

ADOPTED



Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: November 2, 2015
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present: Laura Busheikin, Chair
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
David Millership, Recorder

Public and Media Present: There were 48 members of the public present and no media

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:30 pm. Introductions were made and she acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Andrew Loveridge stated support for Galiano Green (GG), Local Trust Committee (LTC) input and expedited process.

Peter Midgley presented the LTC with a petition pertaining to improved cellular and broadband services, which had garnered 480 signatures. He expressed concern with the LTC's decision regarding 3445-50 CT (Rogers) and position regarding Beacon Wireless repeater infrastructure.

Bowie Keefer stated support for cottages being a minimum of 1,000 square feet (sq. ft.)

Stephen Akins stated support for the petition pertaining to improved cellular and broadband services.

Louise Decario stated that, regarding the GL-RZ-2013.1 (Landworks) application, the Galiano Conservancy Association (GCA) has agreed to be a covenant holder. She commented that she will represent the GCA and work with applicant Bowie Keefer.

Geoff Gaylor stated concern with process surrounding GL-RZ-2013.1 (Landworks) and related F3 covenant. Specifically, he objected to Regional Planning Manager (RPM) Kojima meeting with the applicant regarding the F3 covenant, without the community being privy.

Elizabeth Latta stated support for an LTC facilitated Communications Strategy forum.

Trustee Pottle responded that 'Telecommunication Strategy' is on the LTC Projects List.

Tom Hennessy provided a Galiano Green update. He stated hope that the December meeting agenda would include a Public Hearing (PH) pertaining to GG's rezoning application.

Debbie Holmes spoke and then submitted her comments in writing. She asked that Galiano's community planning process be affirmed and for a sustainable forestry covenant template that is simple and clear, includes five main concepts/conditions, and serves Galiano's bylaws.

Gary Coward stated that the LTC's job is governance of a Trust; he supports Debbie Holmes comment; and the covenant process is a disappointment. He spoke to the acknowledgement that this meeting is being held in traditional territory of the Coast Salish First Nations and asked what the Islands Trust is doing to indemnify this land, which was stolen from them.

There was some discussion regarding:

- The need to decide how to approach the issue;
- There being no template that heals relationships and deals with the past/present;
- Being on the cusp of trying to do something about it;
- Resources and competing issues;
- LTC bylaws currently being referred to six First Nations;
- The need to figure out how to engage First Nations and receive direction from them;
- Indemnification being a struggle;
- Wanting to work together for the benefit of each other;
- The need for community leadership on the issue.

A member of the public spoke to GL-RZ-2014.1 (Crystal Mountain Society) and commented that she does not support the application. She stated concern with increased density and water/well contamination from pharmaceutical run-off.

Kiyo Okuda stated that the Islands Trust has a mandate to preserve and protect; the LTC is responsible for protecting the forest-zone from change; radiation from wireless technology is a concern and he hence supports the expansion of landlines instead; preserving and protecting is congruent with the First Nations perspective and shows respect for their heritage; and Bylaw Enforcement (BE) needs to respond to illegal dwellings on forest-zoned lands.

4. COMMUNITY INFORMATION MEETING

4.1 Galiano Island Local Trust Committee Bylaws No. 242 & 243, 253, 254 & 255

Chair Busheikin stated that a Community Information Meeting (CIM) gives the public an opportunity to make comments and/or ask questions.

RPM Kojima provided the following information and stated that in general terms the purpose of:

- Proposed Bylaw No. 242 is to amend Galiano Island Official Community Plan Bylaw No. 108, 1995 to clarify the term 'cottage';
- Proposed Bylaw No. 243 is to amend Galiano Island Land Use Bylaw No. 127, 1999 to permit a larger floor area and greater height for cottages;
- Proposed Bylaw No. 253 is to amend Galiano Island Official Community Plan Bylaw No. 108, 1995 to permit home-based contractor yards by issuance of a Temporary Use Permit (TUP) - the intent being to amend the TUP section of Galiano's Official Community Plan (OCP) in order to include specific TUP guidelines and conditions for home-based contractor yards;
- Proposed Bylaw No. 254 is to amend Galiano Island Official Community Plan Bylaw No. 108, 1995 to outline policies that would allow secondary suites to provide housing options on Galiano Island by permitting secondary suites, and to permit the use of Short Term Vacation Rentals (STVRs) in secondary suites;
- Proposed Bylaw No. 255 is to amend Galiano Island Land Use Bylaw No. 127, 1999 to permit and regulate secondary suites in residential zones and to permit home occupations, such as STVRs, in secondary suites.

A member of the public asked if commercial use includes long-term rentals.

RPM Kojima responded no, and that the proposed bylaws address alternatives to long-term rental use.

A member of the public asked why the LTC decided on a cottage floor area of only 750 sqft. He stated concern that rainwater catchment is a requirement.

RPM Kojima responded that any new construction, including that of cottages, has a rainwater catchment requirement when in water management areas.

Trustee Pottle responded that a cottage floor area of 750 sqft seemed reasonable and that a future bylaw might address larger cottage sizes connected to a housing agreement.

Gary Coward asked if secondary suites have a sewage requirement.

RPM Kojima responded that septic requirements are tied to building permits.

Debbie Holmes asked for confirmation, that properties in all zones, are to be permitted either a cottage or a secondary suite, not both.

RPM Kojima responded that lots having an area of 0.4 hectares (ha) / one (1) acre or greater, in all zones, are to be permitted either a cottage or a secondary suite and that lots under such an area are to be permitted neither.

Debbie Holmes spoke to home-based contractor yards and asked if there are prohibitions on bio-diesel and/or the storing of large amounts of fuel.

RPM Kojima responded that he is not sure if what is being described is a home-based contractor yard. He stated that: guidelines need to be followed; TUPs are available to contractors; and TUP approvals/conditions are subject to LTC discretion.

Rose Longini asked if the new permitted height for cottages would be 9 metres (m) and if so, why.

RPM Kojima responded yes, he stated that 9 metres was chosen because it aligns with permitted height for houses and enables cottages to be two storeys which can reduce their footprint.

Elizabeth Latta asked if lots zoned Agricultural Land Reserve (ALR) are allowed cottages and secondary suites. She also asked if home-based contractor yards are permitted on lots zoned Private Managed Forest Land (PMFL).

RPM Kojima responded that the Agricultural Land Commission (ALC) allows secondary suites but doesn't allow cottages. He further responded that the LTC can't issue a permit that restricts a forest management activity.

A member of the public asked what TUP means.

RPM Kojima responded that:

- A TUP is a Temporary Use Permit;
- TUPs can be issued by the LTC to permit a use that otherwise would not be permitted by zoning;
- TUPs are valid for three years and can be renewed once;
- TUPs are advertised and neighbour input is welcomed prior to the LTC making a decision;
- TUP approvals/conditions are subject to LTC discretion.

Kiyo Okuda spoke to Bylaw Enforcement (BE) and questioned why the LTC is introducing more regulations/ways for individuals to be non-compliant. He asked what are the consequences of non-compliance and stated concern with the enforcement of compliance.

There was some discussion regarding:

- There being some unsolved compliances;
- There being many voluntary compliances that the community doesn't hear of;
- Voluntary compliance being the goal of BE;
- BE process surrounding warnings, ticketing, and litigation;
- BE being complaint driven;
- The need for balance and not wanting to live in a police state;
- Fines being incentives for compliance;
- Most non-compliances being settled voluntarily.

Debbie Holmes spoke to TUPs and asked if they last for a maximum of six years.

RPM Kojima responded that one TUP permit can last up to a maximum of six years, at which point a new TUP would need to be applied for. He commented that staff generally encourage rezoning applications after the six year period.

Taylor Randle asked if public disclosure of all bylaw infractions is permitted.

RPM Kojima responded that individuals names need to be kept private but that BE statistics are public/published and are available via the Islands Trust website, under Trust Council agenda packages.

Carolyn Jerome asked if BE process regarding the progressive steps of enforcement are publicly available.

RPM Kojima responded yes and stated that such information is available via the Islands Trust website, under Bylaw Enforcement.

Sheila Anderson asked if process surrounding the enforcement of advertised illegal activity has changed.

RPM Kojima responded no, nothing has changed.

Kiyo Okuda spoke to enforcement of advertised illegal activity and stated concern with possible environmental impact(s) - he asked if environmental assessments are done.

RPM Kojima responded that environmental impact(s) is always considered and that a whole series of guidelines, including discretionary ones, are in place.

Tom Hennessy asked for information regarding BE on Denman Island.

Chair Busheikin responded that Denman Island, where she lives, doesn't have a BE ticketing system and that it works.

5. PUBLIC HEARING

5.1 Recess for Public Hearing

5.1.1 Galiano Island Local Trust Committee Bylaws No. 242 & 243, 253, 254 & 255

Chair Busheikin recessed the meeting at 1:45 pm.

See separate Public Hearing Record dated November 2, 2015.

5.2 Recall to order

Chair Busheikin recalled the meeting to order at 3:15 pm.

6. MINUTES

6.1 Local Trust Committee Minutes Dated October 5, 2015

The following amendments to the minutes were presented for consideration:

- Page 3, first bullet point – no changes but do note the quotation marks.
- Page 8, item 12.7, third paragraph – replace “TC” with “Galiano LTC”.
- Page 9, Debbie Holmes comment – replace it with “stated support with variances being able to be obtained for cottages on a case-by-case basis. She commented that the suggestion of allowing both cottages and suites on lots over 5 acres is broad and that there are 162 lots over 5 acres in size, which aren’t in the forest zone.”

By general consent the Galiano Island Local Trust Committee meeting minutes of October 5, 2015 were adopted as amended.

6.2 Section 26 Resolutions Without Meeting Report

none

6.3 Advisory Planning Commission Minutes for Receipt

none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated October 2015

RPM Kojima provided information.

8. DELEGATIONS

8.1 S. Foster - Crystal Mountain Rezoning - PowerPoint Presentation

Chair Busheikin introduced Stephen Foster, Crystal Mountain Society representative.

Mr. Foster introduced Janice Oakley, Crystal Mountain Society committee member.

Ms. Oakley spoke to the Crystal Mountain rezoning application and made a PowerPoint presentation regarding such.

Mr. Foster submitted document *Forest Retreat Meditation Centre Proposal*, which provided a summary of the proposal and included a *Draft Crystal Mountain Management Areas and Infrastructure Concept Plan*.

There was some discussion regarding:

- The overall vision;
- Challenges regarding zoning and the F3 model;
- Community benefit(s);
- Build-out taking decades;
- Water being a priority;
- Sanitary wastewater treatment;
- Utilities being a combination of BC Hydro and solar;
- Cars not being allowed on the land;
- Entrance being reoriented to Devina Drive;
- Road through Lot 9 being reduced to a footpath;
- Retreats generally being low impact and respectful of the land;
- Addressing neighbour concerns;
- Density transfer from Lot 9 to Lot 8;
- Consideration of a boundary adjustment;
- Zoning and covenants.

Ms. Oakley stated that additional community information sessions will take place on November 7, 2015 and November 28, 2015.

Mr. Foster stated that a management plan will be submitted this week.

9. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage

none

10. APPLICATIONS AND REFERRALS

10.1 GL-RZ-2013.1 (Landworks) - Staff Report

RPM Kojima provided information from Memorandum dated October 20, 2015 (File No.: NP-RZ-2013.1 (Landworks)).

Applicant Bowie Keefer was in attendance and spoke to the application.

There was some discussion regarding:

- The Galiano Conservancy Association being the second covenant holder;
- Process, covenants, and options for moving forward;
- Galiano forests needing management.

GL-2015-100

It was MOVED and SECONDED,

THAT, the Galiano Island Local Trust Committee directs staff to come back with further details on the development control covenant to restrict uses on the proposed F3 lot.

CARRIED

10.2 Referral of Application for Road Closure - 21455 Porlier Pass Road - Staff Memo

RPM Kojima provided information from Memorandum dated October 23, 2015.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Cottage Review -Staff Memo - Bylaws No. 242 & 243 (for further consideration)

RPM Kojima provided information from Memorandum dated October 20, 2015 (File No.: 6500-20-Galiano Cottage Review).

There was some discussion regarding:

- Staff recommendations;
- OCP Review Affordable Housing Committee recommendations regarding cottage size;
- Advisory Planning Commission (APC) recommendations regarding cottage size;
- Concern(s) regarding water resources;
- Increasing cottage size to 80 square metres (sq. m.).
- Staircases taking up space;
- Making the housing agreement approach more accessible.

GL-2015-101

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 242, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2013” be given Third Reading.

CARRIED

GL-2015-102

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 243 be amended by replacing 70 square metres (sq. m.) with 80 square metres (sq. m.) wherever it appears in the bylaw.

CARRIED

GL-2015-103

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 243, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2013” as amended, be given a Third Reading.

CARRIED

GL-2015-104

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw Nos. 242 and 243 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

GL-2015-105

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 242 be forwarded to the Minister of Community, Sport and Cultural Development for approval.

CARRIED

11.2 Home Base Contractor Yards - Staff Memo - Bylaw No 253 (for further consideration)

GL-2015-106

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 253, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2015” be given Third Reading.

CARRIED

GL-2015-107

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 253 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

GL-2015-108

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 253 be forwarded to the Minister of Community, Sport and Cultural Development for approval.

CARRIED

11.3 Secondary Suites Review - Staff Memo - Bylaws No. 254 & 255 (for further consideration)

There was some discussion regarding allowing STVRs in secondary suites.

GL-2015-109

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 254, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 3, 2015" be given Third Reading

CARRIED

GL-2015-110

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 255, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 3, 2015" be given Third Reading.

CARRIED

GL-2015-111

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw Nos. 254 and 255 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

GL-2015-112

It was MOVED and SECONDED,

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 254 be forwarded to the Minister of Community, Sport and Cultural Development for approval.

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated October 2015

Provided for information.

12.1.2 Projects List Report Dated October 2015

Provided for information.

12.2 Applications Report Dated October 2015

Provided for information.

There was some discussion regarding an upcoming application, hardship and the Board Of Variance (BOV).

12.3 Trustee and Local Expense Report

none

12.4 Adopted Policies and Standing Resolutions

Provided for information.

12.5 Local Trust Committee Webpage

The Galiano Island Local Trust Committee webpage can be found at the following url: www.islandstrust.bc.ca/galiano

No specific updates were made; routine items will be updated as necessary.

12.6 Chair's Report

Chair Busheikin reported that the Executive Committee (EC) met with Frank Leonard, new Chair of the Agricultural Land Commission - he hopes to process applications faster and better inform people of their appeals process. Trustees will now receive EC agendas ahead of time. EC will be sending letters to all newly elected Members of Parliament (MPs); Sheila Malcolmson, MP for Nanaimo-Ladysmith is an ally of the Islands Trust. Tomorrow EC will meet with Hon. Peter Fassbender, Minister of Community, Sport and Cultural Development and will ask for the words "and First Nations" to be inserted in the object of the Islands Trust. EC will meet with the Pacific Pilotage Authority regarding anchorages in Islands Trust waters and there are no new developments to report regarding the Chief Administrative Officer (CAO) position.

12.7 Trustee Report

Trustee Harris reported that the Islands Trust Strategic Plan has been adopted and is available via the Islands Trust website. He commented that it's great to see so many community members at today's meeting. He concluded that the LTC will discuss their next three Top Priorities at the next meeting.

Trustee Pottle reported that she has had many conversations regarding telecommunications; she is encouraged by process regarding GL-RZ-2013.1 (Landworks); and she appreciates the community involvement during the process, today and always.

Trustee Harris thanked staff for their work and the availability of the PH binder.

12.8 Trust Fund Board Report Dated October 2015

Chair Busheikin stated that the report was not attached to the agenda package.

13. NEW BUSINESS

none

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for December 7, 2015, at 12:30 pm, at the Galiano Island South Community Hall

The meeting is scheduled as stated.

15. TOWN HALL

Debbie Holmes stated that she is interested in the covenant relating to GL-RZ-2013.1 (Landworks) and asked the LTC to keep it simple whilst maintaining the integrity of Galiano's bylaws.

Several members of the public thanked the LTC for today's meeting.

A member of the public (on behalf of Lauren Magner) read and submitted a letter, which stated concern regarding cell towers and the negative impact(s) technology can have on the environment, humans and non-humans.

16. CLOSED MEETING (Distributed Under Separate Cover)

none

17. **ADJOURNMENT**

By general consent the meeting was adjourned at 4:50 pm.

Laura Busheikin, Chair

Certified Correct:

David Millership, Recorder