

ADOPTED

**Galiano Island
Advisory Planning Commission
Minutes of a Regular Meeting**



Date of Meeting: Friday, July 3, 2015, 11:30
Location: Galiano Island Local Trust Office
23 Madrona Road

COPIED TO

Members Present: Sheila Anderson Chair
Ursula Deshield Member
Elizabeth Olson Member
Dave Koster Member (left at 1:20pm)
Akasha Forest Member
Barry New Member

PLANNER

LTC

LC

Regrets: Karen Harris Member

Members of the Public: Two members of the public were present.

Staff Present: Colleen Doty Recording Secretary

Media and Others Present: None

1. CALL TO ORDER

Chair Anderson called the meeting to order at 11:30am.

2. APPROVAL OF THE AGENDA

Chair Anderson proposed the agenda include: 1) discussion of the Staff Report within the July 6 2015 LTC Agenda dated June 25 on Secondary Suites from Robert Kojima; 2) continued consideration of the application with respect to Crystal Mountain application; and 3) and consideration of the referral with respect to Contractors' Yard Temporary Use guidelines.

By general consent, the agenda was approved as presented.

3. DISCUSSION OF STAFF REPORT OF JUNE 25, 2015

The Advisory Planning Commission (APC) reviewed the Staff Report of June 25, 2015, concerning the Secondary Suite Review. Members wished to clarify the reasoning behind their recommendations in the Adopted APC minutes of June 2, 2015.

ADOPTED

MOTION

The APC requests the Secretary to draft a table with APC recommendations on secondary suites and cottages describing reasons for the recommendations to provide clarity to LTC and staff on intended meaning.

CARRIED
(Unanimous)

The following table was created as per resolution above to represent APC members' comments.

APC Resolution/ Recommendation	Discussion	Recommended Outcome
From June 2 nd APC Meeting:		
That the provisions for secondary suites referenced in Bylaw 255, 1a) 2.28 should apply to both Part 5 and Part 6 of the LUB.	Presumed to be a typo, but provisions should apply to AG zone as well as residential	That bylaw 255 be amended to refer to Part 5 and Part 6 of the LUB.
That secondary suites should be restricted on lots smaller than 0.4 hectares, similar to the restriction on cottages.	<p>Concern over water shortages was the primary reason behind the APC's recommendations.</p> <p>Water consumption from a suite would be similar to that from a cottage and this draft grants rights for suites where cottages have been denied.</p> <p>Cistern provision does not necessarily ensure groundwater consumption will not be increased.</p> <p>There are some very water-stressed lots within the small acreages.</p> <p>APC members felt that a precautionary approach should apply. Eg. Saltwater intrusion is irreversible.</p> <p>Salt Spring Island's secondary suite allowance seemed more cautious and site specific</p> <p>Draft bylaws do not respect watershed planning. Kohut and Johansen in 1998 mapped the areas of Schedule C, shaded areas on LUB. Waterline report was 2011.</p>	Proceed with bylaw that allows either a cottage or a suite on residential lots larger than 0.4 hectares and one suite per AG lot to provide options but not excessively increase density or intensity beyond what is currently permitted by OCP and LUB.
That the Advisory Planning Commission seeks clarification with respect to the phrase "one secondary suite per lot"	<p>Concern that if both cottage and suite were permitted it could create non-conformity in future if built on lots 4 hectares or larger but zoned for higher density /smaller lot size, then subsequently subdivided.</p> <p>Concern about interpretation in cases of corporate coop holdings.</p>	Remove provisions for both a suite and a cottage on any lots. And ensure only one suite permitted per lot over 0.4 hectares even if density allows additional dwellings.

ADOPTED

APC Resolution/ Recommendation	Discussion	Recommended Outcome
<p>Proposed changes to the technical definition of a cottage</p>	<p>Not part of the project description put forward by LTC.</p> <p>Fuller analysis of why this is being proposed by Staff, and its potential impact. What happens to density when one untethers cottages.</p> <p>If accessory requirement removed it could encourage sale of cottage shares and increase footprint on a lot due to separate well, power lines, driveways etc..</p> <p>This was not identified in recent OCP and LUB review as a needed change.</p> <p>Galiano is not the only island using accessory to describe cottages.</p> <p>Encourages or makes easier corporate share divisions where cottages free standing dwellings.</p> <p>No public record of need for this change.</p> <p>What are the legal implications?</p> <p>What are the Bylaw enforcement implications?</p>	<p>Amend draft bylaw by removing all portions relating to change of cottage definition as accessory.</p>
<p>2.28.3, why it is necessary to have reference to 40% if there is already a reference to 60m2?</p>	<p>No explanation as to why in Staff reports</p>	<p>Information should be made available to LTC and community as to rationale.</p> <p>Staff explained in June 25 Report.</p>
<p>2.28.6, need clarification on the catchment system required for the secondary suites and whether the cistern would need to be treated for potability.</p>	<p>Reported that in phone conversation with planner Chair learned that NOT intended to be potable.</p> <p>Once cistern in place what guarantees it will be used?</p> <p>Rainwater is scarce for many months of year and seems like a poor basis for increased density.</p> <p>Cisterns filled from groundwater wells do nothing to reduce consumption of groundwater. Just even out demand.</p>	<p>Greater transparency in regards to this requirement. And what ensures it will effectively reduce groundwater consumption.</p>
<p>That home occupations in secondary suites should follow the Land Use Bylaw, except that no non-residential employees should be permitted</p>	<p>The APC felt existing bylaws on Home Occupations were clear already</p> <p>Why is the reference to Mayne relevant?</p>	<p>Change bylaw to restrict non-resident employees in home occupations in secondary suites.</p>

ADOPTED

APC Resolution/ Recommendation	Discussion	Recommended Outcome
<p>That in each residential zone a provision should be included in the permitted density provisions to limit secondary suites to lots greater than 0.4 hectares in each zone. It is recommended that the language be amended to: “One cottage OR one secondary suite but not both” permitted on each lot having an area of 0.4 hectares or more in respect of each permitted dwelling, to each zone outlined in the Land Use Bylaw: 5.1.3, 5.2.3, 5.3.5, 5.4.3, 5.5.3, 5.6.3</p>	<p>Seemed clearer to list in each residential zone rather than just in a general provision.</p>	<p>Consider how, in addition to general provisions of 2.28, to include in each applicable LUB residential zone wording to indicate one cottage or one secondary suite permitted per lot over 0.4.</p>
<p>That under 6.1 of the Land Use Bylaw 127, 1999 - Permitted Density, a secondary suite should be permitted</p>	<p>Seemed clearer to list allowance for a suite in the AG zone.</p>	<p>In addition to 2.28 list in AG zone that one secondary suite per lot over .4 h. is permitted.</p>
<p>From June 9th APC Meeting:</p>		
<p>...while the Advisory Planning Commission is very supportive of providing options for affordable housing, it recommends that the Local Trust Committee and the public be provided further detailed information</p>	<p>Concern that LTC and community being asked to agree to a density increase with no information about how much of an increase it would be</p> <p>While there is information in Staff Reports about number of lots in various zones, information about lot size, how many smaller than .4 and how many 4 h. and up in residential zones in order to show what the increase would be if this bylaw was approved.</p> <p>The APC is not looking for more analysis, but rather, seeks further data.</p>	<p>The APC would like to receive some information with respect to:</p> <p>1) Existing lots, lot sizes and zones on the island, and potential density build-out; 2) How the ground water and waste-related provisions of this draft bylaw integrate with the <i>Water Sustainability Act</i> and existing ground water and waste-related reports and data; 3) Specifics around the water cistern with respect to achieving desired goals. The proposed bylaw is prescriptive for anyone who wants to develop a secondary suite in any zone but more details are required.</p>
<p>From July 3rd APC Meeting</p>		
	<p>The concern is that LTC and the community members have all the data before them in order to make informed decisions.</p>	<p>That information with respect to the APC's concerns be provided before any bylaw is taken to first reading.</p>

4. DISCUSSION OF REFERRALS FROM LOCAL TRUST COMMITTEE

A) Crystal Mountain Application

Kim Lenglet and Janice Oakley were present for the applicant Crystal Mountain.

ADOPTED

Although most of the items requested of the applicant have been provided, APC members felt more information was required on:

- Easements, details, provisions and location of, and likely impact on surrounding lands
- Mapping details of the wells' location
- Options available to the applicants with respect to the transfer of land and how the land will be managed in the future
- Structures that may be removed

However, as the APC was being asked for an initial opinion, they could be supportive of the nine criteria established by the LTC as per GL-2015-002. There was consensus that the nine points were important and worthwhile, although concern was raised about point 7 below being antithetical to the idea of a retreat. The nine criteria:

- 1) Submit a survey regarding the proposed building sites, accesses and Development Permit Areas and the location and size of all existing structures
- 2) Indicate whether or not existing structures will be removed or will remain
- 3) Indicate whether any of the proposed huts will have cooking facilities
- 4) Indicate whether the outhouses will consist of composting toilets or another system
- 5) Submit plans to implement the recommendations of the environmental assessment
- 6) Consider an amendment to the application to transfer title of the proposed covenanted lands to an organization which has as its primary objective the conservation of forest land
- 7) Consider a plan that would cluster development in one building site, not the three that have been proposed
- 8) Provide the LTC with a copy of the two CRD covenants on the land regarding geotechnical issues and Riparian area issues
- 9) Consider an agreement to stop construction until completion of the application and to stop advertising and conducting programs within structures that are not permitted under the zoning that presently exists on the land

Specifically, the APC noted the following:

- 1) Well locations added to this point and required details on easements should be given to the LTC and APC.
- 2-5) Agree with request being fulfilled before draft bylaws
- 6) Agree
- 7) Agree, but with a concern noted that clustering might be antithetical to the concept of the retreat
- 8) Agree and hopefully in hand
- 9) Agree

There was discussion with respect to Temporary Use Permits as a way of managing use of land.

MOTION

ADOPTED

The APC are supportive of the nine criteria established by the LTC as per GL-2015-002, and listed here again as follows:

- 1) Submit a survey regarding the proposed building sites, accesses and Development Permit Areas and the location and size of all existing structures
- 2) Indicate whether or not existing structures will be removed or will remain
- 3) Indicate whether any of the proposed huts will have cooking facilities
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CARRIED
(Unanimous)

MOTION

In addition to the nine points in GL-2015-002, the APC thinks:

- 1) accurate well details (location, quality, quantity) should be added to the mapping;
- 2) all of the actual easement agreements on private land either in use currently or proposed for retreat access should be provided to the LTC.

CARRIED
(Unanimous)

B) Home-Based Contractor Yards Project

APC members discussed the recent LTC referral.

Members discussed the benefits and constraints of Temporary Use Permits (TUP) and the one permitted renewal, which allows for six years of operation, after which time one must reapply for another TUP or rezone. The TUP may be considered a trial, is less costly for the individual, provides a mechanism for neighbours to comment, and serves to facilitate rezoning. It is up to the private individual/operator, not the Local Trust Committee, to take the initiative in seeking a TUP.

Members discussed the need to add some measures to protect the groundwater and environment from spills of chemicals and other byproducts of the industry when applicable.

Members agreed to continue this discussion at the next meeting.

ADOPTED

6. NEXT MEETING DATE


Subsequently set for Thursday, July 16, 2015 at 10:15am at the LTC office.

7. ADJOURNMENT

Meeting adjourned at 1:30pm.



CHAIR



DATE

CERTIFIED CORRECT:



Colleen Doty, Recording Secretary