

STAFF REPORT

Date: August 22, 2016

File No.: RZ-GL-2016.2
(Galiano
Conservancy)

To: Galiano Island Local Trust Committee
For the meeting of August 29, 2016

From: Kim Stockdill, A/Planner 2

CC: Robert Kojima, Regional Planning Manager

Re: Preliminary Staff Report – Bylaw Amendment Application

Owner: Galiano Conservancy Association

Applicant: Keith Erickson, Galiano Conservancy Association

Description: District Lot 57, Galiano Island, Cowichan District

PID: 002-025-175

Civic Address: 10825 Porlier Pass Road

PURPOSE OF REPORT:

The purpose of this report is to provide background and to seek direction from the Galiano Local Trust Committee (LTC) to proceed, or not proceed, with application GL-RZ-2016.2 (Galiano Conservancy).

BACKGROUND:

A TUP was granted in 2012 in order to permit educational and retreat programming activities and associated overnight camping uses for up to 36 people on the subject property. A new application for a TUP was made in 2014 as additional structures were required to fulfil the retreat programming and camping use. The two TUP applications were meant to serve as a precursor to the rezoning of the property for a permanent Learning Centre. Both approved TUP permits are attached to the staff report.

THE PROPOSAL:

This is a preliminary report to review a bylaw amendment application involving District Lot 57 owned and operated by the Galiano Conservancy Association. Currently the property is split zoned Agriculture and Rural 2. The applicant wishes to proceed with an application to rezone a portion of the property zoned R2 to formally permit nature protection and environmental education uses. The Agriculture zoned portion of the property will be retained and used for agricultural purposes.

The requested uses on the Rural 2 portion of the property are as follows:

- Nature protection;
- Environmental education; and
- Accessory overnight camping for a maximum of 76 participants.

The following is outlined as the vision for the Galiano Conservancy Learning Centre for the Rural 2 zone which would require a land use bylaw amendment in the application form provided by the applicant:

Conditions

1. Permanent structures will not exceed a total of 2,250 square meters in area
2. Total lot coverage will not exceed 0.5%
3. Maximum 76 overnight participants
4. No subdivision permitted

Facilities

1. Primary Education area:
 - Classroom / laboratory
 - Kitchen / dining
 - Showers / washrooms
 - Sleeping quarters to accommodate program participants (maximum 12 structures with floor areas not exceeding 60m²). Sleeping quarters will vary in size (some small and some approaching max area), design and building style. They will demonstrate a variety of sustainable / green building techniques.
 - Tent platforms to accommodate program participants (maximum 18 platforms with floor areas not exceeding 10m²)
 - Accessory structures (wood shed, storage shed)
 - Cleared field area suitable for outdoor group activities and games
 - Contained fire pit / Traditional Pit Cook area
 - Outdoor teaching space / amphitheater
 - Septic field / waste treatment
2. Rustic Camping area
 - Tent platforms to accommodate program participants and staff (maximum 18 platforms with floor areas not exceeding 10m²)
 - Outdoor pavilion (covered space, no walls) for dining, food preparation and teaching
 - Outhouses
 - Contained fire pit
 - Drinking water
3. Accessory Dwelling
4. Accessory Office / Library / Administration Building
5. Outdoor Classroom Areas (may include temporary platforms, boardwalk, shelters and seating areas designed to minimize impacts on surrounding ecology)
6. Parking areas (40 vehicles)
7. Publicly Accessible Trail Network
8. Water Storage (for in situ consumption, irrigation and emergency fire fighting use)
9. Renewable Energy Production (solar, wind, etc.)
10. Information kiosk

A number of the buildings and structures noted above are existing as permitted by the issued Temporary Use Permit (TUP) 2016.1. Please see the application form posted on the Galiano Island LTA "Current Applications" webpage to see timeline to initiate the objectives outlined above and list of existing infrastructure. Also, mapping and further information provided by the applicant is posted the Current Applications webpage: www.islandstrust.bc.ca/galiano/current-applications

In addition to the proposed uses identified above, the applicant is also requesting to rezone the shoreline from Marine zone (M) to Marine Protection (MP) zone.

The proposal would require an amendment to the Land Use Bylaw and Official Community Plan if the application proceeds.

SITE CONTEXT:

The subject property is 76.08 hectares (188 acres), with 2 kilometres of waterfront, located on the western side of Galiano Island, south of Retreat Cove on Porlier Pass Road. The property is split zoned Rural 2 (R2) and Agriculture (AG), as per Figure 1 below. Surrounding properties include the Trust Fund Board-owned Trincomali Nature Sanctuary to the south east; two Forest 1 (F1) zoned properties to the north and north east, and a split zoned R2/AG property located to the north west. The property slopes from the north east corner out towards the shore, and contains two flatter plateau areas which traverse the property from north west to south east. The property rises to a maximum elevation of 160m above sea level at the north eastern corner. A Rock Fish conservation area is located off-shore.

Porlier Pass Road bisects the property into two sections. This portion of Porlier Pass Road is designated as a Section 42 road which has not been formally dedication.

The subject property had been actively logged and was farmed in the past. The site contains several temporary buildings and structures, many of which are on pallets and in various states of disrepair. Galiano Conservancy is continuing to remove the unsafe and dilapidated structures on the subject property.

Figure 1 – Subject Property Map

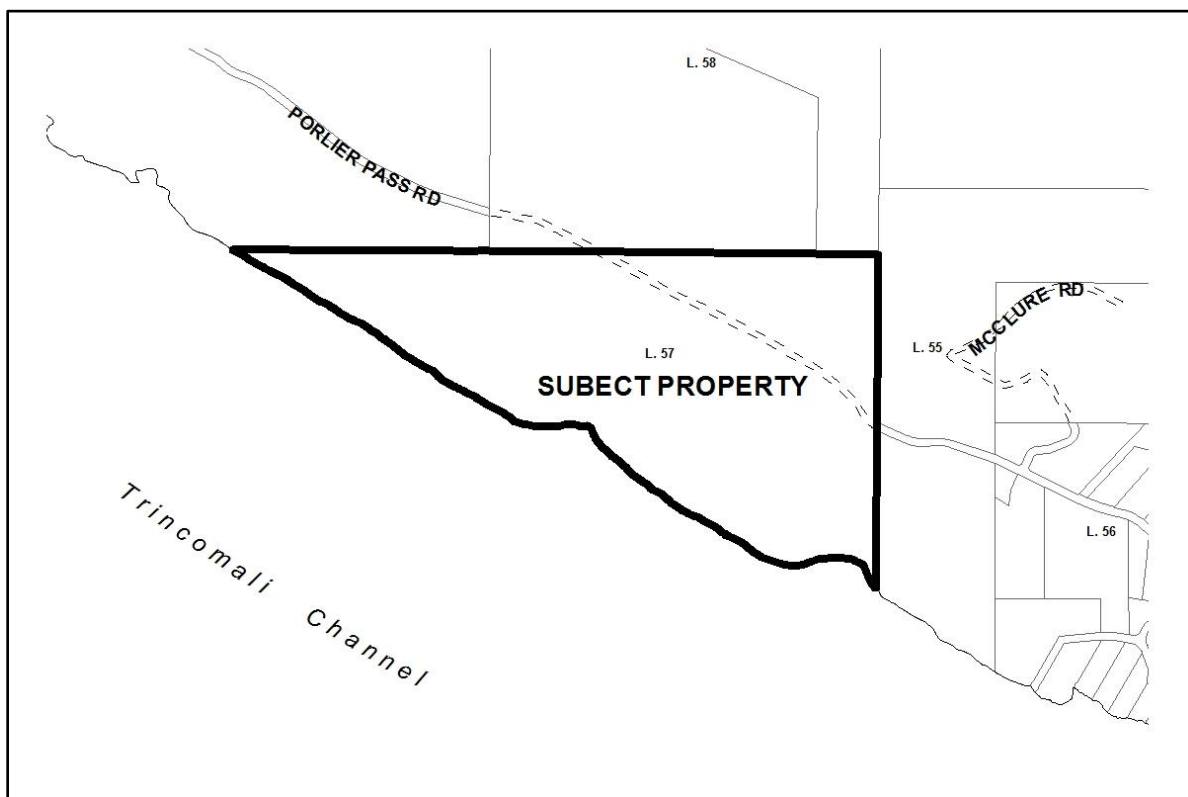


Figure 2: Existing Infrastructure Site Plan
(see Current Application website for larger map)

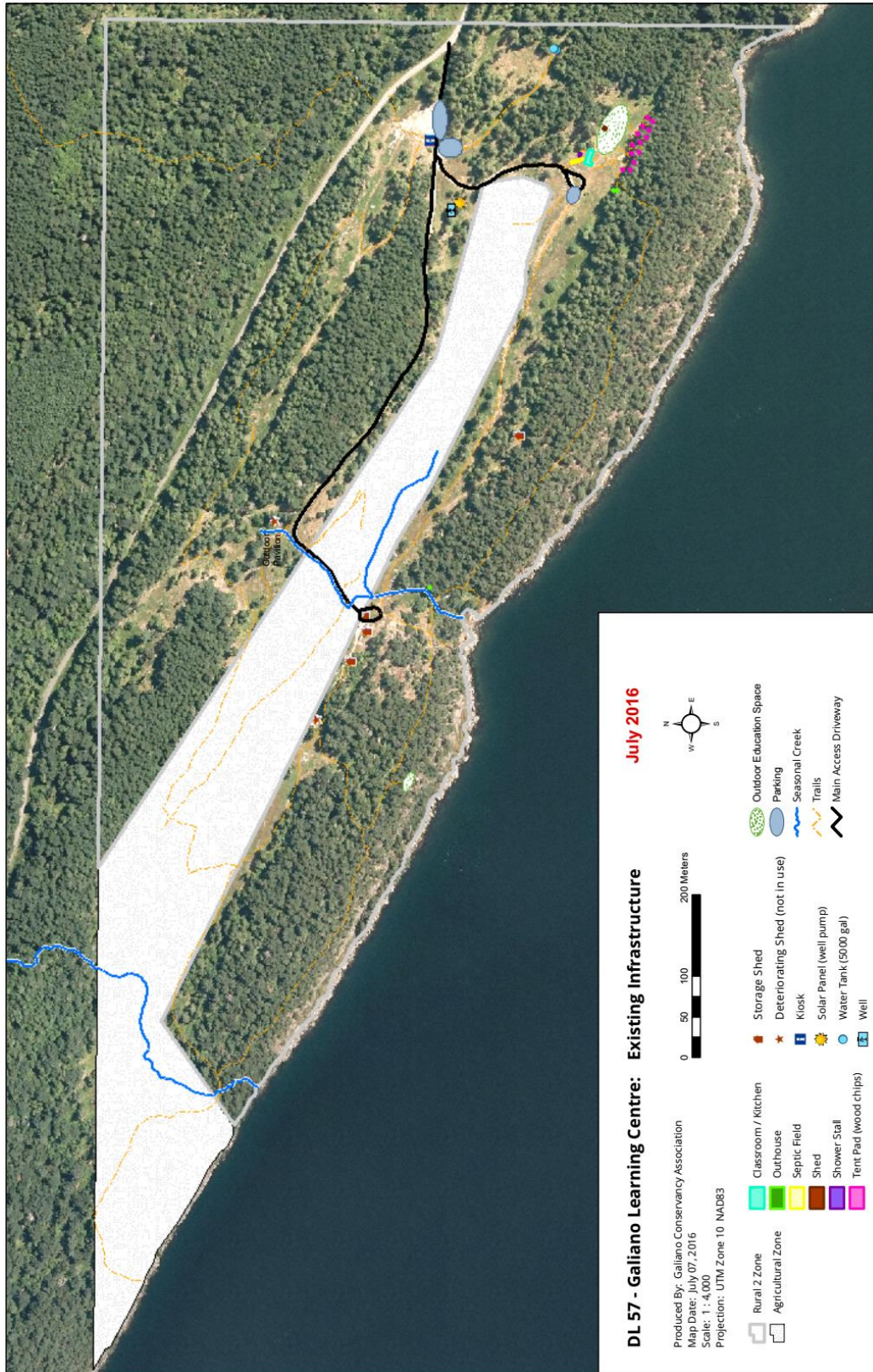
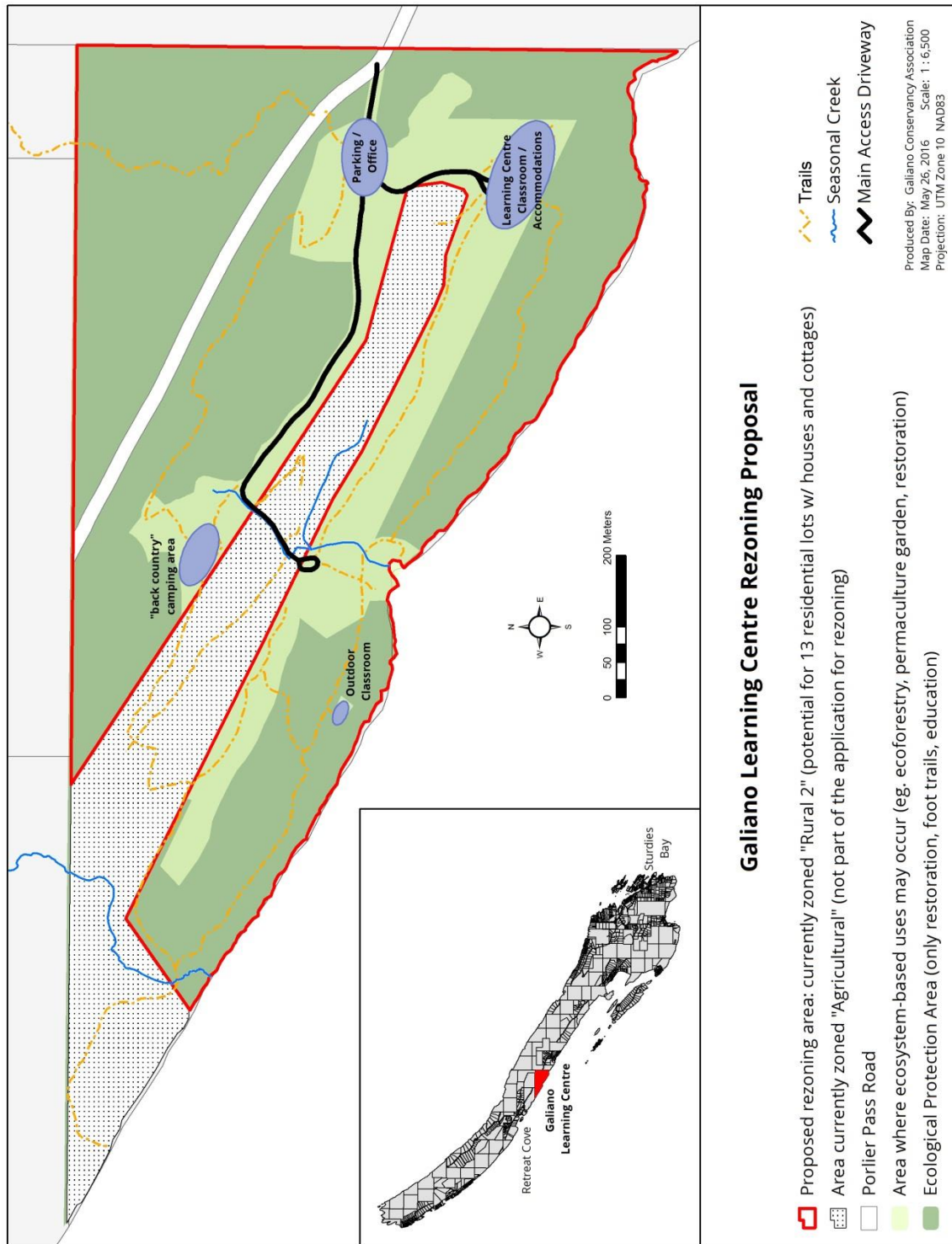


Figure 3 – Proposed Uses
(see Current Application website for larger map)



*Please note the map above does not show the area to be zoned from Marine (M) to Marine Protection (MP). The area requested to be rezoned to MP is located online the entire shoreline of the subject property.

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

The following policies may have relevance to the consideration of this application:

3.1.3 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.

3.4.4 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.

3.4.5 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

4.1.5 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.

5.2.3 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.

5.2.4 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.

5.2.5 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.

5.2.3 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.

5.8.6 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

Official Community Plan

The property is designated Rural (R) and Agriculture (AG) in the Galiano Island Official Community Plan (OCP). If the application proceeds, an amendment would be required to redesignate the Rural portion of the property, and the Marine designation to a Marine Protection designation.

Figure 4 – OCP Designations



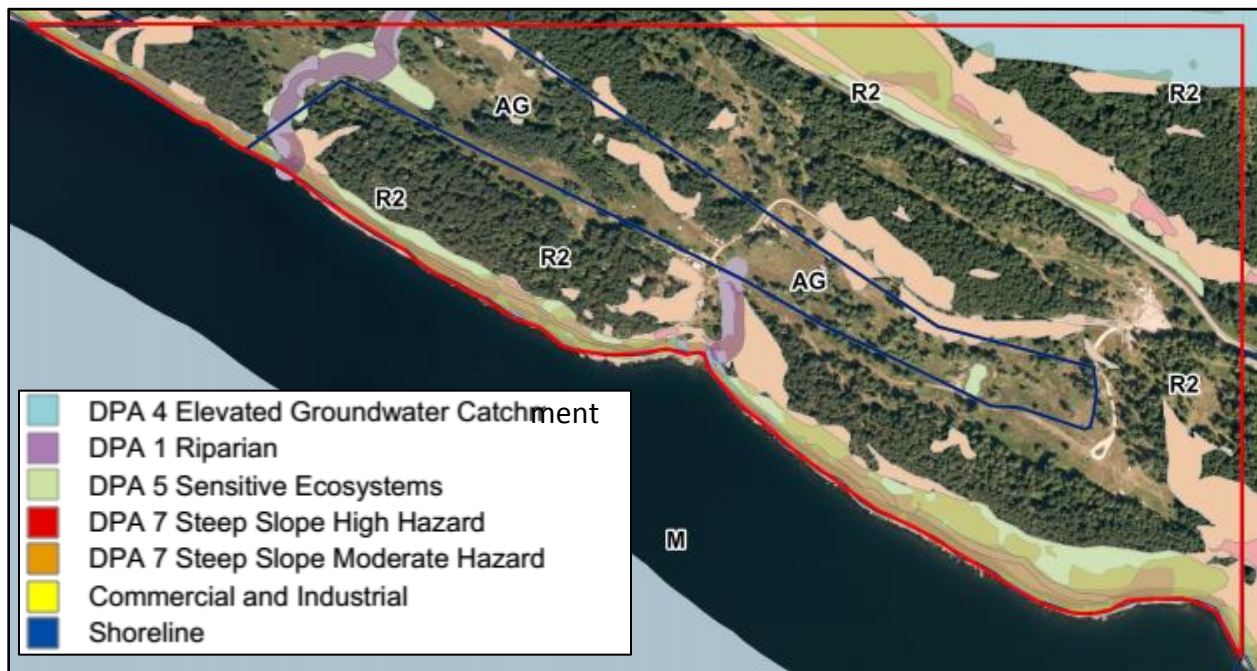
Development Permit Areas:

The subject properties are located within the following Development Permit Areas (DPAs):

- DPA 1 – Riparian Areas
- DPA 2 – Shoreline & Marine
- DPA 4 – Elevated Groundwater Catchment Areas
- DPA 3 – Tree Cutting and Removal (applies to all properties on Galiano Island)
- DPA 5 – Sensitive Ecosystems
- DPA 7 – Steep Slope Hazard Areas

Generally zoning amendment applications do not require Development Permits (DPs). Staff are aware of existing buildings and structures located on the property although their exact location has not been surveyed; therefore, it is not clear if any of these buildings are located in DPAs. The applicant has stated that unsafe buildings and structures will be removed from the subject property. The removal of these buildings and structures may trigger the requirement for a DP.

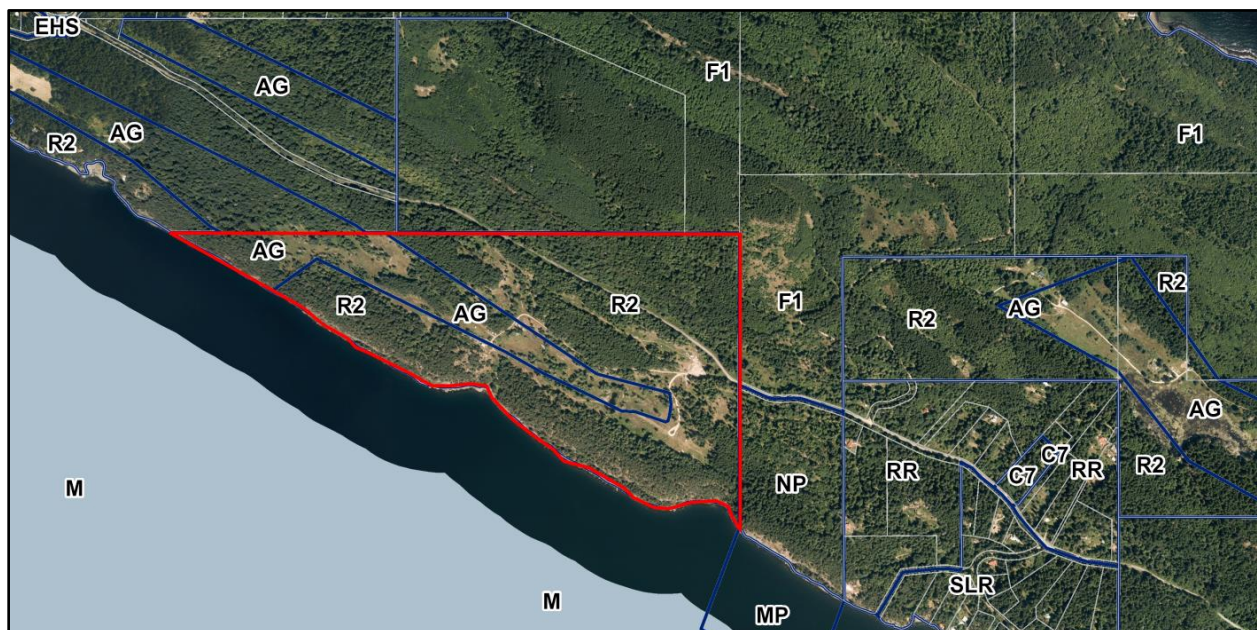
Figure 5 – Development Permit Areas (& Zoning)



Land Use Bylaw

The subject property is split zoned Rural 2 (R2) and Agriculture (AG) – zones attached. As the proposed uses do not comply with the Rural 2 zone, a Land Use Bylaw Amendment will be required. The AG zoned portion of the property will retain its zoning. The shoreline abutting the subject property is currently zoned Marine (M).

Figure 6 – Current Zoning



Islands Trust Fund

There are no Trust Fund Board covenants on the property. The Islands Trust Fund does own the adjacent Trincolmali Nature Sanctuary. A referral will be sent to the Islands Trust Fund if the application proceeds.

Regional Conservation Plan

Galiano Island has been identified as an area for moderate conservation focus. The proposed use of the property for environmental education is consistent with the RCP goal to “Promote community participation in conservation within the Islands Trust Area through effective stewardship and management of private lands, information sharing and support of conservation education”. The proposal does not conflict with biodiversity priorities, as represented by the Sensitive Ecosystems DPA.

Sensitive Ecosystems and Hazard Areas

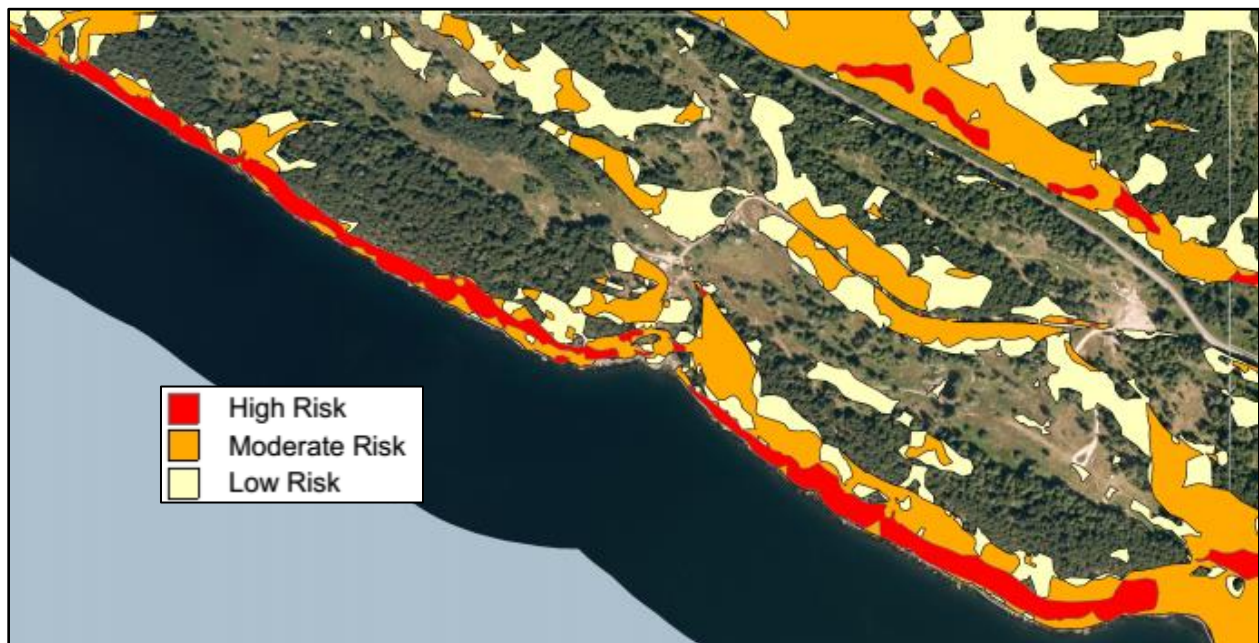
The property contains several sensitive ecosystems, including cliffs, fresh water, wetlands, riparian habitat, and woodlands (see Figure 11). These are generally addressed in the Sensitive Ecosystems DPA. The applicant has also provided an ecological analysis map which can be viewed on the Galiano LTC Current Applications webpage.

The steep slope hazard mapping does show some areas of high, medium and low hazards on the property, particularly along the shoreline. These are generally addressed in the Steep Slope DPA.

Figure 7 – Sensitive Ecosystems



Figure 8 - Steep Slope Hazards



Archaeological Sites

The Provincial RAAD mapping shows no listed archaeological sites on the subject property.

Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the *Heritage Conservation Act*. This would most likely be indicated by the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads or other stone tools, or even buried human remains. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately at (250) 953-3334 as a *Heritage Conservation Act* permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.

Covenants

There are no registered covenants on title.

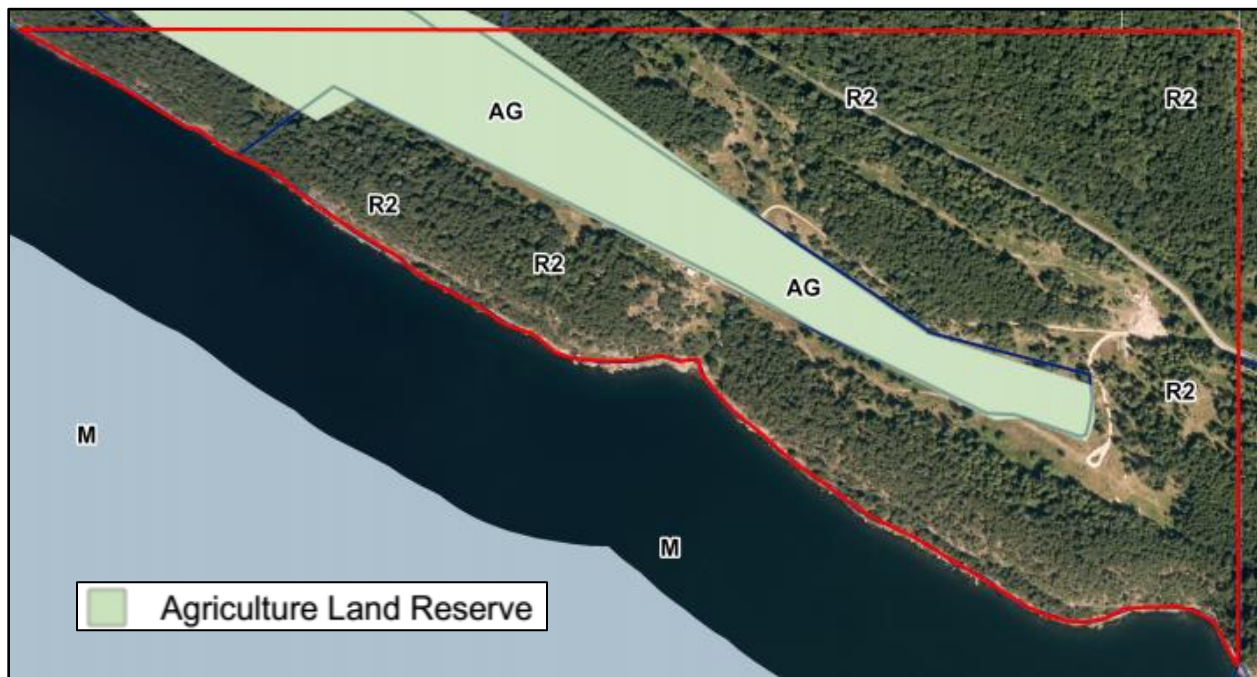
Bylaw Enforcement:

There are no bylaw enforcement files associated with this property.

Agricultural Land Commission

A portion of the property is located within the Agricultural Land Reserve (ALR). An early referral will be sent to the Agricultural Land Commission as the ALR boundaries do not coincide with the Agriculture zoned portion of the property as seen in the figure below.

Figure 9 – Agricultural Land Reserve



Ministry of Transportation & Infrastructure

A preliminary referral will be sent to the Ministry of Transportation and Infrastructure (MOTI) to comment on the Section 42 portion of Porlier Pass Road that bisects the subject property. MOTI may require this portion of road to be formally dedicated as a condition of bylaw adoption.

Climate Change Mitigation and Adaptation

The property has been logged in the recent past and it is anticipated that the construction of the campgrounds will not further disturb the forested/vegetated areas as many areas have already been cleared as part of the logging. As with any coastal properties, sea level rise and/or storm surges may be a concern, but proposed development is on the upland away from the shoreline.

Shoreline:

The shoreline is an undisturbed area containing old growth Douglas-fir, Arbutus and Garry Oak with associated ecosystems. The shoreline is comprised completely of steep sea cliff.

Communications/Consultations:

The following agencies have been identified for referring draft bylaws for comment; the LTC may also direct staff to include other agencies not listed.

- First Nations:
 - Cowichan Tribes
 - Halalt
 - Lake Cowichan
 - Lyackson
 - Penelakut
 - Semiahmoo
 - Stz'uminus
 - Tsawwassen

- Nature Conservancy of Canada
- Ministry of Transportation and Infrastructure
- Ministry of Environment
- Agricultural Land Commission
- Capital Regional District (Building Inspection)
- Galiano Island Fire Rescue
- Islands Trust Fund
- Mayne Island Local Trust Committee
- Salt Spring Island Local Trust Committee
- Thetis Island Local Trust Committee

Additionally the LTC may choose to refer the proposal to the Advisory Planning Commission by resolution.

Professional Report (s):

The applicant has provided a 2013 management plan and a Preliminary Reconnaissance Survey (archaeological report) in support of the application:

- The 2013 Galiano Learning Centre Management Plan was prepared by an ecosystem-base planning process in order to outline the how the District Lot 57 will be managed in the future. This plan was reviewed and accepted by the Nature Conservancy of Canada who retains the right of approval for management of the property through a Landholding Agreement on the property title. The applicant states that this is a legally binding document that ensures the land will be managed for conservation in perpetuity.
- The Preliminary Reconnaissance Survey (archaeological report) outlines potential areas that may have archaeological significance and measures that can be taken. Two streams on the property are indicated as a high archaeological potential (although not physically noted during the site analysis). Any subsurface disturbance in this area generate by future land use should be monitored by a qualified archaeologist to identify any archaeological materials that may be encountered. The report concludes that although there is no indication that the subject property was heavily utilized by First Nations people, there may still be archaeological indications of such uses yet undiscovered.

The following professional reports/plans were identified as development approval information that could be required as part of the application:

1. Groundwater Assessment Report: The LTC could request that the applicant provide a report by a Registered Professional Engineer that would assess the availability of sufficient potable water for the proposed uses. The 2013 Management Plan suggests the applicant complete a hydrological assessment of the land to provide a comprehensive understanding of the current conditions and provide information for ecological restoration, forest use, agricultural, and development activities.

A Development Approval Information (DAI) checklist will be provided to the applicant to provide specific direction to the applicant regarding what professional reports or information will be required from them. The LTC should advise staff if they believe any further information or professional reports that should be requested.

COMMUNITY INFORMATION MEETING(S):

At this preliminary stage a community information meeting is not recommended. If the application proceeds, staff does not anticipate that a community information meeting separate from the public meeting would be necessary.

The applicant has indicated they have completed numerous forms of community consultation in the past few months in order to provide the community with information regarding the bylaw amendment proposal.

RESULTS OF CIRCULATION:

There has been no circulation associated with this application. As the application proceeds public and agency notification will be required.

STAFF COMMENTS:

The purpose of this report is to provide a brief background and to seek direction from the Galiano Local Trust Committee (LTC) to proceed or not proceed with zoning amendment application.

The applicant is proposing to rezone a portion of the property from the Rural 2 zone to a site specific zone in order to permit nature protection, environmental education, and accessory camping as permitted uses. The proposal also includes rezoning the Marine zone shoreline abutting the subject property to the Marine Protection zone. The applicant has been issued two Temporary Use Permits (TUP) in order to trial the requested uses. To date, no formal complaints have been received regards to the TUPs.

The LTC may wish to consider the following points:

OCP Policy:

The bylaw amendment proposal to permit nature protection and environmental protection currently does not comply with the OCP policies as the principal use for the Rural designation are residential and agriculture. The following are OCP policies related to Nature Protection which supports this application:

- a) *A separate zone for conservation shall be applied to new and existing Nature Protection areas.*
- b) *Lands covenanted against further development or subdivision shall be identified through appropriate zoning designation.*
- c) *Zoning for Nature Protection areas may permit trails, ecological restoration, and low impact recreation.*
- d) *Where Nature Protection areas meet the high tide line, the water and foreshore shall be zoned for protection.*

If the application proceeds, an OCP redesignation to Nature Protection will likely be recommended as the application is generally consistent the policies outlined above.

In addition, an OCP amendment is required to redesignate the Marine shoreline to the Marine Protection designation. The following OCP policy supports this request:

Policy b – A Marine Protection zone shall be designated for marine areas fronting Nature Protection areas and where an upland owner has requested it be applied.

Loss of Residential Density:

Approximately 60.25 hectares of the property is zoned Rural zone, in which a portion of that area is designated as Porlier Pass Road. The Galiano Island LUB states that one dwelling is

permitted on each lot, and one additional dwelling is permitted in respect of each 4 hectares of lot area over 4 hectares. In addition, one cottage is permitted on each lot having an area over 0.4 ha or more, in respect of each permitted dwelling. Without calculating the portion of the road dedication, the property owners have the right to construct approximately 15 dwelling units and 15 cottages. The applicants stated in their application form that they currently have the ability to construct 13 dwelling units and 13 cottages on the subject property. This calculation may take into consideration a portion of the property used for road and also other contingencies. The Galiano Island LTC must be satisfied that if this application moves forward, there would be a loss of residential density on Galiano Island.

There are policies in the OCP which would support the transfer of residential density. For example, Land Use Policy 'd' in the OCP states that *"in order to protect the integrity of Sensitive Ecosystems identified in Schedule "H" existing density from these designations may be transferred and shall be considered only by rezoning on a site specific basis"* (page 5 of OCP). In this case, finding a suitable density transfer recipient may be difficult.

Although this application may reduce the potential for 13 residential dwelling units, and 13 cottages, the LTC have recently made amendments to the LUB and OCP to increase housing options on the island. For example increasing cottage floor area and permitting secondary suites contribute to increasing housing stock on the island.

Additional Information:

In order to ensure there will be no impacts to surrounding groundwater, staff are recommending the applicant provide a Groundwater Assessment report. The Water Supply OCP Policy e states that *"any rezoning application involving an increase in density or intensity of use should be required to provide an assessment of the availability of sustainable, long-term groundwater. Any additional density or intensity of use that would negatively affect the quality or quantity of groundwater should not be permitted in critical groundwater areas."* Although this application involves reducing residential density, it is possible that the intensity of use could be the same, if not more, if the camping facilities were at full capacity at 76 participants.

The LTC should advise staff if they believe any further information or professional reports that should be requested.

Options:

The Local Trust Committee has the following options at this time:

1. resolve to proceed no further with application;
2. request further information from the application before proceeding with the application;
3. refer the application to the Advisory Planning Commission (APC) for comment; or
4. request staff to proceed with the application, request any further information, and to prepare draft bylaws.

Based on the foregoing, staff recommends proceeding with the application and for staff to prepare draft OCP and LUB amendment bylaws as the proposal is generally supported by the OCP as the proposal is consistent with policies in the OCP, and the applicant has been operating under Temporary Use Permits for the requested use without community concern or objection. In addition, staff recommend requesting a groundwater assessment report to assess the availability of sufficient potable water for the proposed uses.

RECOMMENDATIONS:

1. THAT the Galiano Island Local Trust Committee request staff to proceed with the application GL-RZ-2016.2 (Galiano Conservancy) and to prepare draft bylaws.
2. THAT the Galiano Island Local Trust Committee require a Groundwater Assessment Report prepared by a Registered Professional Engineer or Hydrogeologist for GL-RZ-2016.2 (Galiano Conservancy) to determine if the proposed change of use would have impacts on the quality and quantity on groundwater.

OPTIONAL:

1. THAT the Galiano Island Local Trust Committee request staff to refer GL-RZ-2016.2 (Galiano Conservancy) to the Galiano Island Advisory Planning Commission for comment.

Prepared and Submitted by:



Kim Stockdill
A/Planner 2

August 23, 2016

Date

Concurred in by:



Robert Kojima
Regional Planning Manager

August 23, 2016

Date

Attachments:

1. GL-TUP-2012.1 Permit
2. GL-TUP-2014.1 Permit
3. Rural 2 Zone
4. Agriculture Zone



Islands Trust

**GALIANO ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
GL-TUP-2012.1 (Galiano Conservancy Association)**

10825 Porlier Pass Road

To: Galiano Conservancy Association

1. This Permit applies to the land described below:

District Lot 57, Galiano Island, Cowichan District, PID 002-025-175 shown on Schedule "A", which is attached to and forms part of this Permit.

2. This Permit is issued for the purpose of permitting the owner to conduct the following uses on their property:

- a) environmental education and retreat programming; and
- b) overnight camping directly associated with the use in 2a) above.

3. and is subject to the following conditions:

Environmental Education and Retreat programming shall be subject to the following condition:

- a) shall be limited to passive recreation, retreat and outdoor education activities requiring no additional buildings or structures other than those directly associated with permitted use 2b);

Overnight Camping associated with Environmental Education and Retreat Programming shall be subject to the following conditions:

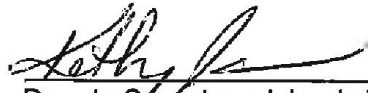
- b) the "Primary Camping Area" shall be limited to the 1.0 hectare area and the "Auxiliary Camping Area" shall be limited to 0.25 hectare area as specified in Schedule 'B';
- c) the general lay out plan shall be sited substantially in accordance with Schedule 'C';
- d) the maximum number of participants permitted to take part is thirty-six (36);
- e) the maximum number of participants permitted to take part in the area labelled "Auxiliary Camping Area" in Schedule 'B' is twenty (20);
- f) the maximum number of tent platform structures in the "Auxiliary Camping Area" is limited to ten (10);
- g) one outhouse is permitted in the "Auxiliary Camping Area" in accordance with Schedule 'C';
- h) no other new buildings or structures are permitted in the "Auxiliary Camping Area";
- i) the maximum number of participants permitted to take part in the area labelled "Primary Camping Area" is thirty-six (36);
- j) the following buildings and structures, and no others are permitted in the "Primary Camping Area" in accordance with Schedule C:

- 18 tent platform structures
 - 2 outhouses
 - 1 shower facility, up to 30 square metres in size and 5 metres in height;
 - 1 communal food preparation (kitchen) and eating area, up to 60 square metres in size and 9 metres in height;
- k) tent platform structures shall be no larger than 9 square metres each;
- l) food preparation activities in the communal food preparation and eating area must be conducted by participants only;
- m) overnight camping must only occur in either the "Primary Camping Area " or the "Auxiliary Camping Area", at a given time; concurrent use of both areas is prohibited;
- n) one fully contained fire pit is permitted in each camping area (Primary and Auxiliary) identified in Schedule 'B';

General Property Use shall be subject to the following conditions:

- o) the owners are restricted to a maximum of one (1) non-illuminated information kiosk structure, as shown in Schedule 'B', not to exceed 10 square metres in area, 5 metres in height, and must be sited a minimum of 6 metres from Porlier Pass Road;
- p) despite Land Use Bylaw provisions, the owner must provide parking space/design for a minimum of two (2) vehicles on the property, and parking must be otherwise consistent with the parking regulations set out in the Galiano Island Land Use Bylaw;
- q) use of recreational vehicles are prohibited;
- r) one existing residence is permitted for use as a caretaker's residence and no other residential uses are permitted on the property for the duration of this permit;
- s) one existing storage shed is permitted for accessory use, and no other accessory uses are permitted on the property for the duration of this permit;
- t) one elevated water storage tank (storage cistern) is permitted to provide gravity fed water to the camping area; and
4. This permit will remain in place until such time that it expires or a successful rezoning has been obtained by the owner.
5. This Permit expires on May 17, 2015.
6. This is not a Building Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for the proposed development.

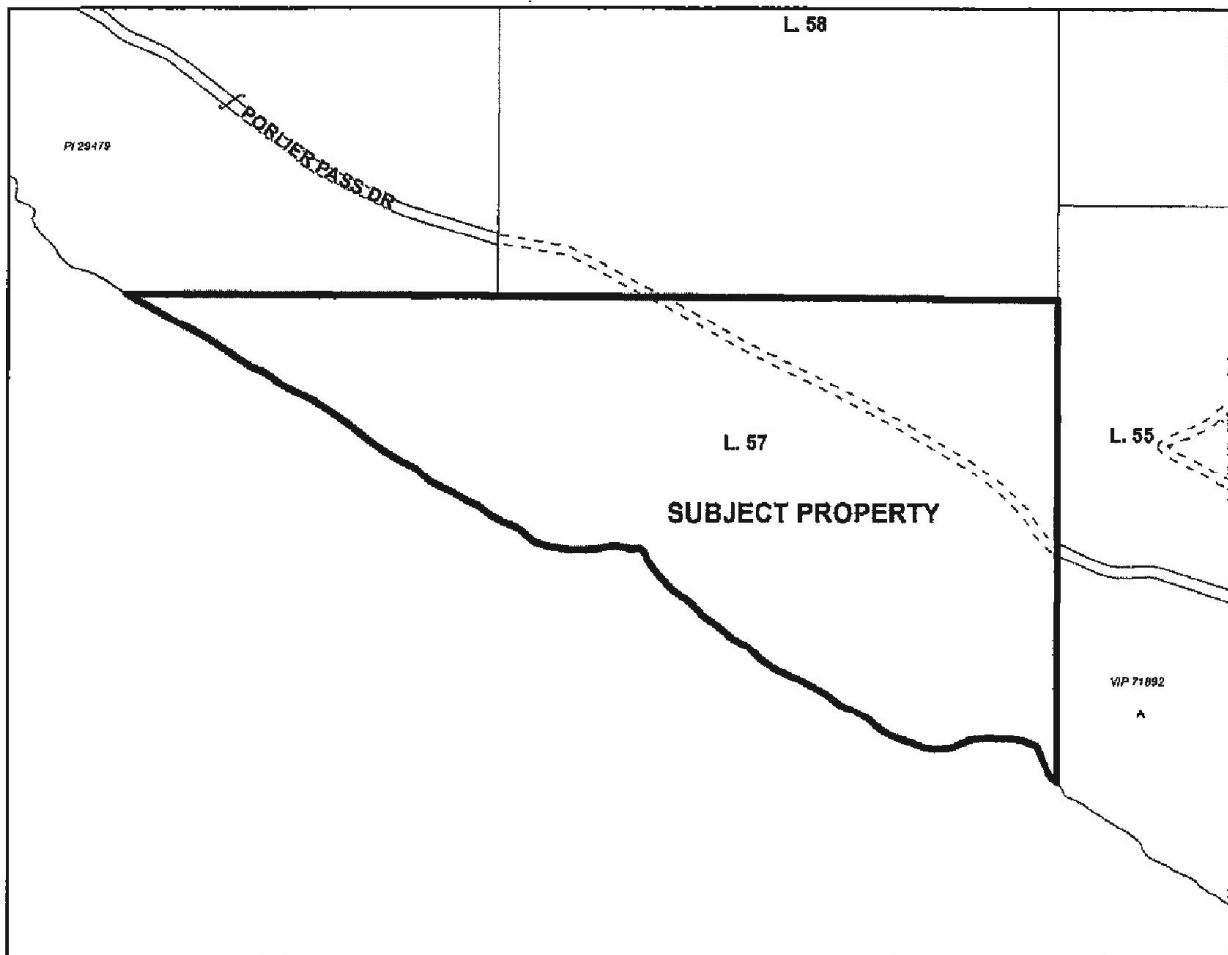
AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS 14th DAY OF May, 2012.


Deputy Secretary, Islands Trust

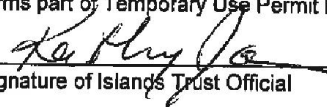
May 17, 2012

Date Issued

**GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-TUP-2012.1
SCHEDULE A**



I hereby certify this to be Schedule "A" which is attached to and
forms part of Temporary Use Permit No. GL-TUP-2012.1.

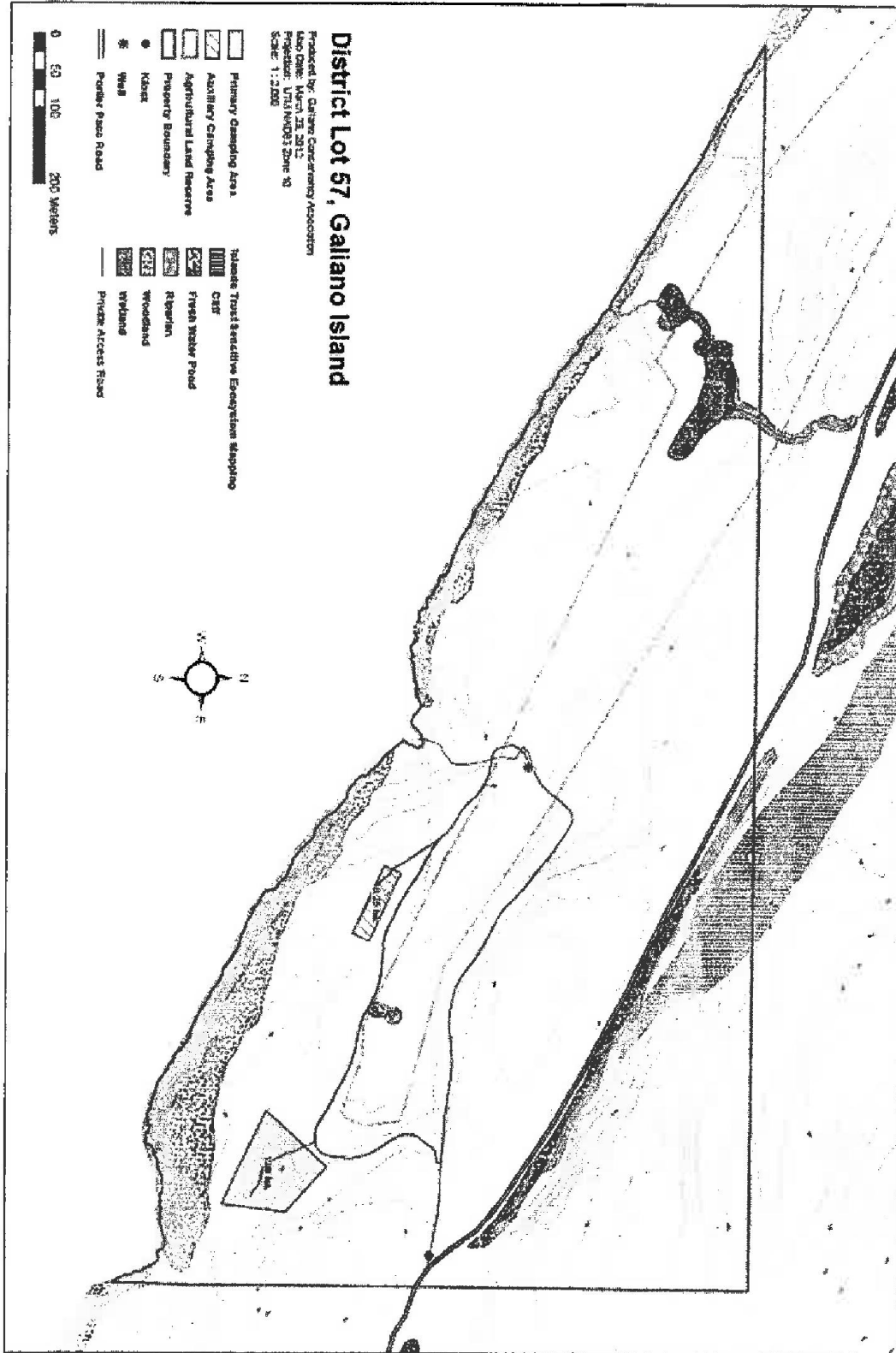


Signature of Islands Trust Official

May 17, 2012

Date of Issuance

GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-TUP-2012.1
SCHEDULE B

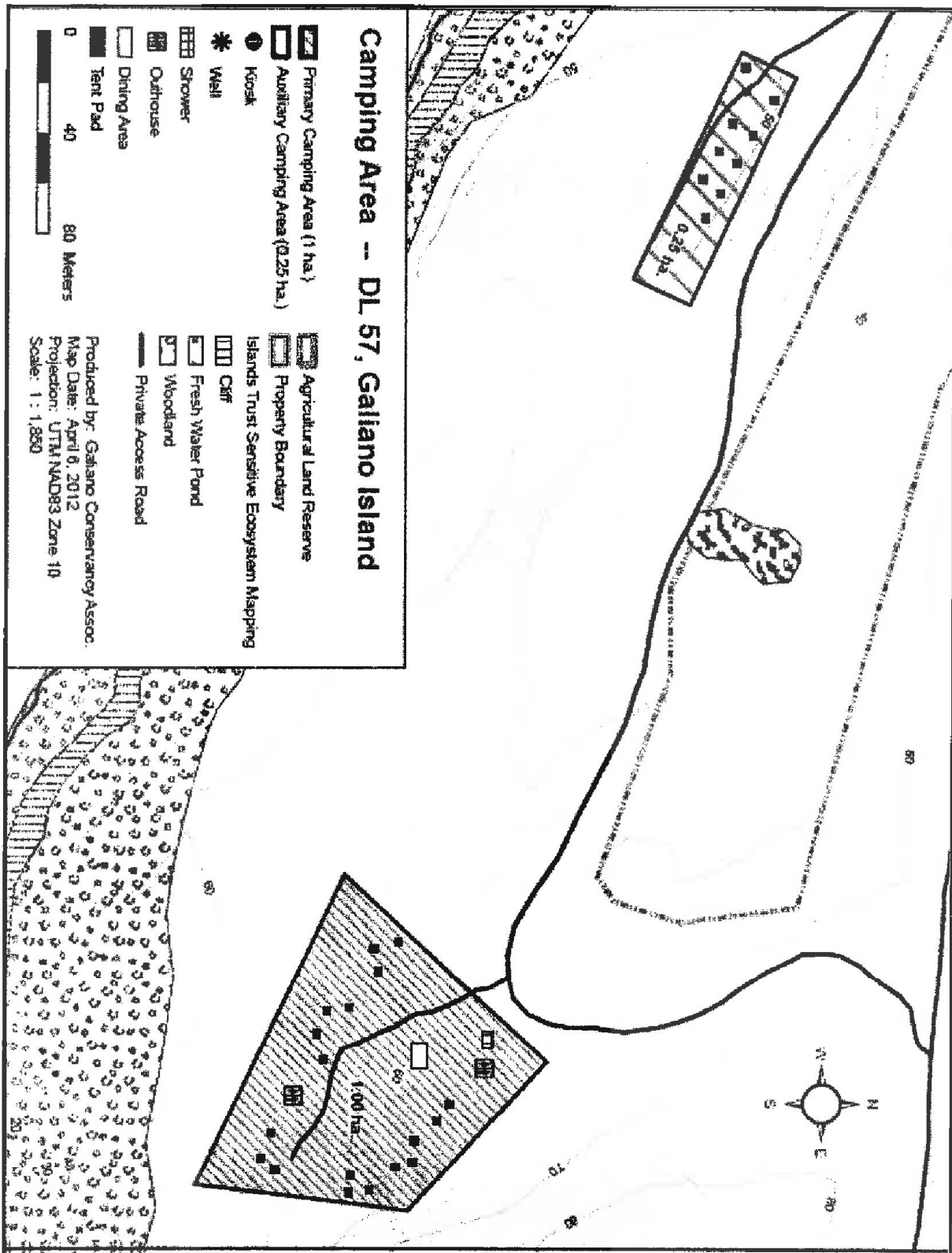


I hereby certify this to be Schedule "B" which is attached to and forms part of Temporary Use Permit No. GL-TUP-2012.1.

Signature of Islands Trust Official

May 17, 2012
 Date of Issuance

GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-TUP-2012.1
SCHEDULE C



I hereby certify this to be Schedule "C" which is attached to and forms part of Temporary Use Permit No. GL-TUP-2012.1.


 Signature of Islands Trust Official

May 17, 2012

Date of Issuance



Islands Trust

**GALIANO ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
GL-TUP-2014.1 (Galiano Conservancy Association)**

10825 Porlier Pass Road

To: Galiano Conservancy Association

1. This Permit applies to the land described below:

District Lot 57, Galiano Island, Cowichan District, PID 002-025-175 shown on Schedule "A", which is attached to and forms part of this Permit.

2. This Permit is issued for the purpose of permitting the owner to conduct the following uses on their property:

- a) environmental education and retreat programming; and
- b) overnight camping directly associated with the use in 2a) above.

3. and is subject to the following conditions:

Environmental Education and Retreat programming shall be subject to the following condition:

- a) shall be limited to passive recreation, retreat and outdoor education activities requiring no additional buildings or structures other than those directly associated with permitted use 2b);

Overnight Camping associated with Environmental Education and Retreat Programming shall be subject to the following conditions:

- b) the "Camping Area" shall be limited to the 1.44 hectare area as specified in Schedule 'B';
- c) the general lay out plan shall be sited substantially in accordance with Schedule 'C';
- d) the maximum number of participants permitted to take part is thirty-six (36);
- e) the following buildings and structures, and no others are permitted in the "Camping Area" in accordance with Schedule C:
 - 18 tent platform structures no larger than 9 square metres
 - 4 outhouses
 - shower facilities, up to 30 square metres in size and 5 metres in height;
 - 1 kitchen/dining/classroom building up to 150 square metres in size and up to 9 metres in height
 - Non –permanent bunk houses (wall tents or yurts) with a total of up to 80 square metres
 - 1 fully contained fire pit, identified in Schedule C;
- f) overnight camping must only occur in the "Camping Area ";

General Property Use on the Residential 2 zoned portion of the land shall be subject to the following conditions:

- g) the owners are restricted to a maximum of one (1) non-illuminated information kiosk structure, as shown in Schedule 'B', not to exceed 10 square metres in area, 5 metres in height, and must be sited a minimum of 6 metres from Porlier Pass Road;
 - h) despite Land Use Bylaw provisions, the owner must provide parking space/design for a minimum of two (2) vehicles on the property, and parking must be otherwise consistent with the parking regulations set out in the Galiano Island Land Use Bylaw;
 - i) use of recreational vehicles are prohibited;
 - j) one residence is permitted for use as a caretaker's residence and no other residential uses are permitted on the property for the duration of this permit;
 - k) one existing storage shed is permitted for accessory use, and no other accessory uses are permitted on the property for the duration of this permit;
 - l) elevated water storage tanks (storage cistern) are permitted to provide gravity fed water to the camping area; and
4. This permit will remain in place until such time that it expires or a successful rezoning has been obtained by the owner.
5. This Permit expires on June 11, 2017.
6. This is not a Building Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for the proposed development.

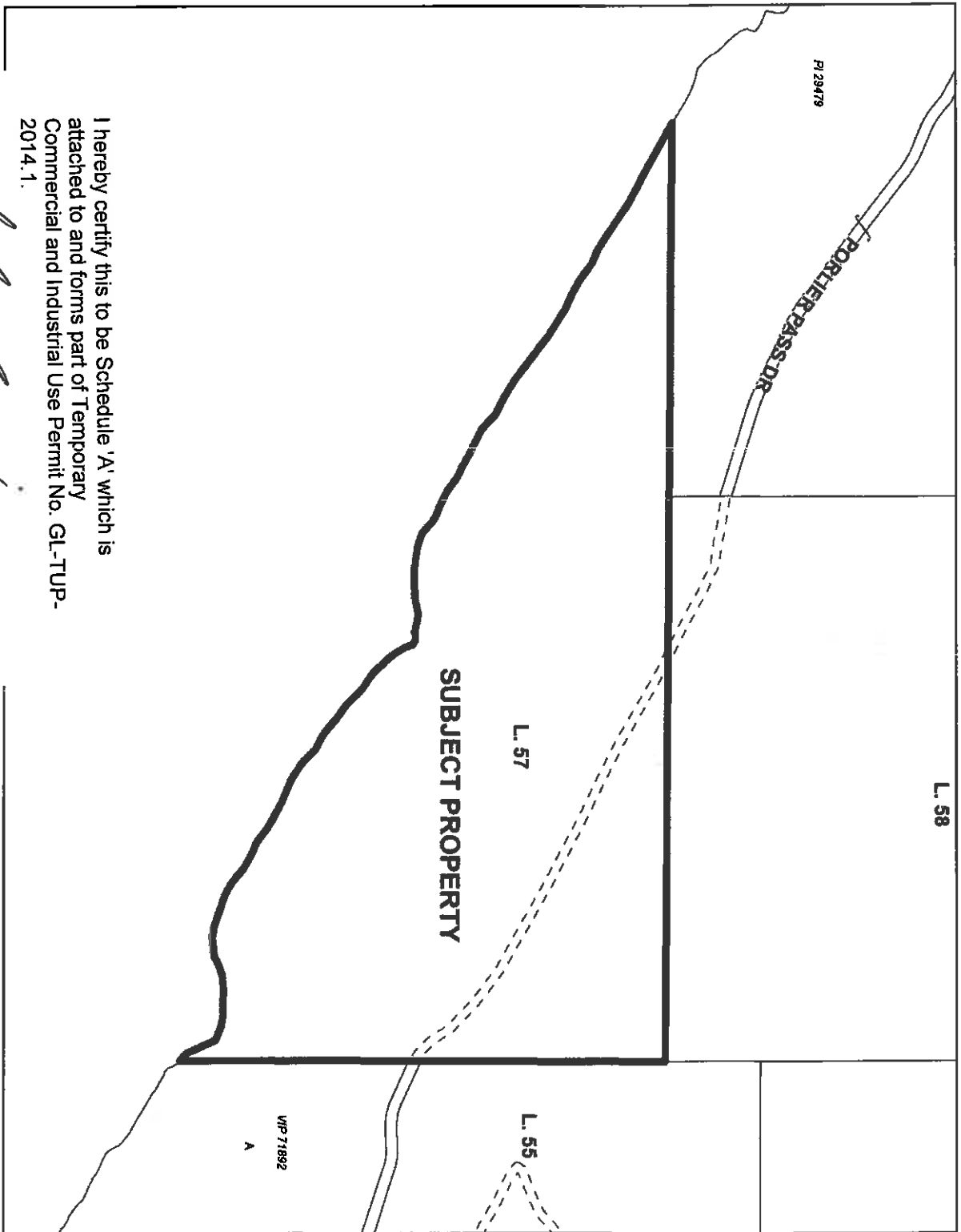
AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS 9th DAY OF JUNE, 2014.


Deputy Secretary, Islands Trust

June 11, 2014

Date Issued

GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-TUP-2014.1
SCHEDULE A



I hereby certify this to be Schedule 'A' which is
attached to and forms part of Temporary
Commercial and Industrial Use Permit No. GL-TUP-
2014.1.

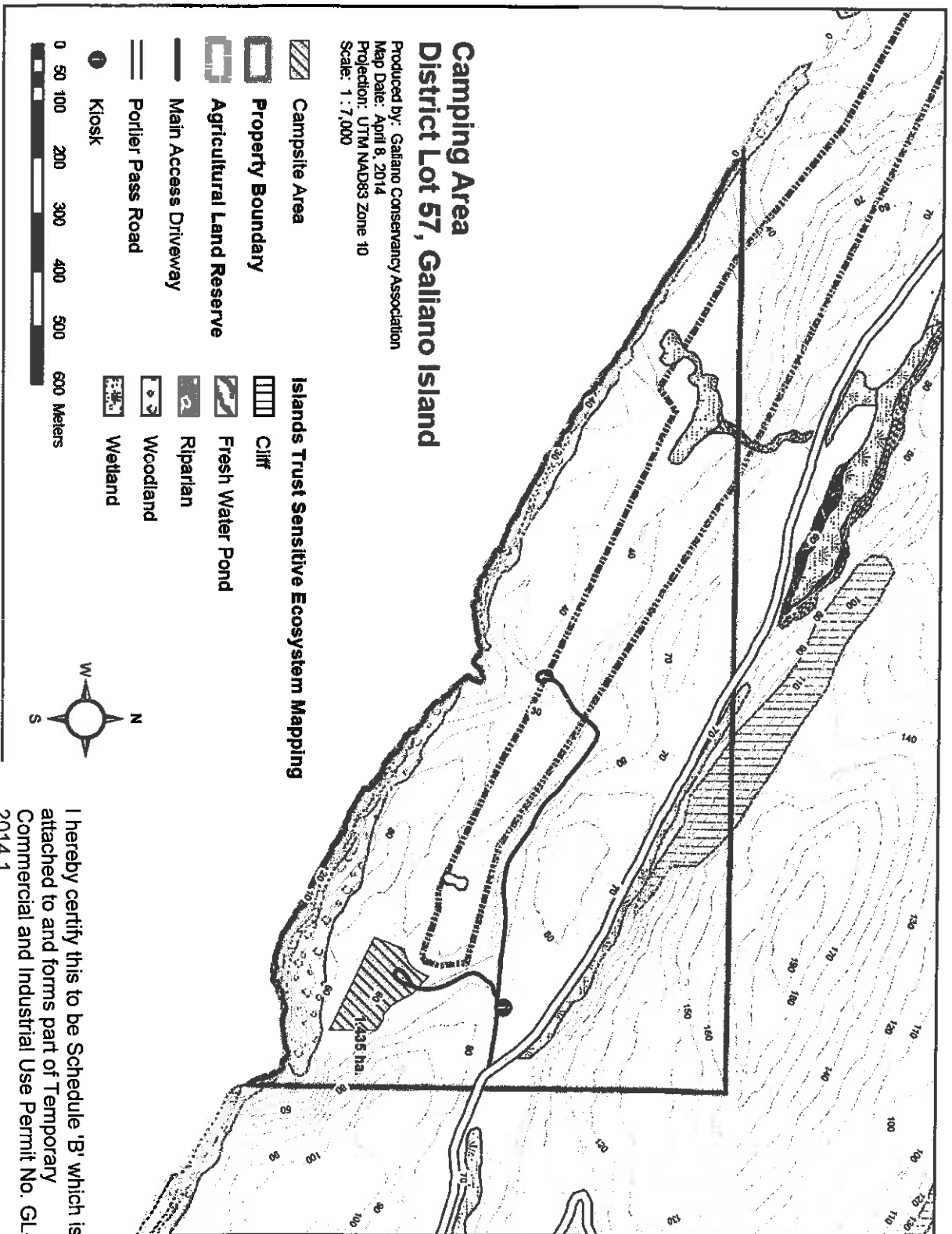
Signature of Islands Trust Official

[Handwritten Signature]

June 11, 2014

Date of Issuance

GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-TUP-2014.1
SCHEDULE B



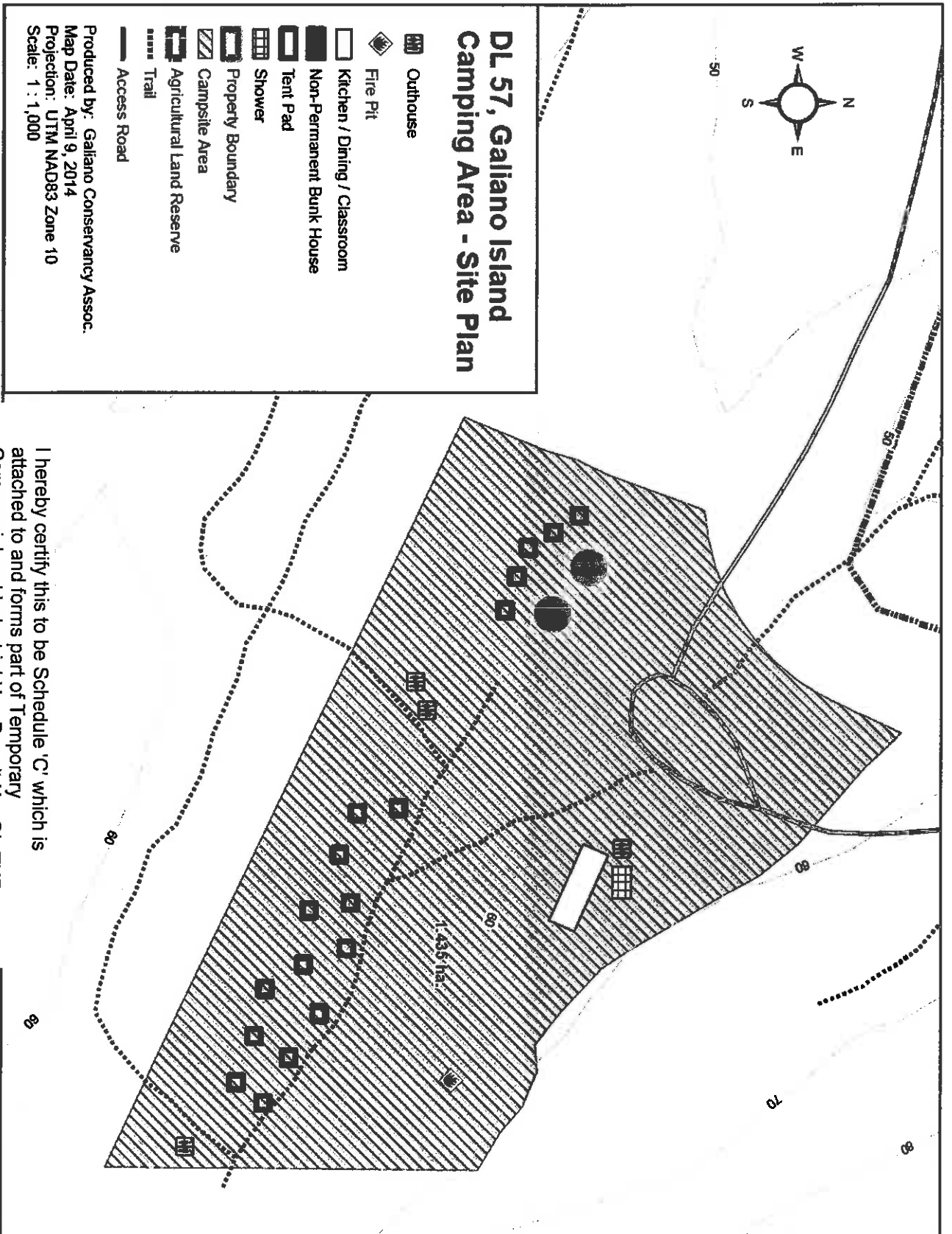
I hereby certify this to be Schedule 'B' which is attached to and forms part of Temporary Commercial and Industrial Use Permit No. GL-TUP-2014.1.

[Signature]
 Signature of Islands Trust Official

June 11, 2014

Date of Issuance

GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-TUP-2014.1
SCHEDULE C



I hereby certify this to be Schedule 'C' which is
 attached to and forms part of Temporary
 Commercial and Industrial Use Permit No. GL-TUP-
 2014.1.

D. J. McNeill
 Signature of Islands Trust Official

June 11, 2014

Official of Islands Trust

5.5 Rural 2 Zone - R2

Permitted Uses

5.5.1 In the Rural 2 (R2) zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.

- 5.5.1.1 dwellings
- 5.5.1.2 cottages
- 5.5.1.3 home occupations
- 5.5.1.4 farm use
- 5.5.1.5 secondary suite

BL255

Permitted Density

5.5.2 One dwelling is permitted on each lot, and one additional dwelling is permitted in respect of each 4 hectares of lot area over 4 hectares, except that:

- 5.5.2.1 on land legally described as Lot 1 District Lot 96 Galiano Island Cowichan District Plan 33651 only one dwelling and one cottage are permitted, and
- 5.5.2.2 on land legally described as Lot 7 District Lot 61 Galiano Island Cowichan District Plan 37526 only one dwelling and one cottage are permitted.

5.5.3 One cottage is permitted on each lot having an area of 0.4 hectares or more, in respect of each permitted dwelling.

BL 239

5.5.4 Lot coverage must not exceed 25% of any lot.

Permitted Height

BL237

5.5.5 No building or structure for a use permitted by this section may exceed 9 metres in height. Accessory buildings and structures must not exceed one storey and a height of 5 metres, except that agricultural buildings and structures must not exceed a height of 9 metres.

Minimum Setbacks

5.5.6 Buildings and structures must be sited

- 5.5.3.1 at least 7.5 metres from front and rear lot lines;
- 5.5.3.2 at least 6 metres from each interior side lot line; and
- 5.5.3.3 at least 6 metres from an exterior side lot line.

5.5.7 Buildings and structures for the accommodation of farm animals including poultry must be sited

- 5.5.7.1 at least 7.5 metres from a front lot line;
- 5.5.7.2 at least 30 metres from rear and interior side lot lines; and
- 5.5.7.3 at least 6 metres from an exterior side lot line.

BL209

5.5.8 Buildings and structures used for human habitation or occupancy and not located within the Agriculture (AG) zone must be sited at least 15 metres from the boundary of the Agriculture (AG) zone.

Minimum Lot Size

5.5.9 No lot may be created by subdivision that has an area less than 2.0 hectares.

Average Lot Size

- 5.5.10 No subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 4 hectares.

5.6 Rural 3 Zone - R3

Permitted Uses

- BL209 5.6.1 In the Rural 3 (R3) zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.
- 5.6.1.1 dwellings
 - 5.6.1.2 cottages
 - 5.6.1.3 home occupations
 - 5.6.1.4 farm use
 - 5.6.1.5 animal hospitals and veterinary clinics
 - BL255 5.6.1.6 pet boarding kennels
 - 5.6.1.7 secondary suite

Permitted Density

- 5.6.2 One dwelling is permitted on each lot, and one additional dwelling is permitted in respect of each 4 hectares of lot area over 4 hectares.
- 5.6.3 One cottage is permitted on each lot having an area of 0.4 hectares or more in respect of each permitted dwelling.
- BL 239 5.6.4 Lot coverage must not exceed 25% of any lot.

Permitted Height

- BL237 5.6.5 No building or structure for a use permitted by this section may exceed 9 metres in height. Accessory buildings and structures must not exceed one storey and a height of 5 metres, except that agricultural buildings and structures must not exceed a height of 9 metres.

Minimum Setbacks

- 5.6.6 Buildings and structures must be sited
- 5.6.6.1 at least 7.5 metres from front and rear lot lines;
 - 5.6.6.2 at least 6 metres from each interior side lot line; and
 - 5.6.6.3 at least 6 metres from an exterior side lot line.
- 5.6.7 No building, structure or use associated with an activity permitted under article 5.6.1.5 through 5.6.1.7 may be located within 30 metres of any lot line.
- 5.6.8 Buildings and structures for the accommodation of farm animals including poultry must be sited
- 5.6.8.1 at least 7.5 metres from a front lot line;
 - 5.6.8.2 at least 30 metres from rear and interior side lot lines; and
 - 5.6.8.3 at least 6 metres from an exterior side lot line.
- BL209 5.6.9 Buildings and structures used for human habitation or occupancy and not located within the Agriculture (AG) zone must be sited at least 15 metres from the boundary of the Agriculture (AG) zone.

Minimum Lot Size

- 5.6.10 No lot may be created by subdivision that has an area less than 4 hectares.

6. AGRICULTURE ZONES

6.1 Agriculture Zone - AG

Permitted Uses

6.1.1 In the Agriculture zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.

6.1.1.1 farm use

6.1.1.2 timber production and harvesting

6.1.1.3 dwellings

6.1.1.4 accessory residential and agricultural uses required for the operation of the farming activities conducted on the lot

6.1.1.5 home occupations

6.1.1.6 agri-tourist accommodation as an accessory use, subject to Subsections 6.1.9 – 6.1.13, and as permitted by the Agricultural Land Commission.

6.1.1.7 secondary suite

BL237

BL255

Permitted Density

6.1.2 One dwelling is permitted on each lot, and one additional dwelling is permitted in respect of each 4 hectares of lot area over 4 hectares.

BL 185

6.1.3 Notwithstanding the provisions of subsection 6.1.2 on property described as Lot 1, District Lot 83, Plan 27287, Galiano Island, Cowichan District only one dwelling is permitted.

BL239

6.1.4 Lot coverage must not exceed 35% of any lot plus an additional 40% for commercial greenhouses only.

Permitted Height

BL237

6.1.5 No building or structure for a use permitted by this section may exceed 9 metres in height. Accessory buildings and structures must not exceed one storey and a height of 5 metres, except that agricultural buildings and structures and those use for timber production and harvesting must not exceed a height of 9 metres.

Minimum Setbacks

6.1.6 Buildings and structures must be sited

6.1.5.1 at least 7.5 metres from front and rear lot lines; and

6.1.5.2 at least 6 metres from interior and exterior side lot lines.

6.1.7 Non-residential buildings and structures must be sited at least 30 metres from any lot line that does not abut a highway.

Minimum Lot Size

6.1.8 No lot having an area less than 4 hectares may be created by subdivision.

BL 185

6.1.9 Notwithstanding the provisions of subsection 6.1.7 on property described as Lot 1, District Lot 83, Plan 27287, Galiano Island, Cowichan District, no lot having an area less than 8 hectares may be created by subdivision.

BL 237 Agri-Tourist Accommodation

- 6.1.10 Agri-tourist accommodation must be accessory to a working farm operation as classified as farm under the *Assessment Act*.
- 6.1.11 Agri-tourist accommodation must be situated on land that is in the AG (Agricultural) zone and the Agricultural Land Reserve.
- 6.1.12 Agri-tourist accommodation must be situated in a permitted dwelling or cottage.
- 6.1.13 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.
- 6.1.14 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.