



Galiano Island Local Trust Committee

Regular Meeting Agenda

Date: April 4, 2022
Time: 12:30 pm
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

	Pages
1. CALL TO ORDER	12:30 PM - 12:50 PM
2. APPROVAL OF AGENDA	
3. TRUSTEE REPORT	
4. CHAIR'S REPORT	
5. TOWN HALL AND QUESTIONS	12:50 PM - 1:10 PM
6. COMMUNITY INFORMATION MEETING	
None	
7. PUBLIC HEARING	
None	
8. MINUTES	1:10 PM - 1:20 PM
8.1. Local Trust Committee Minutes Dated March 7, 2022 (for Adoption)	4 - 12
8.2. Section 26 Resolutions Without Meeting Report - None	
8.3. Advisory Planning Commission Minutes - None	
9. BUSINESS ARISING FROM MINUTES	
9.1. Follow-up Action List Dated March 2022	13 - 15
10. DELEGATIONS	1:20 PM - 1:30 PM
10.1. Institute for Multidisciplinary Ecological Research in the Salish Sea	

11.	CORRESPONDENCE	1:30 PM - 1:40 PM	
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>		
11.1.	BC Electoral Boundaries Commission - March 3, 2022 (attached)		16 - 16
12.	MEETING BREAK - COMMUNITY UPDATE		
13.	APPLICATIONS AND REFERRALS	1:40 PM - 2:40 PM	
13.1.	GL-DVP-2021.11 (Mommsen-Smith & Palmberg) - Staff Report (attached)		17 - 43
13.2.	GL-RZ-2019.1 (GIGARHS) – Staff Report (attached)		44 - 48
13.3.	Salt Spring Island Local Trust Committee Referral for Proposed Bylaw No. 526 (for response) (attached)		49 - 56
14.	LOCAL TRUST COMMITTEE PROJECTS	2:40 PM - 3:40 PM	
14.1.	DL 64, 72, 78, 87 Rezoning Project – Staff Report (attached)		57 - 74
14.2.	Galiano Island Local Trust Committee Proposed Fees Bylaw No. 281 - Consideration of Adoption – Staff Report (attached)		75 - 81
14.3.	Groundwater Implementation - Update		
15.	REPORTS	3:40 PM - 3:50 PM	
15.1.	Work Program Reports (attached)		
15.1.1.	<u>Top Priorities Report Dated March 2022</u>		82 - 82
15.1.2.	<u>Projects List Report Dated March 2022</u>		83 - 84
15.2.	Applications Report Dated March 2022 (attached)		85 - 92
15.3.	Trustee and Local Expense Report Dated Jan 2022 (attached)		93 - 93
15.4.	Adopted Policies and Standing Resolutions (attached)		94 - 97
15.5.	Local Trust Committee Webpage		
15.6.	Islands Trust Conservancy Report Dated January 2022		98 - 100
16.	NEW BUSINESS		
17.	UPCOMING MEETINGS		
17.1.	Next Regular Meeting Scheduled for May 2, 2022 at the South Community Hall, Galiano Island		

18. TOWN HALL 3:50 PM - 4:10 PM
19. CLOSED MEETING (Distributed Under Separate Cover)
- 19.1. Motion to Close Meeting
- That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3 s. 90(1) (a)(d) for the purpose of considering:
- Adoption of In-Camera Meeting Minutes Dated February 7, 2022
 - Appointment of Board of Variance Members
 - Appointment of Advisory Planning Commission Member
- AND that the recorder and staff attend the meeting.
- 19.2. Recall to Order
- 19.3. Rise and Report
20. ADJOURNMENT 4:10 PM - 4:10 PM



Galiano Island Local Trust Committee

Minutes of Regular Meeting

Date: March 7, 2022
Location: Electronic Meeting

Members Present: Dan Rogers, Chair
Jane Wolverton, Trustee
Tahirih Rockafella, Trustee

Staff Present: Brad Smith, Island Planner
Narissa Chadwick, Island Planner
William Shulba, Islands Trust Senior Freshwater Specialist
Carly Bilney, Recorder

Public Present: There were approximately 21 members of the public present.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 12:33 pm. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Chair Rogers provided a rise and report from the February 7, 2021 in-camera meeting and noted the minutes of the in-camera meetings of April 12, 2021 and June 14, 2021 were adopted, and the following five members of the Galiano Advisory Planning Commission (APC) were appointed: Alan de Genova, Karen Harris, Robert Matson, Patrick Ramsay and Laurene Stefanyk.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 16.4 Potential Change to May Local Trust Committee (LTC) Meeting Date; and
- 16.5 Governance Review Report

By general consent the agenda was approved as amended.

3. TRUSTEE REPORT

Trustee Wolverton reported that:

- there have been many inquiries about things like setbacks and cottage sizes;
- and concerns expressed about misinformation on social media related to the Islands Trust;

- She provided an update on the Ecofootprint Project, led by the Galiano Conservancy Association; and
- commented on the latest census results that show increases in the number of residents and occupied dwellings on Galiano.

Trustee Rockafella reported that Trust Council is upcoming and will include opportunity for the public to provide input.

4. CHAIR'S REPORT

Chair Rogers reported on the upcoming Trust Council meeting including a presentation on the Trust Policy Statement engagement report and budget discussion; he also described the importance of the Trust's cultural heritage preservation mapping project.

5. TOWN HALL AND QUESTIONS

Town hall was held and the following comments related to GL-RZ-2014.1 (Crystal Mountain) were made:

- The Crystal Mountain rezoning proposal ignores large parts of the Official Community Plan (OCP);
- There has not been a comprehensive analysis of the area's capacity to handle more development;
- Concern was expressed about the draft water management plan including lack of a rainwater catchment system for potable water;
- The daily water use in the water management plan seems low compared to Canadian averages;
- The aquifer in the north end of Galiano is oversubscribed and under a high level of stress;
- It is negligent to base the estimated water use of the property on the lowest number of participants;
- The CMS proposal is a wellness tourism proposal that belongs in the commercial section of the OCP;
- Concern was expressed that the Crystal Mountain proposal could lead to the development of a resort in the north end;
- Concern was expressed about how restrictions on land use have been ignored in the past and how new restrictions will be enforced in the future;
- It is unclear how the proposed covenant will be effective without a rent charge built in;
- It is unclear what is being done to monitor the covenant;
- Occupancy rates in the Crystal Mountain proposal are enforceable by Islands Trust bylaw enforcement staff;
- Concern was expressed about how the "creation and extension of zones" is authorized;
- Concern was expressed at a lack of democratic process and transparency with how decisions are being made and feel they have not received sufficient response to their concerns;
- Some residents noted that it is not clear that submitted information is reaching the LTC;

- The LTC is conscious of having an open and transparent process and submissions received from constituents are taken as input and used in the decision-making process as the LTC proceeds; and
- The LTC received the petition from residents;

The Crystal Mountain proposal is on the present agenda so staff can update the LTC and the community on progress.

The following comments were made on topics other than Crystal Mountain:

- The number of deeply subsidized units in both proposed affordable housing projects should be explicit in the housing agreements;
- The affordability of housing projects should be measured based on average income levels of Galiano residents; and
- Water licenses are required for short-term vacation rentals.

Trustee Rockafella recused herself from the meeting at 1:57 p.m. due to conflict of interest with GL-RZ-2021.1 (GALI), and a comment was made about how the median income level for the Southern Gulf Islands region is higher than that of Galiano.

Trustee Rockafella returned to the meeting at 2:00 p.m. Trustee Wolverton recused herself from the meeting at 2:00 p.m. due to conflict of interest with GL-RZ-2019.1 (GIGARHS). The following comments were made:

- The amount of concern raised by people in town hall who feel their concerns are not being reflected in staff reports or by the LTC should be addressed; and
- A well monitoring analysis conducted by the property owner for a well near the proposed GIGARHS development demonstrated steadily falling well levels in the summer and problematic well interference from other nearby properties; it was requested that the Islands Trust Senior Freshwater Specialist review the data.

Trustee Wolverton returned to the meeting at 2:04 p.m. A break was held from 2:04 p.m. to 2:08 p.m.

6. COMMUNITY INFORMATION MEETING – None

7. PUBLIC HEARING – None

8. MINUTES

8.1 Local Trust Committee Minutes Dated February 7, 2022 (for Adoption)

The following amendments to the minutes were presented for consideration:

- On page 7 of the agenda, (page 4 of the February 7, 2022 LTC minutes), item 12 should say: "A meeting break was held..."

By general consent the minutes of February 7, 2022 were adopted as amended.

8.2 Section 26 Resolutions Without Meeting Report – None

8.3 Advisory Planning Commission Minutes – None

9. BUSINESS ARISING FROM MINUTES

9.1 Follow-up Action List Dated Feb 2022

Received for information.

10. DELEGATIONS – None

11. CORRESPONDENCE

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

11.1 Wiser Projects re Affordability of Georgia View Affordable Housing (Rezoning Application GL-RZ-2019.1)

Trustee Wolverton recused herself from the meeting at 2:11 pm due to conflict of interest with GL-RZ-2019.1 (GIGARHS).

Discussion was held about how Housing Income Limits vary between the province, the Southern Gulf Island region and Galiano, and how they should be incorporated into the housing agreement. Comments were made about how housing income limits relate more to determining who is qualified to live in an affordable housing development than to rental rates. The proposed housing agreement and correspondence was submitted to the LTC too late to be included in a staff report.

GL-2022-28

It was Moved and Seconded,

that the Galiano Island Local Trust Committee request staff to refer the GL-RZ-2019.1 (GIGARHS) proposal to legal counsel for consistency with the Official Community Plan and bring the draft housing agreement back for the Local Trust Committee for consideration at a future meeting.

CARRIED

Trustee Wolverton returned to the meeting at 2:37 p.m.

12. MEETING BREAK – COMMUNITY UPDATE – None

13. APPLICATIONS AND REFERRALS

13.1 GL-RZ-2021.1 (GALI) – Staff Report

Trustee Rockafella recused herself from the meeting at 2:37 p.m. due to conflict of interest with GL-RZ-2021.1 (GALI). Planner Smith reviewed the Staff Report; discussion was held and the following comments were made:

- A report on the site assessment by the septic engineer is forthcoming;
- Units set at market rents would offset the cost of units that receive deep subsidies to ensure the financial sustainability of the project; and
- The intent of the project is to maximize the number of deeply subsidized and affordable units.

GL-2022-29

It was Moved and Seconded,

that the Galiano Island Local Trust Committee direct staff and legal counsel to draft a Housing Agreement based on the proposed Option 2 “rent structure” as described in the March 7, 2022 staff report for application GL-RZ-2021.1 (GALI), and including Housing Income Limits based on low to moderate income limits as determined periodically by BC Housing.

CARRIED

GL-2022-30

It was Moved and Seconded,

that the Galiano Island Local Trust Committee direct staff and legal counsel to draft a Land Title Act s. 219 covenant based on the staff recommendations in Attachment 1 of the March 7, 2022 staff report for application GL-RZ-2021.1 (GALI).

CARRIED

13.2 GL-RZ-2014.1 (Crystal Mountain) - Staff Report

Trustee Rockafella returned to the meeting at 2:53 p.m.

Planner Smith reviewed the Staff Report related to GL-RZ-2014.1 (Crystal Mountain). Discussion was held and the following comments were made:

- Both a Section 219 covenant and a bylaw are legally enforceable instruments subject to bylaw enforcement;
- The proposed covenant does not currently contain provisions for monitoring or rent charges;
- Under the Land Title Act, the LTC has broad authority to seek a rent charge that could be levied if the covenant holders were found to be non-compliant with the terms of the covenant;

- Most provisions in the covenant are linked to development and would require the issuance of a building permit and related processes during which the LTC could ensure covenant conditions are being met;
- Different water uses for a dwelling unit, an occupant and a visitor should be identified to determine estimated water use for CMS operations; and
- The average retreat length would be one week to ten days.

Discussion was held about the applicant’s request to increase the amount of days when more than 35 people can be present on the land from one day to six. The following comments were made:

- The increased amount of people would be for occasions such as a visiting teacher, First Nations, or members of the public, or when CMS is hosting a workshop or work parties;
- The concern is the impact on neighbours and the daily maximum is meant to ensure the space does not become a gathering place on a regular ongoing basis;
- The water management plan should consider days where the number of visitors exceeds 35 people;
- Data loggers that produced the well monitoring report were reinstalled and are currently logging more data; and
- A requirement to notify neighbours could be included on these days and they could be restricted to day time only.

GL-2022-31

It was Moved and Seconded,

that the Galiano Local Trust Committee ask staff to review the water management plan and, in particular, provide feedback on:

- a) whether the water usage estimates are reasonable,
- b) recommendations on alternative pump tests, and
- c) recommendations on impacts on water use on days when the numbers of people on the property exceed 35.

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Groundwater Sustainability Implementation Project – Staff Report

Planner Chadwick and Senior Freshwater Specialist Shulba reviewed the Staff Report related to the Groundwater Sustainability Implementation Project.

Discussion was held and the following comments were made:

- Local governments play an intricate role in protecting aquifers to ensure the efficacy and sustainability of Provincial water licenses and authorizations;

- Local governments and the Province need to collaborate on incorporating water sustainability into land-use planning;
- Staff recommend updates to the existing Elevated Groundwater Catchment Development Permit Area; and
- Local governments have a legislative role in protecting water resources.

GL-2022-32

It was Moved and Seconded,

that the Galiano Island Local Trust Committee request staff to prepare a draft bylaw to amend the “Galiano Island Official Community Plan Bylaw No. 108, 1995” to include Critical Aquifer Recharge Development Permit Area guidelines, map updates and minor updates to relevant sections as identified in the March 7, 2022 staff report.

CARRIED

GL-2022-33

It was Moved and Seconded,

that the Galiano Island Local Trust Committee request staff to prepare a draft bylaw to amend the Land Use Bylaw to include updates to definitions, addition of cistern requirements for all new builds and updates to subdivision regulations related to potable water.

CARRIED

GL-2022-34

It was Moved and Seconded,

that the Galiano Island Local Trust Committee request staff to identify options for changes to zoning regulations informed by GW Solutions (2021) groundwater availability assessment data.

CARRIED

Full discussion on the Groundwater Sustainability Implementation Project was deferred until a future meeting.

15. REPORTS

15.1 Work Program Reports

15.1.1 Top Priorities Report Dated Feb 2022

Received for information.

15.1.2 Projects List Report Dated Feb 2022

Received for information.

15.2 Applications Report Dated Feb 2022

Received for information.

15.3 Trustee and Local Expense Report Dated Dec 2021

Received for information.

15.4 Adopted Policies and Standing Resolutions

Received for information.

15.5 Local Trust Committee Webpage

15.6 Islands Trust Conservancy Report - None

16. NEW BUSINESS

16.1 Rogers Communications Letter re CREST Tower

Provided for information.

16.2 Shoreline Protection Model Bylaw Report – Briefing

Discussion was held on the Shoreline Protection Model Bylaw Report.

GL-2022-35

It was Moved and Seconded,

that the Galiano Island Local Trust Committee ask the Advisory Planning Commission to review the recommendations in the Shoreline Protection Model Bylaw Report in the context of the Galiano Official Community Plan and bring suggested actions back to the Local Trust Committee.

CARRIED

16.3 Advisory Planning Commission Vacancies

Trustees will include an advertisement for the APC vacancies in the Trustee Update in the Active Page.

16.4 Potential Change to May LTC Meeting Date

No change was made.

16.5 Governance Review Report

Discussion was held about the Governance Review Report.

17. UPCOMING MEETINGS

17.1 Next Regular Meeting Scheduled for April 4, 2022 at the Galiano South Community Hall, Galiano Island

18. TOWN HALL

Town hall was held and the following comments were made:

- Deeply subsidized units ought to be included in affordable housing developments;
- Disappointment was expressed that the Trustees might allow six days a year on which the number of people at the Crystal Mountain property exceeds 35 people;
- The water management plan for CMS should include a plan for a water catchment system to backup the groundwater system;
- Saltwater intrusion in wells is a valid concern for residents who live close to the shoreline; and
- The issue of enforcement in the Crystal Mountain proposal has not been satisfactorily addressed.

19. CLOSED MEETING – None

20. ADJOURNMENT

By general consent the meeting was adjourned at 4:59 p.m.

Dan Rogers, Chair

Certified Correct:

Carly Bilney, Recorder



Follow Up Action Report

Galiano Island

06-Dec-2021

Activity	Responsibility	Dates	Status
1 13.2 GL-RZ-2021.2 (Gaylor) - Staff to initiate early engagement with First Nations re RZ proposal	Brad Smith Lisa Wilcox	Target: 21-Jan-2022	In Progress

07-Feb-2022

Activity	Responsibility	Dates	Status
1 14.1 Fees Bylaw No. 281 given 1st, 2nd, 3rd reading- update bylaw, send to EC secretary for final approval	Brad Smith Jas Chonk Robert Kojima	Target: 25-Feb-2022	Completed
2 14.2 DL 62, 68, 72 87 project charter adopted as presented, staff to initiate work including engagement with BC Parks and First Nations, and make amendments to BL 231 and 232	Brad Smith	Target: 15-Mar-2022	Completed
3 13.1 GIGARHS - Establish new CRA for HA and s. 219 covenant with applicant	Brad Smith	Target: 28-Feb-2022	In Progress
4 13.1 GIGARHS - Send arborist recommendations to legal counsel for covenant drafting	Brad Smith	Target: 04-Mar-2022	Completed
5 13.1 GALI - Establish CRA for HA and s. 219 covenant with applicant	Brad Smith	Target: 25-Feb-2022	In Progress

07-Mar-2022

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Galiano Island

07-Mar-2022

Activity	Responsibility	Dates	Status
1 8.1 Feb 7 2022 LTC meeting minutes adopted as amended	Robin Ellchuk	Target: 25-Mar-2022	Completed
2 11.1 GIGARHS letter- Staff to send proposed rent structure to legal counsel for review of consistency with OCP	Brad Smith	Target: 25-Mar-2022	Completed
3 15.4 Standing resolutions - Enquire with Lisa Wilcox re annual letter from LTC to FNs	Brad Smith	Target: 02-May-2022	In Progress
4 13.2 GL-RZ-2014.1 (CMS) - Review professional water reports and WMP with respect to daily water use estimates	Brad Smith William Shulba	Target: 15-Apr-2022	In Progress
5 13.1 GL-RZ-2021.1 (GALI) - staff and legal counsel to draft a Housing Agreement based on the proposed Option 2 "rent structure" as described in the March 7, 2022 staff report	Brad Smith	Target: 15-Apr-2022	In Progress
6 13.1 GL-RZ-2021.1 (GALI) - staff and legal counsel to draft a Land Title Act s. 219 covenant based on the staff recommendations in Attachment 1 of the March 7, 2022 staff report	Brad Smith	Target: 22-Apr-2022	In Progress



Follow Up Action Report

Galiano Island

07-Mar-2022

Activity	Responsibility	Dates	Status
<p>7 14.1 GW sustainability project - staff to prepare a draft bylaw to amend OCP to include Critical Aquifer Recharge Development Permit Area guidelines, map updates and minor updates to relevant sections as identified in the March 7, 2022 staff report, and, draft bylaw to amend the Land Use Bylaw to include updates to definitions, addition of cistern requirements for all new builds and updates to subdivision regulations related to potable water.</p>	<p>Narrisa Chadwick William Shulba</p>	<p>Target: 22-Apr-2022</p>	<p>In Progress</p>
<p>8 14.1 GW sustainability project - staff to identify options for changes to zoning regulations informed by GW Solutions (2021) groundwater availability assessment data.</p>	<p>Narrisa Chadwick William Shulba</p>	<p>Target: 22-Apr-2022</p>	<p>In Progress</p>
<p>9 16.2 Shoreline Protection Model Bylaw - staff to send to APC to review the recommendations in the Shoreline Protection Model Bylaw Report in the context of the Galiano OCP and bring suggested actions back to the LTC</p>	<p>Brad Smith Jas Chonk Robin Ellchuk</p>	<p>Target: 15-Apr-2022</p>	<p>In Progress</p>

From: "INFO, BCEBC BCEBC:EX" <info@bcebc.ca>
Subject: Greetings from the BC Electoral Boundaries Commission
Date: March 3, 2022 at 11:45:56 AM PST
To: "sefast@bimbc.ca" <sefast@bimbc.ca>



March 3, 2022

Councillor Sue Ellen Fast
Island Municipality of Bowen Island

Greetings from the BC Electoral Boundaries Commission.

Please accept this letter as an invitation to your organization to express your views on the province's current electoral district boundaries.

The BC Electoral Boundaries Commission is an independent, non-partisan commission with a mandate to review the area, names and boundaries of provincial electoral districts. The Commission submits two reports to the Legislative Assembly with recommendations for the next two provincial general elections.

Your voice is an important part of this process. To help prepare its preliminary report, the Commission is now seeking public input on the province's current electoral district boundaries. We will be publishing a preliminary report with initial recommendations. After, we will seek public input on those recommendations.

You can share your organization's views in the following ways:

- through the [Commission website](#),
- at an in-person or virtual [public meeting](#), or
 - by [writing the Commission](#) directly.

Visit our website to learn more about the Commission, review maps and resources, and find the electoral districts in your community.

Please feel free to share this information with others and contact us with any questions.

Sincerely,

Justice Nitya Iyer
Commission Chair

BC Electoral Boundaries Commission

100- 1112 FORT STREET, VICTORIA B.C. V8V 3PK
BCEBC.CA | INFO@BCEBC.CA | 1-800-661-8683



DATE OF MEETING: April 4, 2022
TO: Galiano Island Local Trust Committee
FROM: Phil Testemale, Planner 2
Southern Team
COPY: Phil Testemale, Island Planner
SUBJECT: Development Variance Permit Application
Applicant: Anik Mommsen-Smith and Leif Palmberg
Location: 479 Montague Park Road

RECOMMENDATION

1. That the Galiano Island Local Trust Committee approve issuance of Development Variance Permit application GL-DVP-2021.11 (Mommsen-Smith).

REPORT SUMMARY

The purpose of the report is to consider a Development Variance Permit for additions to an existing dwelling and siting of a new septic sewer system.

RATIONALE FOR VARIANCE

Granting the variance will:

- Allow roof additions to a legal non-conforming dwelling; and
- The replacement of a septic disposal system with benefits to health and the natural environment.

BACKGROUND

The application is to comply with the siting provisions of the Land Use Bylaw (LUB). Specifically, the application is to vary provisions in the **General Regulations** and the **Small Lot Residential - SLR Zone** in the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) as shown in Figure 2 and as follows:

- a) Section 2.15 which states that sewage absorption fields must be sited at least 30 metres from the natural boundary of the sea, any lake, swamp, or other natural watercourse and any well, is varied to permit a **sewage absorption field** within **15.5 metres** of the natural boundary of the sea; and,
- b) Article 5.3.8.2 which states that buildings and structures must be sited at least 6.0 metres from each interior lot line is varied to permit:

- (i) the siting of a **building** (existing dwelling with proposed additions) **within 3.65 metres** from an interior lot line; and,
- (ii) the siting of **structures** (septic absorption field, pump chamber, tank and associated piping) within **1.5 metres** from an interior lot line.

The application is the result of a Preliminary Building Permit Review (GL-BP-2021.20) that identified the existing and proposed non-conformities.

The 0.27 ha (0.67 ac) subject property is located at **479 Montague Park Road** and currently contains a 265 m² (2848 ft² - approx.) dwelling on two levels. The dwelling was constructed in 1967 and the legal survey submitted indicates the dwelling is 4.65 m from the east property boundary (Attachment 2.8). Given the date of construction, the siting is legal non-conforming which requires that any addition or alteration that would increase the non-conformity must obtain an approved variance. Further site context information is provided in Attachment 1.

The proposed renovation uses the existing foundations and exterior walls with internal floor plan alterations and a new roof structure (Attachment 2.7). The design of the new roof includes 0.6 m eaves the 'drip-line' of which would be 3.65 m from the interior side yard at its closest point. The front deck and stairs were revised to ensure that they were outside of Development Permit Area (DPA) 2 – Shoreline and Marine which is designated on the subject property (Attachment 2.2).

The applicant believes the old septic system was built at the same time as the dwelling and has been inspected and requires replacing. The new system was designed and sited by Craig Regier, P.Eng. of Clear Tech Consulting Engineering and filed with Island Health (Attachment 4 and discussed further in 'Issues and Opportunities' - below).

If the application is denied, the owners could apply to the Board of Variance, or alter the proposed development to conform to LUB regulations.

Staff visited the property on March 16, 2022.

A copy of the Notice and proposed permit are Attachments 5 & 6.

ANALYSIS

Policy/Regulatory

Official Community Plan:

The property is designated as **SLR - Small Lot Residential** in the Galiano Land Use Official Community Plan (OCP) No. 108, 1995.

Development Permit Area 2 (DPA) – Shoreline and Marine and **DPA 7 – Steep Slope Hazard (Moderate)** are designated on the subject property (Attachment 2.2). All proposed development would be outside of the DPAs.

Land Use Bylaw:

The property is zoned **Small Lot Residential - SLR Zone** in the Galiano Island Land Use Bylaw No. 127, 1999.

Figure 1 – Subject Property

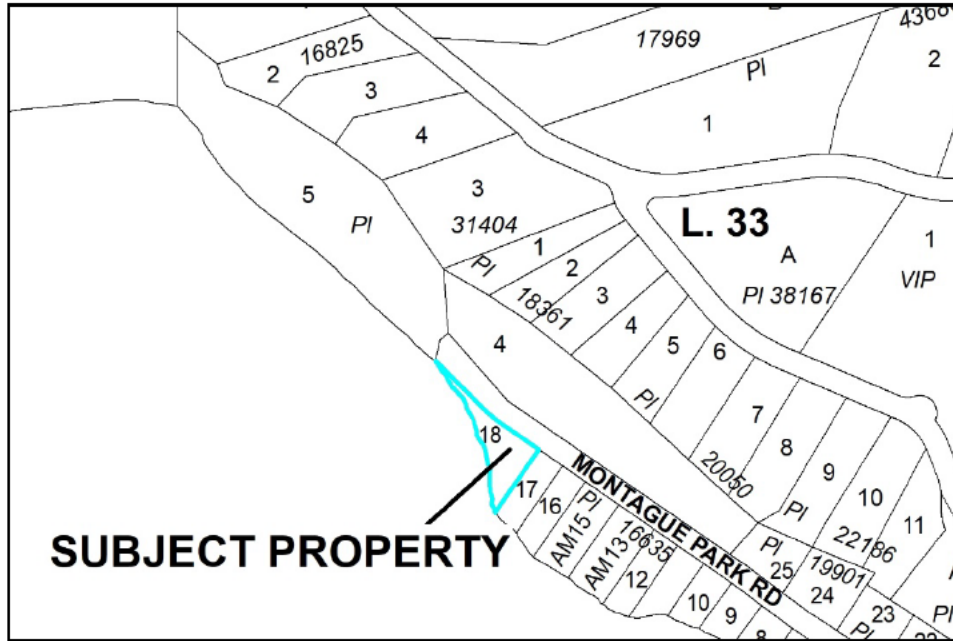
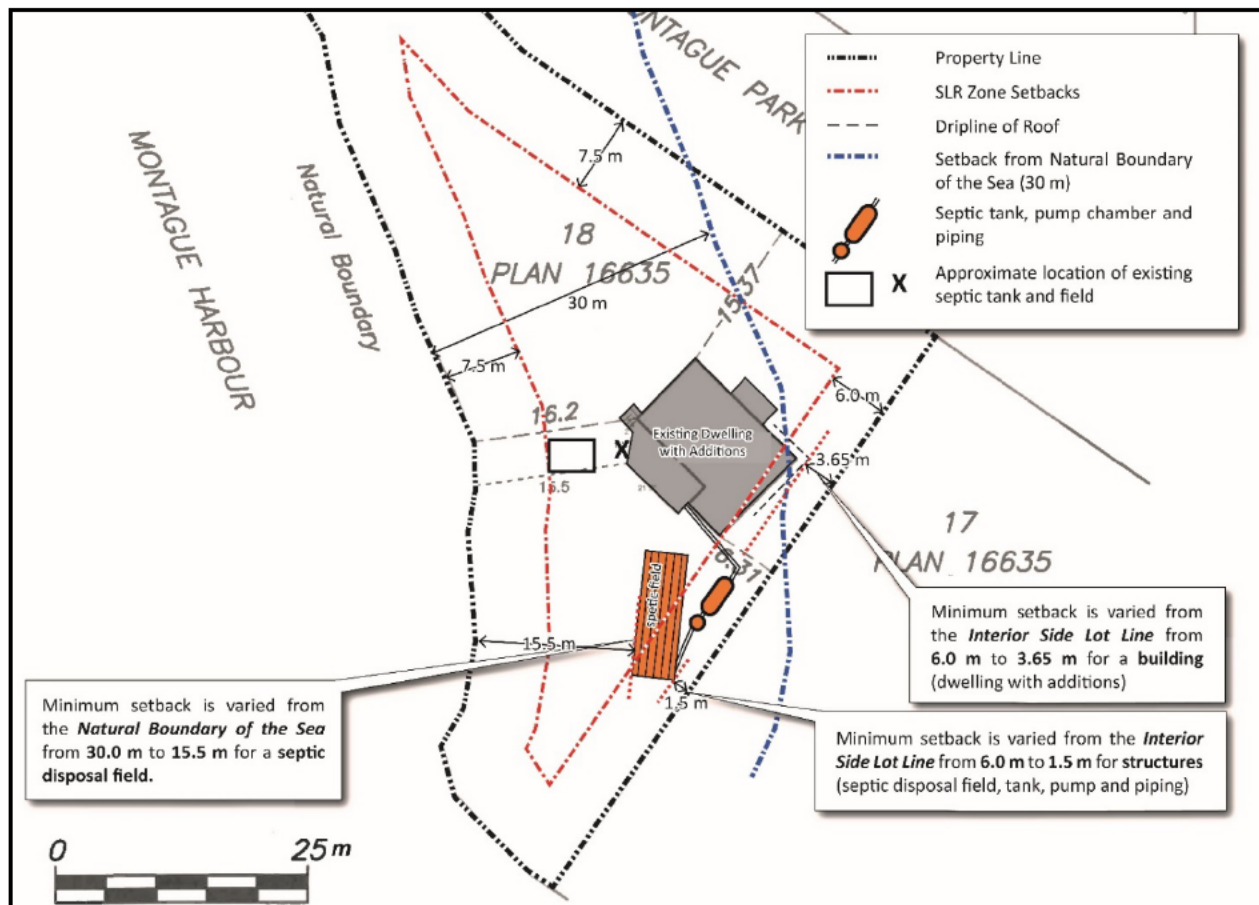


Figure 2 – Site Plan



Issues and Opportunities

Impact on Neighbouring Properties and Natural Environment

The most impacted neighbour from the proposed variances is the adjacent property to the east. Although the proposed new roof eaves will encroach slightly further than the existing, the impact is assessed as minor given that the dwelling and roof have been in place for a long time, and the change in the roof pitch orientation would lessen the visual impact to that neighbour (Attachment 2.7).

The new septic field and associated infrastructure has been sited in the most suitable location on the property as determined by the Engineer in order to maximize distances from the natural boundary of the sea, existing groundwater wells, and account for the limitations of the property (topography, soils, existing buildings, etc.) and the desire to have gravity feed to the tank. The proposed system is a Type 2 treatment system (partial treatment prior to dispersal) that includes a septic storage/treatment, pump tank and dispersal field. Overall, the siting and design follows Ministry of Health regulations and standards and minimizes health risks to both the subject and neighbouring properties.

The Intent of the Regulation being Varied

The overall purpose of siting regulations with respect to the natural boundary of the sea for the septic field are:

- Protection of development from natural hazards, particularly with sea level rise and increased storm surges.
- Protection of the natural shoreline environment.

And, with respect to the interior side lot setbacks, the purpose is to minimize impacts on adjacent properties related to:

- Limiting the visual impact of development on adjacent properties.
- Establishing a consistent development pattern within a local area.
- Protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- Maintaining a rural character.
- Establishing certainty with respect to development by maintaining consistent height and siting regulations.

Potential Impacts of Granting the Variance

Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation each application should be evaluated on its own merits.

Consultation

DVP Notices were circulated to surrounding property owners and residents. The notification period ends at 4:30 p.m. on March 23, 2022.

At the time of writing, staff have received one e-mail in support from a neighbour. Any further submissions received prior to the LTC meeting will be forwarded to Trustees and reported at the meeting.

First Nations

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the DVP application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff will forward the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on *Heritage Act* directly to the applicants.

Rationale for Recommendation

Staff is recommending that the resolution on page 1 be supported for the following reasons:

- The rationale for the variances is reasonable.
- Impacts from the proposed dwelling additions would be minor.
- The variances for the septic field and infrastructure maximize setbacks for health and natural environment protection on a constrained property.
- There has been one response in support from notification.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. This should be debated in a regular meeting.

Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee request that the applicant submit to the Islands Trust_____.

2. Deny the application

The LTC may deny the application.

Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee deny application GL-DVP-2021.11 (Mommsen-Smith)

Submitted By:	Phil Testemale, Planner 2	March 23, 2022
Concurrence:	Robert Kojima, Regional Planning Manager	March 23, 2022

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. Record of Sewerage System (VIHA)
4. Correspondence
5. Notice
6. Draft Development Variance Permit GL-DVP-2021.11

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 18, District Lot 33, Galiano Island, Cowichan District, Plan 16635
PID	003-992-241
Civic Address	479 Montague Park Road, Galiano Island
Lot Size	0.27 hectares (0.67 acres)

LAND USE

Current Land Use	Small Lot Residential (SLR)
Surrounding Land Use	Small Lot Residential (SLR), Park (P), Marine (M)

HISTORICAL ACTIVITY

File No.	Purpose
GL-BP-2021.30	Subject review for dwelling renovations

POLICY/REGULATORY

Official Community Plan Designations	Galiano Island OCP No. 108, 1995 Designations: SLR – Small Lot Residential Development Permit Areas (DPAs - Attachment 2.2): <ul style="list-style-type: none"> • DPA 2 – Shoreline and Marine • DPA 7 – Steep Slope Hazard (Moderate)
Land Use Bylaw	Galiano Island LUB No. 127, 1999: Village Residential 2 (VR2)
Other Regulations	None
Covenants	None
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	There are no Conservancy covenants or properties in the direct area; therefore no referral has been made to the Board.
Regional Conservation Strategy	The proposal does not impact the objectives and priorities of the Islands Trust Conservancy regional conservation plan.
Species at Risk	None
Sensitive Ecosystems	None mapped on property (Attachment 2.4)
Hazard Areas	Low and moderate slope hazard (Attachment 2.3)
Archaeological Sites	Remote Access to Archaeological Data (RAAD) information indicates there are no archaeological sites nor occurrences of high archaeological potential on the property. Notwithstanding, the applicant has been sent the Islands Trust Chance Find Protocol and provincial guidance on archaeological sites.

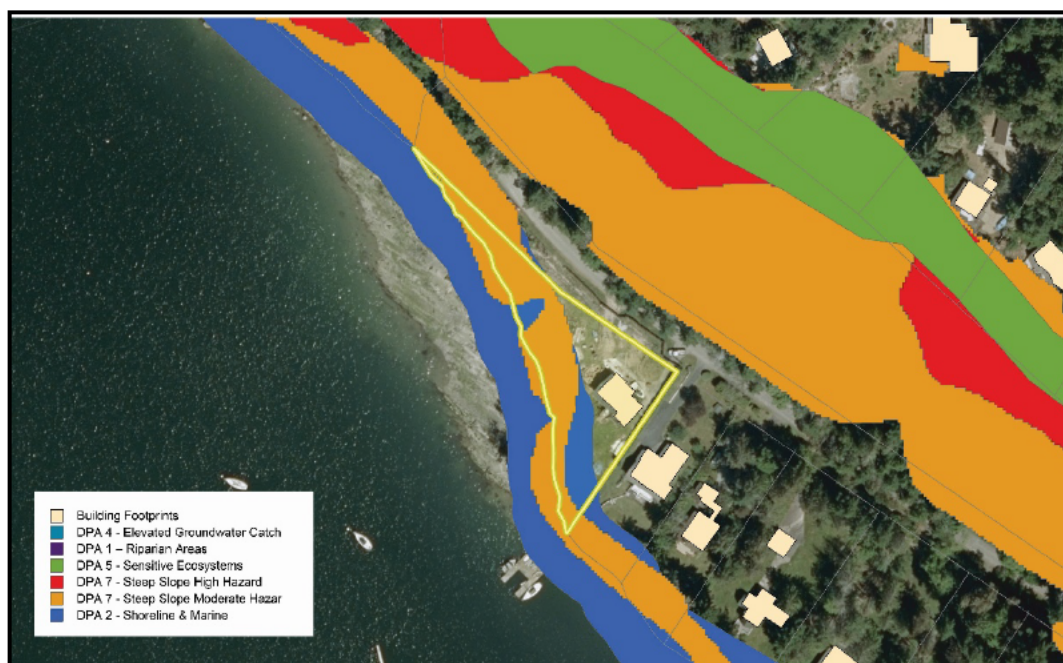
	By copy of this report, the owners and applicant should be aware that there unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work. The applicant has also been sent the Islands Trust Chance Find Protocol and provincial guidance on archaeological site
Climate Change Adaptation and Mitigation	The development proposal is to renovate an existing dwelling with benefit to GHG emissions by offsetting waste by rebuilding.
Shoreline Classification	Rock Shoreline - Low Rock/Boulder
Shoreline Data in TAPIS	Eelgrass mapped to northwest (Attachment 2.5)

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

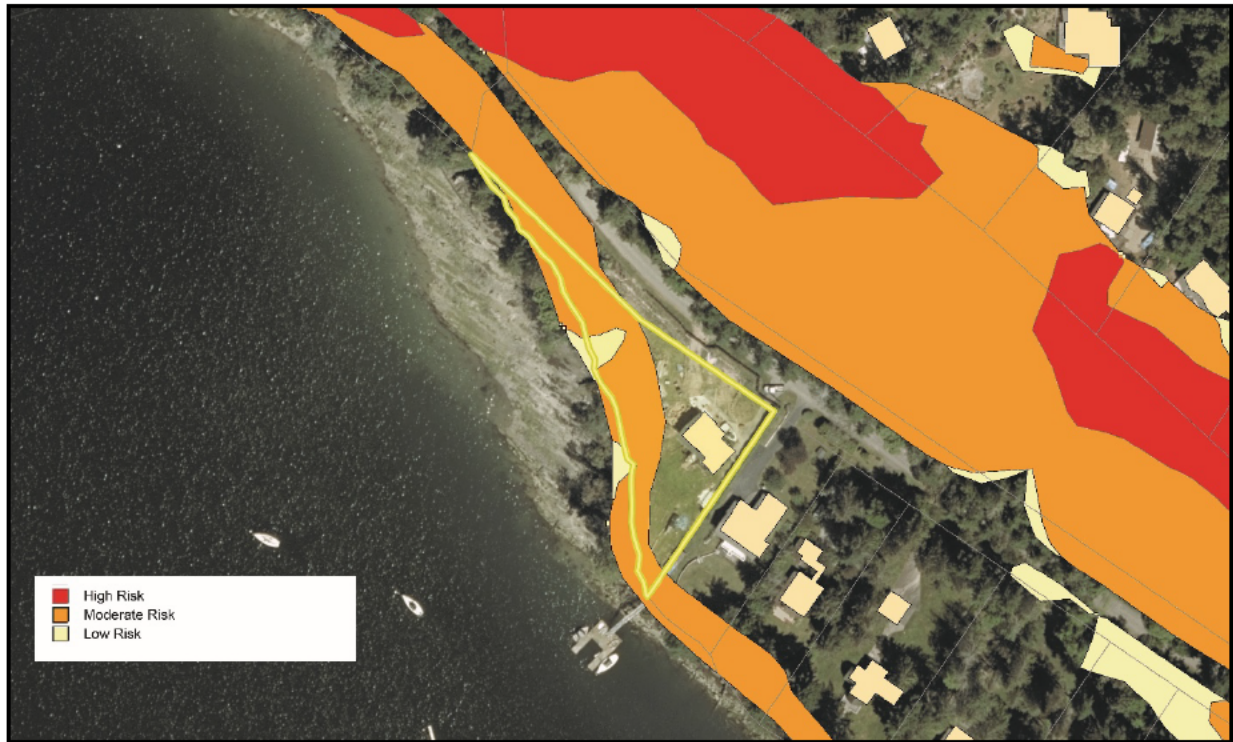
2.1 ORTHOPHOTO



2.2 DPAs



2.3 STEEP SLOPE HAZARD MAPPING



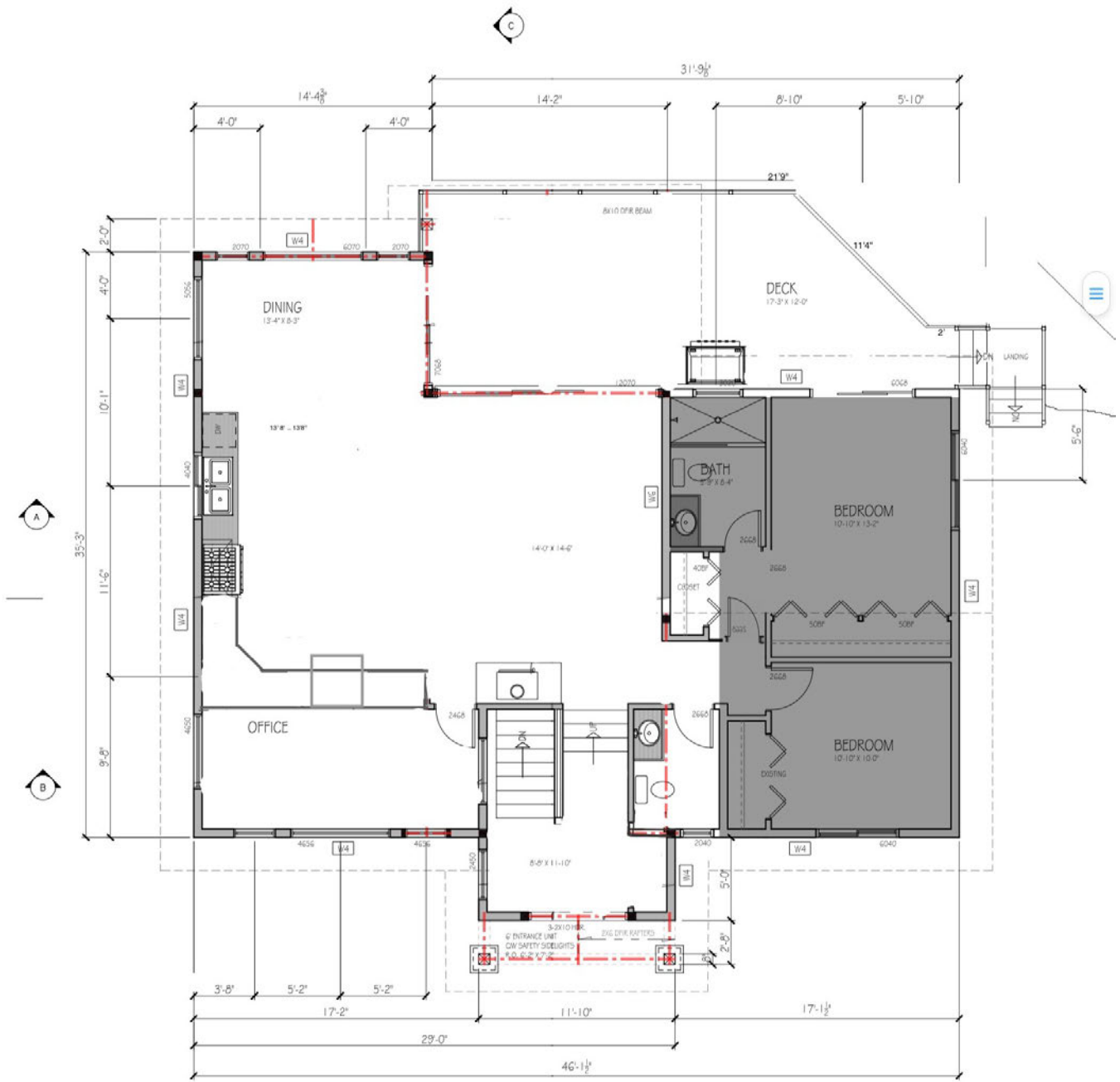
2.4 SENSITIVE ECOSYSTEM MAPPING (TERRESTRIAL)



2.5 MARINE SENSITIVE ECOSYSTEMS AND SHORELINE TYPES

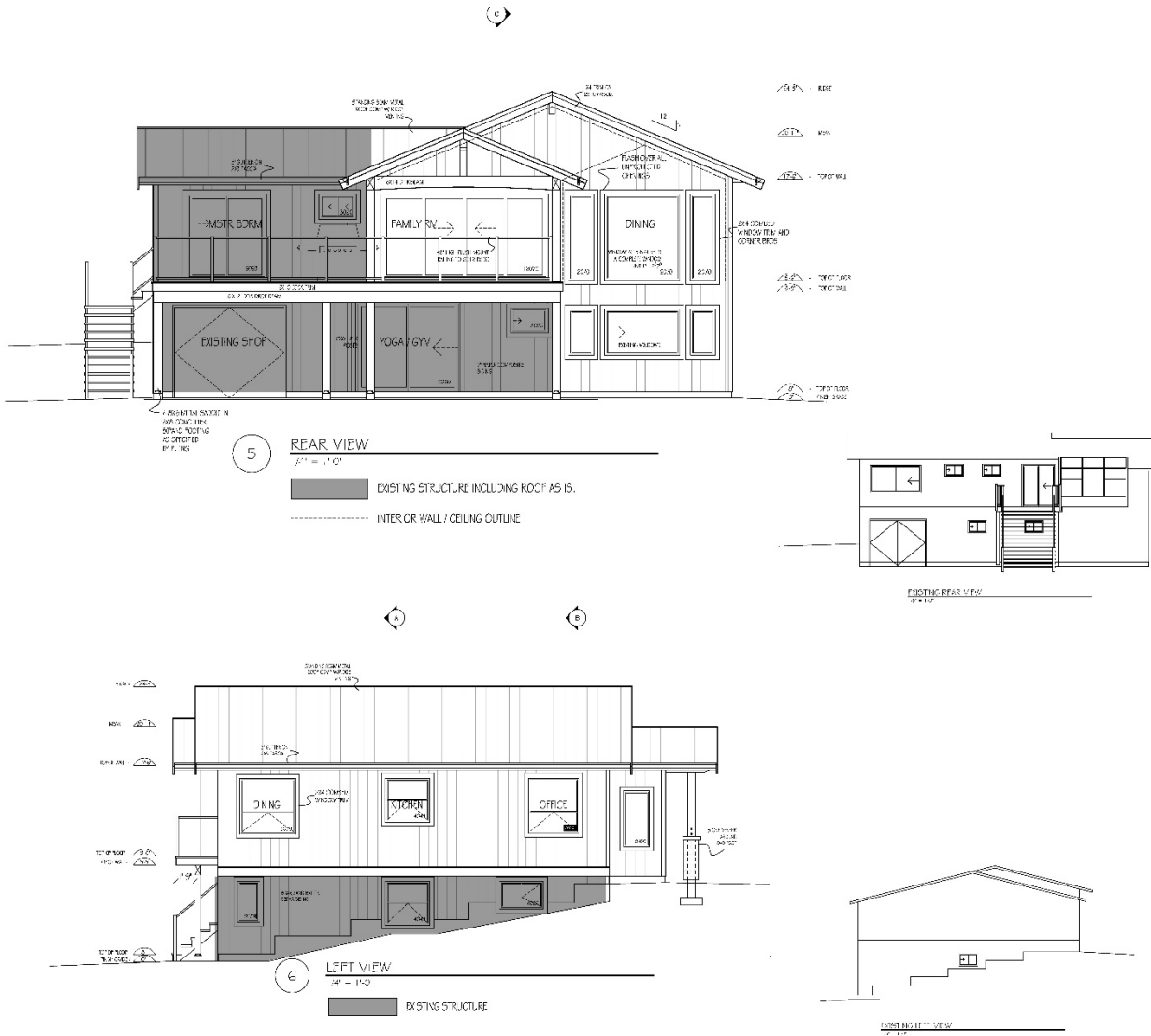


2.6 FLOOR PLAN

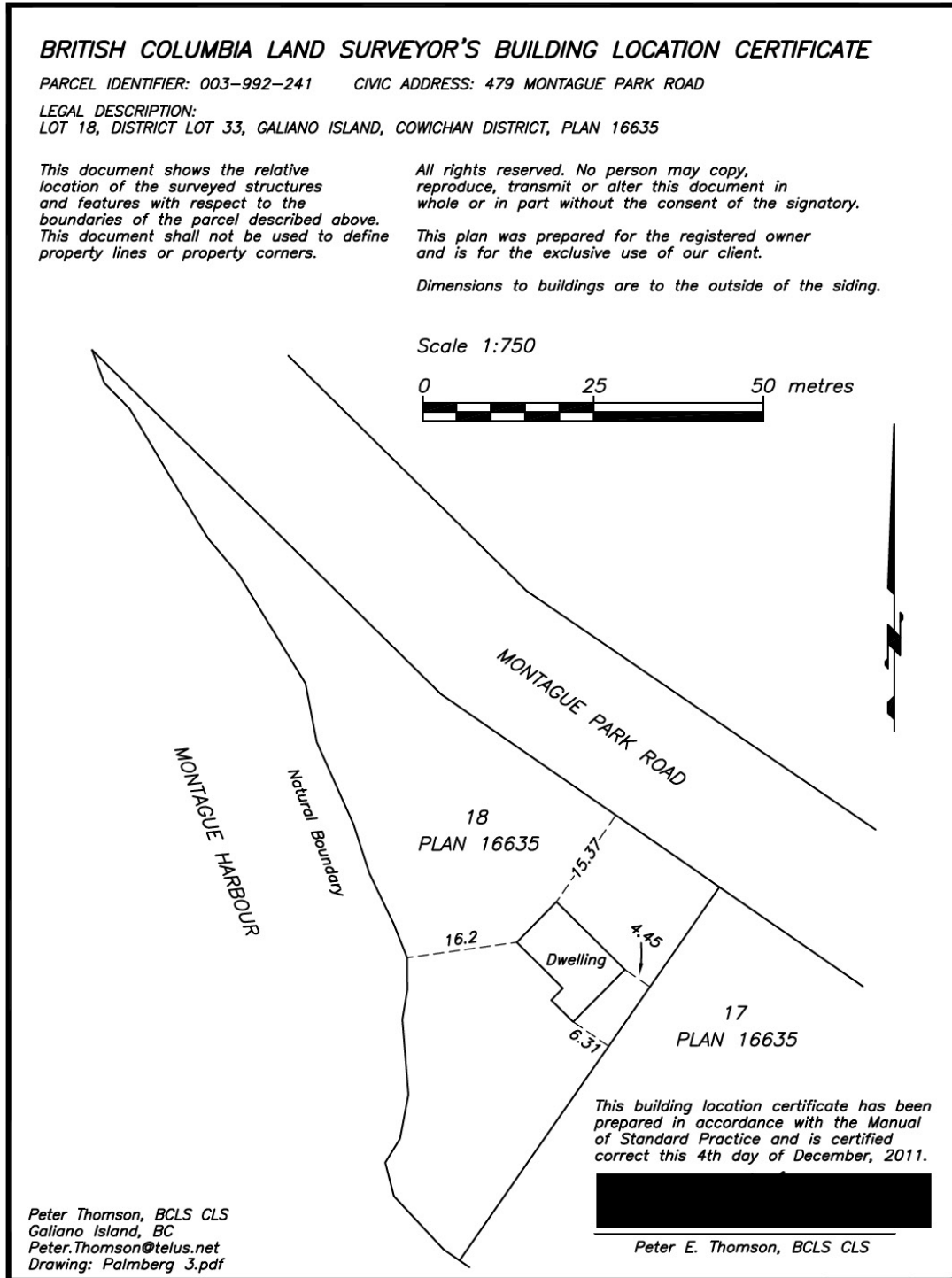


2 FLOOR PLAN
 1/4" = 1'-0"
 EXISTING STRUCTURE INCLUDING ROOF AS IS.

2.7 ELEVATIONS

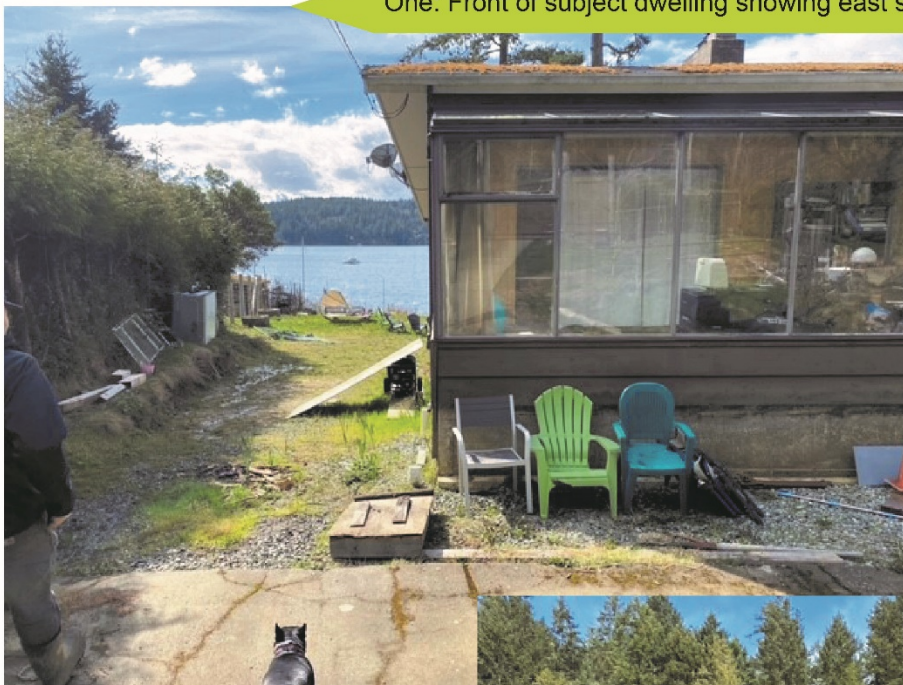


2.8 SURVEY PLAN



2.9 PHOTOGRAPHS

One: Front of subject dwelling showing east side yard



Two: View north along east side yard

2.9 PHOTOGRAPHS (CONT'D)



Three: View of septic field area and rear of existing dwelling



Four: View east

Attachment 3

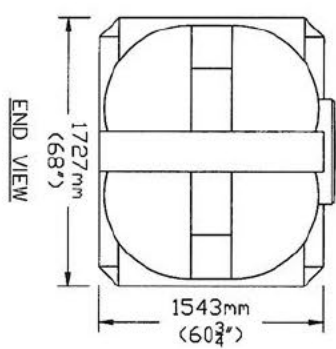
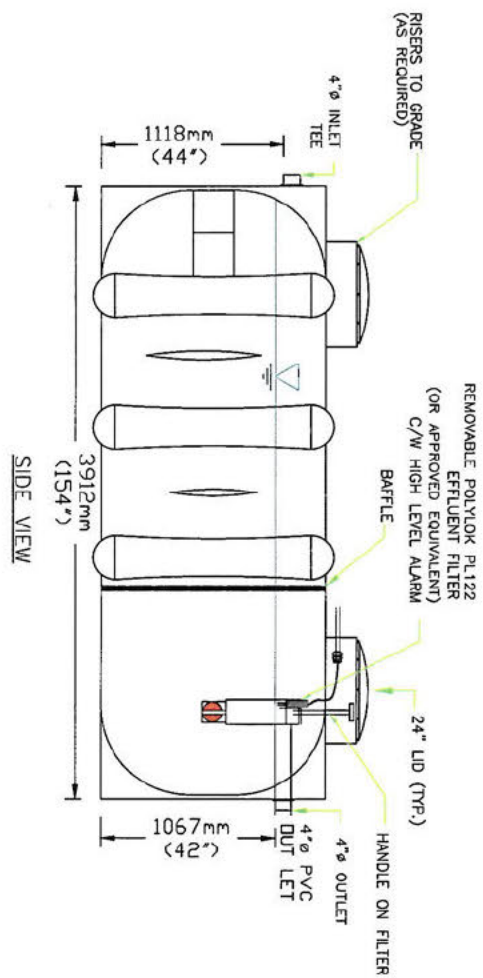
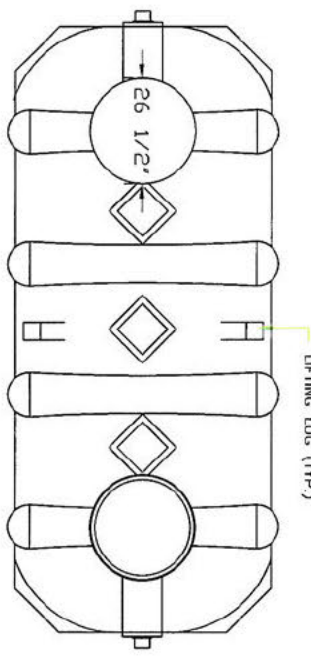


island health

RECORD OF SEWERAGE SYSTEM

		Filing # (OFFICE USE ONLY) GV21/463	
1. Property Information	<input type="checkbox"/> New Construction	<input type="checkbox"/> Alteration	<input type="checkbox"/> Repair
			<input checked="" type="checkbox"/> Amendment – Original Filing # GV21/463
	Tax Assessment Roll # 01-764-02245.038		PID # 003-992-241
	Legal Description (Plan, Lot, District Lot, Block Numbers) Lot 18 Plan VIP16635 District Lot 33 Land District 16 Portion GALIANO ISLAND		
Street (Civic) Address or General Location 479 Montague Park Road		City Galiano Island	
2. Owner Information	Name of Legal Owner Leif Palmberg/Mommsen-Smith		Mailing Address 479 Montague Park Road
	Phone 250-539-0806	City Galiano Island	Prov BC
			Postal Code V0N 1P0
3. Authorized Person Information	Name of Authorized Person CRAIG REGIER, P.ENG., ROWP		Mailing Address 1345 SALSBURY DRIVE
	Phone 604-329-8324	City VANCOUVER	Prov BC
			Postal Code V5L 4B4
	Registration # 28198	Email info@cleartechconsultingltd.com	
4. Structure Information	Sewerage System Will Serve: <input checked="" type="checkbox"/> Single Family Dwelling <input type="checkbox"/> Other Structure (specify) _____ <input checked="" type="checkbox"/> Other Dwelling (specify) <u>plus suite</u>		
	The sewerage system is designed for an estimated minimum daily domestic sewage flow of (check one) <input checked="" type="checkbox"/> Less than or equal to 9,100 litres <input type="checkbox"/> More than 9,100 litres but less than 22,700 litres		
5. Site Information	Depth of native soil to seasonal high water table or restrictive layer (cm) >120	Information respecting the type, depth and porosity of the soil is attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	GPS Location of System (decimal degrees) Latitude <u>48.894921°</u> Longitude <u>-123.395409°</u>		
	Horizontal Accuracy (m) <u>5m</u>	<input checked="" type="checkbox"/> Recreational GPS <input type="checkbox"/> Differential GPS	
6. Drinking Water Protection	Will the sewerage system be located less than 30 m from a well? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	If yes, attach a professional's report and specify the intended distance _____ (m) Distance of proposed sewerage system to the closest body of surface water <u>>30.5</u> (m)		
7. System Information	Sewerage treatment method <input checked="" type="checkbox"/> Type 1 <input type="checkbox"/> Type 2 <input type="checkbox"/> Type 3		
8. Legal or Regulatory Considerations	<input checked="" type="checkbox"/> Construction of the proposed sewerage system will not conflict with legal instruments registered on the property.		Is this filing submitted as the result of an order from the Health Authority? <input type="checkbox"/> Yes (attach a copy of the order) <input checked="" type="checkbox"/> No
	Plot Plan (to scale) and specifications are attached <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
9. Plot Plan and Specifications	<input checked="" type="checkbox"/> The plans and specifications are consistent with Standard Practice		
	Source of Standard Practice: <input checked="" type="checkbox"/> Ministry of Health Standard Practice Manual <input type="checkbox"/> Other		
10. Authorized Person's Signature	Signature	OFFICE USE ONLY	
	Date March 1, 2022	Filing Accepted Date March 2, 2022	Receipt Number 2109CM035154

NOTES: CONTRACTOR TO PROVIDE STABLE AND LEVEL FOUNDATION SUBGRADE FOR ALL TANKS.
 MANUFACTURERS BACKFILL SPECIFICATIONS MUST BE FOLLOWED.
 TANK DIMENSIONS BASED ON CAWVEST RKS1250LP/2



SECTION AND ELEVATION VIEW THROUGH 1250 Igal SEPTIC TANK 2

N.T.S.

MODEL No. RKS1250LP
 VOL. CAP. -- 1,250 IGALS
 1,500USGALS
 5,682 LITERS

ISLAND HEALTH
 FILING ACCEPTED
MAR 02 2022
 This filing Does Not Constitute
 Approval for Further Subdivision

* NOTE: CLEARTECH DOES NOT CONDUCT ELECTRICAL INSPECTION OR CONFIRM COMPLIANCE WITH ANY ELECTRICAL CODES. CLEARTECH WILL TEST FOR ELECTRICAL FUNCTION ONLY.

 1345 SALSBURY DRIVE, VANCOUVER, BC V6L 4B4 PH. 604-329-8324 EMAIL: info@cleartechconsulting.ca WEB: www.cleartechconsulting.ca	CLEARTECH CONSULTING LTD. CLIENT: PALMBERG/MOMMSEN-SMITH	PROJECT: 479 MONTAGUE PARK ROAD, GALIANO ISLAND, BC TITLE: PROPOSED ON-SITE SEWAGE DISPOSAL SYSTEM - SEPTIC TANK DETAILS	SCALE: SHOWN DRAWN: YK	DESIGN: CLR REVIEWED: CLR	DATE OF ISSUE: SEP 2021	PROJECT No.: 321-0093	DWG. No.: 3 OF 6	REV.: C
	REVISION: C - RELOCATE FIELD AND TANKS EGBC PERMIT TO PRACTICE NUMBER 1002157	INITIAL: CLR	DATE: MAR 2022	NOTE: THIS DRAWING IS THE SOLE PROPERTY OF CLEARTECH CONSULTING LTD. AND CANNOT BE USED OR DUPLICATED IN ANY WAY WITHOUT EXPRESS WRITTEN PERMISSION.				

CONTROL PANEL SPECIFICATIONS

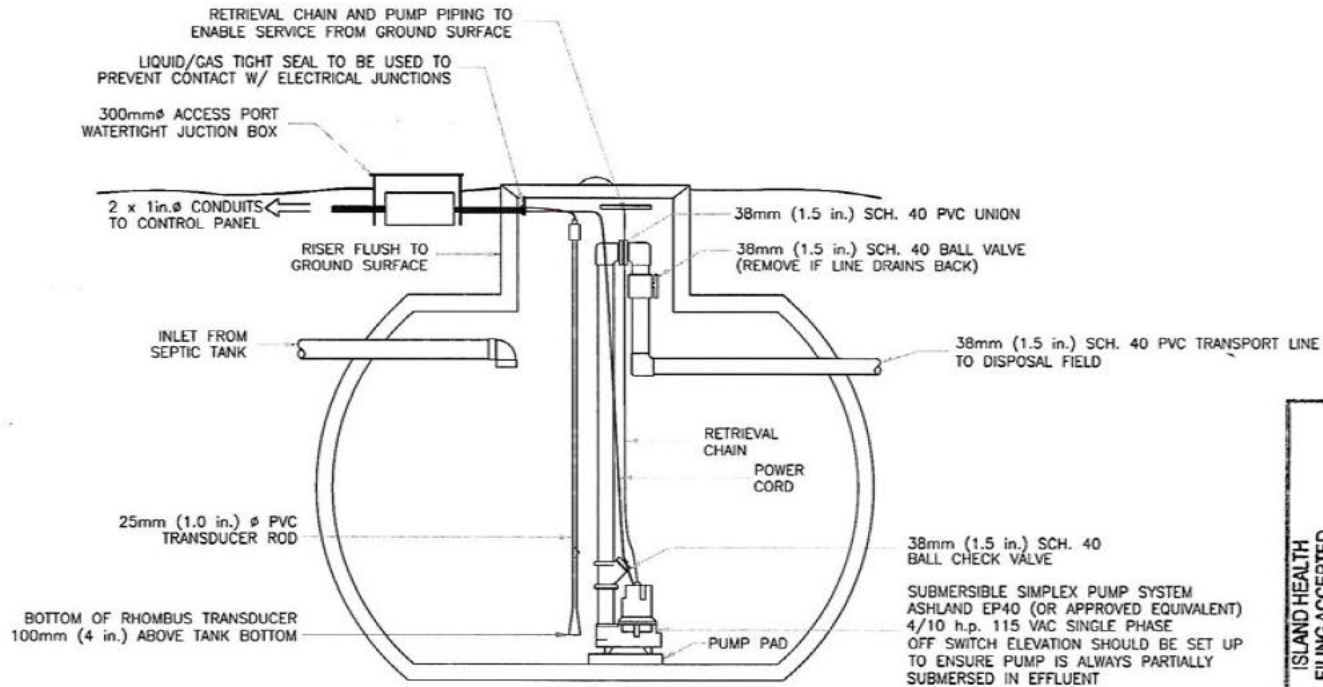
PROVIDE A PRESSURE TRANSDUCER AND SIMPLEX/DUPLEX SJE RHOMBUS PUMP CONTROL PANEL IN A VANDAL PROOF ENCLOSURE (EEMAC OR EQUIVALENT) FOR INDOOR MOUNTING. PANEL TO BE CSA APPROVED.

* PUMP AND ALARM TO BE WIRED TO SEPARATE POWER SUPPLY CIRCUITS

NOTES:

- 1) TRANSDUCER PANEL SETTINGS TO BE PROVIDED UPON CONFIRMATION OF PUMP CHAMBER SIZE AND DIMENSIONS
- 2) **IF AQUAWORX PANEL USED, TRANSDUCER Z-BIAS TO BE TRANSCRIBED TO INSIDE OF CONTROL PANEL UPON INSTALLATION OF TRANSDUCER**
- 3) IF TRANSPORT LINE TO REMAIN FULL (USING CHECK VALVE) THEN THE TRANSPORT LINE MUST BE FROST PROTECTED
- 4) DOSE VOLUME TO INCREASE TO INCLUDE TRANSPORT LINE CHARGE VOLUME IF TRANSPORT LINE DRAINS BACK (IE. NO CHECK VALVE)
- 5) GENERAL CONTRACTOR TO PROVIDE A MINIMUM OF TWO 3-CONDUCTOR 120/240 VAC CABLES AT CONTROL PANEL LOCATION FOR WIRING OF AQUAWORX PANEL

* NOTE CLEARTECH DOES NOT CONDUCT ELECTRICAL INSPECTION OR CONFIRM COMPLIANCE WITH ANY ELECTRICAL CODES. CLEARTECH WILL TEST FOR ELECTRICAL FUNCTION ONLY.



SECTION VIEW THROUGH 500 lgal PUMP CHAMBER 3

N.T.S.

*** ALL PIPING TO BE SCH. 40 PVC ***

ISLAND HEALTH
FILING ACCEPTED
MAR 02 2022
This filing Does Not Constitute
Approval for Further Subdivision

PROJECT 479 MONTAGUE PARK ROAD, GALIANO ISLAND, BC	
TITLE PROPOSED ON-SITE SEWAGE DISPOSAL SYSTEM - PUMP CHAMBER, EFFLUENT PUMP (SIMPLEX OR DUPLEX), AND CONTROL PANEL SPECIFICATIONS	
SCALE SHOWN	DATE OF ISSUE
DRAWN	REVISED
YK	CLR
YK	CLR
PROJECT No. 321-0093	DRAWING No. 4 OF 6
DATE	REV
MAR 2022	C
NOTE: THIS DRAWING IS THE SOLE PROPERTY OF CLEARTECH CONSULTING LTD. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED THEREIN. CLEARTECH DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED HEREON.	
CLIENT: PALMBERG/MOMMSEN-SMITH	
1345 SALISBURY DRIVE, VANCOUVER, BC V6L 4R4 CALL: 604-275-8334 FAX: 604-275-8334 WEB: www.cleartechconsulting.com	
2022-03-01	
REVISION: C - RELOCATE FIELD AND TANKS EGBC PERMIT TO PRACTICE NUMBER 1002157	

479 Montague Park Road, Galiano Island

Sewerage System Specifications

Clartech File No.: 321-0093 Revision C

Site:

- soils: sandy silt to silty sand to >120cm
- percolation: 4.5-8.5 min./25mm

Flow:

- 2 bedroom home with 1 bedroom suite
- 1700 L/d = 374 l/gpd

Tanks:

- 1250 lgal 2-chamber polyethylene septic tank (RKS1250LP/2)
- Polylok PL-122 filter w/ alarm
- 500 lgal polyethylene pump chamber (RKP500LP) with Myers ME50 effluent pump and Rhombus c-level sensor and control panel

Field:

- 12.2m x 4.3m (40 ft. x 14 ft.) bed
- 250mm (10 inch) clean rounded drain rock
- 5 x 25mm (1.0 in.) Sch. 40 PVC laterals each with 16 x 3mm (1/8 in.) orifices, shut-off, and clean out
- 38mm (1.5 in.) Sch. 40 PVC transport line and manifold
- 305mm (12 in.) topsoil cap

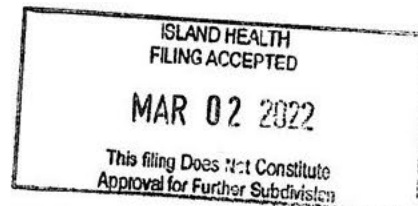
Note all system components may be substituted with approved equivalents where required. Any changes to above specifications to be noted on the construction record drawing.



2022-03-01

CLEARTECH CONSULTING LTD.
per: Craig Regier, P.Eng., ROWP

March 1, 2022



Attachment 4

From: Craig S. Wilshire <[REDACTED]>
Sent: Friday, March 11, 2022 1:41 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Cc: Jennifer Wilshire <vancouverjennifer@gmail.com>
Subject: GL-DVP-2021.11 - 479 Montague Park Rd.

Attn: Galiano Island Local Trust Committee and Phil Testemale, Planner 2.

My sister Jennifer Wilshire and I are the owners at [REDACTED]
[REDACTED]

After reviewing this variance, we are in full support of it.

Sincerely
Craig S. Wilshire

Attachment 5



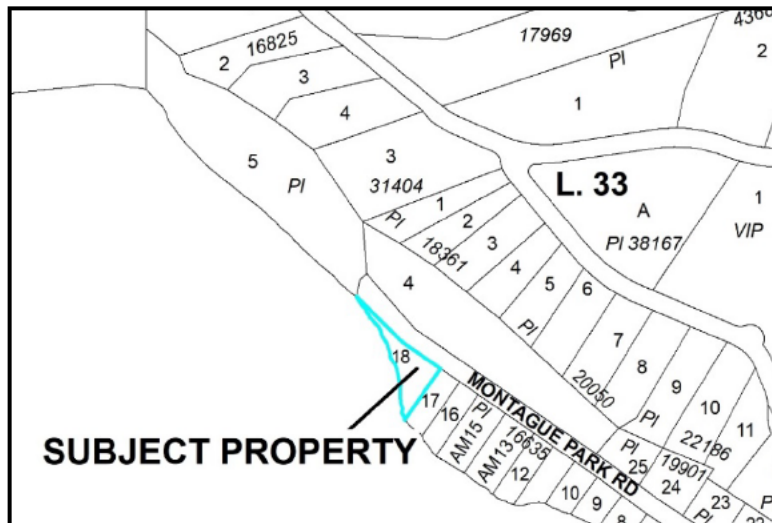
NOTICE
GL-DVP-2021.11
GALIANO ISLAND LOCAL TRUST COMMITTEE

NOTICE is hereby given pursuant to Section 499 of the *Local Government Act* that the Galiano Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit. The proposed permit is attached and would vary the Galiano Island Land Use Bylaw No. 127, 1999 as follows:

- Variances to the setback from the natural boundary of the sea and an interior side lot line for a proposed septic disposal system (including septic field, pump and tank and piping), and for the siting of an existing dwelling (including new additions) as shown on the attached, proposed permit.

The property is located at 479 Montague Park Road and is legally described as Lot 18, District Lot 33, Galiano Island, Cowichan District, Plan 16635 (PID: 003-992-241).

The general location of the subject property is shown on the following sketch.



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **March 11, 2022** and continuing up to and including **March 23, 2022**.

For the convenience of the public only, and not to satisfy Section 499 (2) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Galiano Island, BC, commencing **March 11, 2022**.

Enquiries or comments should be directed to Phil Testemale, Planner 2 at (250) 405-5170, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: southinfo@islandstrust.bc.ca before 4:30 pm, **March 23, 2022**.

The Galiano Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **12:30 p.m., April 4, 2022**.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Jas Chonk, Deputy Secretary



Islands Trust

**GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
GL-DVP-2021.11**

To: Anik Mommsen-Smith and Leif Palmberg

1. This Development Variance Permit applies to the land described below:

Lot 18, District Lot 33, Galiano Island, Cowichan District, Plan 16635
(PID: 003-992-241)

2. Galiano Island Land Use Bylaw 127, 1999 is varied to allow for the siting of the following:

- a) Section 2.15 which states that sewage absorption fields must be sited at least 30 metres from the natural boundary of the sea, any lake, swamp, or other natural watercourse and any well, is varied to permit a **sewage absorption field** within **15.5 metres** of the natural boundary of the sea; and,
- b) Article 5.3.8.2 which states that buildings and structures must be sited at least 6.0 metres from each interior lot line is varied to permit:
 - (i) the siting of a **building** (existing dwelling with proposed additions) **within 3.65 metres** from an interior lot line; and,
 - (ii) the siting of **structures** (septic absorption field, pump chamber, tank and associated piping) within **1.5 metres** from an interior lot line.

The development shall be consistent with Schedules 'A' and 'B' attached to and forming part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Galiano Island Land Use Bylaw No. 127, 1999" and to obtain other approvals necessary for completion of the proposed development, including approval of the Capital Regional District and Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS #TH DAY OF MONTH, 2022

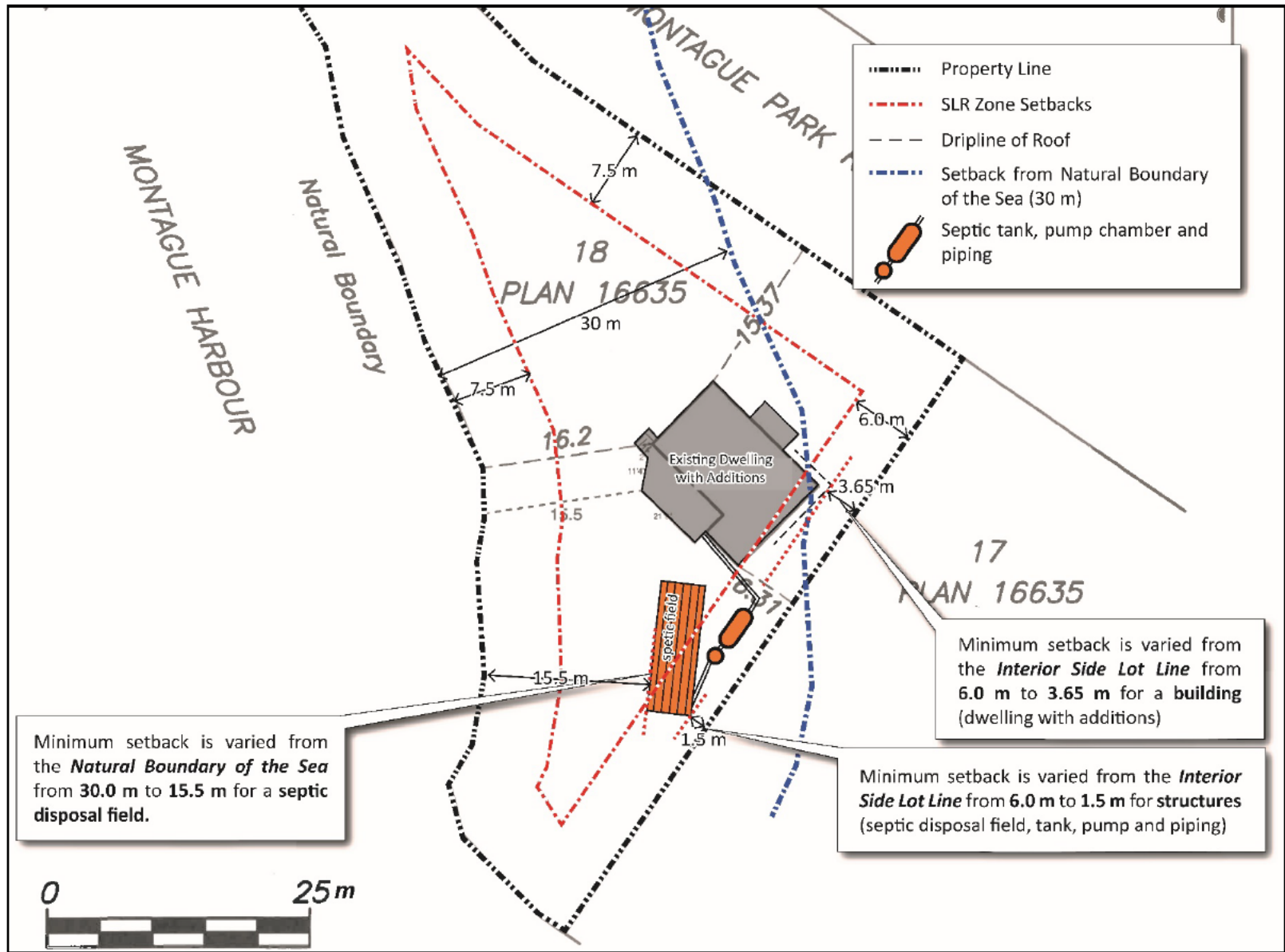
Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE #TH DAY OF MONTH, 202_, THIS PERMIT AUTOMATICALLY LAPSES.

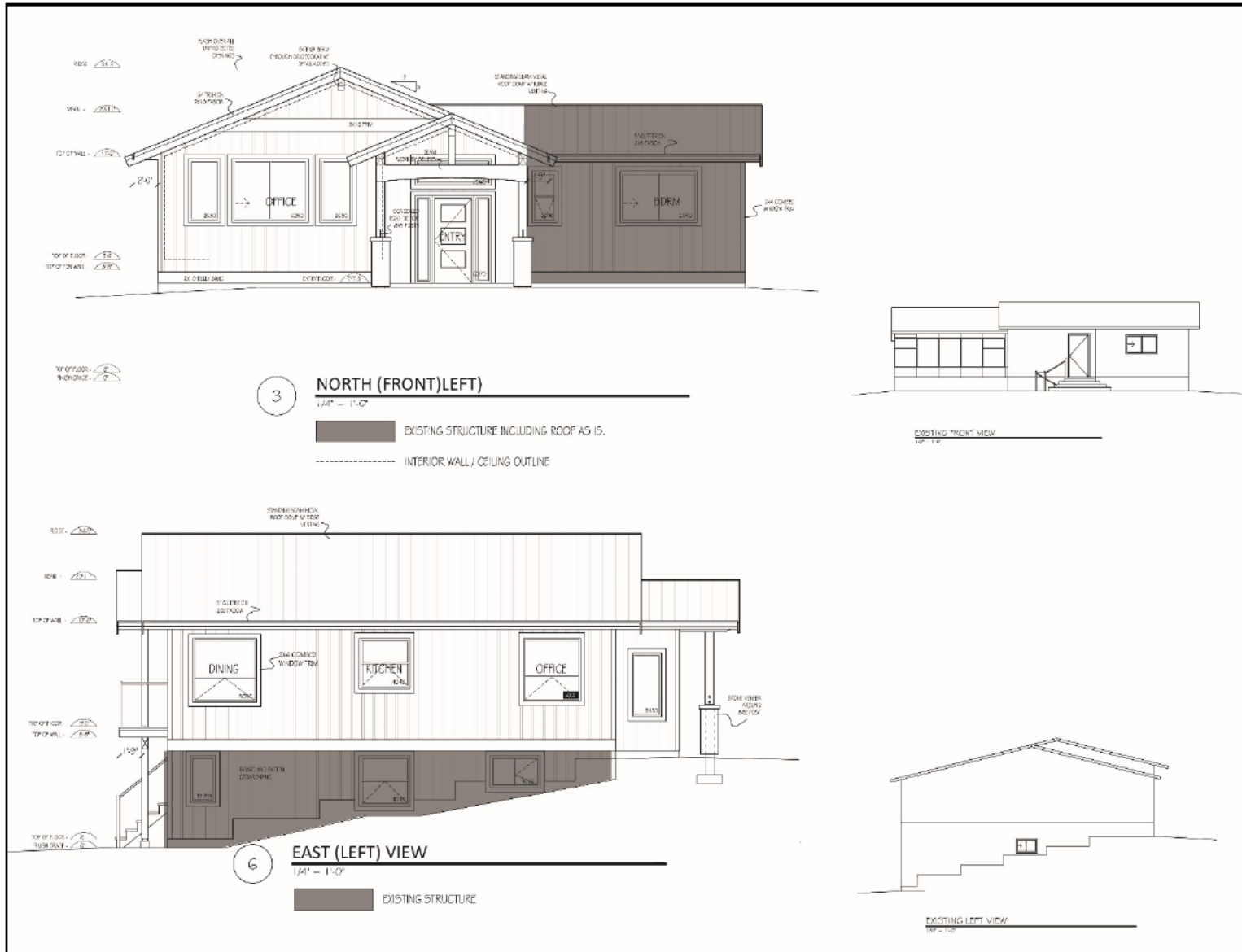
GALIANO ISLAND LOCAL TRUST COMMITTEE
 GL-DVP-2021.11
 SCHEDULE 'A'

Site Plan



**GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-DVP-2021.11
SCHEDULE 'B'**

North and East Elevations





DATE OF MEETING: April 4, 2022
TO: Galiano Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Rezoning Application GL-RZ-2019.1 – Rent Structure Update
Applicant: Gulf Islands Galisle Affordable Rental Housing Society (GIGARHS)
Location: District Lots 30/31 (Community Forest), Galiano Island

RECOMMENDATIONS

- 1. That the Galiano Island Local Trust Committee direct staff and legal counsel to draft a Housing Agreement based on the proposed “rent structure” as described in the April 4, 2022 staff report for application GL-RZ-2019.1 (GIGARHS) including renter eligibility income limits based on low to moderate income limits as determined periodically by BC Housing.**

REPORT SUMMARY

The purpose of this staff report is to seek direction from the Galiano Island Local Trust Committee (LTC) on next steps with respect to the development of a Housing Agreement for application GL-RZ-2019.1 (GIGARHS).

The above recommendations are supported as:

- The proposed rent structure has been determined to be consistent with the affordable housing policies of the OCP as a whole;
- The proposed inclusion of BC Housing low to moderate income limits for determining renter eligibility provides further assurance that affordability will be maintained over the long term;
- The LTC have already directed staff to enter a Cost Recovery Agreement (CRA) with the applicant for the legal work required to draft a housing agreement.

BACKGROUND

A rezoning application was submitted to the Islands Trust in September 2019 by the Gulf Islands Galisle Affordable Rental Housing Society (GIGARHS). The intent of this rezoning application is to allow for the development of up to 12 units of affordable housing in the community forest property located at the terminus of Georgia View Road (Figure 1).

At the March 7, 2022 LTC meeting, the applicant asked the LTC to consider a rent structure based on BC Housing [Housing Income Limits](#). Further analysis by staff determined that this rent structure may not be consistent with the OCP affordable housing policies. The applicant is now proposing a new rent structure for LTC’s consideration.

Background information, including staff reports, professional reports, draft Bylaw No. 280 and correspondence for the application can be found here: <http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/current-application-documents/>

ANALYSIS

Updated Rent Structure

The applicant is now proposing the following rent structure (full letter is included as Attachment 1):

Upon further consideration and analysis, GIGARHS would like to revise their proposal for affordability. While the project team still considers using HILs as a metric to determine rents as a fair one, the team's goal is to ultimately provide the most affordable housing possible to residents of Galiano Island. Therefore, GIGARHS is proposing the following structure:

- Units will, on average, be rented at or below 30% of the before-tax income of median-income earners in the SGI electoral area, as reported by Statistics Canada for representative household types.
- Eligibility for affordable units will be tied to Low and Median Income Limits, as determined by BC Housing from time to time. The current Low and Median Income Limits are outlined below:
 - For residential units with less than two (2) bedrooms, a gross household income that does not exceed the median income for couples without children in BC, as determined by BC Housing from time to time. For 2022, this figure is \$77,430 (compared to \$75,730 last year).
 - For residential units with two (2) or more bedrooms, a gross household income that does not exceed the median income for families with children in BC, as determined by BC Housing from time to time. For 2022, this figure is \$120,990 (compared to \$117,080 last year)

In consultation with legal counsel, staff conclude that this rent structure is consistent with the OCP as a whole, in particular given the fact that the median income measure is linked directly to the South Gulf Islands Electoral Area and as such, it is very likely that rents capped at 30% of average household income will in fact be below average market rents for the region.

Staff are of the view that a housing agreement based on the proposed rent structure described above, and including BC Housing low to moderate income limits for determining renter eligibility, provides reasonable assurance that affordability would be maintained.

The LTC has already authorized staff to enter into a cost recovery agreement with the applicant allowing Islands Trust legal counsel to prepare a draft housing agreement for the application. If the LTC decides to proceed, staff will initiate the development of a draft housing agreement as a next step in the rezoning process.

Rationale for Recommendation

- The proposed rent structure has been determined to be consistent with the affordable housing policies of the OCP as a whole;
- The proposed inclusion of BC Housing low to moderate income limits for determining renter eligibility provides further assurance that affordability will be maintained over the long term;
- The LTC have already directed staff to enter a Cost Recovery Agreement (CRA) with the applicant for the legal work required to draft a housing agreement.

The LTC may consider the following alternatives to the staff recommendations:

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed.

Resolution:

That the Galiano Island Local Trust Committee request that the applicant submit to the Islands Trust _____.

2. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study or OCP process, etc.

Resolution:

That the Galiano Island Local Trust Committee hold application GL-RZ-2019.1 (GIGARHS) in abeyance.

3. Deny the application

The LTC may deny the application.

Resolution:

That the Galiano Island Local Trust Committee proceed no further with application GL-RZ-2019.1 (GIGARHS).

NEXT STEPS

With direction from the LTC, staff will:

- Initiate CRA for drafting of housing agreement
- Direct legal counsel to proceed with work when CRA is finalized

Submitted By:	Brad Smith, Island Planner	March 17, 2022
Concurrence:	Robert Kojima, Regional Planning Manager	March 17, 2022

ATTACHMENTS

1. March 15, 2022 letter from applicant



Local Trust Committee
Islands Trust - Galiano Island Trust Area
Sent via email

March 15, 2022

RE: Update to Affordability and Rental Structure of Georgia View Affordable Housing (Rezoning Application GL-RZ-2019.1)

Dear Trustees,

I am writing on behalf of the Gulf Islands Galiano Affordable Rental Housing Society (GIGARHS) regarding their project and associated rezoning application for 1663 Georgia View Road. This letter is to provide an update on the proposed rental/affordability structure of their project.

Affordability in relation to this project was discussed at both the February 7th and March 7th LTC meetings. In February, GIGARHS provided a broad update and explanation of the landscape of affordable housing, funding, and financing, and the need for a flexible rental structure in the Housing Agreement. At the March 7th meeting, a rental structure was proposed for LTC consideration (although it is noted that it was not submitted in time for staff review and accompanying report).

At that March 7th meeting, Trustees expressed concern that the HILs data was not reflective of the Southern Gulf Islands (SGIs) or of Galiano Island, that using HILs as a metric may not be compatible with the OCP definition of affordable housing, and that ultimately the resulting rents may not be affordable enough or targeting the folks who need it most.

Upon further consideration and analysis, GIGARHS would like to revise their proposal for affordability. While the project team still considers using HILs as a metric to determine rents as a fair one, the team's goal is to ultimately provide the most affordable housing possible to residents of Galiano Island. Therefore, GIGARHS is proposing the following structure:

- Units will, on average, be rented at or below 30% of the before-tax income of median-income earners in the SGI electoral area, as reported by Statistics Canada for representative household types.
- Eligibility for affordable units will be tied to Low and Median Income Limits, as determined by BC Housing from time to time. The current Low and Median Income Limits are outlined below:
 - For residential units with less than two (2) bedrooms, a gross household income that does not exceed the median income for couples without children in BC, as determined by BC Housing from time to time. For 2022, this figure is \$77,430 (compared to \$75,730 last year).
 - For residential units with two (2) or more bedrooms, a gross household income that does not exceed the median income for families with children in BC, as determined by BC Housing from time to time. For 2022, this figure is \$120,990 (compared to \$117,080 last year)



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GIGARHS believes that this metric of affordability will:

- Align with the OCP and its objectives for affordable community housing
- Meet or exceed the funding requirements of a range of provincial and federal funders
- Provide GIGARHS with the flexibility to rent individual units at prices that balance tenants' needs with the financial requirements of the project, while meeting affordability targets
- Provide a level of affordability and stability to tenants that is needed on Galiano Island
- Align with recommendations in the 2018 SGI Housing Needs Report
- Provide below-market rents

GIGARHS believes that this is an exciting project that will meet several community objectives. The project will be inclusive, sustainable, and offer safe and reliable housing to Galiano residents who need it. A resilient and complete community provides for all its members, and housing is a fundamental component of that. The current housing landscape on Galiano Island makes it difficult for many low- and median-income households to thrive, whether it is seniors on a fixed income or young families and the workforce of the island.

The GIGARHS team hopes that this provides enough information to staff and to the LTC to move forward with a housing agreement that reflects this affordability metric.

Please do not hesitate to reach out if you have any questions.

Thank you,

Eleni Gibson

Eleni Gibson
Project Planner
Wiser Projects

Cc: GIGARHS Board
Brad Smith

Attach:
BC Housing HILs

From: Daniela Murphy
Sent: Thursday, March 3, 2022 2:41 PM
To: Karla Campbell; kazuhiro.takeuchi@islandhealth.ca; Bylaw Enforcement; amanda.vanderkloof@bcas.ca; info@nsswaterworks.ca; saltspring@rcmp-grc.gc.ca; dlundy@saltspringfire.com; plan2farm@gmail.com; Jas Chonk; Becky McErlean; Mike Tippett; 'FrontCounter BC FLNR:EX'; Martin.Collins@gov.bc.ca; reed.bailey@gov.bc.ca; 'McIntyre, Cathie BCA:EX'; ron.burleson@gov.bc.ca; Rudi.Mayser@gov.bc.ca; Kate Emmings; Jennifer.Dyer@gov.bc.ca; Tara.Breysen@gov.bc.ca; Owen.Page@gov.bc.ca
Cc: Kristine Mayes; Geordie Gordon; Rob Pingle; Lambie, Shannon ALC:EX; doug.pepper@gov.bc.ca; willow.minaker@gov.bc.ca; Corlynn Strachan
Subject: Salt Spring Island Local Trust Committee Proposed Bylaw No. 526 - Farm Housing Project
Attachments: SS-BL-526_1st Reading.pdf; SS-BL-526_Referral Form.pdf

Dear Referral Coordinator,

Please find attached to this email referral information concerning Proposed Land Use Bylaw Amendment No. 526 for the Salt Spring Island Local Trust Committee's (SS LTC) "Farm Housing" project. The Farm Housing project was established in response to amendments to the [Agricultural Land Reserve \(ALR\) Use Regulation](#) for residential flexibility and calls from the Salt Spring agricultural community for farmworker housing.

Proposed Bylaw No. 526 will amend [Salt Spring Island Land Use Bylaw No. 355](#) (LUB):

- to expand residential flexibility on agricultural zoned properties;
- to update campground regulations, processing & sale regulations, and information notes for agricultural zoned properties;
- to permit the use of subdivision potential for farmworker housing outside agricultural zoned properties for land classified as a farm under the Assessment Act (Section 3.17 of the LUB would be amended to reflect this change); and
- to limit the maximum floor area of dwelling units.

In general terms, Proposed Bylaw No. 526 is characterized as follows:

- Amends the definition of a "farmworker's dwelling unit"
- Amends the "one additional dwelling unit" under Accessory Uses to permit a secondary suite on all agriculture-zoned lots and permit a second accessory dwelling unit – either a pre-existing dwelling unit or a floor area restricted farmworker's dwelling unit for lots 1.2-ha in area or greater for land classified as a farm under the [Assessment Act](#) if the owner grants a covenant to the Salt Spring Island Local Trust Committee restricting the use of the farmworkers' dwelling unit.
- Limits commercial guest accommodation in a campground on Agriculture 1 zoned lands to land classified as a farm under the [Assessment Act](#).
- Removes seasonal cottages as a permitted accessory use.
- Removes processing and sale regulations under accessory uses.
- Amends the maximum combined number bedrooms/campsites on a lot to 10 in accordance with Section 33 and Section 34 of the [ALR Use Regulation](#).

- Amends Section 3.17 to permit additional farmworkers' dwellings corresponding to subdivision potential for lots not in an agricultural zone but classified as a farm under the [Assessment Act](#) if the owner grants a covenant to the Salt Spring Island Local Trust Committee restricting the use of the farmworkers' dwelling unit and prohibiting further subdivision of the lot.
- Limits the maximum floor area of all dwelling units on Salt Spring Island to 500m².

Staff reports regarding the project and Proposed Bylaw No. 526 can be found at:

<https://islandstrust.bc.ca/island-planning/salt-spring/projects/> >> Housing Action Program >> Farm Housing

We understand that there are numerous demands on your time, however, we genuinely welcome any comments you may have, whether they are site-specific or more strategic and high level.

A reply is respectfully requested by **Friday, April 22, 2022**.

Should you have any questions, do not hesitate to contact Planner Kristine Mayes or Planner Geordie Gordon at ssiinfo@islandstrust.bc.ca or 250-537-9144.

Referral responses should be addressed to ssiinfo@islandstrust.bc.ca or by mail to:

Islands Trust
1 – 500 Lower Ganges Road
SSI, BC V8K 2N8

Thank you for your time and attention to this referral.

Yours truly,

Daniela Murphy

Daniela Murphy

Legislative Clerk/Deputy Secretary

Islands Trust

1-500 Lower Ganges Road | Salt Spring Island BC V8K 2N8

T 250-538-5606 | islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I am humbly thankful to live and work in the treaty lands and territories of the BOKÉĆEN, K'ómoks, Lək'wəḡən, Lyackson, MÁLEXET, Qualicum, Quw'utsun Tribes, scəwəḡən məsteyəxʷ, Scia'new, səliilwətaʔt, SEMYOME, shishálh, Skw̓xwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SÁÁUTW, Stz'uminus, ʔaʔəmen, toq qaymıxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLELP, WSIKEM, Xeláltxw, Xwémalhkwu/ʔop qaymıxʷ, and xʷməḡkʷəy̓əm.



Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Ph: (250) 537-9144
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: 526 Date: March 3, 2022

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 45 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Salt Spring Island Local Trust Committee

PURPOSE OF BYLAW:

Proposed Bylaw No. 526 seeks to amend land use regulations for Agricultural zoned properties to expand residential flexibility in accordance with [Order in Council No. 438](#) amending *Agricultural Land Reserve Use Regulation, B.C. Reg. 30/2019* on December 31, 2021. This includes a secondary suite as a permitted accessory dwelling and a second accessory dwelling unit for lots classified as a farm under the *Assessment Act* not exceeding 56m² in floor area for lots between 1.2-ha and 2-ha, 90m² in floor area for lots greater than 2-ha, or 186m² in floor area for lots greater than 40-ha. Also included are updates specific to campground regulations, updates to information notes and updates to accessory uses. Additionally, Proposed Bylaw No. 526 amends Section 3.17 of [Salt Spring Island Land Use Bylaw No. 355](#) to permit the use of subdivision potential for farmworker housing outside agricultural zoned properties for land classified as a farm under the *Assessment Act* and adds Subsection 3.11.5 which restricts all dwelling units on Salt Spring Island to a maximum floor area of 500m².

GENERAL LOCATION:

Various

LEGAL DESCRIPTION:

Various

SIZE OF PROPERTY AFFECTED:

Agricultural zoned lots & land classified as a farm under the Assessment Act

ALR STATUS:

Yes & No

OFFICIAL COMMUNITY PLAN DESIGNATION:

Agriculture & Various

OTHER INFORMATION:

<https://islandstrust.bc.ca/island-planning/salt-spring/projects/> Housing Action Program – Farm Housing

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: Kristine Mayes

Title: Planner 1

This referral has been sent to the following agencies:

First Nations

- Cowichan Tribes
- Halalt First Nation
- Lyackson First Nation
- Penelakut Tribe
- Stz'uminus First Nation
- Malahat First Nation
- Pauquachin First Nation
- Semiahmoo First Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tseycum First Nation
- Ts'uubaa-Asatx (Lake Cowichan) First Nation

Regional Agencies

- CRD – All Referrals & K. Campbell (SSI Senior Manager)
- CRD – SSI Economic Development Commission
- CRD – SSI Building Inspection
- CRD – SSI Director
- CRD – SSI Transportation Commission
- CRD – Housing Secretariat
- CRD – SSI Liquid Waste Disposal Local Service Commission
- Vancouver Island Health Authority
- Islands Trust Bylaw Enforcement and Compliance
- Islands Trust – Islands Trust Conservancy
- SSI Advisory Planning Commission
- SSI Agricultural Advisory Planning Commission
- Housing Action Program Task Force

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only)

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
BC Assessment Authority
Ministry of Municipal Affairs
Ministry of Transportation & Infrastructure
Ministry of Forest Lands, Natural Resource Operations and Rural
Development (Water Authorizations)
Front Counter BC

Non-Agency Referrals

BC Ambulance Service
North Salt Spring Waterworks District
RCMP
SSI Fire-Rescue
SSI Agricultural Alliance

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

526
(Bylaw Number)

(Title)

(Agency)

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 526

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW NO. 355, 1999

The Salt Spring Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Salt Spring Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 3, 2021”.

2. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as “Salt Spring Island Land Use Bylaw, 1999,” is amended as follows:

2.1 By replacing the definition of “dwelling unit, farmworker’s” under Section 1.1 – Definitions – with the following:

“dwelling unit, farmworker’s” means a *dwelling unit* that is *accessory* to a *commercial farm business* on a *lot* and is used for the *residential* accommodation of farmworkers employed in that *farm business* or for immediate family.

2.2 By replacing the table under Subsection 9.1.1 – Permitted Uses of Land, Buildings and Structures – with the following:

	A1	A2
Principal Uses, Buildings and Structures		
<i>Agriculture, farm buildings and structures</i> <i>Information Note: By definition, “agriculture” includes the processing, storage, and sale of farm products produced on that agricultural land or by an association to which the owner of the agricultural land belongs. These uses must consistent with the Agricultural Land Reserve Use Regulation.</i>	◆	◆
<i>Single-family dwellings</i>	◆	◆
Accessory Uses		
<i>A secondary suite</i> subject to Section 3.16	◆	◆
Where a lot is classified as a farm under the <u>Assessment Act</u> , a second <i>accessory dwelling unit</i> is permitted provided that:		
a) it is a pre-existing <i>dwelling unit</i> constructed before February 22, 2019; or		
b) it is a <i>manufactured home</i> constructed between July 4, 2019 and December 31, 2021; or		
c) where the owner grants to the Salt Spring Island Local Trust Committee a covenant under the <u>Land Title Act</u> restricting use of the <i>dwelling unit</i> , it is a <i>farmworker’s dwelling unit</i> not exceeding:	◆	◆
i. 56 square metres in <i>floor area</i> on a lot between 1.2 hectares and 2 hectares or less in area; or		
ii. 90 square metres in <i>floor area</i> on a lot greater than 2 hectares in area; or		
iii. 186 square metres in <i>floor area</i> on a lot greater than 40 hectares in area.		

<i>Information Note: For lots 40 hectares or less in area where the single-family dwelling exceeds 500 square metres in floor area, permission to construct an additional dwelling unit for farm use must be applied for and approved in writing by the Agricultural Land Commission.</i>		
<i>Home-based business use</i> subject to Section 3.13	◆	◆
<i>Commercial guest accommodation</i> in a <i>campground</i> on agricultural land classified as a farm under the <u>Assessment Act</u> <i>Information Note: This use requires an agri-tourism activity consistent with the <u>Agricultural Land Reserve Use Regulation</u> to be occurring on the lot.</i>	◆	

2.3 By replacing the table under Subsection 9.1.2 – Siting and Density of Permitted Uses, Buildings and Structures – with the following:

	A1	A2
Lot Coverage		
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> , excluding greenhouses (per cent)	35	35
Maximum combined <i>lot coverage</i> of all <i>buildings</i> and <i>structures</i> , including greenhouses (per cent)	75	75
Maximum <i>lot coverage</i> of all <i>campsites</i> , <i>buildings</i> and <i>structures</i> in a <i>campground</i> (per cent)	5	N/A
Number of Units and Site Areas		
Maximum combined number of bedrooms used in a <i>bed and breakfast home-based business</i> and <i>campsites</i> on any <i>lot</i> <i>Information Note: The <u>Agricultural Land Reserve Use Regulation</u> only permits a bed and breakfast home-based business (tourist accommodation) to be operated within the principal residence.</i>	10	N/A
Setbacks		
Despite Article 4.3.1(2), the following <i>lot line</i> setbacks apply in the <i>zone</i> indicated:		
Minimum <i>rear lot line</i> setback (metres) for <i>buildings</i> , <i>structures</i> and <i>uses</i> that are not listed in Subsections 4.3.4 through 4.3.9	4.5	4.5

2.4 “By replacing Section 3.17 – Dwellings on Large Farms – with the following:

3.17 Despite other provisions of this bylaw, where *agriculture* is a permitted *principal use* on a *lot* not in an *Agricultural zone*, additional *farmworkers’ dwelling units* corresponding with the *subdivision* potential of the *lot* are permitted provided that:

- (1) the lot is classified as a farm under the Assessment Act;
- (2) the lot complies with Section 3.5;
- (3) the number of additional *farmworker’s dwelling units* correspond with the *subdivision* potential of the *lot* in accordance with Subsection 5.8.1 and the zone-applicable *Subdivision* and *Servicing Requirements* of Part 9;
- (4) each *farmworker’s dwelling unit* must be supplied with *potable* water in accordance with Section 5.5;
- (5) the maximum *floor area* of a *farmworker’s dwelling unit* is 186 square meters;

- (6) the owner grants to the Salt Spring Island Local Trust Committee a covenant under the Land Title Act restricting *use* of the *farmworkers' dwelling units* and prohibiting further *subdivision* of the *lot*.

Information Note: Applications should be consistent with the guidelines in H.2.1.3 of the Salt Spring Island Official Community Plan.

2.5 By inserting in Section 3.11 – Dwelling Units – the following:

3.11.5 The maximum floor area for a *dwelling unit* is 500 square metres.

And by making consequential numbering alterations to effect this change.

READ A FIRST TIME THIS 15TH DAY OF FEBRUARY 2022

READ A SECOND TIME THIS _____ DAY OF _____ 20_____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20_____

READ A THIRD TIME THIS _____ DAY OF _____ 20_____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20_____

ADOPTED THIS _____ DAY OF _____ 20_____

Chair

Secretary



File No.: 6500-20
DL 64, 68, 72 and 87
Rezoning Project

DATE OF MEETING: April 4, 2022
TO: Galiano Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: District Lot (DL) 64, 68, 72 and 87 Rezoning Project

RECOMMENDATIONS

1. That the Galiano Island Local Trust Committee Bylaw No. 231, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 14, 2011”, be rescinded.
2. That the Galiano Island Local Trust Committee Bylaw No. 232, cited as “Galiano Island Land Use Bylaw 127, 1999 Amendment No. 3, 2011” be rescinded.
3. That the Galiano Island Local Trust Committee Bylaw No. 231, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 14, 2011”, be given first reading, as amended.
4. That the Galiano Island Local Trust Committee Bylaw No. 232, cited as “Galiano Island Land Use Bylaw 127, 1999 Amendment No. 3, 2011” ” be given First Reading, as amended.
5. That the Galiano Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directive Policies Checklist and determined that proposed Bylaw No. 231 and 232 are not contrary to or at variance with the Islands Trust Policy Statement.

REPORT SUMMARY

The purpose of this report is to introduce proposed Bylaws No. 231 and 232 to the Local Trust Committee (LTC) for consideration of first reading as amended in respect of the District Lots (DL) 64, 68, 72 and 87 rezoning project.

The recommendations above are supported as:

- Rezoning the four subject properties will provide greater consistency between the land use zoning/designations and the actual use and ownership of the land;
- The Galiano Conservancy has requested the inclusion of recently acquired DL 64 in the project scope
- Bylaw No. 131 and 132 have already been given first reading in August 2011 but that reading should be rescinded to allow for the LTC to consider first reading with inclusion of DL 64.

BACKGROUND

Portions of DLs 68, 72 and all of DL 87 are owned by the provincial Crown and are currently designated Forest and zoned Forest 1 (F1). They were proposed to be re-designated and rezoned from F1 to Nature Protection (NP) with Bylaw No. 231 and 232 given first reading in August 2011, but the amending bylaws have not advanced beyond this stage and still sit at first reading. The LTC has now directed staff to re-introduce these bylaws with the inclusion of DL 64.

The Galiano Conservancy has recently acquired District Lot 64. It is currently designated Rural and zoned Rural 2 (R2) and they are seeking to re-designate and rezone the property to NP.

Additional information, including previous staff reports, is located [here](#).

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement

The rezoning is consistent or not contrary to the policies of the Islands Trust Policy Statement (Checklist included as Attachment 1).

Official Community Plan Amendments– BL 231

Proposed Bylaw 231 (Attachment 2) considers OCP amendments to the land use designations for the three Crown owned lots (i.e. DLs 68, 72, 87) from F to NP. No changes were made to these sections of the 2011 proposed bylaw. A new schedule map has been added to include DL 64 in the amended bylaw.

Land Use Bylaw Amendments – BL 232

Proposed Bylaw 232 considers LUB amendments to the zoning for the three Crown owned lots (i.e. DLs 68, 72, 87) from F1 to NP. No changes were made to these sections of the 2011 proposed bylaw. A new schedule map has been added to include DL 64 in the amended bylaw.

Consultation

Agency Referrals

Staff have had preliminary discussions with BC Parks regarding the proposed rezoning. They raised no initial concerns. Staff continue to engage with other government agencies, in particular with respect to potential First Nation interests in the Crown parcels. Proposed agencies for bylaw referral include:

Ministry of Environment – BC Parks and MOE Land Acquisitions
Ministry of Indigenous Relations and Reconciliation
Galiano Island Trails Society
Galiano Island Parks Commission

First Nation Referrals

First Nation referrals will be completed to the standardized list of First Nations maintained by staff for the Galiano Island Local Trust Area.

Statutory Requirements

In accordance with regular statutory requirements, a public hearing is required and it is normal practice to hold a Community Information Meeting (CIM) prior to that. With direction from LTC, these would be scheduled either separately or concurrently after the updated bylaws have been received by LTC and agency and First Nation referrals are completed.

Public hearing notice would be posted as per statutory and bylaw requirements in advance of a public hearing.

Rationale for Recommendation

The recommendations on page 1 are supported as:

- Rezoning and re-designating the four subject properties will provide greater consistency between the land use zoning/ designations and the actual use and ownership of the land;
- The Galiano Conservancy has requested the inclusion of recently acquired DL 64 in the project scope
- Bylaw No. 231 and 232 have already been given first reading in August 2011 but should be rescinded to allow for the new LTC to consider first reading with inclusion of DL 64.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee direct staff to provide further information regarding...

2. Request revisions to draft BL 231 and or/232

The LTC may request further amendments. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee direct staff to make the following amendments to Bylaw No. 231/232...

3. Receive for information

The LTC may receive the report for information.

NEXT STEPS

- With LTC’s direction, staff will initiate agency and First Nation referrals

Submitted By:	Brad Smith Island Planner	March 16, 2022
Concurrence:	Robert Kojima Regional Planning Manager	March 17, 2022

ATTACHMENTS

1. ITPS Checklist
2. Amended BL 231
3. Amended BL 232

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 231

A BYLAW TO AMEND THE GALIANO ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 108, 1995

WHEREAS the Galiano Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Galiano Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Galiano Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Galiano Island Local Trust Committee wishes to amend the Galiano Island Official Community Plan Bylaw No. 108, 1995;

AND WHEREAS the Galiano Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Galiano Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 14, 2011.”

2. SCHEDULES

Galiano Island Official Community Plan No. 108, 1995 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this 8th day of August , 2011.

PUBLIC HEARING HELD this day of , 20.

READ A SECOND TIME this day of , 20.

READ A THIRD TIME this day of , 20.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
day of , 20.

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS this
day of , 20.

ADOPTED this day of , 20.

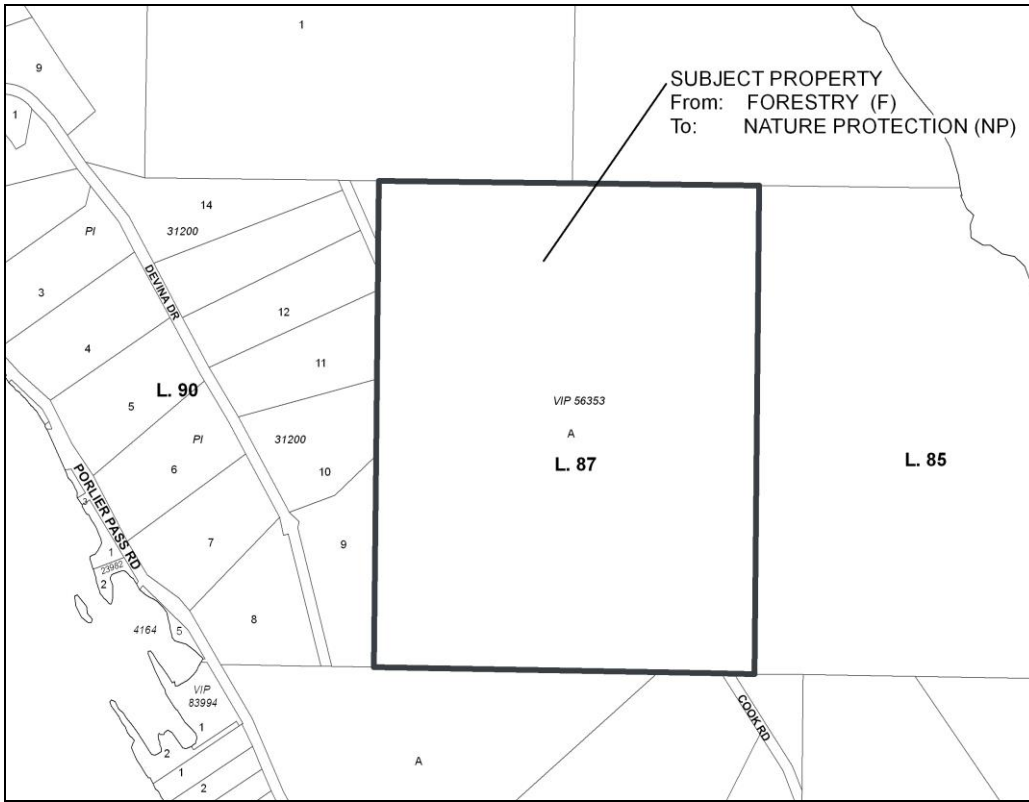
SECRETARY

CHAIRPERSON

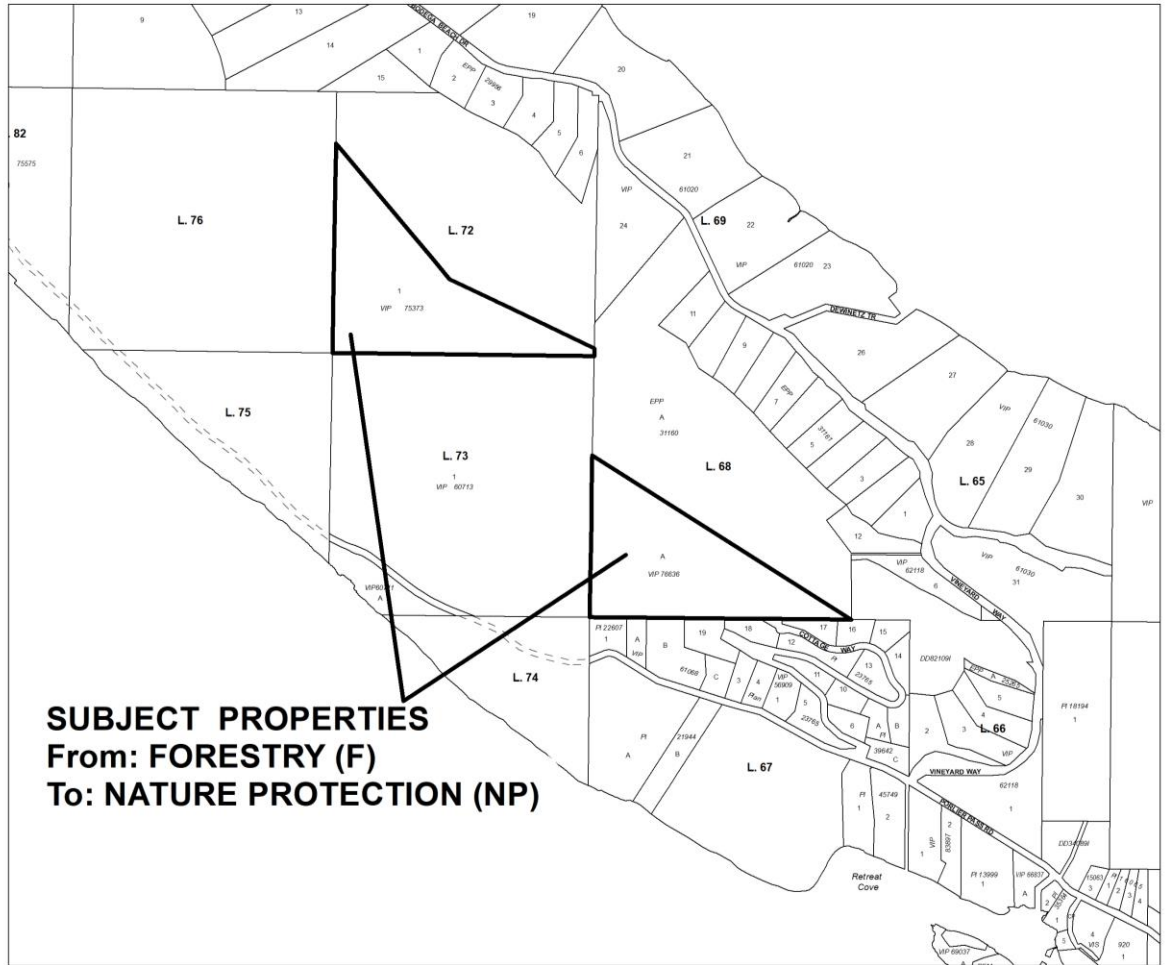
**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW No. 231
SCHEDULE 1**

Schedule B (Land Use Designation) is amended by changing the land use designations on the lands legally described as follows:

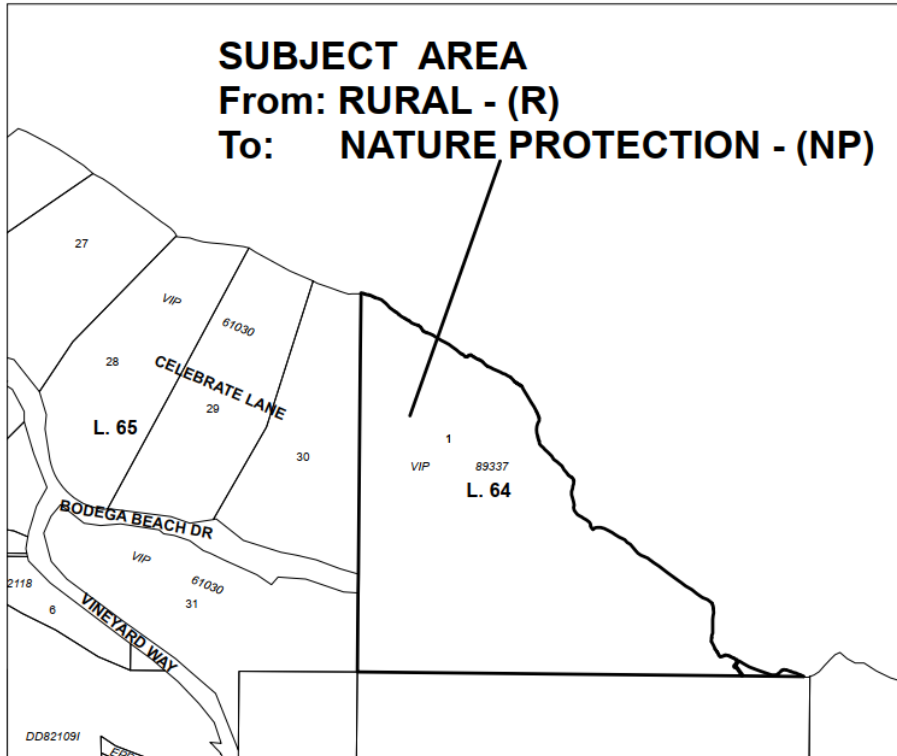
1. Lot A, Plan VIP56353, District Lot 87, Galiano Island, Cowichan District, except part in Plan VIP61539 from the Forestry (F) Land Use Designation to the Nature Protection (NP) Land Use Designation, in accordance with the map below.



2. Lot A, Plan VIP76636, District Lot 68, Galiano Island, Cowichan District; and Lot 1, Plan VIP75373, District Lot 72, Galiano Island, Cowichan District from the Forestry (F) Land Use Designation to the Nature Protection (NP) Land Use Designation in accordance with the map below.



3. Lot 1 District Lot 64 Galiano Island Cowichan District Plan VIP89337 from the Rural (R) Land Use Designation to the Nature Protection (NP) Land Use Designation in accordance with the map below.



PROPOSED

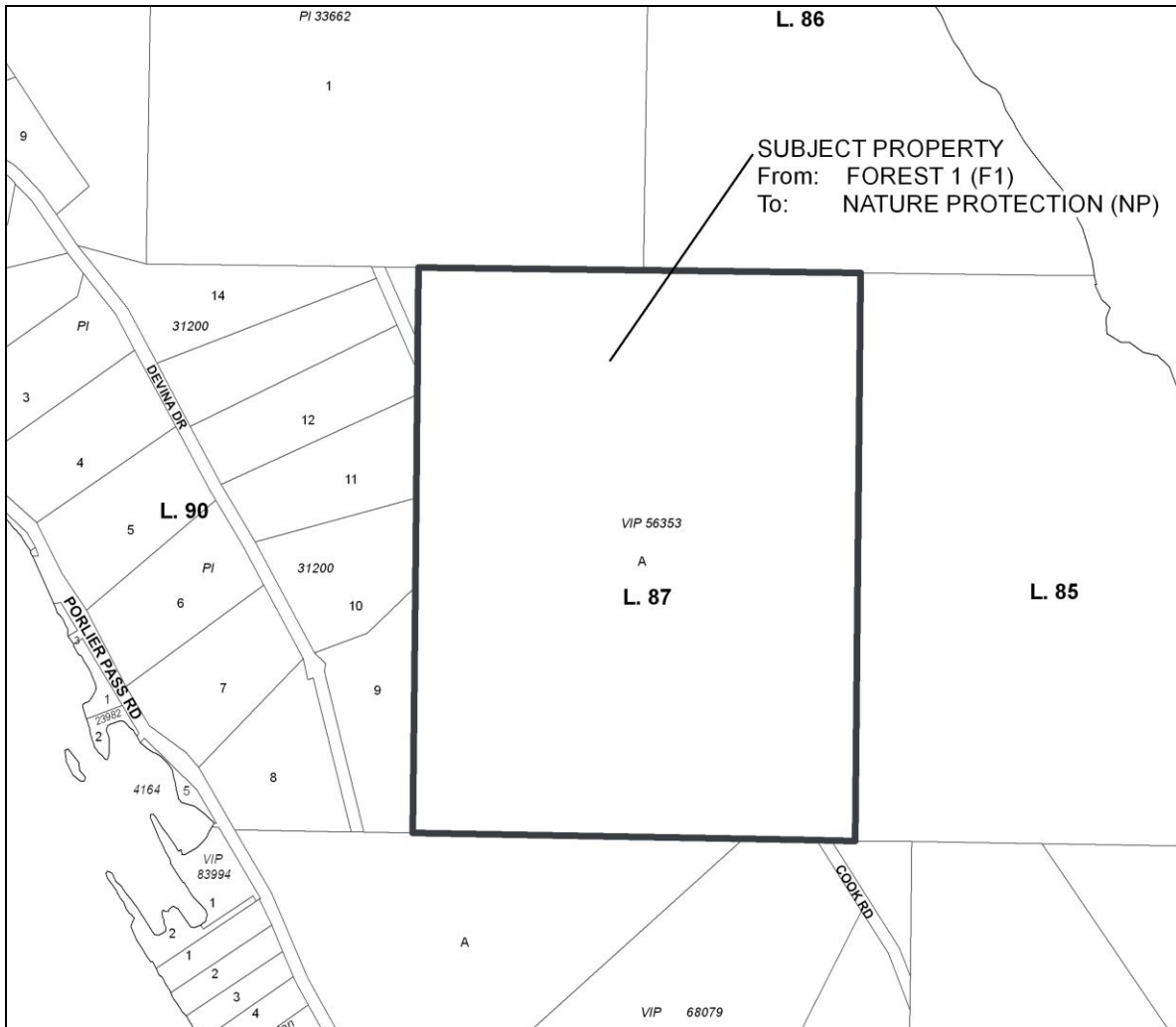
GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 232

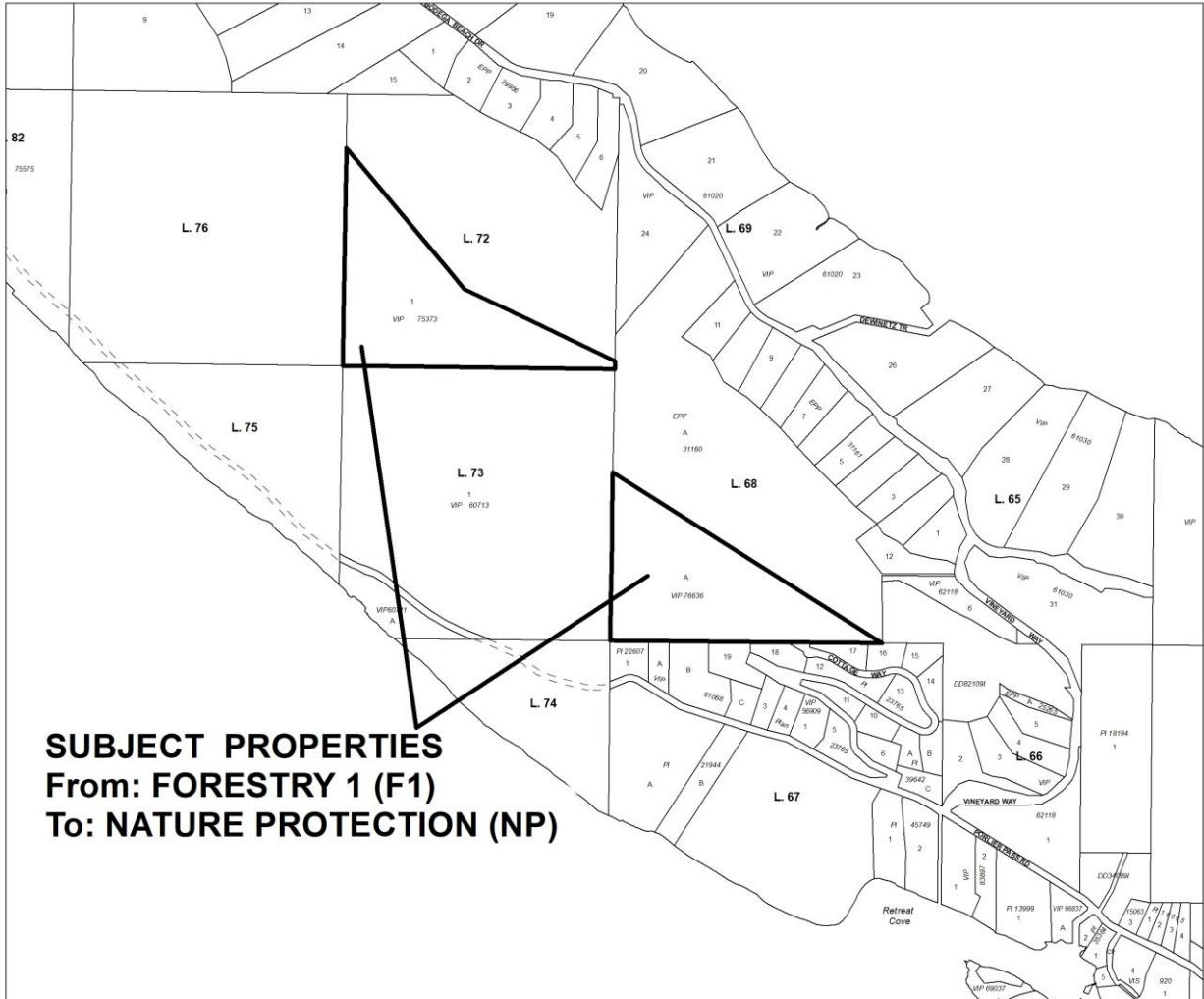
A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

The Galiano Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Galiano Island Trust Committee Area under the *Islands Trust Act*, enacts as follows:

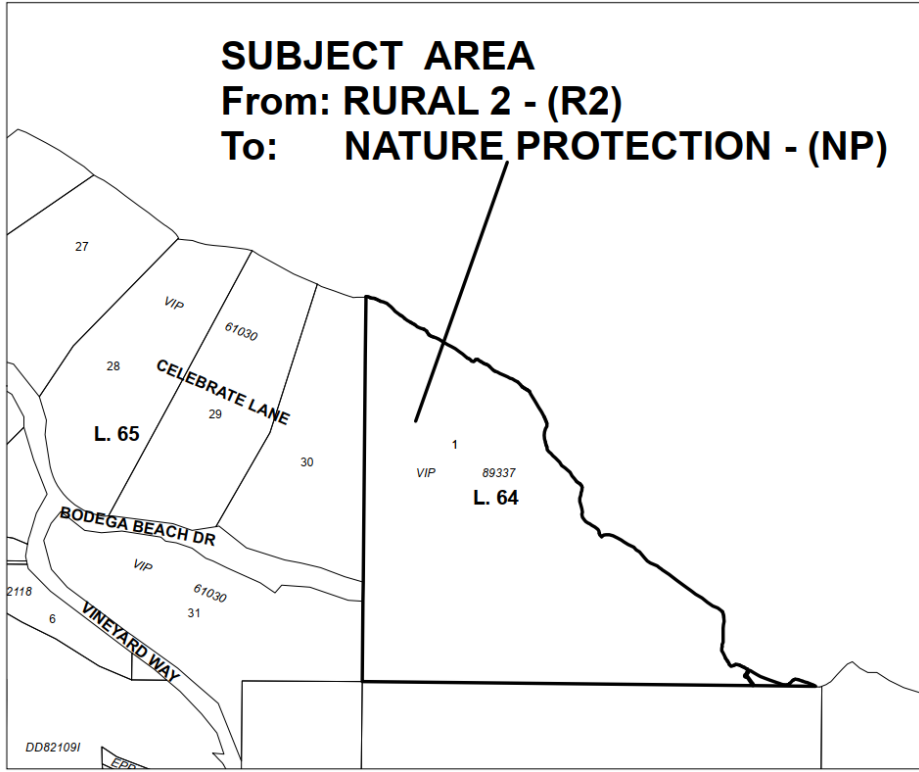
- A. Bylaw No. 127, cited as "Galiano Island Land Use Bylaw No. 127, 1999" is amended as follows:
 1. Lot A, Plan VIP56353, District Lot 87, Galiano Island, Cowichan District, except part in Plan VIP61539 from the Forest 1 (F1) zone to the Nature Protection (NP) zone, in accordance with the map below.



2. Lot A, Plan VIP76636, District Lot 68, Galiano Island, Cowichan District; and Lot 1, Plan VIP75373, District Lot 72, Galiano Island, Cowichan District from the Forest 1 (F1) zone to the Nature Protection (NP) zone, in accordance with the map below.



3. Lot 1 District Lot 64 Galiano Island Cowichan District Plan VIP89337 from the Rural 2 (R2) zone to the Nature Protection (NP) zone in accordance with the map below.



B. This bylaw may be cited for all purposes as the "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No.3, 2011".

READ A FIRST TIME THIS	8th	DAY OF	August	2011
PUBLIC HEARING HELD THIS		DAY OF		201_
READ A SECOND TIME THIS		DAY OF		201_
READ A THIRD TIME THIS		DAY OF		201_
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS		DAY OF		201_
ADOPTED THIS		DAY OF		201_

DEPUTY SECRETARY

CHAIRPERSON



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

**Bylaw and File No: 231 and 232
SA-6500-20 DL 64, 72, 78, 87 Rezoning Project
LTC Endorsement:**

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council’s guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council’s position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✘ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
N/A	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.
✓	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
✓	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	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.
N/A	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.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	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.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	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.
N/A	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.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.

N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
✓	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	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.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



DATE OF MEETING: April 4, 2022
 TO: Galiano Island Local Trust Committee
 FROM: Robert Kojima, Regional Planning Manager
 Southern Team
 SUBJECT: Proposed Fee Bylaw

RECOMMENDATION

1. That the Galiano Island Local Trust Committee Bylaw No. 281, cited as “Galiano Island Local Trust Committee Fees Bylaw, 2021”, be adopted.

REPORT SUMMARY

The purpose of this report is for the Galiano Island Local Trust Committee (LTC) to consider adoption of Bylaw No. 281, which would replace Bylaw No. 196 (LTC Fees Bylaw) to include:

- An expanded Interpretation section.
- Fee increases for the various applications.
- Fees for applications received though work or activity is already undertaken or in operation.
- Clarification of collection of fees and refunds.
- A new section to address Extraordinary Service Costs (ESC)
- A new section to address Annual Fee Increases.

BACKGROUND

In June, Trust Council adopted a new Application Processing Services Policy that includes a model Fee Bylaw. At the same meeting, Trust Council recommended that local trust committees adopt new fees bylaws based on the model. In September, the LTC requested staff to draft a new Fee Bylaw based on the model fee bylaw. Three readings were given to Bylaw 281 at the February LTC meeting, Executive Committee approved the bylaw on March 23rd, and it is now back on the LTC agenda for consideration of adoption.

Submitted By:	Robert Kojima Regional Planning Manager	March 28, 2022
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ATTACHMENTS

1. Proposed Bylaw No. 281

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 281

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications.

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections; Section 41 of the *Liquor Control and Licensing Act* and Section 35 of the *Cannabis Control and Licensing Act* provides that a local government may, by bylaw, impose fees for referral of a license under that Act;

NOW THEREFORE the Galiano Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Galiano Island Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

Citation

1.1 This bylaw may be cited as the "Galiano Island Local Trust Committee Fees Bylaw, 2021".

Interpretation

2.1 In this bylaw:

"Applicant" means:

- 2.1.1 the person authorized under the Galiano Island Local Trust Committee Development Procedures Bylaw No. 100, 1992 to make an application in respect of a bylaw or permit under the *Islands Trust Act* or Part 14 or Part 15 of the *Local Government Act*;
- 2.1.2 an applicant for a license under the *Liquor Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.3 an applicant for a license under the *Cannabis Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.4 an applicant for subdivision review under the *Land Title Act* or the *Strata Property Act*;
- 2.1.5 an applicant for the conversion of a previously occupied building to strata lots under the *Strata Property Act*;
- 2.1.6 an applicant for a soil deposit permit or soil removal permit issued pursuant to a bylaw enacted under Part 14 of the *Local Government Act*; or
- 2.1.7 an applicant to a board of variance established under Part 14 of the *Local Government Act*.

PROPOSED

“Application Processing Fee” means the initial amount payable to the Islands Trust in respect of any application under this bylaw.

“General Service Cost” includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs.

“Estimated Direct Costs” for bylaw amendments listed in Table 1 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including:

1. newspaper advertising for one community meeting,
2. notifications, postal and delivery costs of statutory notifications for one public hearing,
3. rental of premises for one community meeting and/or one public hearing,
4. contract minute-taker costs recording or preparation of minutes of one community meeting and/or one public hearing and,
5. staff travel expenses for one site visit, one community meeting and one public hearing.

“Estimated Direct Costs” for temporary use permits listed in Table 2 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including

1. one newspaper advertisement, notifications, postal and delivery costs of statutory notifications for one community meeting,
2. rental of premises for one community meeting,
3. contract minute-taker costs recording or preparation of minutes of one community meeting, and
4. staff travel expenses for one site visit, one community meeting.

“Islands Trust” means the Director of Local Planning Services or their authorized representative.

Application Fees

- 3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to Islands Trust the corresponding application processing fee in the amount shown in Column 2 subject to section 4. The application fee includes general service costs and estimated direct costs.

Column 1: Type of Application	Column 2: Fee
Major (e.g. change to density or OCP)	\$7,800
Minor (e.g. regulation change without changing density or OCP amendment)	\$4,600

PROPOSED

TABLE 2 – Permits	
Column 1: Development Permit in Respect of:	Column 2: Fee
1. Protection of Natural Environment, Ecosystems and Biological Diversity (Development Areas – DP1, DP2, DP4, DP5, DP6, DP3)	\$1,000
2. Protection of Development from Hazardous Conditions (Development Area DP6)	\$1,000
3. Protection of Farming	\$1,000
4. Objectives for Form and Character	\$1,700
5. Objectives to Promote Energy Conservation	\$1,000
6. Objectives to Promote Water Conservation	\$1,000
7. Objectives to Promote the Reduction of Greenhouse Gas Emissions	\$1,000
8. Development Permit Amendment	\$1,000
Type of Development Variance Permit	
9. Development variance permit (commercial, industrial or institutional development)	\$1900
10. Development variance permit (residential development)	\$1900
Type of Temporary Use Permit	
11. Temporary Use Permit (residential/commercial/industrial)	\$2150
12. Temporary Use Permit Renewal	\$700
Other Permits	
13. Heritage Alteration Permit	\$1,700
Combination Applications	
14. Development Permit in respect of a protection area or water and energy conservation in combination with a companion application for a Development Variance Permit	\$2,500
15. Development Permit in respect of form and character in combination with a companion application for a Development Variance Permit	\$3,000

PROPOSED

TABLE 3 – Subdivision Referrals	
Column 1	Column 2: Fee
1. Application for Subdivision Review – base fee	\$1,000
2. Application for Subdivision Review – per additional lot created	\$100
3. Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	\$500

TABLE 4 – Other Applications	
Column 1: Type of Application	Column 2: Fee
1. Board of Variance	\$2,200
2. Land Use Contract amendment	\$2,000
3. Liquor & Cannabis Regulation Branch – Retail License Application and Process and referrals requiring local government consultation	\$1,500
4. Liquor & Cannabis Regulation Branch – Temporary License Change	\$500
5. Strata Conversions	\$1,500

4. Fee for After-the-Fact Application

- 4.1 An application for a permit or bylaw amendment to authorize work or an activity already undertaken, or in operation as of the date the application is made, the rate in 3.1 will be subject to a 20% surcharge.

5. Collection and Refund of Application Processing Fee Amounts

- 5.1 The total application processing fee must be received before the processing of the application can begin.
- 5.2 An applicant may withdraw their application at any time through written notice to the Planning Assistant and/or the Planner responsible for processing the application.
- 5.3 If an applicant withdraws an application before staff undertakes any planning work on the application, the Islands Trust must refund to the applicant the Application Fee, less \$100.
- 5.4 For an application in Table 1, or a Temporary Use Permit in Table 2, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned by the regional planning manager to the planner; 50% refund if the first staff report has been submitted to the LTC; 25% refund once public notice of a public hearing or permit has been sent out, no refund will be provided after a Public Hearing or after consideration of the Permit by the local trust committee.
- 5.5 For applications in Table 2 (except for Temporary use Permit applications), Table 3 and Table 4, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned to the planner; no refund will be provided if the first staff report has been submitted to the LTC, Board of Variance, or formal referral response submitted to the relevant agency.

PROPOSED

6. Extraordinary Service Costs (ESC)

- 6.1 Extraordinary Services Costs will be paid by the Applicant through a cost recovery agreement, entered into with Islands Trust, in addition to the application processing fee.
- 6.2 Where legal work is required for the preparation of covenants, registration of covenants at Land Title Offices, registration of notice of a permit or housing agreement at the Land Title Office or for other purposes related to the application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.3 Where site visits involving First Nations are required for the processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.4 Where there may be need for additional community information meeting or public hearing not covered by the application processing fee, staff will provide the Applicant with an estimate of costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.5 Where other additional costs beyond the general service costs and estimated direct costs not specified above are required for processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.6 If the amount paid by Islands Trust in respect of Extraordinary Service Costs is less than the deposit provided to the Islands Trust, the Islands Trust shall provide the Applicant with the amount and the applicant shall pay the amount upon receipt. The local trust committee may withhold the consideration of issuance of any permit or hold the consideration of adoption of any bylaw in abeyance until the amount has been paid.
- 6.7 Islands Trust must refund the unused portion of any Extraordinary Service Costs deposit to the applicant if it is unused for any reason.

7. Annual Fee Increases

- 7.1 Fees in section 3.1 increase by 2% on April 1st of each year following the date of adoption of the bylaw.
- 7.2 The Galiano Island Local Trust Committee will maintain a record of annual 2% increases and make that record available for public inspection.

PROPOSED

8. Application Fee Sponsorship

8.1 Pursuant to Islands Trust Policy 4.1.13, Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications, an applicant may apply to the Executive Committee of Islands Trust for development application fee sponsorship.

9. Severability

9.1 In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the bylaw remains in force and in effect.

10. Repeal

10.1 “Galiano Island Local Trust Committee Fees Bylaw No. 196, 2007” is repealed upon adoption of this bylaw.

10.2 Any application for which a fee has been fully paid at the time this bylaw comes into force shall be processed to completion in accordance with the fee provisions of the repealed bylaw.

READ A FIRST TIME THIS 7TH DAY OF FEBRUARY, 2022

READ A SECOND TIME THIS 7TH DAY OF FEBRUARY, 2022

READ A THIRD TIME THIS 7TH DAY OF FEBRUARY, 2022

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS 23RD DAY OF MARCH, 2022

ADOPTED THIS _____ DAY OF _____, 202X

CHAIR

SECRETARY

Top Priorities Report

Galiano Island

1. Groundwater Sustainability

Phase 1 and 2: mapping and data analysis - Completed
 Phase 3: Implementation of mapping and data analysis

Responsible

Narrisa Chadwick
 William Shulba

Dates

Rec'd: 02-Apr-2019
 Target: 30-Sep-2022

2. Rezoning of DL 64, 68, 72, 87

Responsible

Brad Smith

Dates

Rec'd: 06-Dec-2021
 Target: 30-Nov-2022



Galiano Island

1. <i>Parking Issues</i>	Responsible	Date Received
<p>Issue for discussion with MoTI and public parking issues generated from associated islands.</p> <p>(see correspondence from P. Midgely on agenda of Apr/12)</p>		23-Jul-2012
2. <i>Light Industrial Zoning</i>	Responsible	Date Received
<p>A review and inventory assessment of existing and potential light industrial zones.</p>		18-Nov-2013
3. <i>Coastal Douglas-Fir Protection</i>	Responsible	Date Received
<p>Review 'Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)' and provide recommendations from toolkit.</p> <p>- LPC is intending to develop a model bylaw in 2021-22.</p> <p>Include review the Contiguous Forest Mapping in the Islands Trust Area Report.</p>		04-Feb-2019
4. <i>Cannabis Retail and production</i>	Responsible	Date Received
<p>Consider review of policies and regulations to address cannabis retail sales and production</p>		05-Mar-2019
5. <i>Dock review</i>	Responsible	Date Received
<p>To review policies and regulations relating to private moorage, including suitable locations, siting and size, and incorporating First Nations sites</p>		02-Apr-2019



Galiano Island

6. *Emergency Access Planning*

Responsible

Date Received

Follow-up from CRD emergency planning process - include consideration of developing driveway guidelines for emergency access within land use bylaw

02-Apr-2019

7. *Review of forestry land designations, policies and community benefit approaches*

Responsible

Date Received

Project represents a consolidation of a number of previously identified projects with a similar theme related to forestry zoning on Galiano Island. Project scope within previous projects included: current and potential future approaches to community benefit agreements, use of split zoning, F1 forest lot issues, issues regarding lands without managed forest status, amendments to re-designate and rezone crown owned Forest lots (Bylaws 231, 232 at First Reading)

03-Feb-2020

8. *Review of Road Network Plan*

Responsible

Date Received

Review of Road Network Plan - include December 11th APC memo in review process - meet with MOTI

02-Mar-2020

9. *Review of LUB tiny home/trailer regulations, maximum house sizes and lot coverage*

Responsible

Date Received

01-Jun-2021

10. *Review of LUB water management and cistern regulations*

Responsible

Date Received

02-Nov-2020



Development Permit

File Number	Applicant Name	Date Received	Purpose
GL-DP-2021.5	Neave O'Shaughnessy	17-Aug-2021	835 STURDIES BAY RD - application for a DP for development in a sensitive ecosystem DPA

Planner: Phil Testemale

Planning Status

Status Date: 07-Mar-2022

Comments for required revisions to geotechnical assessment sent to applicant.

Status Date: 08-Feb-2022

Applicant is having professional report prepared for geotechnical issues.

Status Date: 19-Jan-2022

E-mail to applicant requiring Geotechnical assessment.

File Number	Applicant Name	Date Received	Purpose
GL-DP-2022.1	Fox, Dan and Tina	28-Feb-2022	Build a dock attached to the property on Gossip Island, in order to facilitate marine access.

Planner: Phil Testemale

Planning Status

Status Date: 23-Mar-2022

May 2 LTC agenda for consideration.

Status Date: 18-Mar-2022

Sent application package to Galiano LTC and advised them that Phil is the planner on this file.

Status Date: 18-Mar-2022

Sent an email to Phil and let him know that I put both files on his desk.



Development Permit

File Number	Applicant Name	Date Received	Purpose
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GL-DP-2022.2	Gerald Longson Architect AIBC	07-Mar-2022	Conversion of a portion of the existing single family home into a commercial take-out kitchen.
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Planner: Phil Testemale

Planning Status

Status Date: 23-Mar-2022
May 2 or June 6 agenda for consideration.

Status Date: 16-Mar-2022
Processing payment in amount of \$770 received (combination DP and DVP). Confirmed by Finance.

Status Date: 16-Mar-2022
Sent electronic link to Robert Kojima for his review and asked him to assign Planner.

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
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GL-DVP-2021.11	Mommsen-Smith, Anik	15-Dec-2021	Renovation of existing building and replacement of septic system. (Note: Stephen Baugh has placed the Building Permit Application in abeyance (GL-BP-2021.30) as a DVP is required.
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Planner: Phil Testemale

Planning Status

Status Date: 03-Mar-2022
April 4, 2022 GILTC Agenda for consideration

Status Date: 07-Jan-2022
Sent LTC package to Galiano LTC and copied Jas and Robin.

Status Date: 07-Jan-2022
Sent email to applicants and advised them that their file has been assigned to Planner Phil Testemale.



Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
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GL-DVP-2022.1 The Galiano Club 19-Jan-2022 Building a second storage shed on the property at 141 Sturdies Bay Road
Registered under the Societies Act

Planner: Phil Testemale

Planning Status

Status Date: 23-Mar-2022
May 2, 2022 LTC agenda for consideration.

Status Date: 16-Feb-2022
Received cheque in the amount of \$715.00 in the mail respecting the processing fee.

Status Date: 16-Feb-2022
Completed receipt (3100) for \$715.00 and recorded in log template. Put cheque in top drawer of Finance and sent Accounts Receivable an email.

File Number	Applicant Name	Date Received	Purpose
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GL-DVP-2022.2 Fox, Dan and Tina 28-Feb-2022 To build a dock attached to our property on Gossip Island, in order to facilitate marine access.

Planner: Phil Testemale

Planning Status

Status Date: 23-Mar-2022
May 2, 2022 LTC agenda for consideration.

Status Date: 18-Mar-2022
Sent application package to Galiano LTC and copied Phil, Jas and Robin.

Status Date: 18-Mar-2022
Sent email to applicants advising them that Phil has been assigned the file.



Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
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GL-DVP-2022.3 Gerald Longson 07-Mar-2022 Conversion of a portion of the existing house into a commercial Take-Out kitchen.
 Architect AIBC
Planner: Phil Testemale

Planning Status

Status Date: 23-Mar-2022
 May 2, or June 6, 2022 LTC agenda for consideration.

Status Date: 16-Mar-2022
 Processing fee received in the amount of \$770 (combination DP and DVP)

Status Date: 16-Mar-2022
 Sent link to Robert K. for his review and to assign a planner.

Rezoning

File Number	Applicant Name	Date Received	Purpose
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GL-RZ-2014.1 Crystal Mountain 28-Oct-2014 20300 PORLIER PASS RD: Application for rezoning to amend the OCP and
 Society LUB to allow for a Forest Retreat Centre - Bylaws 256 (OCP) and 257 (LUB)
Planner: Brad Smith

Planning Status

Status Date: 28-Feb-2022
 Staff memo on March 7 LTC agenda

Status Date: 17-Feb-2022
 Draft covenant received back from legal counsel

Status Date: 10-Feb-2022
 Data logger report received



Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2019.1	GIGARHS	11-Sep-2019	Georgia View Rd: rezoning application for to amend the OCP and LUB to permit an affordable housing development - Bylaws 276, (OCP), 277 (LUB), 274 (Housing Agreement)

Planner: Brad Smith

Planning Status

Status Date: 18-Mar-2022
Further updated rent structure staff report on Apr 4 agenda

Status Date: 04-Mar-2022
WMP comments to applicant

Status Date: 25-Feb-2022
Updated version 3 rent structure proposal received by applicant

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2020.1	KING, FRED & DEBBIE	27-Oct-2020	51 Galiano Way - Application for rezoning to amend the OCP to permit residential use - Bylaw 279 (LUB)

Planner: Brad Smith

Planning Status

Status Date: 28-Oct-2021
Applicant working on DAI TOR items

Status Date: 31-Aug-2021
Planner to contact applicant for status update

Status Date: 22-Jun-2021
Applicant working on TOR items - no clear timeline for coming back to LTC



Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2021.1	New Commons Development	08-Mar-2021	409 Porlier Pass Road - Application for rezoning to amend the LUB to permit an affordable housing development with a total of 20 units (within 4 buildings). Bylaw 280 (LUB)

Planner: Brad Smith

Planning Status

Status Date: 28-Feb-2022
Staff report on March 7 LTC agenda

Status Date: 17-Feb-2022
List of proposed covenant conditions finalized with applicant for review by the LTC

Status Date: 14-Feb-2022
Updated rent structure sent to legal counsel for legal opinion of consistency with OCP

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2021.2	Andy Gaylor of McElhanney Ltd.	16-Aug-2021	COOK RD - application for rezoning to emend the OCP and LUB to permit a rezoning from F1 to create an F3 zoned parcel, two 2.0 hectare Rural Residential-zoned parcels, and 12+ ha of parkland and road dedication. And to allow a small enclosed sawmill in proposed F3 zoned area.

Planner: Brad Smith

Planning Status

Status Date: 03-Feb-2022
Staff met with BC parks staff to discuss proposal

Status Date: 25-Nov-2021
Preliminary report on Dec 6, 2021 agenda

Status Date: 28-Oct-2021
Preliminary staff report planned to be on Dec 6, 2021 agenda



Subdivision

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2020.1	Mitchell, Glen	19-Dec-2019	GIGHARS - Proposed two lot conventional subdivision referral of Lot 1 District Lots 30 and 31

Planner: Brad Smith

Planning Status

Status Date: 18-May-2021

Applicant has received preliminary conditions approval letter from MOTI - subdivision subject to successful rezoning

Status Date: 19-Feb-2021

Applicant working on referral report items

Status Date: 15-Dec-2020

Referral report reviewed with applicant

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2021.1	Lawrence Waterfall	09-Jul-2021	350 MARY ANN POINT RD - Referral of a subdivision application for 3 new lots

Planner: Phil Testemale

Planning Status

Status Date: 01-Dec-2021

New subdivision layout plan rec'd

Status Date: 17-Sep-2021

Terms of Reference for Hydrogeologist's proof of potable water sent to applicant.

Status Date: 10-Sep-2021

Revised response for updated plan (park dedication removed - 2021-08-08) sent to MoTI. cc'd to LTC, CRD, GIPRC and Freshwater Specialist



Subdivision

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2022.1	Okuda Andersen, Kadek	13-Jan-2022	The subdivision of two lots zoned rural residential into three lots with the same zoning. One of these proposed lots has already been developed and the other two proposed are vacant. The subdivision will not increase density. There are no covenants, easements, rights-of-way, or other charges registered against either title.

Planner: Brad Smith

Planning Status

Status Date: 10-Mar-2022

Review completed -response sent to MOTI

Status Date: 28-Feb-2022

Staff to initiate review in early March and response to MOTI

Status Date: 31-Jan-2022

Requested 'Subject Property' map from GIS Helpdesk.

Islands Trust

LTC EXP SUMMARY REPORT F2022
Invoices posted to Month ending January 2022

625 Galiano	Invoices posted to Month ending January 2022	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-625	LTC "Trustee Expenses"	331.00	305.80	25.20
LTC Local				
65200-625	LTC - Local Exp - LTC Meeting Expenses	4,771.00	3,412.79	1,358.21
65210-625	LTC - Local Exp - APC Meeting Expenses	370.00	1,125.61	-755.61
65220-625	LTC - Local Exp - Communications	250.00	2,701.65	-2,451.65
65230-625	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>5,685.00</u>	<u>7,240.05</u>	<u>-1,555.05</u>
Projects				
73001-625-2002	Galiano OCP/LUB	1,500.00	1,106.97	393.03
73001-625-4114	Galiano Groundwater Strategy Implementation	2,500.00	129.15	2,370.85
73001-625-4121	Galiano Healthy Watersheds Initiative	20,000.00	137.27	19,862.73
TOTAL Project Expenses		<u>24,000.00</u>	<u>1,373.39</u>	<u>22,626.61</u>



Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
<p>2020-042 (Standing)</p> <p>That the Galiano Island Local Trust Committee request that development permit applications where a variance is requested be processed as a combined application with both a development permit and a development variance permit.</p>	Carried	08-Sep-2020
<p>2020-041 (Standing)</p> <p>that the Galiano Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications:</p> <p>a. Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and that staff are directed to continue with enforcement until the use is ceased.</p> <p>b. The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, cease.</p> <p>c. Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee; bylaw enforcement actions, including the issuing of notices, will continue.</p> <p>d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application.</p>	Carried	06-Jul-2020



Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
<p>2020-013 (Standing)</p> <p>that the Galiano Island Local Trust Committee request that prior to expiration of Advisory Planning Commission members terms of office, staff write to commissioners asking if they wish to be reappointed and also advertise for expressions of interest for new commissioners.</p>	<p>Carried</p>	<p>03-Feb-2020</p>
<p>2019-053 (Standing)</p> <p>that the Local Trust Committee seek to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:</p> <ul style="list-style-type: none"> a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite First Nations to attend meetings; as well as, provide a traditional welcome to their territory if they would like; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area. 	<p>Carried</p>	<p>03-Jun-2019</p>



Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
<p>2019-014 (Standing)</p> <p>that the Galiano Local Trust Committee adopt the following standing resolution with respect to the processing of non-medicinal cannabis retail license applications:</p> <ul style="list-style-type: none"> - Proposed or amended licenses for non-medicinal cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: <ul style="list-style-type: none"> o Name of the applicant and a description of the proposal in general terms o The location of the proposed establishment and the subject site o The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application o How public comments may be submitted to the local trust committee. 	Carried	04-Mar-2019
<p>2018-064 (Standing)</p> <p>that the Galiano Island Local Trust Committee endorses the Telecommunication strategy Project Charter dated June 22, 2016</p>	Carried	04-Jun-2018
<p>2014-029 (Standing)</p> <p>That the Galiano Island Local Trust Committee will consider as a community benefit for all rezoning applications where there is an increase in density, the establishment of an instrumented observation well.</p>	Carried	07-Apr-2014



Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
<p>2014-000 (Standing)</p> <p>On properties where there is an open bylaw enforcement file, planning staff should refer planning applications to the Bylaw Enforcement Manager for comment where one or more of the following circumstances exist:</p> <ol style="list-style-type: none"> 1. There have been significant delays or longer than typical timelines in the enforcement process 2. The LTC is considering on-going, relevant policy or regulatory changes that could impact enforcement 3. Litigation has been recommended 4. Legal counsel has been involved (beyond providing a basic interpretation) 5. There has been enforcement action beyond seeking voluntary compliance (e.g. a BEN warning or ticket, adjudication, a compliance agreement negotiated, etc.) 6. There has been, or is an expectation of, joint enforcement with other jurisdictions 7. There is potential for impact on other related enforcement files. 	Carried	03-Feb-2014
<p>2011-205 (Standing)</p> <p>That where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property on which Galiano Island Land Use Bylaw No. 127, 1999 permits public assembly uses, such as restaurants or community halls, and where there have been no issues related to parking or past complaints for the preceding three years , staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.</p>	Carried	17-Oct-2011
<p>2010-115 (Standing)</p> <p>That the Galiano Island Local Trust Committee will advertise Public Hearing Notices in the Active Page Magazine in addition to the legally required advertising in the Driftwood Newspaper.</p>	Carried	18-Oct-2010
<p>2009-085 (Standing)</p> <p>That staff refer all applications adjacent to a park or ocean access to the Galiano Island Parks and Recreation Commission for comment</p>	Carried	11-May-2009



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY JANUARY 25, 2022 BOARD SPECIAL MEETING (OPEN PORTION)

NOTE: For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

1. ORGANIZATION UPDATES/TEAM

- Chair and Vice chair elections were held. Trustee Stamford was acclaimed as Chair of the ITCB. Trustee Fast was acclaimed as Vice-Chair of ITCB.

2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Manager presented the Board with a 2022-23 ITC Work Planning package and request for decision. The ITC has a small team that is working to meet existing commitments with respect to current conservation proposals and land management projects. Woven through all its work, the ITCB has committed to strengthening relationships with First Nations. The ITC is also working on a new Climate Change Project to prepare for effects of climate change on lands that are managed by the ITC, and a new Species at Risk Program aimed at species threatened by extinction in the islands. To enable creation of work programs that can successfully meet these commitments, the ITCB directed staff to focus on these new program areas in 2022. ITC will continue to act on high priority conservation opportunities, but will hold other less urgent work until the spring of 2023.
- The ITCB had three readings of Islands Trust Conservancy Bylaw No. 3, cited as “Islands Trust Conservancy Meeting Procedures Bylaw, 2019, Amendment Bylaw No. 1, 2022.” The bylaw will allow the ITC board members to attend meetings electronically.
- The ITCB approved the attendance for Trustees Fast, Fenton, Stamford and Smith to attend the Salish Sea Ecosystem Conference
- The ITCB approved attendance at e-Summit of the Pan Canadian Parks and Protected Areas Research Network for Trustees Stamford and Smith.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

3. COVENANT AND PROPERTY ACQUISITIONS

- The ITBC noted for the public in the 'rise and report' of the in camera meeting, that it has approved signing of a conservation covenant on Lasqueti Island that is the subject of a Natural Area Protection Tax Exemption Proposal application.
- The Ecosystems Protection Specialist presented a conservation proposal to donate a 2.45 ha NAPTEP covenant on Salt Spring Island, to protect mature forests, wetlands, and connectivity to other protected areas. Decision was made to approve the proposal but defer this securement project until late 2022/early 2023 due to staff capacity constraints.
- The Public Acquisitions and Covenants reports were presented to and accepted by the ITCB.

4. COVENANT AND PROPERTY MANAGEMENT

- The ITC Property Management Specialist presented the Moore Hill Management Plan. Board discussed the cultural significance and public opinion regarding closure of public access and relationship building with First Nations and approved the management plan.
- The ITC Covenant Management & Outreach Specialist provided a slide presentation to Board members, highlighting the top six projects completed in 2021. The ITCB commented this was a great learning experience and requested that these presentations be communicated more broadly to the public.
- The ITC Property Management Specialist presented a slide presentation to Board members highlighting the top restoration projects completed in 2021, noting partners, local conservancies and volunteers have been instrumental in doing this work.

5. COMMUNICATIONS AND OUTREACH

- The ITC Manager advised that an outreach letter had been sent to Gabriola landholders in January in collaboration with the Gabriola Land and Trails Trust. The Gabriola Island Local Trust Committee was notified.
- The ITCB received a letter from Sheila Harrington regarding a book she is developing about land trusts in the islands.
- The ITCB received a building permit referral for information for a greenhouse on a covenanted property on North Pender Island. As the greenhouse is well distanced from the covenant boundary, the ITC Manager advised that staff did not have concerns.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- Trustee Smith provided a verbal update noting that Galiano Island recently completed the new Cable Bay conservation area, including 25 hectares, linking to other conservation areas, totalling 500 hectares of Coastal Douglas-fir forests, and wetlands. There will be a celebration in the spring. The ITCB provided an Opportunity Fund Grant to kick start the project in 2019.



ISLANDS TRUST CONSERVANCY

ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

- The Budget Report was presented and accepted by the ITCB.
- Trustee Fenton advised that the Thetis Island Local Trust Committee is trying to pull together a program to bring community engagement, stewardship and education. Thetis is working towards community composting.
- Trustee Adams advised she signed up for Land Trust Alliance of BC Indigenous Engagement session and will provide an update.

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: <https://islandstrust.bc.ca/conservancy/>

Shortcuts of interest:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/>
- **Opportunity Fund:** (context) <https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/> ; (to donate online) <https://islandstrust.bc.ca/donate-to-conservancy/>
- **Request key updates via email:** <https://islandstrust.bc.ca/subscribe/> (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)