



ADOPTED

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: March 6, 2017
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present Laura Busheikin, Chair (arrived at 11:30)
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present Rob Milne, Island Planner (arrived at 11:30am)
Kim Stockdill, Island Planner (arrived at 11:30am)
Colleen Doty, Recorder

Others Present: Approximately 12 members of the public and no media

1. CALL TO ORDER

The meeting was called to order at 11:05 am. Trustee Harris chaired the meeting in Chair Busheikin's absence. There were approximately 15 people in attendance. The meeting was acknowledged as taking place in territory of the Coast Salish.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- GL-RZ-2014.1 Crystal Mountain Society update was added as 10.1 and all other items were renumbered accordingly.
- 10.6 GL-RZ-2016.1 (Wolstenholme) accepted as Addendum and renumbered as 10.7

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Kiyo Okuda noted limited attendance at this meeting and expressed concern about lack of hard copy agenda packages and time limits on speech during Town Halls.

Chair Harris explained that agenda packages would arrive with the planners. Trustee Pottle suggested Mr. Okuda bring his concerns forward to the executive and she explained Chair Busheikin's role and work schedule.

A member of the public asked about the history of the three-minute time-limit.

Trustee Pottle explained that it is different everywhere but that the practice arose in response to the needs of the Galiano LTC meetings.

Roger Pettit spoke in favour of having time-limits and other rules, and conducting oneself respectfully in meetings. He noted that the three-minute rule is an effort to encourage respect and order. He supported following the rule of the chair.

Janice Oakley supported Mr. Pettit's comments, noting also the factor of winter weather contributing to the low attendance. She noted that the tone of aggression and hostility may be other contributing factors discouraging people from attending LTC meetings.

Libby McLelland also supported previous comments by Mr. Pettit and Ms. Oakley. She stated that, with past Trust Committees, there only used to be Town Halls at the very end. She could understand speaking only to agenda topics at the first Town Hall. She thought the meetings were organized very well.

Geoffrey Inverarity attended an LTC meeting approximately 10 years ago and noted that his daughter had observed a hostile environment at a young age.

Kiyo Okuda spoke about the nature of polarity and stated that people have to expect conflict and tension.

Suzanne Fournier referred to the importance of people expressing their views, noting that convergence can come from divergence.

Chair Harris stated that while views are expressed the conversation needs to be civil.

A break was called at 11:25am. Chair Busheikin and Planners arrived at 11:30am.

The meeting was reconvened at 11:56am. Chair Busheikin introduced staff members and thanked Planner Kim Stockdill for her work. The Town Hall resumed with one last speaker.

Louise Decario referred to the TUP application of MacKinnon-Rosnick, GL-TUP-2016.10, and specifically, to the use of the accessory building for Commercial Vacation Rental (CVR) purposes. While she supports the house being used as a CVR, she noted that using an accessory building for CVR purposes is not a permitted use.

There being no further comments the Town Hall was concluded.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated December 5, 2016 (for Adoption)

The following amendments to the minutes were presented for consideration:

- Page 6 of package, fourth paragraph: change “STVRs” to “Commercial-Vacation visitor accommodation operators”
- Page 14 of package in Chair’s report: add “name” after “to change the Island’s Trust Fund”
- Page 14 of package in Chair’s report: replace word “education” with “relationship building.”

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions Without Meeting Report Dated February 2017

For information.

6.3 Advisory Planning Commission Minutes Dated January 4 & 25 and February 8, 2017 (for Receipt)

6.3.1 Telecommunication Strategy Special Advisory Planning Commission Minutes (for Receipt)

6.3.1.1 Adopted SAPC Minutes Dated November 15 & December 13, 2016 and January 10 & 17, 2017

6.3.1.2 Draft SAPC Minutes Dated February 7, 2017

The LTC received all minutes of the SAPC. For next steps, staff indicated that the minutes would be reflected in future staff reports. If there were recommendations to be further explored, then the LTC could make a recommendation(s) to initiate a project. Trustee Harris suggested sending letters of thanks to SAPC members.

GL-2017-001

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee request staff to prepare letters of thanks to the Special Advisory Planning Commission for their outstanding work.

CARRIED

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated February 2017

Planner Stockdill reviewed the list, noting that the Retreat Cove covenant, still with lawyers, will be added to the list.

8. DELEGATIONS

none

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

10.1 GL-RZ-2014.1 - Crystal Mountain Society

Planner Kim Stockdill noted the applicant has been requested to provide a final proposal to the LTC. Staff would like to withhold a Community Information Meeting until they receive a proposal, which is still in progress. An update from the meeting last week has not yet been received by staff. Trustee Harris stated that the consultation process is ongoing. A smaller team of four members from each group was agreed to. It was reported that this format of smaller groups was working better.

The question was posed as to whether future group consultation meetings could happen in the Trust office.

By general consent the Galiano Island Local Trust Committee agreed that the office could be made available for these consultation meetings barring concerns about liability or insurance.

The LTC received a written summary from Janice Oakley of 12 items that came out of earlier meetings between North End residents and CMS. This information will be posted on the Islands Trust website under applications/correspondence. It was noted that this summary was not representative of the latest consultation meeting (consisting of four members from each group). Chair Busheikin reiterated that what was circulated was part of a work in progress and that the LTC was awaiting a further progress report.

10.2 GL-TUP-2016.11 (Orr) - Staff Report

Planner Rob Milne provided an update. The applicant was not present.

Chair Busheikin noted that at the last LTC meeting, there was a requirement to have water metres installed. Yet, none of these applications have that requirement (as outlined in the Adopted Policies and Standing Resolutions). Staff noted that the requirement for water meters was not included in some TUPs as they were received prior to the LTC making water meters a condition. Concern was expressed about making it a requirement now for those applications that had already been received and those in progress prior to that requirement coming into effect.

GL-2017-002

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee amend proposed Temporary Use Permit 2016.11 (Orr) by including the requirement to provide an additional rainwater storage cistern of 8,000 litres capacity within twelve (12) months of the date of issuance for the permit.

CARRIED

GL-2017-003

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee approve Temporary Use Permit GL-TUP-2016.11 (Orr) as amended.

CARRIED

10.3 GL-TUP-2016.12 (Inverarity) - Staff Report

The applicant Geoffrey Inverarity was present. He felt the requirement for a water cistern was onerous and unnecessary given that his property has a significant pond which collects a lot of water. He requested whether his maximum occupancy could be increased to eight guests from the current seven. He noted that the water usage on the property would actually increase if his family were to move here full time. Planner Milne reported that no comments had been received from the community.

GL-2017-004

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee amends Temporary Use Permit 2016.12 (Inverarity) by increasing the number of guests to eight from seven.

CARRIED

There was extensive discussion about whether cistern requirements in a TUP could be changed if an application is in a Water Management Area. It was noted that a Development Variance Permits could be used to vary the regulation in the Land Use Bylaw that requires a 16,000 litre cistern for new construction. Trustee Pottle expressed concern for legislating equitably. It was noted that a cistern might be required to be potable in the future.

GL-2017-005

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee amend proposed Temporary Use Permit 2016.12 (Inverarity) by including the requirement to provide a rainwater water catchment system with a cistern storage capacity of 16,000 litres as per the LUB requirements for Water Management Areas and that the catchment system be installed within twelve months of the date of issuance for the permit.

CARRIED

(Trustee Harris Opposed)

GL-2017-006

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee approve proposed Temporary Use Permit 2016.12 (Inverarity) as amended.

CARRIED

10.4 GL-TUP-2016.10 (MacKinnon/Rosnick) - Staff Report

The applicant was unable to attend. Planner Stockdill summarized the application.

There was discussion about the capacity of the LTC to test the truth of claims. All statements by applicants are taken at face value. Planner Stockdill explained that site visits are not done at this point in the TUP process. Bylaw Enforcement does site visits upon receipt of a specific complaint. There was concern about internal inconsistencies within Temporary Use Permits, specifically with regard to Section 3e) of GL-TUP-2016.10.

GL-2017-007

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee amend Temporary Use Permit GL-TUP-2016.10 (MacKinnon & Rosnick) and remove section 3e) of the proposed permit.

CARRIED

GL-2017-008

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee approve issuance of Temporary Use Permit GL-TUP-2016.10 (MacKinnon and Rosnick) as amended.

CARRIED

10.5 GL-TUP-2016.13 (Russell) - Staff Report

Planner Milne noted the error in Staff Report (pages 113 and 119) citing a maximum of six guests, rather than 10 guests as permitted. Applicant Noah Russell was present. He was in favour of increasing the maximum number of guests eight (8) to allow for two families. The dwelling contains four bedrooms. Mr. Russell asked about the rationale for water regulations with respect to Commercial Vacation Rentals.

Trustees noted that concern for water usage in summer months and having a means of dealing with cumulative impacts of CVR's informed the effort to regulate water.

There was extensive discussion about creating parity and fairness between all applications for TUPs and having similar standards for commercial vacation rental operators, and, residents operating Bed and Breakfasts (B&B) and Short Term Vacation Rentals (STVR's – different from Commercial Vacation Rentals). Land Use Bylaw Section 3.10, Home Occupations Regulations, cites the number of visitors permitted in Village Residential zones for B&B's and STVR's.

It was noted that further work needed to be done in order to have equitable regulations for B&B/STVR operators and CVR operators, specifically with regard to the number of guests permitted.

Various options were considered with respect to this application. The LTC could:

- initiate a Project;
- grant the TUP for a shorter time period until all regulations could be aligned between home occupations and operators of CVR's.
- refer the application to the Advisory Planning Commission for advice.
- keep the maximum number of guests to six, as presented on page 119, and grant the TUP for three years.
- consider having a cap on number of guests.

Planner Milne confirmed that if the LTC initiated a Project, and then changed the guidelines, the applicant could then apply to change that part of their permit. Planner Stockdill noted that an advantage of the TUP system is that it gives the LTC discretion for reviewing applications on their own merits.

GL-2017-009

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee amend Temporary Use Permit GL-TUP 2016.13 (Russell) and change section 3d) to limit guests to eight (8) instead of ten (10).

CARRIED

GL-2017-010

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee approve issuance of Temporary Use Permit GL-TUP-2016-13 (Russell) as amended.

CARRIED

10.6 GL-RZ-2016.2 (Galiano Conservancy) - Staff Report

(Bylaws 262 & 263 for consideration of First Reading)

The applicant was present, as represented by Keith Erickson and Louise Decario. There was discussion about the limitations of the Nature Protection zone. The Galiano Conservancy Association would like to work with Islands Trust staff to develop a comprehensive development zone approach. It was noted that West Coast Environmental Law has done some work on comprehensive development zoning.

GL-2017-011

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee request staff to look at the possibility of using Comprehensive Development zoning in relation to the application by the Galiano Conservancy Association.

CARRIED

It was noted that the professional hydrologist had valid reasons for testing the groundwater in December.

10.7 GL-RZ-2016.1 (Wolstenholme)

GL-2017-012

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee Bylaw No. 259, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2016”, be adopted.

CARRIED

GL-2017-013

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee Bylaw No. 260, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment no. 2, 2016”, be adopted.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

none

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated February 2017

There was extensive discussion about affordable housing. The Trustees felt it was important to keep affordable housing on the Top Priorities list. The LTC explored different options, while acknowledging their primarily role as a land use authority with some advocacy and public education components. These options included:

- appointing a Special APC to explore potential affordable housing locations and who could undertake it;
- re-zoning land for affordable housing sites; and
- regulating commercial vacation rentals to encourage more on-site managers which would offset a housing need.

Planner Stockdill noted staff can usually only work on two top priorities due to the amount of work. A SAPC would need a very tight, prescriptive Terms of Reference to conduct a potential investigation of potential sites for affordable housing.

12.1.2 Projects List Report Dated February 2017

Information as presented.

12.2 Applications Report Dated February 2017 (attached)

Staff are in the process of preparing a report on the work prepared by the Telecommunications SAPC.

With respect to Galiano Green, Planner Stockdill has followed up with the Minister's office.

With respect to GL-TUP- 2017.1 on Sticks Allison Road, a property within the WMA, it was noted the applicant has started to challenge requirements for a 16,000 litre cistern. Although the requirement for well metres has not been included in draft permits, homes in the Sticks Allison neighbourhood connected to a water system have metres already.

Planner Stockdill stated that a covenant is still in progress for GL-TUP-2016.1.

12.3 Trustee and Local Expense Report Dated January 2017 (attached)

No comments.

12.4 Adopted Policies and Standing Resolutions (attached)

Trustee Harris and Trustee Pottle were in agreement they did not wish to set a cap of a maximum of eight (8) guests as a standing resolution.

For the next LTC meeting, Trustee Pottle agreed to add a bullet to No. 6, noting inconsistencies between regulations in Home Occupations and regulations for Commercial Vacation Rentals.

12.5 Local Trust Committee Webpage

No comments.

12.6 Chair's Report

Preparations are underway for Trust Council on Gabriola Island. A budget will be presented on Tuesday, and that would be the time to propose any changes, before budget approval slated for Wednesday. Executive Committee has been presented with a proposed visual identity for the Trusts so that advertising, posters, etc, have a consistent image. Consistency will create efficiencies Trust-wide. There will be a presentation on archaeological processes. Work is underway on a guide for electronic meetings to make them more efficient and useful, and there will need to be investments in technology.

A couple weeks after Trust Council, arising from work conducted by the Association of Vancouver Island and Coastal Communities, advocacy resolutions will be brought forward and passed. Stricter restrictions/regulations on the use of Styrofoam, plastics in the ocean will be forthcoming. A ban is not going to be as effective as regulations. Department of Fisheries and Oceans will review this.

There was a one-day event on Denman Island about creating marine protection zones, United Nations Biosphere reserves. Consensus was that one has to work with all stakeholders and must have First Nations support from the beginning.

12.7 Trustees Report

Trustee Harris noted his last three office hours have been quiet. His office hours are Wednesdays at 4pm. On Salt Spring Island he attended a presentation by senior legal counsel in aboriginal law who spoke about the impact of the Tsilhqot'in First Nation Supreme Court Decision (2014). He is looking forward to Fiona Macrauld, Senior Intergovernmental Policy Advisor, speaking at the Galiano LTC meeting on March 21. Her speech will be posted online. With respect to the incorporation vote on SSI, the Province has delayed the referendum until further notice. As Trustee, he cannot advocate for anything on SSI.

Trustee Pottle indicated her preference to receive agenda packages two Fridays before the meeting, rather than the Monday a week in advance as more time is required to adequately review the information. She's on the local planning committee, but she missed the last meeting because of a family health issue. As a Trustee, she has been interacting with a number of people. She is hopeful that Crystal Mountain Society (CMS) will come to an excellent resolution. Her office hours are Tuesdays, 4-6pm. She thanked the SAPC for their "phenomenal work;" she wished Planner Stockdill a wonderful maternity leave and welcomed Planner Rob Milne.

12.8 Trust Fund Board Report Dated February 2017

Presented for information.

13. NEW BUSINESS

13.1 Provincial Private Moorage Policy Update - Staff Memo

From Executive Committee, Chair Busheikin reported out that this policy went out to all LTC's. FLNRO is being requested by the Islands Trust Chair to slow the process down to give local governments the chance to review and consider the information received. .

13.2 CRD Gulf Islands Regional Trail Plan Open House - Letter of Invitation

Open House is scheduled for March 28, 2017, from 1-4pm at the South Hall, Galiano.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Rescheduled from February 6th, will be Held March 21, 2017, at 11:00 am, at the South Community Hall, Galiano Island

March 21, 2017 meeting will be at 11am. Fiona Macrauld will be speaking at 2pm.

15. TOWN HALL

Kiyo Okuda would like to see a water sample be required as part of the TUP application process for Commercial Vacation Rentals.

Stephen Rybak expressed interest in the topic of electronic meetings, and requested information that arises out of the upcoming discussion at Trust Council, as developments in this area may inform future work of SAPC's. Protocol suggestions for conducting online meetings would have been helpful with the Telecommunications SAPC.

Trustee Harris referred to *Zoom* as a platform for facilitating electronic meetings.

Roger Pettit, referring to TUP application GL-TUP-2016.12, was concerned that a pond was dismissed as a reasonable offset to having a cistern. The fire department encourages people to create ponds. He suggested LTC have some equivalency between cisterns and ponds. He also suggested the reduction of blank paper on agenda packages to reduce waste.

Kiyo Okuda supported accessing the protocol for electronic meetings if there is one.

Planner Stockdill noted the Advisory Planning Commission bylaw would have to be amended to reflect APC electronic meetings.

Geoffrey Inverarity supported comments by Roger Pettit.

Suzanne Fournier enquired about the North End hosting LTC meetings.

Planner Stockdill noted that staff schedule at least two meetings at the North End Hall. LTC meetings are scheduled for July 2017 and December 2017 at the North End Hall. Planner Stockdill reiterated that with respect to CMS, comments circulated earlier reflect earlier meetings in the process. The current process has not yet been reported out.

Libby McLelland wished to clarify comments about CMS. To say that the meetings were discontinued, is not correct. They were completed. She supported encouraging residents with STVR's and asked the LTC to study how people use their homes as Air B&B's can apply to being a room in a house. She stated that one cannot assume a short term vacation rental or commercial vacation rental would become a long-term rental. Perhaps consider a cap, but only if the issue is well-understood.

Sheila Anderson referred to the importance of studying vacation rentals in conjunction with other visitor accommodation units, to grasp how much is going on and to have real data. She supported Kiyo Okuda's comments around expecting the applicant to produce verified information about well data and septic information. If a septic field is not performing properly, a lot of damage can be done to surrounding wells.

Noah Russell noted they use their home at least three (3) months a year. By having a CVR, one is not necessarily taking away from the rental pool, as his family is not taking away from rental stock with the way they currently use their home. He noted there was little financial gain with owning on Galiano.

Stephen Rybak supported assessing equivalency between cisterns and ponds.

Trustee Pottle supported analysing equivalency and noted the Ministry has issues with ponds.

Geoffrey Inverarity stated that he produced a well report and a septic report for his TUP application.

Louise Decario was pleased that staff were mapping out TUP's but would like to see analysis on a neighbourhood by neighbourhood approach. She stated that current regulations are a result of much discussion and community input, but it is a work in progress.

Trustee Pottle noted current approach to CVRs is a compromise approach and would like the approach streamlined.

Planner Stockdill noted that calculations have been done and explained that most of the cost goes toward notification in response to a question from Trustee Harris about the cost to the LTC to process a TUP.

Trustee Harris was concerned about meeting costs. Ballpark figure would be a few thousand dollars. Chair Busheikin referred to the importance of allowing access to the application process for all, not just to those who could afford it.

Planner Stockdill clarified that a Development Variance Permit is to vary land use, but you cannot use a DVP to vary a TUP condition. One would be varying the requirement to have a cistern when constructing a new building.

Kiyo Okuda wanted to encourage long term residents on rental properties and suggested shutting down CVR's that are not home occupations.

Sheila Anderson has been considering if there is a way to focus and simplify elements of the TUP process that would apply to all owners in LUB.

Roger Pettit wondered if it would be possible to strike a committee to manage the paperwork associated with TUPs, vetting applications and pre-approving them, before coming to the LTC meeting. He referred to the CRD doing it with docks.

16. CLOSED MEETING

none

17. **ADJOURNMENT**

By general consent the meeting was adjourned at 3:38pm.

Laura Busheikin, Chair

Certified Correct:

Colleen Doty, Recorder