

ADOPTED

**MINUTES OF THE GALIANO ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON MONDAY, OCTOBER 7, 2013 AT 12:30 PM
AT THE NORTH ISLAND COMMUNITY HALL,
GALIANO ISLAND, B.C.**

<u>PRESENT:</u>	Ken Hancock	Chair
	Sandy Pottle	Local Trustee
	Louise Decario	Local Trustee
	Kris Nichols	Island Planner
	David Millership	Recording Secretary

There were approximately eight (8) members of the public present.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 12:35 p.m. Introductions were made and the meeting introduced.

Chair Hancock stated appreciation and acknowledgment that today's meeting was taking place on the traditional territories of the Coast Salish people.

2. APPROVAL OF THE AGENDA

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

- *Added Item 11.3* – Proposed Bylaws 235 and 236 (Dewinetz)
- *Added Item 14.2* – 2014 Meeting Schedule

The agenda was approved, as amended, by consent.

2.1 Questions on Agenda Items

None

2.2 Town Hall Session

Chair Hancock invited the public to make comments.

Tom Hennessy stated support for the Galiano Land and Community Housing Trust (GLCHT) and provided an update.

There was some discussion regarding: the almost hired professional housing consultant; reports; funding; Community Information Meeting(s) (CIM); rezoning; septic solutions and wetland management; Agricultural Land Commission (ALC) understanding of drip irrigation; potential odor; septic engineer's practical experience; projected project costs; due diligence; and the need to protect applicants that will have limited resources.

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 Galiano Island Local Trust Committee Meeting Minutes of September 9, 2013

Amendments:

- Page 4, second paragraph – replace “the woodshed having been removed;” with “the need for the woodshed to be removed;”.
- Page 4, second paragraph – replace “a complaint from 2005 complaint;” with “a complaint from 2005;”.
- Page 4, second paragraph – replace “eel grass;” with “eel grass presence;”.
- Page 5, item 9.2, fourth paragraph – replace “of a new lot” with “an additional lot”.
- Page 5, item 9.2, last paragraph – replace “for Healthcare being” with “for the Healthcare Society being”.
- Page 9, item 11.7, first paragraph – delete “(i.e.: field guides with QR codes)”.

- Page 9, item 11.7, second paragraph – delete it.
- Page 10, item 11.8, second paragraph – replace “September 15th” with “September 22nd”.
- Page 10, item 12.2 – replace “75% budget” with “75% funding”.
- Page 10, item 12.2 – replace “(UBCM) meeting.” with “(UBCM) convention motion regarding Multi Material BC (MMBC).”.

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

5.2 Public Hearing Record and Community Information Meeting

None

5.3 Section 26 Resolutions without Meeting

None

5.4 Advisory Planning Commission

None

6. BUSINESS ARISING FROM THE REPORT

6.1 Follow-up Action Report

6.1.1 FUAL Report dated September 2013

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

Specific to item 2 – Bylaw Nos. 235 and 236 received Minister approval and the covenants have been registered.

Specific to GL-SUB-2007.1 (LPG Landplan Group Inc. – Zizzy/Brown) – Minister approval and execution of the covenant(s) are close to being finalized. The Local Trust Committee (LTC) can exercise Resolution(s) Without Meeting (RWM) as needed.

Specific to item 5 – Planner Nichols is waiting to hear from the new owners regarding next steps/intentions.

There was some discussion regarding the LTC's desire for a meeting with the Ministry of Transportation and Infrastructure (MoTI) regarding parking issues and bike trails.

7. DELEGATIONS

None

8. CORRESPONDENCE

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

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

8.1 Letter Dated September 19, 2013 from Anne Kenway

Received for advisement relating to the GL-DP-2013.2 (Ghai) file.

9. MOTION TO CLOSE MEETING

Resolution GL-LTC-107-13

It was Moved and Seconded THAT, pursuant to Section 90(d), (f) and (g) of the Community Charter, the Galiano Island Local Trust Committee resolves to close the meeting to the public for the purpose of adopting July 15, 2013 Galiano LTC In Camera Minutes and to consider legal advice on a potential litigation issue; and further that staff and Recording Secretary remain present.

CARRIED

Note –The public was asked to adjourn at 1:25 p.m

See separate In Camera Meeting minutes dated October 7, 2013.

Note –The public reconvened at 2:00 p.m.

10. RECALL TO ORDER

Chair Hancock stated there was nothing to report.

11. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

11.1 GL-DP-2013.2 (Ghai) - Memo

Planner Nichols provided information from Memorandum dated September 13, 2013 (File Number GL-DP-2013.2) Re: GL-DP-2013.2 – New Biologist Report for Consideration in Evaluating the Development Permit Application.

David McKerrell was in attendance and spoke on behalf of the application.

Marjorie and Steve Cerezin, neighbours of the applicant, were in attendance and spoke in opposition to the application.

A neighbour supporting Marjorie and Steve Cerezin was in attendance and spoke in opposition to the application.

There was some discussion regarding: eel grass presence; addressing concern(s) regarding eel grass; viewsapes; possible clam bed(s) presence; best management practices; boat anchor(s) potential damage to the ocean floor during storms; property lines and potential infringement; noise relating to the dock; privacy; riparian rights; the dock potentially being a menace to navigation; lack of consultation with neighbours; side lot boundary; sensitive ecosystems; angle to the shoreline; best location for the dock according to a biologist(s); potential deconstruction impact(s) of current dock structure(s); a photograph provided by Marjorie and Steve Cerezin showing their house in relation to the proposed dock; required advertising being fulfilled; Ministry not following its own guidelines and the need to address problems with process; concern over dock pilings going in prior to reporting; compliance with maximum 2.2 metre (m) boat draft guidelines; proposed dock size; Department of Fisheries and Oceans (DFO) regulations; studies and findings done by the applicant; and whether or not eel grass was damaged during the construction of dock pilings already in place.

Resolution GL-LTC-111-13

It was Moved and Seconded that the Galiano Island Local Trust Committee requests the applicant to provide a survey demonstrating the proposed docks compliance with Development Permit guideline 52 and that a subsequent report be provided that assesses the entire site adjacent to the owner's parcel in order to verify a dock location that minimizes impacts on sensitive ecosystems, while complying with any other applicable guidelines.

CARRIED

There was some discussion regarding; bathymetric surveying needing to be done by a person(s) and/or company separate from David McKerrell's company; the whole bay not yet having been surveyed; and terms of reference.

Resolution GL-LTC-112-13

It was Moved and Seconded that the Galiano Island Local Trust Committee states that if the biologist determines that there is a better location for the dock that the report(s) also include the environmental impacts of the actual deconstruction of the dock and any measures that would minimize such impacts.

CARRIED

There was some discussion regarding the potential impact(s) of boat anchors and dock chains if the dock were to be completed.

Chair Hancock stated: that the LTC has requested that Regional Planning Manager, (RPM) Robert Kojima, review and address inconsistencies in processes in order to improve communication(s) with the Tenures office; that the onus is now on the applicant(s) to prove that Development Permit (DP) objectives have been met; and that the Islands Trust will now do neighbourhood notifications(s) for applications such as this one.

Trustee Decario stated support for the LTC's use and future reference of Attachment 1, page 7, of Planner Nichol's Memo and specifically regarding Suggestions & Recommendations as made by Precision Identification in their report titled Eelgrass Habitat Assessment.

There was some discussion regarding the applicant being responsible for fees associated with today's decisions.

Chair Hancock asked that the applicant(s) work with Planner Nichols.

11.2 Salts Spring Island Local Trust Committee Riparian Area Regulation Options Referral

Resolution GL-LTC-113-13

It was Moved and Seconded that the Galiano Island Local Trust Committee considered Salt Spring Island Local Trust Area early referral of Riparian Areas Regulation (RAR) and decided Interests Unaffected.

CARRIED

11.3 Proposed Bylaws 235 and 236 (Dewinetz)

Resolution GL-LTC-114-13

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

CARRIED

Resolution GL-LTC-115-13

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

CARRIED

Richard Dewinetz was in attendance and thanked the Local Trust Committee, Planner Nichols, and the community.

Resolution GL-LTC-116-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to prepare a press release regarding the Dewinetz rezoning and if applicable to include Zizzy/Brown too.

CARRIED

Note – A break was called at 3:00 pm.

Note – The meeting reconvened at 3:10 pm.

The meeting continued with item 12.

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 STVR Memo

Planner Nichols provided information from Memorandum dated September 26, 2013 (File Number GL 6500-20 (STVR)) Re: Short Term Vacation Rentals Review Project Charter.

There was some discussion regarding project scope and the Draft Project Charter, amendments were as follows:

- Page 2, Project Scope – under Out of Scope, move “Number of known STVRs on Galiano” to In Scope.
- Page 2, Project Scope – under Out of Scope, move “Identification of all visitor accommodations being offered on Galiano” to In Scope.
- Page 4, Project Timeline – change Target Completion Date for Deliverable / Milestone item No. 2 to “January 2014”.
- Page 4, Project Timeline – change Target Completion Date for Deliverable / Milestone item No. 8 to “April 2014”.
- Page 4, Project Timeline – change Target Completion Date for Deliverable / Milestone item No. 9 to “May 2014”.

There was some discussion regarding who would be responsible for gathering required Project Scope quantitative data as well as the desire to know how many guests can be accommodated at each Short Term Vacation Rental (STVR) identified.

Chair Hancock stated that it is important to find out the visitor accommodation mix on Galiano (including STVRs, Bed and Breakfasts (B&B's) etc.).

There was some discussion regarding: doing a property mail-out survey with option to respond online via Survey Monkey; the importance of well-crafted questions; including a question such as “Would you want an STVR next door?”; Planner Nichols providing the Trustees with example surveys; and the Trustees sending their survey ideas to Planner Nichols.

Resolution GL-LTC-117-13

It was Moved and Seconded that the Galiano Island Local Trust Committee approves as amended the Draft Project Charter regarding Short Term Vacation Rentals.

CARRIED

13. REPORTS

13.1 Work Program Reports

13.1.1 Work Program Report dated September 2013

Work Program items were discussed with regards to status and action and Planner Nichols will update the Top Priorities and Projects lists according to LTC recommended amendments.

Specific to Top Priority Item No. 1 Activity No. 3 – Planner Nichols will report back to the LTC (re-initiate in order to close).

There was some discussion regarding: budget; Land Use Bylaw (LUB) update Phase II; parking; dock review; the concept of maybe treating applications such as GL-DP-2013.2 (Ghai) more like re-zoning applications in the future; and Top Priorities.

Resolution GL-LTC-118-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend Work Program Report Top Priorities by moving Top Priority Item No. 2 to No. 1, Top Priority Item No. 3 to No. 2 and Top Priority Item No. 1 to No. 3.

CARRIED

Resolution GL-LTC-119-13

It was Moved and Seconded that the Galiano Island Local Trust Committee directs staff to amend Work Program Report Top Priority Item No. 3 (LUB update) by removing Phase II Item No. 1 and Phase II Item No. 2.

CARRIED

13.2 Applications Reports

13.2.1 Applications Report dated September 2013

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

Specific to GL-DVP-2013.1 (Norgang) – Planner Nichols will replace “lot line” with “setback”.

13.3 Expense/Budget Reports

13.3.1 LTC Expense Report dated September 2013

Provided for information purposes only.

13.4 Bylaw Enforcement

None

13.5 Policies and Standing Resolutions Report

Provided for information purposes only.

13.6 Galiano Island LTC Web Page for Review

Chair Hancock asked for any additions or changes to the LTC web page; specific amendments are listed below and Planner Nichols will update routine items as necessary.

- Add – Bylaw No. 235 and Bylaw No. 236 (Adopted).
- Add – STVR Project Charter (Adopted).

There was some discussion regarding: user issues pertaining to the Calendar Utility having been resolved; Trustee Pottle's phone number having been updated; and user issues in general continuing to be addressed/resolved.

13.7 Chair's Report

Chair Hancock stated that he attended the Union of British Columbia Municipalities (UBCM) convention and that the Islands Trust sponsored Derelict Vessels Workshop was well attended. He stated that the Islands Trust supported a resolution asking the Provincial and Federal governments to take meaningful action regarding derelict vessels. He stated that the Islands Trust supported a resolution sponsored by Tofino regarding provincial reform of the Mineral Tenure Act. Chair Hancock stated that he attended a Truth and Reconciliation Commission of Canada (TRC) forum and listened to residential school survivor testimony.

13.8 Trustee Report

Trustee Pottle stated that she: attended Trust Council on Lasqueti Island; assisted someone regarding the 5 metre cottage height restriction; looked into materials pertaining to Galiano Land and Community Housing Trust (GLCHT); researched wetland disposal systems; responded to constituents concerns regarding affordable and

seniors housing; researched affordable housing projects on other Gulf Islands; research STVR guidelines in other jurisdictions; fielded inquires relating to road standards; and attended to her duties in general.

Trustee Decario stated that she has been busy attending to phone calls and her duties in general.

14. OTHER BUSINESS

14.1 Upcoming Meetings

The next meeting of the Galiano Local Trust Committee will be held on November 18, 2013 at 12:30 p.m., at the Galiano Island South Community Hall.

14.2 2014 Meeting Schedule

Resolution GL-LTC-120-13

It was Moved and Seconded that the Galiano Island Local Trust Committee requests that its meetings be held on the first Monday of each month except where a statutory holiday occurs and that the 2014 Meeting Schedule reflect such.

CARRIED

15. TOWN HALL MEETING

Chair Hancock invited the public to make comment.

Tom Hennessy stated support for Galiano Land and Community Housing Trust (GLCHT) and addressing the application process in a timely manner.

There was some discussion regarding: process; housing agreements; Community Information Meetings (CIMs); and concern(s) regarding affordability, septic and water.

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

16. ADJOURNMENT

Resolution GL-LTC-121-13

It was Moved and Seconded that the Galiano Island Local Trust Committee meeting be adjourned at approximately 4:55 p.m.

CARRIED

RECORDER

CHAIR