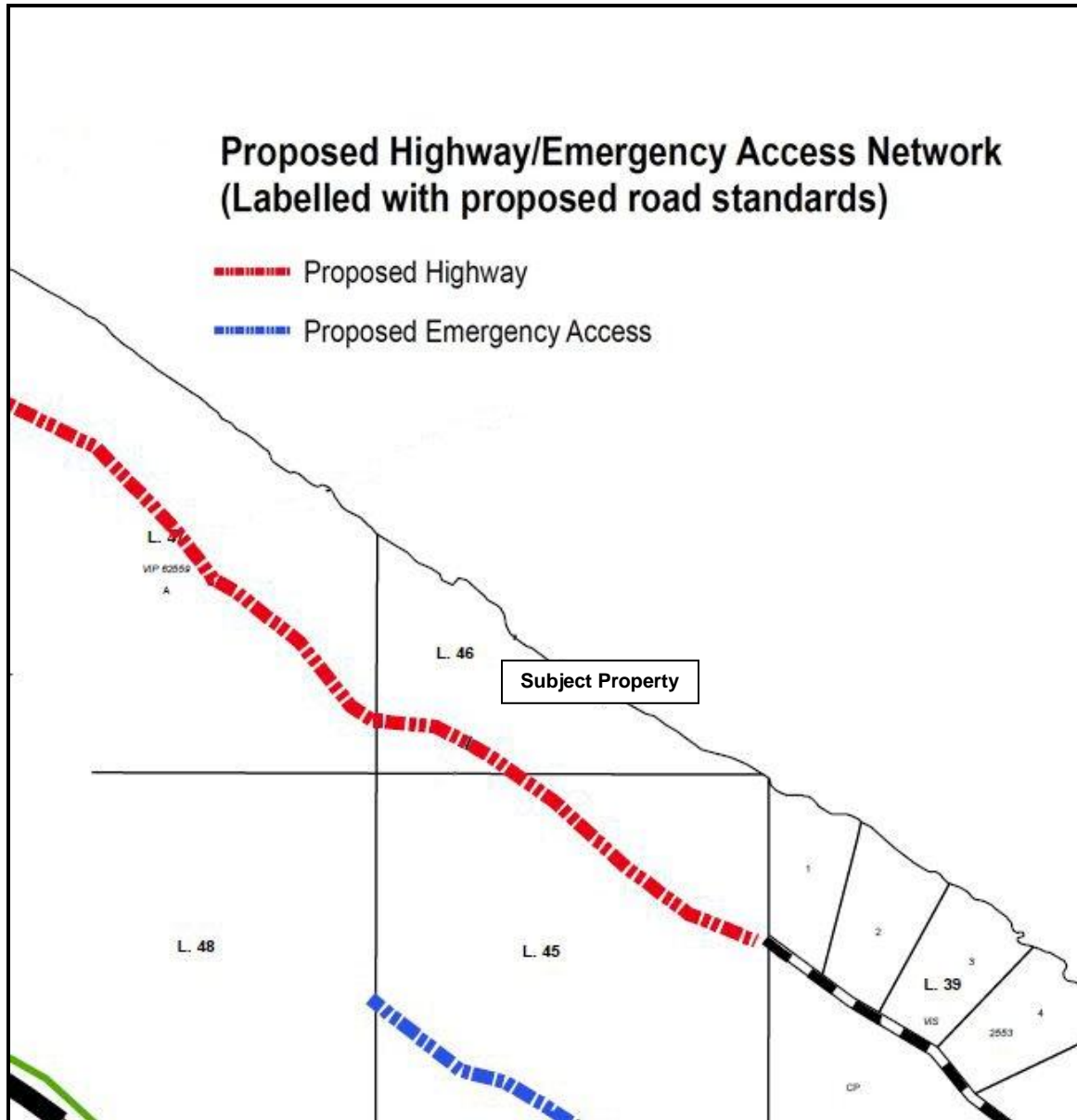


Figure 1 – Excerpt from Road Network

In practice, the roads indicated on the Road Network Plan would be dedicated or reserved for future dedication through a rezoning or subdivision or other land use application processes. In this instance, the LTC has requested a covenant as a condition of an amendment to the Land Use Bylaw that was not initiated by the owners, but fully supported. The intent being, that prior to the bylaw's final adoption the covenant

would be registered on title. A similar covenant has been drafted for the Romagnoli-Smith rezoning application that would reserve an emergency access route similar to that being discussed in this situation.

## **POSSIBLE OPTIONS**

There are a couple of options that the LTC could pursue:

1. To proceed with first reading of the bylaw with the clear understanding that the final reading would not be given until a covenant is registered on title reserving future road dedication.

Discussion: This would permit the owner to construct a dwelling and ensure that an access through the lot for use by the Ministry of Transportation and Infrastructure is reserved should it be required at a later date. However, there is a cost to drafting and registering a covenant on title and the owner has indicated that they should not be responsible for any costs. The LTC will have to determine how the covenant drafting and registration will be paid for. In addition, it would have to be determined how the covenant should be drafted as the current easement and the Road Network Plan are not surveyed and if that is required there is a cost to that. As well, it may be uncertain as to where this road would ultimately be dedicated and constructed on the property. The alternative would be a covenant worded such that it resembles the easement currently on title that does not have any specifics (i.e. survey location) associated with where the easement is. Easement access currently is by the old logging hauling road.

2. To proceed with first reading of the bylaw without a requirement for a covenant.

Discussion: This would permit the owner to construct a dwelling, but not reserve the road for future dedication. The owner currently has an easement through their property which permits access to lots beyond and requires that the access be maintained. It will remain until the lots beyond have dedicated road access. Should the lot be developed beyond the construction of a dwelling (i.e. subdivision, rezoning) it would then be possible to obtain a road dedication or to reserve for a future road dedication through a covenant.

3. In addition to No. 2 (above) require that staff amend the subdivision servicing guidelines so that if a property is proposed for subdivision and it contains a road as shown on the Road Network Plan that it be dedicated or reserved for future road dedication. This would address the need to ensure that the road is protected for the future. This is currently done when subdivisions are made to permit access to lots beyond, but not explicitly stated in the bylaw.

**STAFF COMMENTS:**

The proposed amendment would permit the owner of Lot 46 to be able to construct a dwelling on the lot. The zoning permits the construction of a dwelling, but only if it is accessible by a dedicated highway. The amendment would remove the requirement for a dedicated highway.

The LTC has indicated that it would prefer that should the amendment be approved that the owner grants a covenant reserving future road dedication over the lot such as is indicated in the Road Network Plan. This would be done at final reading. The owner is in general support of this as they see the benefits of establishing such a road network plan, but are not in support of any cost to them to achieve this. There are costs associated with covenants such as the drafting, registration and a possible survey. It is unknown how much a covenant will cost beyond the registration at this time. The LTC will have to discuss how this will be paid for.

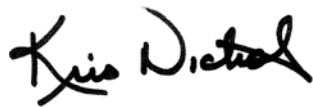
Staff are recommending that the Bylaw be given first reading and referred to agencies for comment. This would permit staff to continue to work with the land owner regarding the establishment of a covenant prior to final reading. Staff are seeking direction as to who will be responsible for paying for the covenant as it will be an issue down the road.

**RECOMMENDATIONS:**

1. **THAT** the Galiano Island Local Trust Committee gives Bylaw No. 238 First Reading.
2. **THAT** the Galiano Local Trust Committee forward proposed Bylaw No. 238 to the APC for review and comment.
3. **THAT** the Galiano Island Local Trust Committee direct staff to schedule a public hearing for proposed Bylaw No. 238.

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Prepared and Submitted by:



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Kris Nichols

October 31, 2012

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Date

Concurred in by:

November 1, 2012

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Date

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 238

\*\*\*\*\*

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

\*\*\*\*\*

The Galiano Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Galiano Island Trust Committee Area under the *Islands Trust Act*, enacts as follows:

- 1. Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999” is amended as follows:
  - a) By amending Subsection 7.5.3 by inserting the words “where there is access to the lot providing continuous road access to the Sturdies Bay Ferry Terminal by any combination of dedicated highway, statutory right of way and private easement identified on Schedule C of the Galiano Island Official Community Plan as Proposed Highway or Proposed Emergency Access” after the word “uses” and deleting the words “and having highway access as defined in sub-section 17.1.16” and by replacing the words “Section 2.7” with “Sections 2.8 – 2.13”
  - B. This bylaw may be cited for all purposes as the “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 3, 2012”.

READ A FIRST TIME THIS	DAY OF	2012
PUBLIC HEARING HELD THIS	DAY OF	201x
READ A SECOND TIME THIS	DAY OF	201x
READ A THIRD TIME THIS	DAY OF	201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	DAY OF	201x
ADOPTED THIS	DAY OF	201x

\_\_\_\_\_  
DEPUTY SECRETARY

\_\_\_\_\_  
CHAIR

**File No.:** GL 6500-20 (LUB  
Review)

**To:** Galiano Local Trust Committee  
For the meeting of November 19, 2012

**From:** Kris Nichols  
Island Planner

**CC:** Robert Kojima  
Regional Planning Manager

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**Re: Galiano Bylaw No. 239, Amendment No. 4, 2012**  
**A Bylaw to Amend Galiano Island Land Use Bylaw No. 127, 1999**

## **BACKGROUND:**

### **Land Use Bylaw Amendments**

The Galiano Island Local Trust Committee (LTC) passed a number of resolutions at their October 15, 2012 meeting directing staff to prepare an amending bylaw (see Attachment 1) to amend the Land Use Bylaw in the following subject areas:

1. Split Zoned Lots – a resolution was passed recommend a change to Section 2.20 to only permit one dwelling per lot and additional dwellings may only be permitted if and to the extent that the minimum lot area of that particular zoned is complied with. The effect of this would limit split zoned lots from having an additional dwelling unless they have the potential to create an additional lot through subdivision within the zone in an effort to limit density. This amendment would impact approximately 20 residentially split zoned properties that cannot be subdivided. Please see c) of Attachment 1.
2. Permitting Stairs within Setbacks for Public Bodies – a resolution was passed amending the wording in Sections 2.14 and 2.18 to permit the construction of public accesses without having to apply for a development variance permit for a setback from the sea. It was determined by staff that amending Section 2.8 was not required. This will assist public bodies in providing easy access for the public to the foreshore/beach areas. Please see b) of Attachment 1.

3. Measurement of Building Size (Floor Area) – a resolution was passed for staff to create a definition for environmentally friendly buildings and to permit such buildings to measure their floor area differently from conventional buildings by measuring floor area to the inner surface of the exterior walls rather than from the outside of the exterior walls. This is to encourage the use of environmentally friendly building construction. Please see j) and k) of Attachment 1.
4. Small Lot Sawmilling – staff were directed to amend the bylaw to explicitly state that sawmilling is to be for the use of the owner on that lot where the sawmilling takes place unless otherwise permitted in the zone. The intent was for these operations to be temporary in nature and for the sole use of the owner for use on their lot not for a commercial use or home occupation. Please see n) of Attachment 1.
5. Accessory Building Allowances – staff were directed to draft a bylaw amendment that removed the maximum floor area for accessory buildings based on lot size and replace with lot coverage provisions for each zone. In particular, this would be a change for the Rural Residential (RR), Rural 2(R2), Rural 3(R3) and Agricultural (AG) zones. For the RR, R2 and R3 zones the lot coverage is proposed to be 25%. This is similar on other islands with similar zones. The AG zone lot coverage would be 35% of any lot plus an additional 40% for commercial greenhouses only. This is similar to agriculture zones on some islands and the recommended standard as stated in the Ministry of Agriculture's *Guide for Bylaw Development in Farming Areas in British Columbia*. Please see a) d), e), f) and h) of Attachment 1.
6. Lions Hall – The LTC directed staff to meet with a Lions Hall member to discuss their concerns around the current zoning. The Lions Hall is on a lot zoned Public Recreation Zone (PR) which does not permit a community hall or an accessory commercial retail use (i.e. Thrift Shop). The current setbacks also would restrict further construction (which is proposed) of the paved walkway that is currently used by seniors' walking groups around the perimeter of the baseball diamond. The PR zone will be changed to accommodate the use of the Lions Hall, Thrift Shop (commercial retail) and the walkway. Please see h) and i) of Attachment 1.

### **OCP and LUB Amendments**

Three additional topic areas were discussed at the October 15, 2012 meeting. All three would involve amendments to the LUB and the OCP and as such will require additional time to make the amendments. The three areas are Eagle Nests Identification and Protection, Marine Geo-Thermal and Possible Waste Transfer Site Zoning. The first two will require amendments to development permit areas to provide additional guidelines. These will be presented at subsequent meeting in the new year.

Staff have met with both the operator of the existing waste transfer site and the owner of the property to discuss the possibilities regarding maintaining the operation in its current site. They advised staff that they would get back to them about how they feel they should proceed. Given the uses that are occurring on the property, the uncertainty of the owner and other issues that may become evident with the property and the use of adjacent property it is recommended that this not be included in the LUB update at this time but that the applicant be requested to make an application.

In addition to the OCP and LUB amendments that will be presented in the new year staff will also address the proposed subdivision servicing requirements that deal with such topics as water quality, desalinization, bike parking, etc.

## **Proposed Bylaw Amendments**

The following are proposed amendments presented for LTC discussion and direction of staff.

### **1. Sign Regulations**

Section 16 in the Land Use Bylaw (LUB) outlines the current regulations for commercial and non-commercial zones. Since the inclusion of Section 16 in the LUB, Section 6 Development Permit Area 6 – Commercial and Industrial Form and Character has been added to the OCP and applies to zones C1, C3, C4, C5, C5A, C6, C7, L1, MCW and MCL. The OCP's Subsection 6.6 7 contains development permit guidelines for signs that should be adhered to in these zones if requiring a building permit.

The bylaw currently states commercial zones listed (C1, C2, C3, C4, C5, C5A, C6, C7, LI, FI, MS, MC) can only have one building-mounted sign and one sandwich-board sign per highway frontage, each not exceeding a total sign area of 1.2 sq. metres, identifying a business carried out at those premises or the principal service or product sold at those premises.

The way the bylaw is written for commercial zones could result in non-compliance for some properties where there is more than one business operating in a complex such as "Manzanita Mall" and "Galiano Mall". The bylaw does not permit a free standing sign that could list all the businesses, but limits signage to one building-mounted sign and one sandwich board sign based on the road frontage. The LTC may also want to consider adding the Agricultural, Community Facilities and Parks and Recreation Zones to the listed zones to allow for additional signage.

The bylaw currently, for non-commercial zones, limits the signage to those related to the lot and its sale or lease and the identification of the owner or address. In this

section, there is no mention of signage for home based businesses which are evident throughout the island as permitted uses. However, in the LUB, Subsection 3.4 does mention that a 0.2 square metre unilluminated business sign may be placed on the premises. The bylaw should be amended to accommodate this permitted use. The LTC should consider the type and size of signage that should be permitted. Based on other regulations, staff are recommending amending the bylaw to permit one free standing sign at the entrance to each lot that is not higher than 1.2 m (4 ft.) in height with a signage area of 0.6 sq. m. (6.5 sq. ft.) as a reasonable approach for home based businesses.

The LTC may also want to consider signage that is used for way finding or tourist information displays and if they need to be addressed on specific zones. Some other Local Trust Committee Bylaws also contain the clause “Nothing in this Bylaw prohibits the erection of a sign by an agency of government for purposes of public health or safety, or by a candidate in a municipal, provincial or federal election during the period prior to the election.” This might be beneficial to include as part of this sign regulation update as it is not mentioned currently.

The options for the LTC to consider in addressing permitted signs in Commercial Zones are:

1. To amend the bylaw to:
  - Commercial: to address Economic Activity Zones (C1, C3, C4, C5, C5A, C6, C7, L1, FI), Marine Commercial Water (MCW) and Marine Commercial Land (MCL) Zones as a grouping to permit one free standing sign per lot that could be accommodated within the standard setback area along with an individual building mounted sign for each individual business, and to keep the regulation pertaining to sandwich board signs at one per road frontage.
  - Non-Commercial: to develop another group that would be primarily for residential zones which would permit a single sign in respect to a home based business and a single sign pertaining to the lease, sale, name of property owner or property or use of a lot or building on which they are placed and none may exceed a total area of 0.6m<sup>2</sup> (6.5ft<sup>2</sup>). To amend the bylaw to permit signage to accommodate home based businesses.
2. To amend the bylaw as stated in No. 1, but to remove the ability to have a sandwich board signs.
3. To amend the bylaw as stated in No. 1, but to add to the Commercial grouping the Agriculture (AG) zone, and the Community Facilities (SCR), (CF),(EHS),(U),(HW) and Parks and Recreation Zones (PR), (P).

## **2. Home Occupation and Retail Sales**

In the Land Use Bylaw, Section 3 – Home Occupations Regulations outlines eight (8) regulations directing home occupations. The definition of home



occupation is defined as “*means an accessory commercial use conducted on residential premises, and includes daycare facilities licensed under the Community Care Facility Act that are permitted by the Act despite local bylaws, but for certainty does not include sawmilling.*”

Staff are recommending that the home occupation guidelines and definition be made more explicit to describe the use to include bed and breakfast and cottage use and any profession, trade, business, artistic endeavor, where such activities are clearly accessory to the principal residential use. When looking at other Islands and their bylaws, many are more explicit in their description which may help in defining home occupation and retail sales. For instance, other bylaws mention that the retail sales are limited to the retail sale of goods produced, processed or repaired as part of a home occupation, and retail sale of articles directly related to a personal service provided as a home occupation. This would not include retail or wholesale selling of any product or material not produced on the premise or incidental to the service, or the serving of food or drink other than for a bed and breakfast.

It is recommended that staff be directed to refine the home occupation guidelines and definition especially how it relates to home occupation retail sales which currently is not that explicitly stated.

### **3. Small Scale Husbandry (Residential Zones)**

The intent is to enable people in residential areas where agriculture is not permitted outright to conduct animal husbandry (raising of animals) for their own use (e.g. domestic fowl (chickens, ducks, geese, and turkeys), livestock, etc.). Food security is important to many islanders and this is another way to permit residents to meet their own food demands.

Many municipalities deal with the issue of small scale husbandry by limiting the variety of animals (e.g. livestock, poultry (domestic fowl), bees, etc.) permitted to the size of the lot as well as identifying special setbacks, structures and requiring a certain level of upkeep and management (e.g. structure conditions, manure storage, etc.). Some even require that the animals be registered with the municipality.

Given the rural nature of Galiano Island, it might be feasible to permit small scale husbandry outright in residential zones as long as the properties have a principal residence and that the structures used to house the animals meet the current setbacks for structures. In conjunction, staff are also recommending that a definition be developed that clearly spells out the types of animals that will be permitted in residential zones. This is a point for the LTC to discuss. What types of small scale animal husbandry should be permitted. Many municipalities limit the type to domestic fowl and bees. Is there a desire to permit small scale husbandry to include other animals such as sheep, goats, etc.?

In general, it is recommended that small scale animal husbandry be defined and permitted in all residential zones providing it is an accessory use to the residential dwelling and that all structures used to house the animals meet setback requirements. The LTC should discuss the limitations that should be implemented within the definition in terms of numbers and types of animals and possible lot size restrictions.

## **STAFF COMMENTS:**

The amendments addressed in Bylaw No. 239 further brings the LUB into conformity with the OCP and improves clarity and/or resolves issues around permitted uses. The amendments build on the discussion and resolutions passed by the LTC at the October 15, 2012 meeting. Three other potential bylaw amendment areas were also discussed clearly illustrating a need for further amendments to address current practices so that they are made legal, defined more explicitly or allowances made for accessory uses. These areas will all require further discussion by the LTC to determine the best course of action in addressing them. Staff have outlined some possible options or areas for discussion.

Staff are recommending that the Amending Bylaw No. 239 be given first reading and that it be forwarded to the Galiano APC for review and comment. The bylaw will also be referred to agencies for comment. However, if there are significant amendments recommended by the APC or by agencies, then staff would bring the bylaw back to the LTC for consideration of amendments at Second Reading, prior to holding a hearing. At this time, the LTC can also give staff direction to schedule a public hearing or wait until all LUB related amendments are presented and schedule a public hearing to address all of the amendments. Alternately, the LTC could defer consideration of this bylaw until bylaws on the additional topics are drafted.

Staff are recommending that the LTC review the three amendment areas presented and identify the direction that they would like staff to proceed with.

## **RECOMMENDATIONS:**

1. **THAT** staff be directed to work on the identified amendments to bring back respective research and/or bylaws at a subsequent meeting.
2. **THAT** the Galiano Island Local Trust Committee gives Bylaw No. 239 First Reading.
3. **THAT** the Galiano Local Trust Committee forward proposed Bylaw No. 239 to the APC for review and comment.
4. **THAT** the Galiano Island Local Trust Committee direct staff to schedule a public hearing for proposed Bylaw No. 239.

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Prepared and Submitted by:

*Kris Nichols*

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Kris Nichols

November 6, 2012

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Date

Concurred in by:

November 7, 2012

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Date

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 239

\*\*\*\*\*

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

\*\*\*\*\*

The Galiano Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Galiano Island Trust Committee Area under the *Islands Trust Act*, enacts as follows:

1. Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999” is amended as follows:
  - a) By rescinding Section 2.8.
  - b) By amending Section 2.14 by adding the sentence, “The setback to the sea does not apply to public bodies constructing public accesses on public land owned or operated by that body on a dedicated highway or other public access.” after the first sentence.
  - c) By amending Section 2.20 by adding the words, “only if they meet the minimum parcel size for that zone” after the word “lots”.
  - d) By amending Section 5.4 by adding “Subsection 5.4.4 Lot coverage must not exceed 25% of any lot.”
  - e) By amending Section 5.5 by adding “Subsection 5.5.4 Lot coverage must not exceed 25% of any lot.”
  - f) By amending Section 5.6 by adding “Subsection 5.6.4 Lot coverage must not exceed 25% of any lot.”
  - g) By amending Section 6.1 by adding “Subsection 6.1.4 Lot coverage must not exceed 35% of any lot plus an additional 40% for commercial greenhouses only.”
  - h) By amending Subsection 10.1.1 by adding the following Articles:  
 “10.1.1.4 Community Hall” and “10.1.1.5 Accessory Commercial Retail”
  - i) By amending Subsection 10.1.4 by adding the sentence, “Walkways are permitted to be within 1.5 metres (5ft) from the side lot lines.”
  - j) By amending Section 17.1 by adding the following definition in alphabetical order with subsequent renumbering:  
 “Environmentally Friendly Building” means a building that is designed with construction standards using alternative building materials, such as straw bale or cob, that are categorized as Special Unusual Structures in the B.C. Building Code, or buildings that use increased wall thickness in order to obtain an energy efficient value of R-40 or more.”
  - k) By amending Article 17.1.11 by adding the words, “unless it is an *Environmentally Friendly Building* which is measured to the inner surface of the exterior walls,” after the first instance of the words “exterior walls,”.
  - l) By amending Article 17.1.35a by adding the words, “for the sole use of the lot owner on the lot on which the sawmilling takes place” after the word “lumber”.

**DRAFT**

B. This bylaw may be cited for all purposes as the “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 4, 2012”.

READ A FIRST TIME THIS	DAY OF	2012
PUBLIC HEARING HELD THIS	DAY OF	201x
READ A SECOND TIME THIS	DAY OF	201x
READ A THIRD TIME THIS	DAY OF	201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	DAY OF	201x
ADOPTED THIS	DAY OF	201x

\_\_\_\_\_  
DEPUTY SECRETARY

\_\_\_\_\_  
CHAIR

U:\LOCAL TRUST COMMITTEES\Galiano\Projects\2012 LUB Review\Bylaw No. 239\_LUB Amendment.docx



**Top Priorities**

**Galiano Island**

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	LUB update	<ol style="list-style-type: none"> <li>1. Amendments resulting from OCP review</li> <li>2. Review of regulations for docks and structures in setback from the sea and geo-thermal</li> <li>3. Review of split-zoned lot regulations</li> <li>4. review of regulations pertaining to strata common property</li> <li>5. Review of Parking Regulations - on-site parking and public parking issues generated from associated islands (see correspondence from P. Midgely on agenda of Apr/12)</li> <li>6. Sign Regulations</li> <li>7. Waste transfer station regulations</li> <li>8. Review of zoning regulations for Lions' Hall</li> <li>9. Review of FLR and F2 zoning and Land Transportation policy (o) requirement</li> <li>10. Review zoning of small F1 lots that were in existence at the time of their purchase from Mac Blo.</li> </ol>	Apr-16-2012	Kris Nichols	Mar-31-2013	On Going

<ul style="list-style-type: none"> <li>11. Standards for potable water supply</li> <li>12. Accessory building entitlements</li> <li>Phase II items: <ul style="list-style-type: none"> <li>1. Secondary suites</li> <li>2. Dock review</li> <li>3. Cottage floor area</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>1. Update of Development Approval Information Bylaw - COMPLETE</li> <li>2. Public communications</li> <li>3. Development of Administrative procedures: ON-GOING</li> </ul>	<p>Dec-12-2011</p> <p>Robert Kojima</p> <p>Mar-31-2013</p> <p>On Going</p>
<ul style="list-style-type: none"> <li>2 DPA Implementation</li> </ul>		
<ul style="list-style-type: none"> <li>3 Ground water protection DPA policy review</li> </ul>	<ul style="list-style-type: none"> <li>Review detailed recommendations of Waterline Report, review existing DPA provisions, prepare options for amendments</li> </ul>	<p>Jun-13-2012</p> <p>Kris Nichols</p> <p>Mar-31-2014</p> <p>On Going</p>



## Projects

### Galiano Island

No.	Description	Activity	Received/Initiated	Status
1	Soil Removal and Deposit Bylaw	Review need and options for implementation of soil removal and deposit bylaw	Sep-12-2011	On Going
2	OCP amendment to review definition of "tree"		Dec-12-2011	On Going
3	Short Term Vacation Rentals		Dec-12-2011	On Going
4	Provincial Advocacy	<ul style="list-style-type: none"> <li>Letter from Steve Thomson, Minister of Forests dated Nov 2, 2011 to be brought forward for action at the appropriate time</li> <li>Staff directed to request meetings with the following:</li> </ul>	Feb-13-2012	On Going
5	Amendments to Forest designation and F1 zone -	consider options for amendments to Forest Land Designation and policies and F1 zoning for lands without Managed Forest Status. Draft bylaws have been prepared, project deferred at meeting of April/12	Apr-16-2012	On Going
6	parking issues	issue for future discussion with MoTI	Jul-23-2012	On Going





# Applications w/ Status - Galiano Island Status: Open

## Applications

### Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2010.2	Scoones Planner: Kris Nichols	Aug-25-2010	To allow the retaining wall to be as close as 1ft from the property line.

### Planning Status

Status Date: Oct-03-2012

Bylaw has spoken with applicant who indicated that survey will be done shortly. Staff have written an e-mail requesting the survey be submitted.

Status Date: May-02-2012

Met with applicant. He is waiting for a survey and will submit it when completed.

Status Date: Jan-25-2012

Sent a letter requesting a survey by Feb 24, 2012. If no survey is submitted, bylaw enforcement will be notified.

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2012.4	Ron Taylor Planner: Kris Nichols	Oct-30-2012	Proposed Lot 1 needs a variance for the cabin. Proposed Lot 2 needs a variance for the chicken coop.

### Planning Status

Status Date: Oct-30-2012

sent a letter of acknowledgement of receipt of the application and fees to the applicant; copied application to trustees and then forwarded file on to the Planner

## Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2004.6	Crystal Mountain Society	Jun-14-2004	OCP and LUB amendments to allow a Retreat Centre and Forest Retreat.

**Planner:** Kris Nichols

**Planning Status**

**Status Date:** Jul-27-2012

application on-hold to fall 2012

**Status Date:** Mar-01-2012

Applicants are interested in pursuing a rezoning. Will meet with planning staff to discuss options in March 2012

**Status Date:** Feb-03-2012

Sent a letter requesting indication that applicant would still like to continue with their application. Deadline to respond is March 2 2012.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2005.2	Romagnoli <b>Planner:</b> Gary Richardson	Mar-21-2005	To rezone from F1 to F3

**Planning Status**

**Status Date:** Mar-01-2012

Staff working with CRD to determine emergency access status.

**Status Date:** Nov-04-2011

Staff working on final cov. edits and securing emergency road as per RNP.

**Status Date:** Sep-30-2011

Public hearing on proposed bylaw 210 being held Oct 17.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2011.1	Galiano Land and Community Housing c/o Tom Hennessy <b>Planner:</b> Kris Nichols	Oct-06-2011	Rezone Agriculture and Residential to Community Facility-Affordable housing.

**Planning Status**

**Status Date:** Sep-03-2012

Progress report drafted. Requirements still needed. Lawyers reviewing Housing Agreement and Schedules. ALC reviewing covenant. Applicants talking to VIHA about community water.

**Status Date:** Aug-30-2012

Met with applicants to walk the site

**Status Date:** Jul-09-2012

Re-reading of first reading given to amended bylaws.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2011.2	Winmark Capital Inc. - Richard Dewinetz Planner: Kris Nichols	Dec-21-2011	To amend the OCP/LUB to change 90 hectares of F1 lands to Park Land & RR.
<b>Planning Status</b>			
<b>Status Date:</b> Sep-13-2012			
Applicant dropped off well summaries. Well on Lot 2 requires a retest for Galiano. Applicant to work on Section 219 covenant for wetland protection.			
<b>Status Date:</b> Sep-04-2012			
Cost recovery initiated with lawyer to draft undertaking with the Galiano Housing Society.			
<b>Status Date:</b> Jul-09-2012			
Staff directed to entre into cost recovery for legal review of the undertaking between the applicant and the Galiano Housing Society			

### Subdivision

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2007.1	LPG Landplan Group Inc (Zizzy/Brown) Planner: Kris Nichols	Feb-12-2007	Creating 6 new lots. DL 72 and Lot 15, DL 71 and 77, Plan VIP61007. X-reference GL-RZ-2005.3
<b>Planning Status</b>			
<b>Status Date:</b> May-03-2012			
Applicants to vary the location of the easement slightly and will prepare an updated survey to replace the one in the current covenant.			
<b>Status Date:</b> Apr-03-2012			
Applicant has responded with several comments on the draft covenant. Planner working with applicant and legal counsel to satisfy these.			
<b>Status Date:</b> Mar-01-2012			
Planner waiting applicant's comments on draft covenant.			
File Number	Applicant Name	Date Received	Purpose
GL-SUB-2010.1	Land Survey Inc. Planner: Kris Nichols	Jun-03-2010	ELLIS RD To create 2 lots
<b>Planning Status</b>			

**Status Date:** Feb-09-2012

PLA received from MOTI dated April 1, 2011

**Status Date:** Oct-29-2010

**Status Date:** Sep-13-2010

Response sent to MOTI September 13, 2010.

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2012.1	Louis Gothier c/o Ron Taylor <b>Planner:</b> Kris Nichols	May-01-2012	275 BLUFF RD & 351 BLUFF RD A boundary Adjustment

**Planning Status**

**Status Date:** Jul-09-2012

**Status Date:** May-17-2012

Sent letter of acknowledgment of receipt of application form and fees to applicant. Copied app to trustees and forwarded file to Planner.

**Status Date:** May-03-2012

Sent a letter to applicant requesting the Sub referral form be completed and submitted along with the fees.

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2012.2	Winmark Capital Inc. c/o Peter Thomson BCLS <b>Planner:</b> Kris Nichols	Jul-04-2012	Creating 12 new lots

**Planning Status**

**Status Date:** Sep-06-2012

PLA received from MOT

**Status Date:** Jul-31-2012

Referral response sent to MOT

**Status Date:** Jul-25-2012

Planner initiating review of application

**Kathy Jones**

**From:** Nicole Ranger  
**Sent:** October-25-12 10:28 AM  
**To:** Ken Hancock; Kris Nichols; Louise Decario; Robert Kojima; Sandy Pottle; Kathy Jones; Sharon Lloyd-deRosario  
**Cc:** Nancy Roggers  
**Subject:** Galiano LTC Expenses - Oct 31/12

**Islands Trust****LTC EXP SUMMARY REPORT F2012**

Invoices posted to October 31, 2012

<b>625 Galiano</b>	<b>Invoices posted to October 31, 2012</b>	<b>Budget</b>	<b>Spent</b>	<b>Balance</b>
65000 625	LTC "Trustee Expenses"	1,100.00	160.33	939.67
65200 625	LTC Local Exp LTC Meeting Expenses	3,900.00	2,005.12	1,894.88
65210 625	LTC Local Exp APC Meeting Expenses	500.00	151.35	348.65
65220 625	LTC Local Exp Communications	800.00	583.51	216.49
65230 625	LTC Local Exp Special Projects	1,000.00	-	1,000.00
65240 625	LTC Local Exp Miscellaneous	300.00	-	300.00
<b>TOTAL LTC Local Expense</b>		<b>6,500.00</b>	<b>2,739.98</b>	<b>3,760.02</b>
73001 625 2002	Galiano OCP/LUB	6,500.00	-	6,500.00
73001 625 4002	Galiano Groundwater Protection	10,000.00	3,159.33	6,840.67
<b>TOTAL Project Expense</b>		<b>16,500.00</b>	<b>3,159.33</b>	<b>13,340.67</b>

**Nicole Ranger**

Finance Clerk  
 Islands Trust  
 200-1627 Fort Street  
 Victoria, BC V8R 1H8  
 Phone: (250) 405-5152  
 Fax: (250) 405-5155

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# PROPOSED

## Galiano Island Local Trust Committee Expense Budget

2012-2013

\$6500

	G/L Code	Budget
LTC Meeting Expenses	65200	3 900
APC Meeting Expenses	65210	500
Communications	65220	800
Special Projects	65230	1 000
Miscellaneous	65240	300
<b>Total</b>		<b>6 500</b>

# Galiano Island Local Trust Committee

## POLICIES AND STANDING RESOLUTIONS

Updated: September 26, 2012

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 18, 2004	GL-LTC-118-04	Road Network Plan	It was Moved and Seconded that the issue of access, including the proposals provided in the Road Network Plan, be applied to any existing and future rezoning applications brought before the LTC.
2.	June 14, 2004	GL-LTC-130-04	Forest 1 and Forest 3 lots	<p>It was Moved and Seconded that staff be directed to draft a proposal to the Islands Trust Executive Committee requesting approval of a special Galiano Island Local Trust Committee initiative to accept, at reduced fee levels and for a limited time, applications to rezone eligible Forest 1 lots to Forest 3.</p> <p>In support of this request we offer that applications received under this initiative be batched in groups of two or more, each under a single bylaw. This approach, administered efficiently, will take less time to process and therefore cost less than if done singly, while still ensuring community input through full public process.</p> <p>The groupings we anticipate should be for properties of like nature and general location, though not necessarily contiguous.</p>
3.	July 21, 2004	GL-LTC-137-04	F1 Zone	It was Moved and Seconded that Galiano LTC consider option 1, Cost Recovery Model, of the July 7, 2004, staff report Re: Batching/Initiating Offer, as an operating policy for the charging of fees as part of any rezoning application and in particular with reference to applications for rezoning of F1- zoned properties.
4.	February 16, 2005	n/a	F3 Covenant	<p>Galiano LTC will hold be a covenant holder to all covenants granted as part of the F3 rezoning process</p> <p>The model F3 covenant will be referred to all prospective covenant holders for comment on the document and to seek confirmation that they are willing to be a covenant holder jointly with the local trust committee.</p>

No	Meeting Date	Resolution No.	Issue	Policy
5.	June 29, 2005	n/a	Subdivision Applications	Staff are requested to prepare a report that provides wording for standing resolution to refer subdivision applications to the Galiano Fire Department and the Parks and Recreation Commission.
6.	May 11, 2009	GL-LTC-85-09	Parks Commission Referral	<b>THAT</b> the Galiano Island Local Trust Committee direct Staff to send rezoning applications to the Galiano Island Parks and Recreation Commission for referral.
7.	October 18, 2010	GL-LTC-115-10	Publishing Notices beyond legal requirements	<b>THAT</b> the Galiano Island Local Trust Committee will advertise Public Hearing Notices in either the Active Page Magazine or Islands Tides Newspaper in addition to the legally required advertising in the Driftwood Newspaper.
8.	October 17, 2011	GL-LTC-205-11	Special Occasion Liquor Licenses	<b>THAT</b> where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property on which Galiano Island Land Use Bylaw No. 127, 1999 permits public assembly uses, such as restaurants or community halls, and where there have been no issues related to parking or past complaints for the preceding three years, staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.
9.	September 17, 2012	GL-LTC-100-12	Short Term Vacation Rentals	<p><b>THAT</b> given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, Short Term Vacation Rentals that have one or more of the following characteristics will be subject to enforcement:</p> <ol style="list-style-type: none"> <li>1. There are issues related to health and safety;</li> <li>2. There is a written complaint by owners or residents of two properties about bona fide serious nuisance issues such as noise or parking congestion related to the STVR;</li> <li>3. The owner of the property uses more than one property on Galiano Island as a STVR.</li> </ol> <p><b>THAT</b> nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Galiano Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time;</p> <p><b>THAT</b> the policy remains in effect until such time as the regulatory review is complete.</p>





## Islands Trust

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- [About Us](#)
- [Employment](#)
- [News and Subscriber Services](#)



### Population (2011):

Approximately 1,138

### Size:

5,810 hectares (14,356 acres)

### Location:

26 kilometres north-east of the Swartz Bay ferry terminal located on Vancouver Island.

[Land Use Planning](#)

[Related Planning Services](#)

[Related Resources](#)

[Trust Area Mapping](#)

[Related Links](#)

## Galiano Island Local Trust Committee

### Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the Galiano Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

#### July 2012

- [Galiano Island Development Permit Area Compilation Map](#)

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### Planner Office Hours on Galiano Island

## Galiano Island Local Trust Committee Projects

Local trust committee community planning projects are initiated and managed through their Work Programs. The Work Program Top Priorities are projects that have been prioritized by the LTC and for which resources are available or anticipated to be available shortly. Projects can be significant and long term, such as an Official Community Plan Review, or may be relatively minor, such as an amendment to a regulation in a Land Use Bylaw.

- [Work Program Top Priorities](#)

### General

- [Potential Amendments to Forest Designation and F1 Zone - Staff Report dated October 4, 2011](#)
- ["A Guide to Environmentally Friendly Building and Renovating in the Southern Gulf Islands" booklet](#)
- [A "Choosing a Building Site on your Lot" fact sheet](#)
- [A "Making Changes to your Lot Line" fact sheet](#)
- [An "Applying for a Variance" fact sheet](#)
- [Geological Hazard Mapping Project- Final Consultant report March 31, 2010](#)

### Climate Change Action

- [Staff Report - October 2009](#)
- [Community Engagement Tools](#)
- [Climate Wise Islands](#)
- [Staff Report - January 29, 2010](#)
- [Adopted Bylaw No. 206](#)

### Groundwater Study

- [Galiano Groundwater Study- Phase One \(Waterline Resources Inc. March 31, 2011\)](#)
- [Galiano Groundwater Study - Phase Two \(Waterline Resources Inc. - May 10 2012\)](#)

### Official Community Plan Review

#### Consolidation

- [Galiano Island Official Community Plan Bylaw No. 108, 1995 - consolidated November 25, 2011](#)

## Committee Links

- [Committee Home](#)
- [Trustee Membership](#)
- [Contact Trustees](#)
- [Contact Planning Staff](#)
- [Planning Bylaws](#)
- [Administrative Bylaws](#)
- [Meetings Schedule](#)
- [Meeting Agendas](#)
- [Meeting Minutes](#)
- [Resolutions-Without-Meeting](#)
- [Associated Islands](#)
- [Land Use Application Forms](#)

## Land Use Bylaw Review

### Staff Reports

- [Staff Report- June 11, 2012](#)
- [Staff Report -July 23, 2012](#)

### Proposed Bylaw

- [Proposed Bylaw No. 237](#)

## Applications

### Rezoning Application : GL-RZ-2005.2 (Smith/Romagnoli)

- [Staff Report dated July 29, 2010](#)

### Rezoning Application: GL-RZ-2011.1(Affordable Housing)

#### Staff Reports:

- [Staff Report dated November 3, 2011](#)
- [Staff Report dated November 28, 2011](#)
- [Staff Memo dated January 31, 2012](#)
- [Staff Report dated April 16, 2012](#)
- [Staff Report dated July 9, 2012](#)
- [Staff Report - September 17, 2012](#)

#### Proposed Bylaws:

- [Proposed Bylaw No. 233](#)
- [Proposed Bylaw No. 234](#)

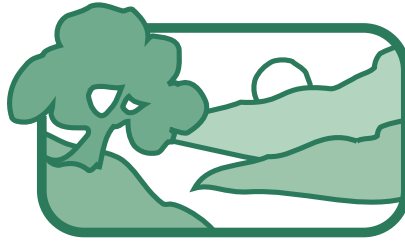
### Rezoning Application: GL-RZ-2011.2 (Richard Dewinetz)

- [Preliminary Staff Report dated March 30, 2012](#)
- [Memo dated May 3, 2012](#)
- [Staff Report dated May 31, 2012](#)
- [Preliminary Layout Plan, prepared February 29, 2012](#)
- [Proposed Layout Plan, prepared May 2, 2012](#)
- [Proposed Bylaw No. 235](#)
- [Proposed Bylaw No. 236](#)

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**PROPOSED**

# Islands Trust

## **GALIANO ISLAND LOCAL TRUST COMMITTEE**

**WILL MEET ON THE SECOND MONDAY OF EACH MONTH @ 1:00 P.M.  
(\*UNLESS OTHERWISE NOTED) AS FOLLOWS:**

**\*FEBRUARY 18, 2013**

**MARCH 11, 2013**

**APRIL 8, 2013**

**MAY 6, 2013**

**JUNE 10, 2013**

**\*\*NORTH COMMUNITY HALL**

**JULY 8, 2013**

**SEPTEMBER 9, 2013**

**\*OCTOBER 7, 2013**

**\*\*NORTH COMMUNITY HALL**

**\*NOVEMBER 18, 2013**

**DECEMBER 9, 2013**

**LOCATION:  
SOUTH COMMUNITY HALL, GALIANO ISLAND  
(\*AS NOTED ABOVE)**

These are regular business meetings of the Local Trust Committee, where they will consider items such as bylaws, applications and correspondence.

**THE PUBLIC IS WELCOME TO ATTEND THESE MEETINGS**



# Memorandum

Date October 16, 2012

File Number GL LTC

To Galiano Local Trust Committee  
From Sharon Lloyd-deRosario

Re 2013 LTC Meeting Schedule - Reasons for Alternate Meeting Dates

The suggested dates were chosen as alternate dates due to the following reasons:

February 18<sup>th</sup> as February 4<sup>th</sup> – TPC & February 11<sup>th</sup> is a Stat holiday

May 6 changed from May 13 - TPC

October 7<sup>th</sup> – October 14<sup>th</sup> is a Stat holiday

November 18 as November 4<sup>th</sup> – TPC & November 11<sup>th</sup> is a Stat holiday

pc



# Memorandum

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information@islandstrust.bc.ca www.islandstrust.bc.ca

Date October 22, 2012 File Number GL 3050-20 (APC)

To Galiano Island Local Trust Committee

From Kathy Jones  
Planning Clerk  
Local Planning

Re Galiano Island Advisory Planning Commission Terms

This memo is to inform you that Sheila Anderson, Ursual Deshield, Keith Erickson and Karen Harris's appointments expire on February 1, 2013. These appointments were for a two year term.

Your options for appointing APC members are:

1. Re-appoint members

A letter be drafted and sent out to the present members asking if they would like to serve another term.

2. Advertise for new APC Members

In the past, when we do advertise for APC members, we send a letter thanking the current members and invite them to re-apply, if they are interested in serving another term.

Excerpt from APC Bylaw:

- (c) The Local Trust Committee shall by resolution appoint members to serve up to a two year term commencing February 1.

[Information Note: Appointment terms may vary to allow for alteration in 50% of membership on an annual basis]"

I look forward to your direction on this matter.

pc