



## **Galiano Island Local Trust Committee Regular Meeting Agenda**

Date: March 14, 2023  
Time: 1:00 pm  
Location: Galiano South Community Hall  
141 Sturdies Bay Road, Galiano Island, BC

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|      |                                                                     |                   | <b>Pages</b> |
|------|---------------------------------------------------------------------|-------------------|--------------|
| 1.   | <b>CALL TO ORDER</b>                                                | 1:00 PM - 1:20 PM |              |
| 2.   | <b>APPROVAL OF AGENDA</b>                                           |                   |              |
| 3.   | <b>TRUSTEE REPORT</b>                                               |                   |              |
| 4.   | <b>CHAIR'S REPORT</b>                                               |                   |              |
| 5.   | <b>ELECTORAL AREA DIRECTOR'S REPORT</b>                             |                   |              |
| 6.   | <b>TOWN HALL AND QUESTIONS</b>                                      | 1:20 PM - 1:40 PM |              |
| 7.   | <b>COMMUNITY INFORMATION MEETING</b>                                |                   |              |
|      | None                                                                |                   |              |
| 8.   | <b>PUBLIC HEARING</b>                                               |                   |              |
|      | None                                                                |                   |              |
| 9.   | <b>MINUTES</b>                                                      | 1:40 PM - 1:50 PM |              |
| 9.1  | Local Trust Committee Minutes Dated February 7, 2023 (for Adoption) |                   | 4 - 12       |
| 9.2  | Section 26 Resolutions Without Meeting Report - None                |                   |              |
| 9.3  | Advisory Planning Commission Minutes - None                         |                   |              |
| 10.  | <b>BUSINESS ARISING FROM MINUTES</b>                                |                   |              |
| 10.1 | Follow-up Action List Dated March 2023                              |                   |              |
| 11.  | <b>DELEGATIONS</b>                                                  |                   |              |

|            |                                                                                                           |                          |                  |
|------------|-----------------------------------------------------------------------------------------------------------|--------------------------|------------------|
| <b>12.</b> | <b>CORRESPONDENCE</b>                                                                                     |                          |                  |
|            | <i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>   |                          |                  |
| <b>13.</b> | <b>MEETING BREAK - COMMUNITY UPDATE</b>                                                                   |                          |                  |
| <b>14.</b> | <b>APPLICATIONS AND REFERRALS</b>                                                                         | <b>1:50 PM - 2:15 PM</b> |                  |
|            | <b>14.1 GL-TUP-2023.1 and GL-DVP-2023.1 (Parfitt) - Staff Report (attached)</b>                           |                          | <b>13 - 65</b>   |
| <b>15.</b> | <b>LOCAL TRUST COMMITTEE PROJECTS</b>                                                                     | <b>2:15 PM - 2:45 PM</b> |                  |
|            | <b>15.1 Groundwater Sustainability Project - Staff Report (attached)</b>                                  |                          | <b>66 - 86</b>   |
| <b>16.</b> | <b>REPORTS</b>                                                                                            | <b>2:45 PM - 2:55 PM</b> |                  |
|            | <b>16.1 Work Program Reports (attached)</b>                                                               |                          |                  |
|            | 16.1.1 <u>Active Projects Report Dated March 2023</u>                                                     |                          | 87 - 87          |
|            | 16.1.2 <u>Future Projects Report Dated March 2023</u>                                                     |                          | 88 - 89          |
|            | <b>16.2 Applications Report Dated March 2023 (attached)</b>                                               |                          | <b>90 - 96</b>   |
|            | <b>16.3 Trustee and Local Expense Report Dated Jan 2023 (attached)</b>                                    |                          | <b>97 - 97</b>   |
|            | <b>16.4 Adopted Policies and Standing Resolutions (attached)</b>                                          |                          | <b>98 - 102</b>  |
|            | <b>16.5 Local Trust Committee Webpage</b>                                                                 |                          |                  |
|            | <b>16.6 Islands Trust Conservancy Report Dated Feb 2023</b>                                               |                          | <b>103 - 104</b> |
| <b>17.</b> | <b>NEW BUSINESS</b>                                                                                       | <b>2:55 PM - 3:25 PM</b> |                  |
|            | <b>17.1 Mayne LTC request re Siting and Use Permit Option</b>                                             |                          | <b>105 - 105</b> |
|            | <b>17.2 Notice of motion to replace Standing Resolution 2019-053 (attached)</b>                           |                          | <b>106 - 106</b> |
|            | <b>17.3 Wise Island Bylaw Enforcement - Staff Report (attached)</b>                                       |                          | <b>107 - 108</b> |
| <b>18.</b> | <b>UPCOMING MEETINGS</b>                                                                                  |                          |                  |
|            | <b>18.1 Next Regular Meeting Scheduled for April 11, 2023 at the South Community Hall, Galiano Island</b> |                          |                  |
| <b>19.</b> | <b>TOWN HALL</b>                                                                                          | <b>3:25 PM - 3:45 PM</b> |                  |
| <b>20.</b> | <b>CLOSED MEETING - (Distributed Under Separate Cover)</b>                                                |                          |                  |

**20.1 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)(f) for the purpose of considering:

- Bylaw Enforcement

AND that the recorder and staff attend the meeting.

**20.2 Recall to Order**

**20.3 Rise and Report**

**21. ADJOURNMENT**

3:45 PM - 3:45 PM



## Galiano Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** February 7, 2023

**Location:** Galiano South Community Hall  
141 Sturdies Bay Road, Galiano Island, BC

**Members Present:** Tim Peterson, Chair  
Ben Mabberley, Trustee  
Lisa Gauvreau, Trustee

**Staff Present:** Kim Stockdill, Island Planner  
Brad Smith, Island Planner  
Narissa Chadwick, Island Planner (electronic)  
Charly Caproff, Planner 2 (electronic)  
Warren Dingman, Bylaw Enforcement and Compliance Manager (electronic)  
Sarah Shugar, Recorder (electronic)

**Others Present:** Approximately 40 members of the public

These minutes follow the order of the agenda although the sequence may have varied. The electronic meeting was live streamed, recorded, and made available for electronic public attendance.

#### 1. CALL TO ORDER

Chair Peterson called the meeting to order at 12:37 p.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

#### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 17.2 Notice of Motion regarding Standing Resolution GL-2019-053
- 17.3 Wise Island
- 17.4 CRD Building Inspections

**By general consent** the agenda was approved as amended.

### **3. TRUSTEE REPORT**

Trustee Gauvreau reported she attended a Southern Gulf Islands Forum meeting on January 9, 2023 and topics included anchorages and derelict boats and tiny homes. Trustee Gauvreau and Trustee Mabblerley met with MLA Adam Olsen regarding Forestry 1 (F1) lots on Galiano Island. Trustee Gauvreau attended several training sessions for new Trustees and thanked staff for their work to put together the agenda package.

Trustee Mabblerley expressed condolences to family of long time community member elder Charley. Trustee Mabblerley introduced Penelakut Tribe Council member Ken Thomas and expressed support to work collaboratively with the Penelakut Tribe.

Penelakut Tribe Council member Ken Thomas spoke to unceded territory within the Galiano Island Local Trust Area and sensitive heritage sites on Galiano Island. Mr. Thomas expressed support for open communication and to work collaboratively on issues of common interest.

### **4. CHAIR'S REPORT**

Chair Peterson reported he would plan to spend extra time following the LTC regular meetings to meet with community members. Chair Peterson reported he attended a Lasqueti Island Local Trust Committee meeting regarding updating the Lasqueti Island Official Community Plan and will attend a Salt Spring Island Local Trust Committee meeting on February 9, 2023. The next Trust Council meeting will be held March 7 to 9, 2023 at the Coast Bastion Hotel in Nanaimo.

### **5. ELECTORAL AREA DIRECTOR'S REPORT - None**

### **6. TOWN HALL AND QUESTIONS**

Chair Peterson opened the town hall at 12:47 p.m.

A member of the public asked for an update regarding a recent court case regarding herring fishery brought forward by Galiano residents. Trustee Mabblerley advised the herring case is finished and residents are waiting for a decision from the court.

A member of the public expressed concern regarding approving the motion to bring back application GL-RZ-2022-1 (Gaylor) at the December 2022 meeting and expressed support for greater clarity and discussion on any motion, especially a motion that was previously denied by the LTC and/ or any motion that is not included in the agenda.

A member of the public requested the LTC to move project 15.1.2-GA-2022-106 - Wise Island Bylaw Review to the LTC priority list and recommended that Gambier Island Local Trust Committee Bylaw No. 114 could be used as a template for the Wise Island Bylaw Review.

A member of the public welcomed newly elected Trustees and expressed support for Trustees to guide development and reduce unplanned development. The member of the public spoke to the importance of protection of forest corridors for climate change and to prevent fire risk. Development within contiguous forests has been a contentious issue for 30 years. The member

of the public expressed concern that Trustee Mabberley made a notice of motion regarding non-enforcement of unlawful dwellings, reconsideration of an application that was denied by the past LTC, and invite a letter from a member of the public that was seeking abeyance of bylaw enforcement and advised that these three items are a breach of the LTC the code of conduct. The member of the public expressed support for enforcement of unlawful dwellings.

A member of the public expressed concerns regarding application GL-RZ-2014.1 (Crystal Mountain) including the lack of community support and that the proposal is not supported by the Galiano Island Official Community Plan and requested the LTC to not proceed to public hearing and meet with community members prior to considering the application.

A member of the public expressed concerns regarding the lack of enforcement of Galiano Island Bylaws, specifically development within the Forestry 1 zones. The member of the public expressed concerns regarding not enforcing unlawful dwellings in Forestry 1 zoned areas.

Chair Peterson advised it is each Trustees responsibility to declare conflict of interest for a real or perceived conflict of interest.

Trustee Mabberley spoke to the need for affordable housing on Galiano Island and advised he would declare conflict of interest regarding the notice of motion for Bylaw Enforcement on Unlawful Dwellings.

A member of the public welcomed new Trustees and stated it is not required for the new Trustees to follow the path of previous Trustees.

A member of the public expressed support for the notice of motion for Bylaw Enforcement on Unlawful Dwellings that was introduced at the last meeting and expressed support for the LTC to take action to increase affordable housing. The member of the public advised he lost two employees due to lack of housing.

A member of the public expressed support for the notice of motion for Bylaw Enforcement on Unlawful Dwellings and expressed support for application GL-RZ-2014.1 (Crystal Mountain) to move forward to Public Hearing.

A member of the public expressed support for affordable housing initiatives and expressed support for application GL-RZ-2014.1 (Crystal Mountain) and the Learning Centre.

A member of the public advised the Learning Centre property was zoned for development and the Crystal Mountain application is zoned Forestry 1. The member of the public expressed concern regarding the notice of motion to relax bylaw enforcement on unlawful dwellings. The member of the public advised Galiano Island is unique in that 50% of the island was designated a managed forestry zone and was rezoned to Forestry 1 zoning. He expressed concern that no notice was given to the community regarding the notice of motion and that a change of this nature should be done as part of an Official Community Plan review as the changes would be impactful and should involve a community review.

A member of the public advised the lack of affordable housing on Galiano Island is largely due to Short Term Vacation Rental (STVR's) and encouraged enforcement of STVR's to encourage long-term rentals in the community.

Chair of the Galiano Island Forestry Association advised the Galiano Island Forestry Association works to reduce fire risks, improve biodiversity and improve groundwater recharge. He expressed support for forest management practices for a healthy forest and advised that people who live on the land take the best care of our forests.

A member of the public spoke on behalf of Coast Salish People of Galiano Island and expressed support for affordable housing initiatives, to work collaboratively and for Indigenous ways of caring for the land.

**7. COMMUNITY INFORMATION MEETING - None**

**8. PUBLIC HEARING - None**

**9. MINUTES**

**9.1 Local Trust Committee Minutes Dated December 15, 2022**

**By general consent,** the Local Trust Committee meeting minutes of December 15, 2022 were adopted.

**9.2 Section 26 Resolutions Without Meeting Report - None**

**9.3 Advisory Planning Commission Minutes - None**

**10. BUSINESS ARISING FROM MINUTES**

**10.1 Follow-up Action List Dated Jan 2023**

Received.

**11. DELEGATIONS - None**

**12. CORRESPONDENCE**

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

**12.1 Sandy Pottle re Standing Resolutions - unlawful dwellings LTA**

Received.

**12.2 Jennifer Margison re Standing Resolutions - unlawful dwellings**

Received.

**13. MEETING BREAK - COMMUNITY UPDATE - None**

**14. APPLICATIONS AND REFERRALS**

**14.1 GL-DVP-2021.8 (O'Shaughnessy) - Staff Report**

Planner Stockdill presented a staff report dated January 30, 2023 regarding a Development Variance Permit application to permit stacked boulder slope stabilization works to remediate a slide area to provide protection to development and to a water service line and gravel driveway from further erosion and risk.

Representative of the applicant Laura from Ryzuk Engineering spoke to the application.

In discussion the following items were noted:

- There was a question regarding eelgrass and what is the plan for the trees that have fallen; and
- The culverts do not have sufficient capacity to handle the volume of water.

**GL-2023-01**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee approve issuance of Development Variance Permit GL-DVP-2021.8 (O'Shaughnessy).

**CARRIED**

**14.2 GL-RZ-2014.1 (Crystal Mountain) - Staff Report**

Planner Smith presented a staff report dated January 30, 2023 to seek direction from the LTC regarding next steps for proposed Bylaws No. 256 and 257.

In discussion the following items were noted:

- There was a question regarding the map on page 92 and whether there a registered Statutory Right of Way (SROW) on Lot B. Planner Smith reported staff would work with CRD to resolve the question and ensure emergency access is provided and staff will report back to the LTC prior to a Public Hearing; and
- Staff recommend that any rezoning approval be subject to an approved provincial water license.

**GL-2023-02**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to schedule a Public Hearing on application GL-RZ-2014.1 (Crystal Mountain).

**CARRIED**

Staff will schedule a Public Hearing for application GL-RZ-2014.1 (Crystal Mountain) on Saturday, May 6, 2023 at the Lions Park Society Hall. It will be a hybrid in person and electronic meeting.

Trustee Mabblerley declared conflict of interest for application GL-DP-2022.5 (Longson) and left the meeting at 2:00 p.m.

**14.3 GL-DP-2022.5 (Longson) - Staff Report**

Planner Caproff presented a staff report dated January 25, 2023 regarding a Development Permit application for new construction of a building located at 90 Montague Road for the purposes of food production and as a support facility for the Valley Mill Restaurant.

The property owner spoke to the application.

**GL-2023-03**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee approve issuance of Development Permit GL-DP-2022.5 (Longson).

**CARRIED**

Trustee Mabblerley returned to the meeting at 2:05 p.m. The meeting recessed for a break at 2:05 p.m. and reconvened at 2:20 p.m.

**15. LOCAL TRUST COMMITTEE PROJECTS**

**15.1 Groundwater Implementation Project - Staff Report**

Planner Chadwick presented a staff report dated January 25, 2023 regarding the Groundwater Sustainability Implementation Project.

**GL-2023-04**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to look into inclusion of FireSmart exemptions and First Nations land ownership in the Groundwater Sustainability Implementation Project.

**CARRIED**

**16. REPORTS**

**16.1 Work Program Reports**

**16.1.1 Active Projects Report Dated January 2023**

Received.

**16.1.2 Future Projects Report Dated January 2023**

Received.

**GL-2023-05**

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee request staff to refer Work Program Review staff report dated December 5, 2022 to the Galiano Island Advisory Planning Commission and request recommendations for the next minor and/or major project.

**CARRIED**

**16.2 Applications Report Dated January 2023**

Received.

**16.3 Trustee and Local Expense Report Dated November 2022**

Received.

#### **16.4 Adopted Policies and Standing Resolutions**

Received.

#### **16.5 Local Trust Committee Webpage - None**

#### **16.6 Islands Trust Conservancy Report Dated November 2022**

Received.

Trustee Mabberley declared conflict of interest with item 17.1 - Deferred Enforcement on Unlawful Dwellings and left the meeting at 2:50 p.m.

### **17. NEW BUSINESS**

#### **17.1 Deferred Enforcement on Unlawful Dwellings - Staff Report**

Bylaw Enforcement and Compliance Manager Dingman presented a staff report dated January 27, 2023 regarding Policy Options for Unlawful Dwellings.

A Trustee advised that Galiano Island is unique and a motion regarding enforcement of unlawful dwellings should be specific to address the lack of affordable housing and specific consideration of unlawful dwellings within the Forestry 1 zones.

Trustee Mabberley returned to the meeting at 2:58 p.m.

#### **17.2 Notice of Motion regarding Standing Resolution GL-2019-053 – Adopted Policies and Standing Resolutions**

A Trustee expressed concern that Standing Resolution GL-2019-053 does not accurately address First Nations engagement and acknowledgement of First Nations people on Galiano Island.

Trustee Mabberly presented a notice of motion to replace Standing Resolution GL-2019-053, for consideration at the next meeting, as follows:

That the Galiano Island Local Trust Committee seek to engage in reconciliation with local First Nations, governments and island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, the United Nations Declaration on Rights of Indigenous Peoples, draft principles that guide the Province of British Columbia's relationship with Indigenous Peoples and Islands Trust First Nations engagement principles. That the Galiano Island Local Trust Committee endeavor to:

- a. Annually write a letter to all First Nations organizations 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 all Local Trust Committee meetings, invite all local First Nations to attend meetings as well as provide a traditional welcome to the Territory if they would like;
- c. Work with Local First Nations, Governments and Organizations on cooperative initiatives, including but 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 Local First Nation Governments and Organizations 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 dialogue with Local First Nations and organizations now and into the future based on respect and recognition of Aboriginal Rights and Titles, Treaty Rights, Traditional Rights and First Nations Traditional Territories within the Local Trust Area; and
- f. Direct staff not to take enforcement action against any Indigenous peoples in regards to their traditional inherent rights.

### **17.3 Wise Island**

A Trustee expressed support for a Wise Island Bylaw Review to address concerns of Wise Island property owners.

Staff advised a Wise Island Bylaw Review is on the future projects list and would be considered a minor LTC project and it is estimated it could be completed project within one year. Staff will look into a Wise Island Bylaw Review project and report back at a future meeting.

### **17.4 CRD Building inspections**

Trustee Mabberley read a letter received from Trustee Dave Maude regarding Capital Regional District (CRD) building permits and clarification regarding siting and use permits in the event the CRD should discontinue the use of building permits.

## **18. UPCOMING MEETINGS**

The next regular meeting is scheduled on March 14, 2023, at 1:00 p.m. at the South Community Hall.

## **19. TOWN HALL**

Chair Peterson opened the town hall at 3:20 p.m.

A member of the public expressed support for the Local Trust Committee to advocate for emergency access through the old Haul logging road and that an “Emergency Use Only” sign be installed for an evacuation route in case of fire etc.

Trustee Mabberly advised the old Haul logging road was the emergency access road for Galiano Island in the past.

A member of the public expressed support for emergency access though the old Haul logging road and to address the Forestry 1 lot grievances.

A member of the public clarified that his request for bylaw enforcement to be suspended on Wise Island is specific to solar panel impacts and small decks only.

A member of the public requested the LTC to consult with Wise Island property owners regarding a Wise Island Bylaw Review.

A member of the public suggested Trustees refer to two Ministry of Transportation and Infrastructure reports regarding the Forestry 1 lots on Galiano Island for information.

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Galiano Island Local Trust Committee

Regular Business Meeting

February 7, 2023

DRAFT

8

A member of the public suggested that Forest lot property owners be included in an Advisory Planning Commission.

A member of the public spoke to the history of forest lot property owners building rights and suggested that the issues could be resolved through collaboration.

A member of the public expressed support for Wise Island property owners and expressed support for the notice of motion introduced in item 17.2 including the history of First Nations families on Galiano Island and the importance of including First Nations in the Galiano Island Official Community Plan in a meaningful way.

A member of the public requested the LTC to review the water management plan for application GL-RZ-2014.1 (Crystal Mountain). Planner Smith reported the applicant has demonstrated sufficient water availability for the proposed uses.

A member of the public asked whether his farm property would be exempt from the Groundwater Sustainability Project regulations. Chair Peterson encouraged the member of the public to contact Planner Chadwick for clarification regarding whether his property would be impacted by the Groundwater Sustainability Project regulations.

**20. CLOSED MEETING - None**

**21. ADJOURNMENT**

**By general consent** the meeting was adjourned at 3:45 p.m.

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Tim Peterson, Chair

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Certified Correct:

Sarah Shugar, Recorder

DATE OF MEETING: March 14, 2023

TO: Galiano Island Local Trust Committee

FROM: Kim Stockdill, Island Planner  
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: Temporary Use Permit & Development Variance Permit  
Applicant: Roksan Parfitt  
Location: 2517 Sturdies Bay Road

## RECOMMENDATIONS

1. That the Galiano Island Local Trust Committee amend draft Temporary Use Permit GL-TUP-2023.1 (Parfitt), as shown in Figure 3 of this staff report by the addition of the following:
  - a. Construction of a solid wood fence along the western lot line to provide a complete and permanent visual screen between the new art studio and existing dwelling located on the lot to the west to the subject property prior to issuance of a Temporary Use Permit renewal application;
  - b. Construction of a fence along the south-eastern edge of the property to shield visual and noise impacts from the stage area prior to issuance of a Temporary Use Permit renewal application; and/or,
  - c. Placement of individual fence panels in-between existing structures along southern lot line to shield visual and noise impacts from the stage area prior to issuance of a Temporary Use Permit renewal application.
2. That the Galiano Island Local Trust Committee approve issuance of Temporary Use Permit GL-TUP-2023.1 (Parfitt) for a period of three (3) years, as amended.
3. That the Galiano Island Local Trust Committee approve issuance of GL-DVP-2023.1 (Parfitt).

## REPORT SUMMARY

The purpose of the report is for a Temporary Use Permit (TUP) and a Development Variance Permit (DVP) to temporarily legalize the use of a Community Art Centre, to permit the use of short term guest accommodation for artists, and to legalize the siting of existing structures on the subject property.

## BACKGROUND

The Yellowhouse Art Centre Society (YHACS) was initiated in 2019 as a non-profit organization with a mandate to provide multidisciplinary arts programming and facilities to the Galiano Community. The YHACS originally started

as a home occupation on the subject property. The services provided by the YHACS have since grown and no longer meet the definition nor regulations of a home occupation in the Galiano Island Land Use Bylaw (LUB).

A bylaw enforcement compliant was received in the summer of 2022 with concerns regarding the art facility use within a residential zone. The applicants have since applied for a Temporary Use Permit and Development Variance Permit to temporarily legalize the use and to legalize the siting of existing structures on the subject property.

The 0.14 ha (0.35 acre) subject property currently contains a small dwelling unit, roofed stage, pumphouse, and screening structures along southern property line. The applicants also are in the process of constructing an art studio (shown as 'makery' on Figure 2) and have received a Building Permit. The art studio will contain two small bathrooms, and two interior spaces (a workshop and office) to be used personally by the applicant/property owner and also as part of the proposed community art centre use.

The applicant has provided an overview of the requested proposed uses (see Attachment No. 2) which outlines the proposed use, proposed events with hours and maximum number of participants, water information, and parking information.

The scope of the proposed uses as drafted in the temporary use permit are as follows:

- Permitting the use of a 'Community Art Centre' and 'Short term guest accommodation for artists';
- Hours of operation for the Community Art Centre.
- Conditions related to maximum participants, parking, noise limits, time limits, and number of events per year for medium and large events.
- Conditions for maximum number of participants for workshops.
- Conditions for food and drink service (as per Island Health and the BC Liquor and Cannabis Regulation Branch).
- A maximum for two artists for short term guest accommodation in the existing dwelling.
- Requirement for water cisterns with a capacity of 20,000 litres and water metre on well.
- Requirements for parking plans for medium and large events.

Through the TUP process, staff identified a number of existing structures that are located within lot line setbacks. The applicant has applied for a DVP to vary the Galiano Island Land Use Bylaw by reducing the front lot line from 7.5 metres to:

- i. 5.2 metres to legalize the siting of a dwelling,
- ii. 5.6 metres to legalize the siting of a stage structure,
- iii. 0.2 metres to legalize the siting of a screen structure, and,
- iv. 2.0 metres to legalize the siting of a screen structure.

The applicant applied to the Islands Trust Executive Committee to have the TUP and DVP applications fees refunded through the Development Application Fee Sponsorship. At the February 13, 2023 EC meeting, the EC supported by resolution to approve the financial sponsorship of the application fees for the non-profit society.

The applicant states that in the EC Sponsorship application that:

*“The TUP combined with the variance application for parking will support the Yellowhouse Art Centre Society’s beloved year-round, multidisciplinary arts programming aimed at inspiring and facilitating creativity and free expression in the Galiano Community in a safe, nourishing, and inclusive environment. YHACS promotes connection, culture, and healing through arts. It supports artistic and cultural activities around equity, decolonization, and climate justice. We regularly work with kids, youth, seniors, local artists and organizations such as Galiano Playgroup, Community School, The Conservancy and others since 2019... All members of our community benefit from our beloved programming regardless of their age, financial situation, experience or background. YHACS an important non-profit and a thriving cultural hub in our small island community.”*

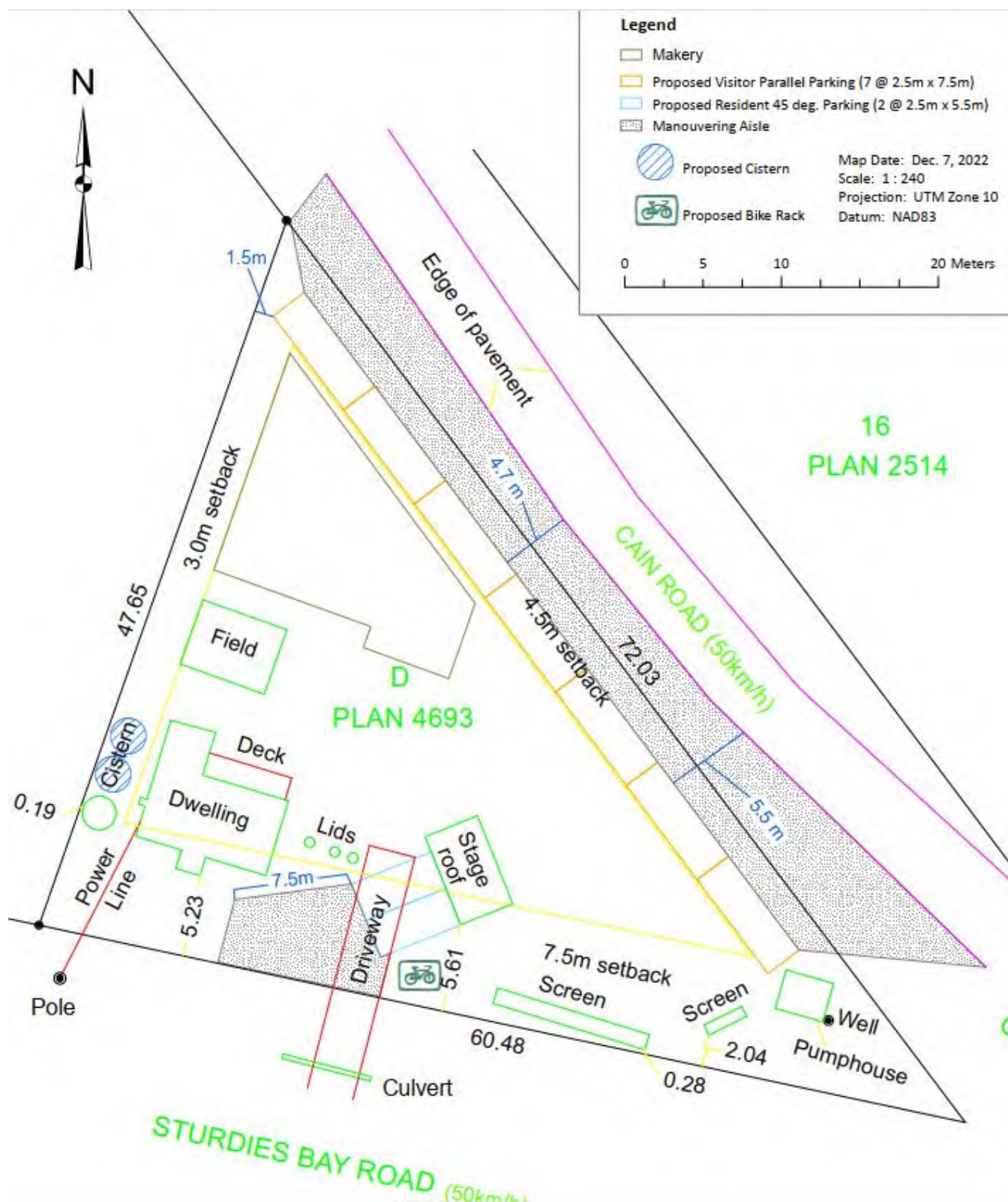
A copy of the TUP notice and proposed permit GL-TUP-2023.1 and the DVP notice and proposed permit GL-DVP-2023.1 are Attachments 3, 4 and 5 respectively.

Staff visited on February 13, 2023 (pictures in Attachment 1).

**Figure 1 – Subject Property and Context**



Figure 2: Detail Site Plan



## ANALYSIS

### ***Islands Trust Policy Statement:***

- 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.
- 5.2.5 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
- 5.7.2 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.
- 5.8.6 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.

The temporary uses as outlined in the TUP application and the DVP application are consistent with the above policies.

### ***Official Community Plan:***

The property is designated as **VR2 – Village Residential 2** in the Galiano Island Official Community Plan (OCP) Bylaw 108. Relevant Rural Residential OCP Policy is:

*1.2 a) The principal use shall be residential.*

The TUP use will be in addition to the established residential use on the subject property.

If the applicant decides to permanently legalize the Community Art Centre use through a rezoning application, a OCP bylaw amendment would also be required.

**Development Permit Area (DPA) 3– Tree Cutting** is designated on the property. The DPA is not applicable for these applications.

### ***Land Use Bylaw:***

The property is zoned as **Village Residential 2 (VR2)** in the Galiano Island LUB. Issuance of the TUP would permit the proposed Community Art Centre use as it is currently not a permitted use in the VR2 zone. The TUP conditions require a minimum of seven (7) parking spaces dedicated for the Community Art Centre use. Medium and large events require a Parking Coordinator, development of a parking plan, and management of parking prior to, during, and after the event. Overflow parking is permitted on the auxiliary fire hall located at 135 Cain Road for up to ten (ten) parking spaces as per letter from Fire Chief Scott Sugden.

The existing structures on the subject property do not comply with the 7.5 metre setback from the front lot line. Approval of the DVP will legalize the siting of these structures.

## ***Issues and Opportunities***

### **TUPs**

A temporary use permit may allow a use not permitted by zoning, specify conditions under which the use may be carried on, and allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued. This is a mechanism that facilitates a short term use, either a use that is intended to be ephemeral, or, as is the case here, allows the use to be initiated while determining its compatibility for the property through the rezoning process. As above, if the TUP is approved, the applicant intends to make a subsequent rezoning application for the subject property.

### **Land Use Considerations**

The limited size of the subject property reduces the ability to locate buildings and/or structures related to the Community Arts Centre a far distance from the neighbouring residential properties. The property is located along a main thoroughfare road (Sturdies Bay Road) therefore noise from traffic is negligible, and also borders a commercial area to the south. In terms of location of a Community Art Centre on Galiano, it is preferable to have the centre close to the Sturdies Bay commercial hub and the BC Ferries.

Consideration should also be given to groundwater concerns for the proposed use. As this is a TUP and DVP application, a groundwater assessment to evaluate if there is sufficient quality or quantity of groundwater for the proposed use is not required. If the applicants decide to move forward with a rezoning application after the TUP expiry, a groundwater assessment and other professional reports can be requested through the Development Approval Information Bylaw for rezoning applications. The applicant should also start the process of applying for a Non-domestic Water License through the Province. The water licence is not required through the TUP process as the purpose of the TUP is to test the proposed use. If the applicants decide to permanently legalize the Community Art Centre use through a rezoning application, a water licence may be required as a condition of bylaw approval.

### **Impact Assessment**

Given the foregoing, potential impacts of the use on direct neighbours and the local neighbourhood are limited when workshops are in process. However, medium and large events could have noise and parking impacts, particularly to immediate neighbours, and those should be given consideration. As stated previously, concerns for increased traffic, parking, and noise have already been raised through a bylaw enforcement complaint. The TUP has been drafted to limit the hours and number of medium and large events through the year in order to limit the potential nuisances from the community art centre use.

In terms of the DVP application, the most impacted neighbours by the proposed variance would be the commercial property to the south. Given the size of the structures and the intent for the structures to be a barrier of noise, overall any impacts to neighbouring properties are assessed as minor.

## **TUP Conditions**

The proposed TUP conditions are consistent with the OCP guidelines and would ensure that the use does not have an unreasonable impact on the local area, and, in the event it does, there is the ability to enforce compliance of the TUP.

As there have been concerns expressed with parking and noise during the larger events, the LTC may opt to add further conditions to further mitigate potential impacts. This might include requiring installation of a solid, non-transparent fence to obstruct the proposed use from neighbouring properties. The LTC may consider the construction of a fence as a condition of the TUP along the following lot lines:

1. Construction of a solid wood fence along the western property line to shield the new art studio and existing dwelling from the lot to the west;
2. Construction of a fence along the southeastern edge of the property to shield visual and noise impacts from the stage area; and/or,
3. Placement of individual fence panels in-between existing structures along southern lot line (borders Sturdies Bay Rd) to shield visual and noise impacts from the stage area.

See Figure 3 for proposed fence locations. If the LTC does include one or all of the above fence options as a condition of the TUP, the LTC may give the applicants three years to complete the construction of the fence due to the financial cost to the non-profit society. The TUP condition can be worded in such a way that the fence(s) would be required to be constructed prior to renewal of the TUP.

As notification has occurred, the LTC cannot remove conditions without re-notification to neighbours.

## ***The Intent of the Regulation being Varied***

The overall purpose of siting regulations are 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***

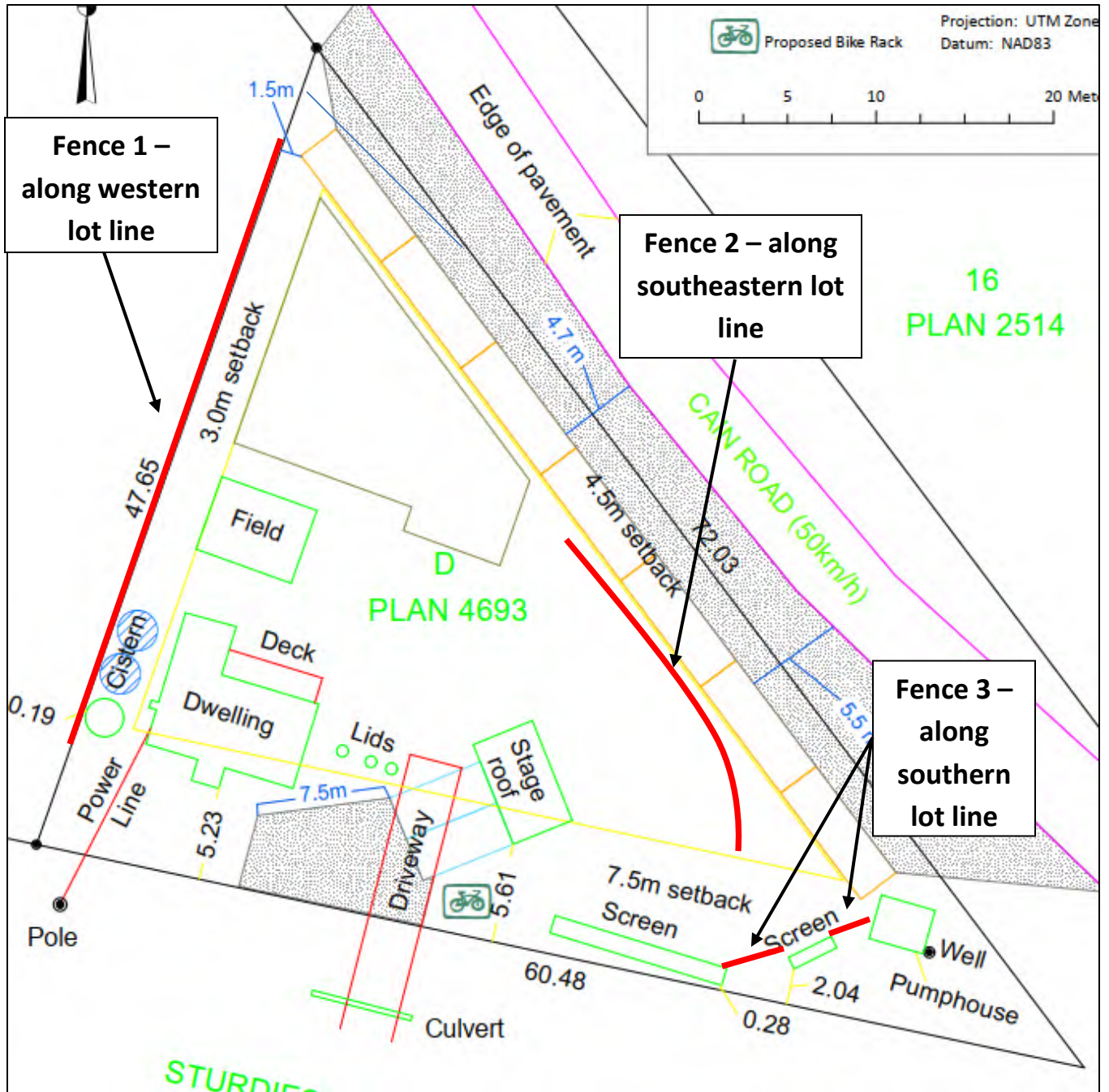
Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation each application should be evaluated on its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

## **Consultation**

TUP and DVP Notice was circulated to surrounding property owners and residents (Attachment 3). The required advertisement was placed in the *Driftwood* on March 8, 2023. The notification period ended at 4:30 p.m. on March 10, 2023.

At the time of writing, staff have received twenty-two (22) submissions in response to notification, all of which are in support of the application. Any further submissions received prior to the LTC Meeting will be forwarded to the LTC and reported at the meeting.

**Figure 3: Potential Fence Locations**



## **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 application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants with the initial application.

## **Rationale for Recommendation**

The recommendations on page 1 are supported as:

- The TUP would facilitate testing the proposed use on the subject property prior to a rezoning application;
- The TUP as drafted meets the OCP TUP objectives;
- The rationale for the TUP and DVP are reasonable;
- The permit as drafted provides conditions consistent with OCP guidelines to ensure that the use does not have an unreasonable impact on the local area;
- The variance is for existing minor structures which help to screen the proposed use; and,
- Notification to date has generated numerous responses in favour of the applications.

## **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.

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. Approve the TUP as is**

The LTC may wish to approve the TUP without making any further amendments.

Recommended wording for the resolution is as follows:

*That the Galiano Island Local Trust Committee approve issuance of Temporary Use Permit GL-TUP-2023.1 (Parfitt) for a period of three (3) years.*

### **3. Add conditions**

The LTC may wish to amend the TUP by adding additional conditions. If selecting this alternative the LTC should specify the additional conditions.

Recommended wording for the resolution is as follows:

*That the Galiano Island Local Trust Committee amend Temporary Use Permit GL-TUP-2023.1 (Parfitt) by adding the following conditions: \_\_\_\_\_; and,*

*That the Galiano Island Local Trust Committee approve Temporary Use Permit application GL-TUP-2023.1 (Parfitt) as amended.*

**4. Deny the application**

The LTC may deny the applications and proceed no further.

Recommended wording for the resolution is as follows:

*That the Galiano Island Local Trust Committee deny Temporary Use Permit application GL-TUP-2023.1 (Parfitt).*

*That the Galiano Island Local Trust Committee deny Development Variance Permit application GL-DVP-2023.1 (Parfitt).*

|               |                                          |               |
|---------------|------------------------------------------|---------------|
| Submitted By: | Kim Stockdill, Island Planner            | March 7, 2023 |
| Concurrence:  | Robert Kojima, Regional Planning Manager | March 7, 2023 |

**ATTACHMENTS**

1. Site Context
2. Applicants letter
3. Notice for TUP and DVP
4. Proposed TUP
5. Proposed DVP
6. Correspondence

## ATTACHMENT 1 – SITE CONTEXT

### LOCATION

|                   |                                                                |
|-------------------|----------------------------------------------------------------|
| Legal Description | Lot D, Section 5, Galiano Island, Cowichan District, Plan 4693 |
| PID               | 006-008-488                                                    |
| Civic Address     | 2517 Sturdies Bay Rd                                           |
| Lot Size          | 0.14 ha (0.35 acres)                                           |

### LAND USE

|                      |                                                                      |
|----------------------|----------------------------------------------------------------------|
| Current Land Use     | Village Residential 2 (VR2)                                          |
| Surrounding Land Use | Village Residential 2 (VR2) and Community Facility/Commercial (CF/C) |

### HISTORICAL ACTIVITY

| File No.     | Purpose                               |
|--------------|---------------------------------------|
| GL-BP-2022.2 | Construction of a workshop/art studio |
|              |                                       |

### POLICY/REGULATORY

|                                      |                                                                                                                                                                                           |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Official Community Plan Designations | Galiano Island OCP No. 108, 1995 Designations <b>VR2 – Village Residential 2</b> ;<br><b>Development Permit Areas: DPA 3 – Tree Cutting – Not applicable to this application.</b>         |
| Land Use Bylaw                       | <p>Galiano Island LUB No. 127, 1999: <b>VR2 – Village Residential 2</b></p>  <p><i>Zoning Map</i></p> |

|                   |                                    |
|-------------------|------------------------------------|
| Other Regulations |                                    |
| Covenants         | None                               |
| Bylaw Enforcement | GL-BE-2022.10 – Non-conforming Use |

## SITE INFLUENCES

|                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Islands Trust Conservancy      | There are no Conservancy covenants or properties in the direct area; therefore The proposal does not impact the ITC and no referral has been made.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Regional Conservation Strategy | The proposal does not impact the objectives and priorities of the Islands Trust Conservancy regional conservation plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Species at Risk                | Sharp-tailed Snake                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Sensitive Ecosystems           | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Hazard Areas                   |  <p><i>Steep Slope Hazard Mapping</i></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Archaeological Sites           | Remote Access to Archaeological Data (RAAD) information indicates there are no archaeological sites on the property but there are areas of high archaeological potential mapped 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 would have nominal impacts on GHG emissions. The nature of the development would expose it limited impacts of climate change. |

**PHOTOGRAPHS: STAFF CONDUCTED A SITE VISIT ON FEBRUARY 13, 2023**



**EXISTING DWELLING UNIT**



**ROOFED STAGE AREA**



**STRUCTURES LOCATED WITHIN FRONT LOT LINE SETBACK (LOOKING SOUTH)**



**STRUCTURES LOCATED WITHIN FRONT LOT LINE SETBACK (LOOKING NORTH FROM STURDIES BAY ROAD)**



**LOOKING WEST TOWARDS NEIGHBOURING HOUSE AND CORNER OF WORKSHOP/MAEKERY LOCATION (AREA FOR POTENTIAL FENCE)**



**WORKSHOP/MAEKERY LOCATION**

## **YHACS ec-fee-sponsorship-application form**

### **Section 3**

#### **Objective of Development Application:**

Yellowhouse Art Centre Society is a non-profit organisation founded in February 2019. It is currently the sole centre for the arts and culture on Galiano Island. It is centrally located, a few minutes-walk away from the ferry terminal and surrounded by stores and cafes in Sturdies Bay area. YHACS is applying for a TUP-combined with a DVP application for parking on setbacks- to be able to comply with the LUB where it rents the VR property on 2517 Sturdies Bay Road.

#### **Describe how the Development Application furthers official community plan goals:**

Yellowhouse Art Centre Society is a not-for-profit organization established in February 2019. It is a centre for arts located on Shxixnetun / Sturdies Bay Galiano Island, the traditional territories of Coast Salish, especially Hul'qumi'num and SENCOTEN speaking peoples. YHACS is an inclusive and safe platform for free artistic expression, a 'makery' as well as a contemporary art venue. Our goal is to help inspire and nurture creativity in our community and beyond. Our purposes are:

- To help inspire and facilitate creativity in our community and beyond.
- To encourage access to space and opportunities for innovative, collaborative and interdisciplinary creativity.
- To provide a safe environment for free expression for all.
- To offer an introduction of arts through educational programming for all ages.
- To help further explorations of artistic practices with ongoing courses, residencies and workshops.
- To support beginner, emerging and established artists to showcase their work through events, exhibitions and live performances.
- To promote connection, collaboration and healing through arts for all members and visitors of an isolated community.
- To support artistic and cultural appreciation and development of the community.
- To support environmental awareness and activities towards equity, decolonization and climate justice.

The centre offers year-round multidisciplinary arts programming by facilitating ongoing art classes and workshops for all ages as well as performances, exhibitions and an artist in residency program.

The TUP combined with the variance application for parking will support the Yellowhouse Art Centre Society's beloved year-round, multidisciplinary arts programming aimed at inspiring and facilitating creativity and free expression in the Galiano Community in a safe, nourishing, and inclusive environment. YHACS promotes connection, culture, and healing through arts. It supports artistic and cultural activities around equity, decolonization, and climate justice. We regularly work with kids, youth, seniors, local artists and organizations such as Galiano Playgroup, Community School, The Conservancy and others since 2019...All members of our community benefit from our beloved programming regardless of their age, financial situation, experience or background. YHACS an important non-profit and a thriving cultural hub in our small island community.

Please see [yellowhouseartcentre.ca](http://yellowhouseartcentre.ca) for more info.

Thank you!

Roksan Parfitt  
Program Coordinator

## **YELLOWHOUSE ART CENTRE SOCIETY (YHACS) TUP APPLICATION**

2517 Sturdies Bay Road, Galiano Island, BC

PID: 006-008-488

Lot D, Section 5, Galiano Island, Cowichan District, Plan 4696

### **Background**

The 'yellow house', located in the heart of Sturdies Bay, Galiano Island, has been used as a home studio for many local artists in the past. Presently, it is owned by Vivian Kohen, and is used as a studio/workshop space by *Yellowhouse Art Centre Society (YHACS)*, a registered non-profit in BC with a mandate to provide multidisciplinary arts programming and facilities to the Galiano Community. YHACS was founded in 2019, by Roksan Parfitt, with support from her mother Vivian Kohen and husband John Parfitt. They have been operating YHACS as a home occupation, under the definition of artistic endeavor.

After four years in operation, YHACS has established itself as part of the fabric of the Galiano community, it has partnered with many of the island's organizations, the local school, and has supported and collaborated with our indigenous community. The work of YHACS is widely supported.

We understand that the type and extent of activity being offered by YHACS may not fit entirely within the definition of a home occupation and we are now applying for a Temporary Use Permit to be able to comply with the Land Use Bylaws and to continue to offer our beloved activities in the community. Please see [www.yellowhouseartcentre.ca](http://www.yellowhouseartcentre.ca)

### **Current Use:**

Residential and home occupation arts studio/workshop

### **Requested Temporary Use:**

Community Arts Centre and Residence

### **Facilities:**

1 x residential dwelling

1 x "Makery" - flexible art workshop / exhibition / education space + washroom (2 toilets + 2 sinks) and office

1 x outdoor classroom, exhibition and event space

9 x dedicated parking spaces

## **Non-profit arts organization activities:**

### General Activities

- We operate between 8AM-10PM.
- We host Art Exhibitions and Performances featuring local and guest artists.
- We make artwork sales to support the artists within scheduled exhibitions. (Not retail)
- We host Creative Workshops (For example; weekly Friday Art with Youth program is in its 4th year)
- We promote use of the “Makery”, an enclosed workshop / studio space, by the community members for creation and teaching purposes.
- We host Short-term artist residencies.
- We host Cultural gatherings and ceremonies.
- We welcome Indigenous community use of the property.
- We host evening/afternoon performances and events up to twelve times per year
  - Maximum duration of 3 hours per performance/event.
  - Special event Parking Plan
  - Operation of a concession stand with special events liquor licence to help with our operating costs at these events.
  - Where events include music/amplified sounds, reasonable levels will be maintained and measured at the property line to not exceed 85db
- We host special day-long events up to two times per year
  - Maximum of ten-hours duration each. (for example; Music and Arts Festival from noon until 10pm).
  - Special event parking provided by Manzanita Building at 33 Manzanita Rd.
  - Operation of a concession stand with special events liquor licence to help with our operating costs at these events.
  - Where events include music/amplified sounds, reasonable levels will be maintained and measured at the property line to not exceed 85db

### Outdoor use

- We will operate between the hours of 8AM -10PM only.
- Weather permitting, some meetings and workshops will be held outside as long as the activity does not include amplified music or other noises or odors that could disturb the neighbourhood.
- Artwork displays.
- Cultural gatherings and ceremonies.
- Indigenous community use.
- Special events and performances in summer and shoulder season

### Makery (flexible workshop/studio space) use:

- Art creation
- Art displays / Exhibitions

- Workshops
- Meetings
- Cultural gatherings and ceremonies
- Indoor performances in the winter months

#### Numbers of Participants:

- Workshops: 6 to 10, maximum 15
- Exhibits, ceremonies, meetings etc.: 5 to 10, maximum 20
- Special events: 20 to 30, maximum 50

#### **Residential Dwelling Use:**

- Dwelling used as the owner's home.
- Short term artist residencies when the house is available.

#### **Signage**

- A community bulletin board displayed by the entrance.
- Temporary non-illuminated signage, in line with the Sturdies Bay Village character, promoting artistic and cultural practices and events.

#### **Water**

- Water supply is a hybrid rainwater collection and groundwater well trickle feed system.
  - Non-potable use (toilets) in Makery supplied by rainwater collection from Makery roof with 20,000 litres of storage. Tanks topped up by trickle feed from well during prolonged periods of drought if required.
  - Domestic use (house) and bathroom sink use in Makery (potable) supplied by groundwater well pumped using trickle feed into a 10,000 litre cistern (to reduce pressure on well) and then run through a standard UV treatment system.
- Water meters will be installed to monitor both groundwater and rainwater use.

#### **Parking**

- 2 x dedicated spaces for residential owner/operator use located on the property, accessed from Sturdies Bay Road.
- 7 x dedicated parallel parking spaces for participants located on the property, accessed from Cain Road.
- 1 x bike rack (up to 4 bikes)
- Special Event Parking Plan:
  - Identify parking coordinator for the event.

- Notify Manzanita Ventures, BC Ferries, South Galiano Fire Department and any other neighbors who may be impacted and / or wish to provide parking.
- Identify available parking for the event and inform event coordinator.
- Event Coordinator determines event capacity
- Ensure event attendees are informed of the limited parking in the Sturdies Bay area.
- Encourage attendees to carpool, bike or walk to the event.
- Parking coordinator manages the parking before, during and after the event.
- Coordinator provides feedback to the event coordinator.

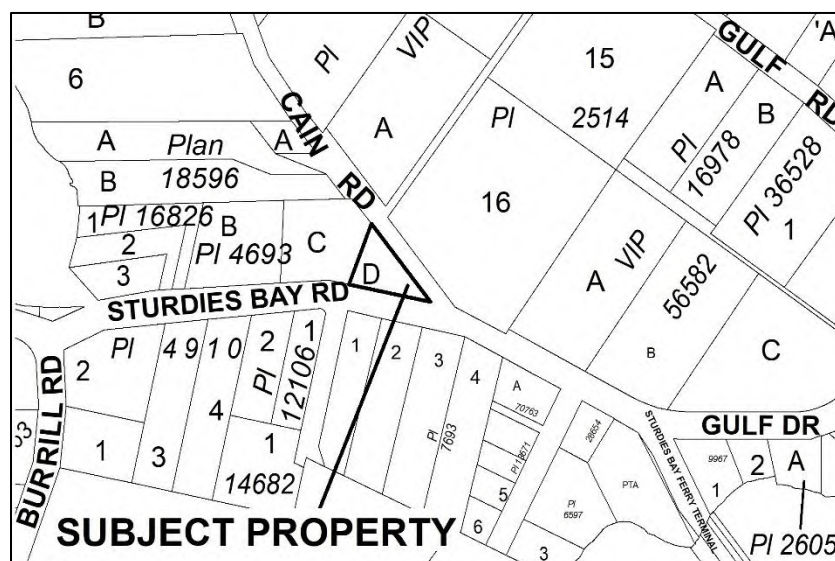
**Please see attached support letter from Ted Prior as a representative of Manzanita Ventures located at 33 Manzanita Road.**

**GL-TUP-2023.1 & GL-DVP-2023.1**  
**NOTICE**  
**GALIANO ISLAND LOCAL TRUST COMMITTEE**

**NOTICE** is hereby given pursuant to Section 494 of the *Local Government Act* that the Galiano Island Local Trust Committee (LTC) will be considering a resolution allowing for the issuance of a Temporary Use Permit. The purpose of this temporary use permit is to permit a community art centre use and short term guest accommodation for artists. The permit would be issued for three (3) years and the owner may apply to the LTC to have it renewed once for up to an additional three (3) years.

**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 would vary the Galiano Island Land Use Bylaw No. 127, 1999, by reducing the front lot line and side lot line to legalize the siting of a dwelling, cisterns, and accessory structures.

The proposed permits would apply to Lot D, Section 5, Galiano Island, Cowichan District, Plan 4693 (PID: 006-008-488). The property is located at **2517 Sturdies Bay Road**. The general location of the subject property is shown in the following sketch:



A copy of the proposed permits 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 **February 27, 2023** and continuing up to and including **March 10, 2023**.

For the convenience of the public only, and not to satisfy Section 494 (2) (c) nor Section 499 (2) (c) of the *Local Government Act*, additional copies of the Proposed Permits may be inspected at various Notice Boards on Galiano Island.

Enquiries or comments should be directed to Kim Stockdill, Island Planner at (250) 405-5157. For Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC: 1-800-663-7867; by fax at (250) 405-5155; or by email to [southinfo@islandstrust.bc.ca](mailto:southinfo@islandstrust.bc.ca) before **4:30 p.m., March 10, 2023**.

The LTC may consider a resolution allowing for the issuance of the permits during the regular business meeting starting at **1:00 p.m., March 14, 2023**.

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



**GALIANO ISLAND LOCAL TRUST COMMITTEE  
TEMPORARY USE PERMIT  
GL-TUP-2023.1 (Parfitt)**

**2517 Sturdies Bay Road**

To: Roksan Parfitt & Vivian Kohen

1. This Permit applies to the land described below:

That portion of:

Lot D, Section 5, Galiano Island, Cowichan District, Plan 4693  
(PID: 006-008-488)

As shown on Schedule 'A' attached to and forming part of this permit.

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

- a) Community Art Centre; and,
- b) Short term guest accommodation for artist(s).

3. The uses shall be carried on subject to the following conditions:

- a) The community arts centre is permitted within all existing and proposed buildings and structures located on the subject property;
- b) The community arts centre is permitted to host workshops, exhibits, and events and must abide by the conditions within this permit;
- c) The hours of operation for the use shall be limited to between the hours of 8:00 a.m. to 10 p.m.;
- d) Workshops are permitted for a maximum of 15 people at one time and workshops must abide by the conditions within this permit;
- e) Medium events (exhibits, ceremonies and meetings) are those with a maximum duration of 3 hours and must abide by the following conditions:
  - i. Parking Coordinator is required and must abide by parking requirements as stated in this permit.
  - i. A maximum number of 30 participants at any one time during the event (this includes those who are managing the event).
  - ii. Provide or sell food or drink in compliance with conditions of this permit.
  - iii. Sound from event must not exceed 85 decibels.
  - iv. A maximum of twelve (12) medium events is permitted within a calendar year.
- f) Large events are those with a maximum duration of 12 hours and must abide by the following conditions:
  - i. Parking Coordinator is required and must abide by parking requirements as

- stated in this permit.
- ii. A maximum number of 60 participants at any one time during the event (this includes those who are managing the event).
- ii. Provide or sell food or drink in compliance with conditions of this permit.
- iii. Sound from event must not exceed 85 decibels.
- iv. A maximum of three (3) large events is permitted within a calendar year.
- g) Food and drink is permitted to be provided and sold during medium and large events and must comply with:
  - iii. Island Health food safety requirements. An application to operate temporary food service may be required from Island Health.
  - iv. BC Liquor and Cannabis Regulation Branch requirements. A Special Event Liquor Permit may be required from the BC Liquor and Cannabis Regulation Branch.
- h) Short term guest accommodation for a maximum of two (2) artists at one time.
- i) Short term guest accommodation for artist(s) must be within the existing dwelling.
- j) Installation of water cistern(s) with a capacity of up to 20,000 Litres.
- k) A water metre to be installed on the subject property's well to monitor use. Water metre data may be requested at time of permit renewal.
- l) Seven (7) parking spaces are required on the subject property for the community arts centre use. Two (2) parking spaces are required on the subject property for the dwelling.
- m) One bike rack to accommodate up to four (4) bikes.
- n) For medium and large events, the following must be completed:
  - v. Identify a Parking Coordinator who manages parking for the event.
  - vi. Event Coordinator informs Parking Coordinator of maximum capacity (which must comply with this permit). Parking Coordinator will create a parking plan, identify overflow parking areas, and inform the Event Coordinator.
  - vii. Parking Coordinator to notify Manzanita Ventures, BC Ferries, South Galiano Fire Department of the event and areas for overflow parking.
  - viii. Two notices must be posted on the subject property (one within front lot line adjacent to Sturdies Bay Road, and one within exterior lot line adjacent to Cain Road), which provides details of the event, hours of the event, and areas of overflow parking.
  - ix. Event Coordinator to encourage carpooling, and other modes of transportation (biking and walking) to attend the event.
  - x. Parking Coordinator manages the parking before, during and after the event.
  - xi. Parking Coordinator provides an overview of the parking management of the event to the Event Coordinator after the event.
- o) A maximum of one (1) unilluminated free-standing sign not exceeding 1.2 m<sup>2</sup> in total sign area (not including the mechanism(s) to support the sign) and one (1) sandwich-board sign are permitted on the property.
- p) The temporary use permitted by this permit shall cease on the date of the expiry of this permit unless the permit is renewed; and,
- q) The holder of this Permit, will be held accountable for any violation of the conditions of this Permit. The Islands Trust Bylaw Investigations Officer may enter the property between the hours of 9:00 am and 5:00 pm on any day without prior consultation with the holder of the Permit for the purpose of investigating a complaint.

4. This permit is valid for three (3) years from date of issuance of the permit and upon expiry of the permit; the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust.
5. 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 approvals from the Capital Regional District, Island Health and Ministry of Transportation and Infrastructure.

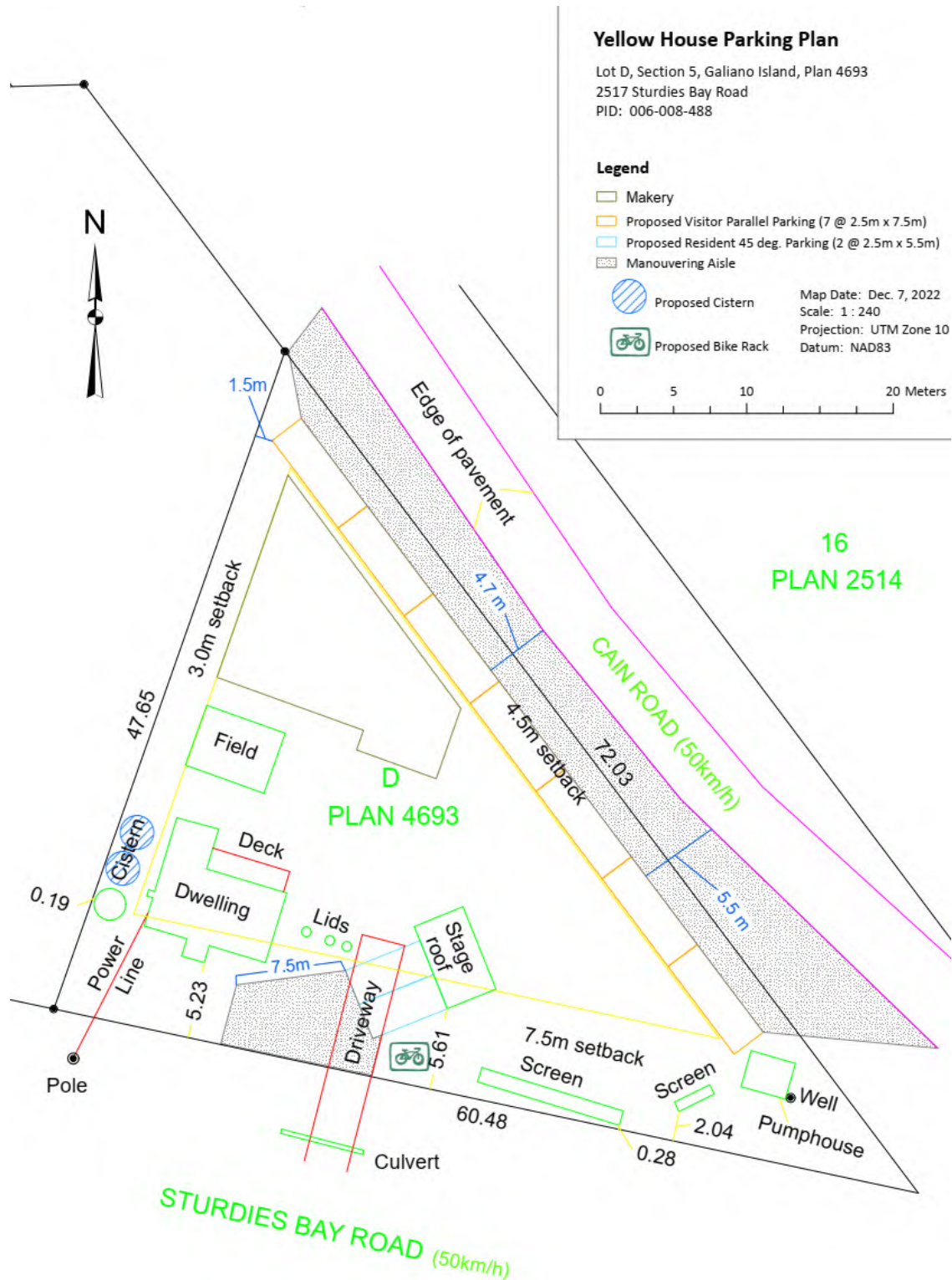
**AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS XX<sup>TH</sup> DAY OF XXX, 2023.**

\_\_\_\_\_  
Deputy Secretary, Islands Trust

\_\_\_\_\_  
Date Issued

GALIANO ISLAND LOCAL TRUST COMMITTEE  
GL-TUP-2023.1 (Parfit)

SCHEDULE 'A' - SITE PLAN





**GALIANO ISLAND LOCAL TRUST COMMITTEE  
DEVELOPMENT VARIANCE PERMIT  
GL-DVP-2023.1**

To: Roksan Parfitt & Vivian Kohen

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

Lot D, Section 5, Galiano Island, Cowichan District, Plan 4693 (PID: 006-008-488)

2. Galiano Island Land Use Bylaw No. 127, 1999 is varied as follows:

- a) Article 5.2.6.1 by reducing the front lot line from 7.5 metres to:
- i. 5.2 metres to legalize the siting of a dwelling,
  - ii. 5.6 metres to legalize the siting of a stage structure,
  - iii. 0.2 metres to legalize the siting of a screen structure, and,
  - iv. 2.0 metres to legalize the siting of a screen structure.

- b) Article 5.2.6.3 by reducing the side lot line from 3.0 metres to 0.2 metres for the siting of cisterns; and,

The variances shall be consistent with Schedule 'A' which is attached to and form 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.
4. Any further development, redevelopment, or any changes to this permit may require a new Development Variance Permit.

**AUTHORIZING RESOLUTION PASSED BY THE GALIANO LOCAL TRUST COMMITTEE THIS XX<sup>TH</sup> DAY OF XXX, 2023.**

\_\_\_\_\_  
Deputy Secretary, Islands Trust

\_\_\_\_\_  
Date of Issuance

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE XX<sup>TH</sup> DAY OF XXX, 20X5 THIS PERMIT AUTOMATICALLY LAPSES.**

SCHEDULE 'A'

**Yellow House Parking Plan**

Lot D, Section 5, Galiano Island, Plan 4693  
2517 Sturdies Bay Road  
PID: 006-008-488

**Legend**

-  Makery
-  Proposed Visitor Parallel Parking (7 @ 2.5m x 7.5m)
-  Proposed Resident 45 deg. Parking (2 @ 2.5m x 5.5m)
-  Manouevring Aisle



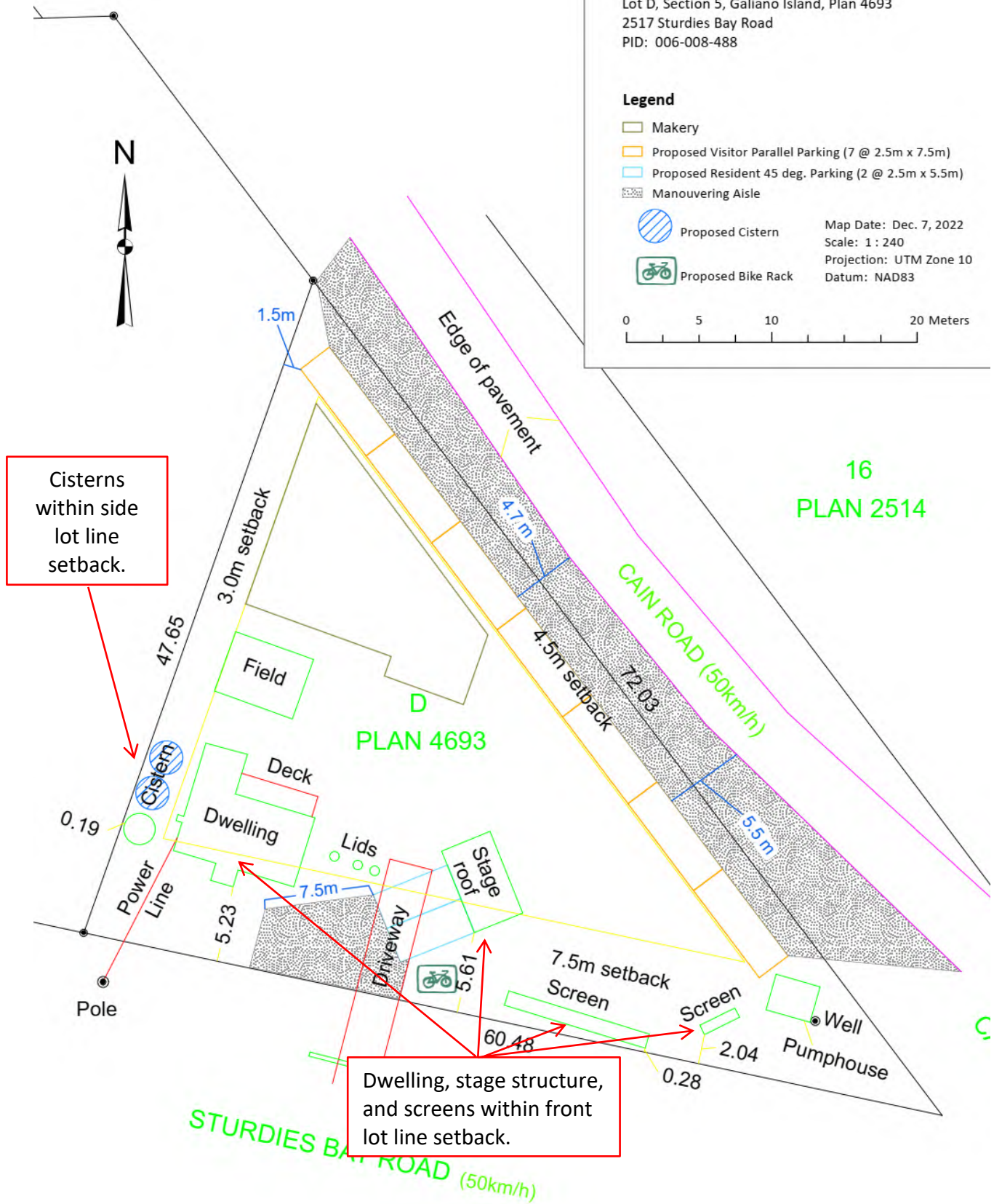
Proposed Cistern



Proposed Bike Rack

Map Date: Dec. 7, 2022  
Scale: 1 : 240  
Projection: UTM Zone 10  
Datum: NAD83

0 5 10 20 Meters





## **SOUTH GALIANO FIRE RESCUE**

To Islands Trust Galiano Island BC

January 9, 2023

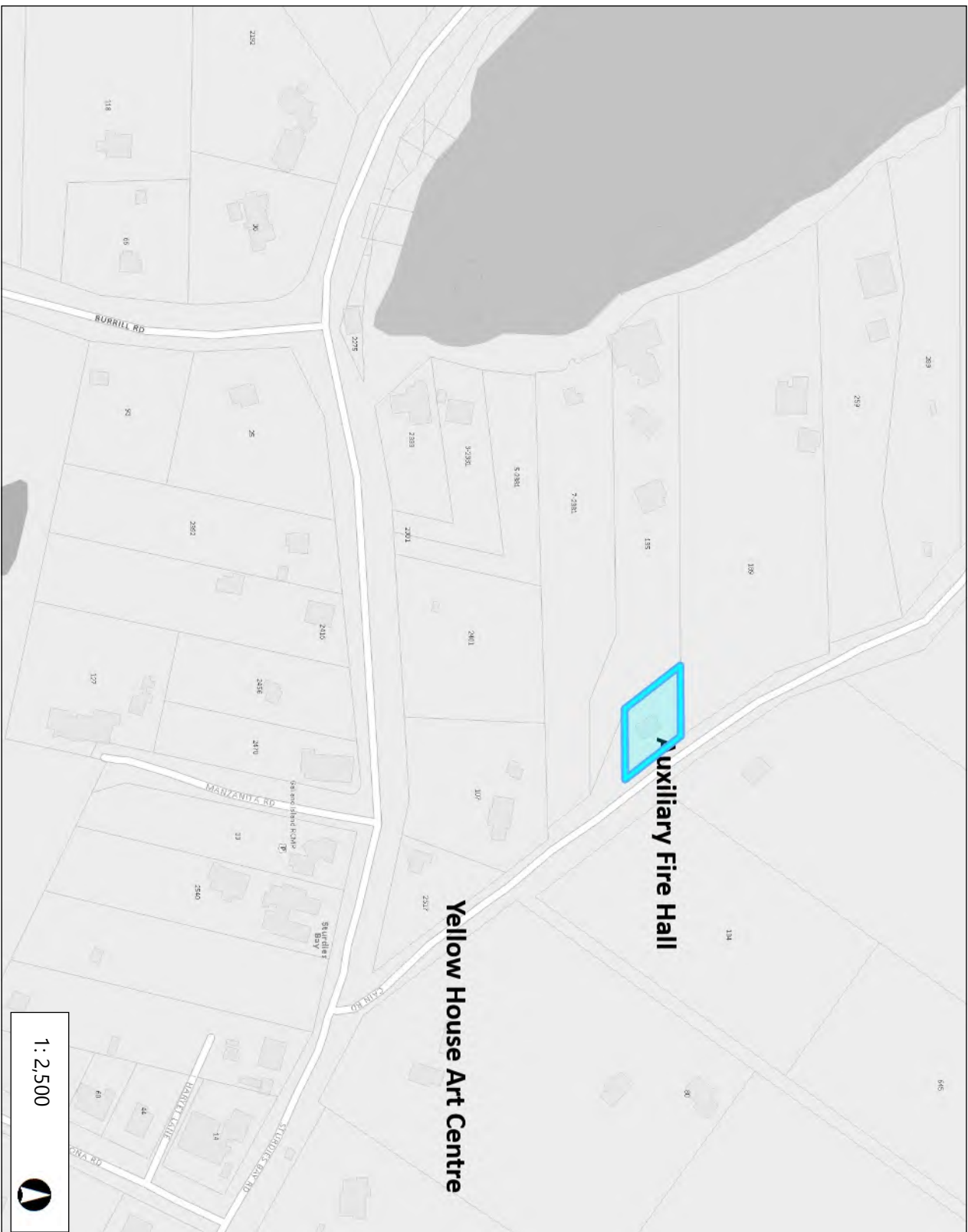
For whom it may concern,

Please accept this letter as an informal agreement between Yellowhouse Art Centre Society and South Galiano Fire Department Society regarding overflow parking during Art Centre events.

We are willing to support the Yellowhouse Art Centre located on 2517 Sturdies Bay Road by allowing them to use eight to ten parking spots around the auxiliary fire hall located at 135 Cain Rd on Galiano Island BC, for occasional events each year such as concerts / performances at the Art Centre.

Scott Sugden  
Fire Chief

Len Hagan  
Society President



Legend

Notes

127.0 0 63.5 127.0 Meters

NAD\_1983\_UTM\_Zone\_10N  
© Capital Regional District

Important: This map is for general information purposes only. The Capital Regional District (CRD) makes no representations or warranties regarding the accuracy or completeness of this map or the suitability of the map for any purpose. This map is not for navigation. The CRD will not be liable for any damage, loss or injury resulting from the use of the map or information on the map and the map may be changed by the CRD at any time.

1: 2,500



**From:** Active Passive <[activepassiveconcerts@gmail.com](mailto:activepassiveconcerts@gmail.com)>

**Sent:** Monday, February 13, 2023 5:56 PM

**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>; Roksan Parfitt <[info@yellowhouseartcentre.ca](mailto:info@yellowhouseartcentre.ca)>

**Subject:** Letter of Support for Yellowhouse Art Centre TUP

Dear Planner Stockdill,

Active / Passive Performance Society would like to submit this letter of support for the Yellowhouse Art Centre application for a TUP.

The Yellowhouse is an integral venue and organization in Galiano's arts and culture community. Their support for our first festival made that event and our organization possible, which launched our successful society that has now produced many events and built its own following and community. Yellowhouse also brings in many musicians and performers that have contributed to the development of a strong jazz audience on the island, which benefits all of the performance organizations on the island.

John and Roksan have skills for organizing, visual arts, sculpture, community building and curation that are huge assets to the community, skills that are furthered by allowing them to continue their work at this location.

Additionally, the events and exhibitions that John and Roksan prioritize are those that contribute to the mandate of the Islands Trust. They host events and exhibitions about the environment and stewardship, and about reconciliation. These activities actively further the IT mandate while also being a big draw for our residents - a win-win for the Trust.

In short, losing the Yellowhouse as an Art Centre would be detrimental to our entire community. Allowing a TUP at this location will provide the community with integral culture supports that no other group or venue on the island offers.

Thank you for your consideration,

Caitlin Pencarrick Hertzman (she/her) and Amos Hertzman (he/him)  
Curators/Producers

Active / Passive Performance Society  
[activepassive.ca](http://activepassive.ca)

**From:** Gale Stewart <[REDACTED]>  
**Sent:** Monday, February 13, 2023 2:39 PM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** Yellow House Application

To you Kim and to others it may concern:

Please accept this email as written support of the Yellow House and their work for the arts in the Galiano community.

Roksan (as a recognized artist) and her volunteers are a true example of how community should be cared for. Perhaps and even more importantly, how Galiano Youth are being cared for by the Yellow House as they develop and offer their creative gifts within community.

I fully support the Yellow House and ask that a Temporary Use Permit be issued. If I can offer any other support for their application, don't hesitate to call.

Respectfully,  
Gale Stewart  
[REDACTED]

*In the spirit of Leah,*

**Gale Stewart**  
[REDACTED]  
[REDACTED]

From: [REDACTED] >  
Sent: Wednesday, February 15, 2023 9:44 AM  
To: Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
Subject: Yellowhouse Art Centre Application.

To whom it may concern

I would like to express my support for Yellowhouse Art Centre's temporary use permit. Yellowhouse has been providing top quality entertainment to our community on Galiano and if we lost Yellowhouse it would be a real tragedy. We have very few appropriate venues for live music on Galiano and Yellowhouse has filled that gap, it is essential that you grant this application and I urge you to please do so.

Thank you for your consideration.  
Daniel Elmes

**From:** George Harris <[REDACTED]>  
**Sent:** Saturday, February 18, 2023 8:22 PM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** Yellow house

To the Galiano LTC,  
I strongly urge you to approve a TUP for the Yellow House. Although it would be difficult but I also urge you to find some financial support to offer this endeavour. You could at the very least refund any monies that have been paid in application fees. Thank you for supporting this essential community gift.

Warm regards George Harris, [REDACTED]

**From:** BrianHelen Russell <[REDACTED]>  
**Sent:** Thursday, February 16, 2023 11:23 AM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** In Support of the Yellowhouse Art Centre

My husband and I wholly support the application of the Yellowhouse Art Centre for a Temporary Use Permit. The house has a long history on Galiano, and its preservation is valuable to the community.

You will likely already know that it was the home of Elisabeth Hopkins - a noted writer and painter. "Hoppy" as she was known here emigrated from England in 1954 having gone to "the offices of the Royal Mail Lines in 1954 to enquire about Canada. Told that Victoria was the last port of call, she bought a one-way ticket just prior to her 60th birthday." She worked there for ten years, retiring to Galiano in 1964. "Her career as an artist began later on in her life at the age of 81, when a small painting was purchased for \$5 at a local arts and crafts fair by Vancouver artist John Korner. Soon after, Xisa Huang, the director of a Vancouver art gallery, visited Hopkins and purchased the rest of her paintings. She exhibited work in the 1970s and '80s at the Bau Xi Galleries in Toronto and Vancouver, and her children's book *The Painted Cougar* was published in 1977 by Talon Books. At the age of 88 she was the subject of a National Film Board documentary entitled, 'Hoppy: A Portrait of Elisabeth Hopkins' in which she is interviewed while painting." She spent her last years on Salt Spring Island, and is buried on Galiano Island very near her neighbours - [REDACTED]

"The 'Yellow house' was built in 1946 by a local resident Nick Nichols [I could not find any information about him] on Coast Salish territories. Since then it has been a home studio for a number of local artists such as Claude Latour, Bara Fallows, Elisabeth Hopkins, John Wincup and more... Following their footsteps, the Yellowhouse has become an art centre, founded in 2017 and it was registered as a BC Society in 2019." In recent years the Yellowhouse Art Centre has hosted a wide range of events for young and old alike. It deserves our support.

Sincerely,  
Helen and Brian Russell

**From:** Rachael Peters <[REDACTED]>  
**Sent:** Friday, February 24, 2023 2:06 PM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** The Yellowhouse Art Centre Society

Dear Kim Stockdill,

I am writing in support of the Yellow House on Galiano being granted a T.U.P. to continue their work as an arts centre. The Yellow House might be the smallest art centre in B.C. but it is a jewel in the community here. They provide a welcoming space for small group art workshops, art with kids, exhibitions and small scale art events including music and dance, bringing in artists from the wider world that might not otherwise come to the island. The Yellow House Art Centre Society is currently the only place that provides these opportunities on Galiano, the community would suffer greatly without it.

The yellow house has benefited my art career personally by providing a place to take professional photographs of my art work and also as an art focused place to meet a journalist for an art related interview.

Please grant The Yellow House a T.U.P and enable the continuation of this valuable art space in the community,

With thanks,  
Rachael Peters

-----Original Message-----

From: Jessica Hallenbeck [REDACTED]  
Sent: Wednesday, March 1, 2023 11:53 AM  
To: Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
Subject: Yellowhouse Support Letter

Hello!

Please see attached - thank you

Jessica Hallenbeck, PhD, RPP  
Producer, Lantern Films  
Banting Postdoctoral Fellow, Queen's University Hot Docs and DOC Board Member

March 1, 2023

**To Islands Trust,**

I would like to submit this letter of support for the Yellowhouse Art Centre Society's application for a Temporary Use Permit.

The Yellowhouse Art Centre is a great venue and organization supporting Galiano Islands' arts and culture scene.

I am the co-curator of THE WATER WE CALL HOME ([www.thewaterwecallhome.com](http://www.thewaterwecallhome.com)) and without the Yellowhouse, this exhibition would never have been possible. Their support was central to making the exhibition happen. The exhibition provided an important touchstone for Galiano Island Residents and Visitors into a deeper understanding of the Indigenous pasts, presents, and futures on the island. This work is critical, builds community, and must continue.

Losing the Yellowhouse as an Art Centre would be detrimental to our entire community. Allowing a TUP at this location will provide the community with integral culture supports that no other group or venue on the island offers at this time.



Jessica Hallenbeck, PhD, RPP

**From:** joan Henriques <[REDACTED]>  
**Sent:** Wednesday, March 1, 2023 3:32 PM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** The Yellow House

Dear Planner Stockdill Islands Trust  
February 1, 2023

This is a letter of support for the Yellowhouse Art Centre Society's application for a Temporary Use Permit. The Yellowhouse Art Centre is a wonderful venue. The organization supports Galiano Island's arts and culture scene. I have benefited so very much from participating in the activities provided by Roksan and others at the Yellowhouse. It offers social and artistic support and much more. When I moved to Galiano as a senior from England in 2017 the Yellow House was one of the first places I visited to meet people, practice my art and learn more about the community. When the venue was open I participated almost every Tuesday during the adult afternoons. I miss it very much.

The concerts and displays arranged by the Yellowhouse support local artists and are a joy for all participants. The ethos of the Yellowhouse is inclusive and valuing of our precious environment. I strongly feel that if we lost the Yellowhouse as an art centre we would lose something of immense value to the whole community. A TUP (Temporary Use Permit) for the Yellowhouse to continue would provide support and joy to so many on Galiano Island. There is nowhere else like it on the island.

Thank you for your consideration,  
Yours sincerely  
Joan Henriques

**From:** Carole Bondaroff <[REDACTED]>  
**Sent:** Thursday, March 2, 2023 9:55 PM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** Yellow House Letter of Support

Our support for the Yellow House:  
CAROLE BONDAROFF and STAN PHELPS  
[REDACTED]

Date March 2, 2023

**To Islands Trust,**

I would like to submit this letter of support for the Yellowhouse Art Centre Society's application for a Temporary Use Permit.

The Yellowhouse Art Centre is a great venue and organization supporting Galiano Islands' arts and culture scene.

We have been involved as Artists, presenting workshops for children, all of whom thoroughly enjoyed participating and learning new, creative skills.

Furthermore, we support that The Yellow House hosts concerts and exhibitions that support our local artists.

Losing the Yellowhouse as an Art Centre would be detrimental to our entire community. Allowing a TUP at this location will provide the community with integral culture supports that no other group or venue on the island offers at this time.

Thank you for your consideration,

Name CAROLE BONDAROFF and STAN PHELPS



**From:** Christina Kovacevic <[REDACTED]>  
**Sent:** Thursday, March 2, 2023 12:38 PM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** Yellow House

Dear Kim,

We are writing this letter in support of the Yellow House's TUP application. The programs offered by the Yellow House are important to our family, both adults and children:

- My mother, Jeanne Erickson, puts on art shows at the YH
- My children attend the art classes on Fridays. There are no other art classes offered to children on the island
- I attend and volunteer at the music events hosted there and often bring my family

The Yellow House has a tremendous, positive impact on our family and community and we would like to look forward to many more years of spending time in that beautiful space.

Sincerely,  
Christina, Jovan, Nova and Erik Kovacevic

**From:** Chief NGVFD <[chiefngvfd@gmail.com](mailto:chiefngvfd@gmail.com)>

**Sent:** Thursday, March 2, 2023 4:09 PM

**To:** Galiano Planner <[galianoplanner@islandstrust.bc.ca](mailto:galianoplanner@islandstrust.bc.ca)>; Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>

**Cc:** Lisa Gauvreau <[lgauvreau@islandstrust.bc.ca](mailto:lgauvreau@islandstrust.bc.ca)>; Ben Mabberley <[bmabberley@islandstrust.bc.ca](mailto:bmabberley@islandstrust.bc.ca)>

**Subject:** 2 Fire Departments on Galiano Island & GL-TUP-2023.1 & GL-DVP-2023.1

Since the 1950s, there has been 2 Fire Departments on Galiano Island.

They are:

North Galiano Volunteer Fire Department,  
19400 Porlier Pass Road, Galiano Island BC V0N 1P0  
and

South Galiano Volunteer Fire Department,  
261 Georgeson Bay Road, Galiano Island BC V0N 1P0

The dividing line runs north from between DL43 & 41 to between DL 45 & 39.

Please update your records.

Canada Post has informed me that letters addressed to:

Galiano Volunteer Fire Dept

Porlier Pass Rd

Galiano Island BC V0N 1P0

will no longer be delivered as there is no such entity nor address.

Regarding GL-TUP-2023.1 & GL-DVP-2023.1, North Galiano Volunteer Fire Department's interests are unaffected by the proposal.

Karen Harris (she/her/hers),

Fire Chief,

North Galiano Volunteer Fire Department,  
19400 Porlier Pass Road, Galiano Island BC V0N 1P0  
250-539-5453; 250-539-0204

[chief.ngvfd@gmail.com](mailto:chief.ngvfd@gmail.com)

**From:** Virginia Monk Dave Ages <[REDACTED]>  
**Sent:** Thursday, March 2, 2023 6:07 PM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Cc:** Roksan <[info@yellowhouseartcentre.ca](mailto:info@yellowhouseartcentre.ca)>  
**Subject:** TUP for the Yellowhouse Art Centre on Galiano Island

We live on Galiano Island [REDACTED] to the Yellowhouse Art Centre. In the short time this Centre has existed it has become a key element in the cultural fabric of our Island. We were very pleased to hear about the Centre's plans for expansion and development. We look forward to benefiting from its programming for many years to come.

We urge the Trust to grant its application for a TUP and to provide whatever other support it can to this important institution.

With much gratitude,

Dave Ages and Virginia Monk  
[REDACTED]

**From:** Annette Shaw <[REDACTED]>  
**Sent:** Saturday, March 4, 2023 9:27 AM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** Yellowhouse Art Centre, Galiano

March 4, 2023

Islands Trust  
Kim Stockdill

Dear Ms Stockdill,

I would like to add my enthusiastic support for a Temporary Use Permit for the Yellowhouse Art Centre here on Galiano Island.

The Yellowhouse has provided years of art exhibits, art classes, musical events, and is the only venue of its kind here.

Roksan Parfitt, founder of Yellowhouse, has generously provided space for creative expression of all kinds for all ages.

It is a bright light on Galiano's landscape!

PLEASE grant Yellowhouse a T.U.P., so it can continue its wonderful and essential work!

Thank you so much.

Yours sincerely,

Annette Shaw

[REDACTED]  
Galiano  
[REDACTED]

From: Beverly Paterson <[REDACTED]>  
Sent: Sunday, March 5, 2023 8:13 AM  
To: Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
Cc: Yellowhouse Roksan Kohen <[info@yellowhouseartcentre.ca](mailto:info@yellowhouseartcentre.ca)>  
Subject: Yellow House Gallery and Arts Center

Hello Ms Stockdill,

I am writing in support of the renewal of the Yellow House's temporary use permit.

Yellow house is perfectly located for both residents and tourists alike. Its central location and easy recognition is a beacon for art lovers (and makers) on Galiano. It is a place where locals and tourists alike can come to admire and buy Galiano art.

It is also a tourist attraction for the island, and an obvious participant in "Arts on the Islands", joining all other southern Gulf Islands in creativity and economic contribution.

The Yellow House is a great example of Galiano ingenuity, and the effort of a Galiano resident to create a business here, becoming an important part of the island economy and society.

If the mark of a progressive society is its attention to the arts, Yellow House provides the opportunity to showcase, create, and learn about art on Galiano. It is an important part of our island culture.

Many thanks  
Beverly Paterson  
[REDACTED]

Galiano

Monday March 6, 2023

Attention: Kim Stockdill and the Islands Trust Committee,

Please accept this letter as confirmation of my wholehearted support of the *Yellowhouse Art Centre Society's* application for a Temporary Use Permit, and my strong recommendation that the Trust approve it.

I submit this letter as a resident of what is colonially known as Galiano Island since early 1994 (29 years), Executive Director of a local non-profit that helps build the creative capacities of youth from equity-deserving communities, and a strong supporter of sustainable community economic development.

In a relatively short span of time the *Yellowhouse Art Centre* (YHAC) has become an essential cultural hub in this community. It truly offers something for everyone--supporting seasoned and budding artists, and providing innovative and important cultural programming, exhibitions and events that engage locals and visitors alike.

In addition to participating in workshops, and attending events, I have had the privilege of collaborating with *Yellowhouse* and witnessing first-hand the deep care, integrity and community-mindedness they bring to all that they do.

This thriving and vibrant community space is exactly the kind of thing we should be supporting, not opposing! It would be a devastating and utterly unnecessary loss for this community if the *Yellowhouse* was forced to shut down because of the self-interested complaints of a single neighbour.

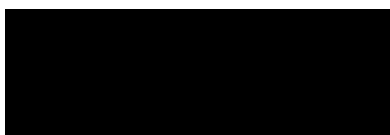
On that note, and as an aside, I believe the Trust should seriously reconsider its reliance on *complaints* to drive the by law enforcement process. This blunt mechanism only feeds corrosive NIBYism, and undermines a wholistic approach to community development.

Thank you for taking the time to read this and the many others letters of support for this beloved space that you will surely receive.

I sincerely hope you will be able to see the vital importance of supporting their TUP application, and supporting this communities cultural vitality in the process.



Deblekha Guin



**From:** michele cantelon <[REDACTED]>  
**Sent:** Monday, March 6, 2023 6:20 PM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** letter re Yellowhouse Art Centre on Galiano Island BC

March 6 2023

**To Islands Trust,**

I would like to submit this letter of support for the Yellowhouse Art Centre Society's application for a Temporary Use Permit.

I have worked as an instructor of both children's and adult's arts and crafts programs, and a preschool teacher throughout my life. I believe it is of paramount importance that artistic and cultural programming be available to both children and adults in a small community like Galiano and YHAC makes that possible.

I have been fortunate to be able to offer classes on Galiano Island because of YHAC's support for the arts and culture with both conventional and unique programming made available to the island's residents and their children. I have also participated in adult art classes at YHAC that have presented numerous opportunities for learning but also fostered community connection with others on the island. In addition, their art exhibitions have provided extensive support for our local artists and empowered me to share my own artistic work with the community at large.

In my opinion, if Galiano was to lose YHAC it would be a monumental loss to the Galiano community. This center is vital for accessible artistic and cultural programming on the island and losing it would be extremely detrimental to the island's community.

I would like to request that you support their application for a TUP so that they might continue to provide their vital services to the Galiano community through their artistic, musical and cultural programming in the future.

Thank you for your consideration,

Michele Cantelon

[REDACTED]

**From:** Michelle Fox <[REDACTED]>  
**Sent:** Monday, March 6, 2023 9:39 AM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** support for the yellow house

March 6 2023

**To Islands Trust,**

I would like to submit this letter of support for the Yellowhouse Art Centre Society's application for a Temporary Use Permit.

The Yellowhouse Art Centre is a great venue and organization supporting Galiano Islands' arts and culture scene.

I live on Galiano Island. And have enjoyed the art shows and performance brought by the yellow house. I love the community vibe and support for artists and art in general that the Yellowhouse brings. I also have had my art displayed at the Yellowhouse.

Losing the Yellowhouse as an Art Centre would be detrimental to our entire community. Allowing a TUP at this location will provide the community with integral culture supports that no other group or venue on the island offers at this time.

Thank you for your consideration,

Michelle Fox

**From:** Roisin Adams <[REDACTED]>  
**Sent:** Monday, March 6, 2023 2:29 PM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** Support Letter for The Yellowhouse Arts Centre TUP application

Hello Kim,

Please see my support letter for The Yellowhouse Arts Centre TUP application below. Thank you very much,

Róisín Adams

To whom it may concern;

Since my first-ever visit to Galiano Island in August 2019 as the first official Artist in Residence at The Yellowhouse Arts Centre, I have become ensconced in the arts community on the Island. This initial visit spurred multiple residencies and collaborations that continue to this day. These connections and creations are a direct result of the community outreach and artistic invigorations made by this small non-profit arts organization. I have performed, volunteered, composed, collaborated, led youth workshops and supported artists at this particular venue since August 2019, even throughout the pandemic when I had little to no work as a self-employed musician, I still felt like I was connected and contributing to a larger artistic community through this establishment. Their year-round arts programming and seasonal festivals reflect their values to make and proliferate creators of art regardless of age and experience. To have made such strong and lasting connections to this place on a small gulf island from the City of Vancouver is a testament to the great and hard work of the people behind this organization. It is my whole-hearted belief that this Arts Centre lives by their values and does immeasurable good for their communities, small and large. I hereby announce my full support of The Yellowhouse Arts Centre's Temporary Use Permit application. Please feel free to contact me if anything else is necessary to show my support.

Thank you ever so much,

Róisín Adams  
Composer | Pianist  
[www.roisinadams.com](http://www.roisinadams.com)  
[REDACTED]

**From:** Wendy Lloyd <[REDACTED]>  
**Sent:** Monday, March 6, 2023 8:56 AM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** Yellowhouse

This is a letter of support for the Yellowhouse art center on Galiano Island. I am a grandmother who has sent my grandchildren on many occasions during school holidays to programs offered by Roxanne. These have been well received by our family and very necessary as there are very limited opportunities for extra curricular activities for schoolchildren on this island. A Grateful Grandmother, Wendy Lloyd.

**From:** j oakley <[REDACTED]>  
**Sent:** Tuesday, March 7, 2023 10:59 AM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** Letter of support for Yellow House on Galiano

Hello Planner Stockdill,

I wanted to take the time to lend my support to the application from the Yellow House Art Centre for a Temporary Use Permit. This will give them an opportunity to see how it will work and if they want to continue at a later date to rezone.

I have seen first hand how positive an impact this centre has had, for people of all walks of life and of all generations. I wish it had been here when my son was younger.

Happy to see more diverse offerings on this lovely island.

Sincerely,  
Janice Oakley

To Islands Trust Galiano Island BC  
Date January 7, 2023

For whom it may concern,

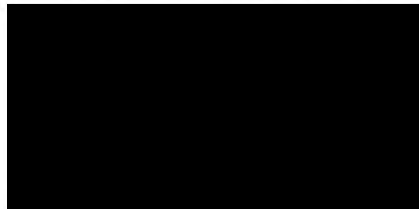
We have been approached by John and Roksan Parfitt of the Yellowhouse Art Centre to provide parking during some evenings and weekends for their art centre activities. We are happy to support any local small business or organisation with the ample after-hours parking we have on site. We believe small island communities require cooperation between neighbors and organisations to utilise the limited resources available.

Please accept this letter as a supporting document for Yellowhouse Art Centre Society regarding their overflow parking during their events.

We have reviewed the Parking Plan and support the process it represents. We look forward to continued communication with the Yellowhouse regarding Community access to the Sturdies Bay area.

As the owners, we are willing to support the Yellowhouse Art Centre Society, located on 2517 Sturdies Bay Road as well as any other local small businesses or organisations by allowing them to use the over flow parking behind the Manzanita Building at 33 Manzanita Rd, Galiano Island, BC V0N 1P0, after-hours for their limited number of events such as concerts / performances. Please contact us if you have any questions or concerns.

Ted Prior  
Manzanita Ventures



DATE OF MEETING: March 14, 2023  
TO: Galiano Island Local Trust Committee  
FROM: Narissa Chadwick, Island Planner  
Southern Team  
COPY: Robert Kojima, Regional Planning Manager  
SUBJECT: Groundwater Implementation: Bylaws 283 and 284 First Reading

## RECOMMENDATION

1. That the Galiano Island Local Trust Committee Bylaw No.283 cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2022” be read for the first time.
2. That the Galiano Island Local Trust Committee Bylaw No. 284 cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2022” be read for the first time.
3. That the Galiano Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No.283 cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2022” and Bylaw No. 284 cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2022” are not contrary to or at variance with the Islands Trust Policy Statement.
4. That the Galiano Island Local Trust Committee request staff schedule a public hearing for Bylaws No. 283 and 284.

## REPORT SUMMARY

This staff report provides proposed amendments to the DPA exemptions contained in Bylaw No. 283 to address Trustee direction at the February 2023 LTC meeting .

## BACKGROUND

At the February 2023 LTC meeting the following resolution was passed:

**It was Moved and Seconded,**

that the Galiano Island Local Trust Committee direct staff to look into inclusion of FireSmart exemptions and First Nations land ownership in the Groundwater Sustainability Implementation Project.

The proposed changes addressing this resolution are as follows (see amendments in yellow).

- a) Emergency actions required to prevent, control or reduce an immediate threat to human life, the natural environment or public or private property including:

- i. Forest fire protection measures;
  - ii. Flood and erosion protection works;
  - iii. Protection, repair or replacement of public facilities;
  - iv. Clearing of an obstruction from a bridge, culvert, dock wharf or stream; or
  - v. Bridge repairs.
- b) Works undertaken by a local government or a body established by a local government.
- c) Works authorized under a provincial statute.
- d) Land owned by a person with federal Indigenous status living in their traditional territory with proof of Indigenous family lineage.

Draft bylaws and background/details related to the bylaws can be found in the [February 7, 2023 Staff Report](#) and other reports posted on the [Galiano projects webpage](#).

## NEXT STEPS

If the recommendations are supported by the LTC staff will:

- Schedule Public Hearing
- Provide the LTC with a staff report including all comments received
- Present bylaws to LTC for Second and Third reading

|               |                                          |               |
|---------------|------------------------------------------|---------------|
| Submitted By: | Narissa Chadwick, RPP, Island Planner    | March 7, 2023 |
| Concurrence:  | Robert Kojima, Regional Planning Manager | March 7, 2023 |

## ATTACHMENTS

1. Bylaw 283
2. Bylaw 284
3. Islands Trust Policy Statement Checklist

# DRAFT

## GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 283

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

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The Galiano Island Local Trust Committee in open meeting assembled enacts as follows:

**1. CITATION**

This Bylaw may be cited for all purposes as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2022”.

**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                                        | _____ | DAY OF | _____ | 20____ |
| 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 MUNICIPAL AFFAIRS THIS               | _____ | DAY OF | _____ | 20____ |
| ADOPTED THIS                                                  | _____ | DAY OF | _____ | 20____ |

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY

**GALIANO ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 283**

**SCHEDULE 1**

The Galiano Island Official Community Plan No. 108, 1995, is amended as follows:

1. Table of Contents Section V is amended by deleting “4. Development Permit Area 4 – Elevated Groundwater Catchment Areas” and replacing it with “4. Development Permit Area 4 – Groundwater Recharge Protection”.
2. Section II Land Use, Residential Policy “o)” is amended by deleting “Community, Sport and Cultural Development” and replacing it with “Municipal Affairs”.
3. Section II Land Use, Subsection 5.4 Light Industry, Light Industry Advocacy Policy “m)” is amended by inserting “recharge and” after “groundwater” and before “catchment areas”.
4. Section III Services, Subsection 2 Water Supply, Water Supply Objectives is amended by deleting Objectives 1-4 in entirety and replacing with:
  - “1) to ensure an adequate supply of potable freshwater to all users now and into the future,
  - 2) to ensure that groundwater use, and alteration to the land does not pollute or otherwise increase the vulnerability of groundwater regions,
  - 3) to protect critical groundwater recharge areas by evaluating land use decision based on available groundwater vulnerability data and applying the precautionary principle to land use decisions, and
  - 4) to consider and address climate change impacts on freshwater supply and quality.”
5. Section III Services, Subsection 2 Water Supply, Water Supply Policies is amended by deleting policy “a)” in its entirety and replacing it with:
  - “a) Areas identified to be key areas for water supply , fresh water catchment, storage and recharge shall be preserved and protected.

Land identified through groundwater recharge mapping to have significant recharge potential shall be designated as a development permit area for the protection of the watershed.”

6. Section III Water Supply, Water Supply Policy “b) vi)” is amended by deleting “elevated groundwater catchment” and replacing it with “groundwater recharge protection”.
7. Section III Water Supply, Water Supply Policies is amended by removing policy “c)” in its entirety and replacing it with “c) Regulations may require new developments to provide cisterns.”
8. Section IV Conservation and Environment is amended by deleting all instances of “Fresh Water” and replacing them with “Freshwater”.
9. Section IV Conservation and Environment, Freshwater Advocacy Policies is amended by deleting “and the Provincial Ministry of Environment, Ministry of Transportation and Infrastructure, and Ministry of Forests, Lands and Natural Resource Operations” and replacing it with “and relevant Provincial Ministries”.
10. Section V Development Permit Areas is amended by deleting subsection “4. Development Permit Area 4-Elevated Groundwater Protection” in its entirety and replacing it with:

**“4. Development Permit Area 4 – Groundwater Recharge Protection**

**4.1 Description of Area**

Development Permit Area 4 includes critical groundwater recharge areas identified on Schedule G. Critical groundwater recharge areas contain hydrogeological conditions that facilitate aquifer recharge and/or transmit contaminants to an underlying aquifer. Factors considered in the identification of critical aquifer recharge areas include topography, remote sensing, satellite multispectral analysis depth to water table, presence of highly permeable soils, land-cover analysis, structural geology, presence of flat terrain, and the presence of more permeable surficial geology.

**4.2 Authority**

The Groundwater Recharge Protection Development Permit Area is designated a development permit area pursuant to Section 488(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity and Section 488(1)(i) of the *Local Government Act* for the establishment of objectives to promote water conservation.

**4.3 Special Conditions and Objectives that Justify the Designation**

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

It is Provincial legislation in Section 473(1)(d) of the Local Government Act that an official community plan must include statements and map designations for the area covered by the Plan respecting restrictions on the use of land that is environmentally sensitive to development.

The Islands Trust Council has committed to identifying, protecting and, where possible, restoring or rehabilitating groundwater recharge areas in the Trust Area.

It is policy of the Islands Trust Council that Local Trust Committees 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, and
- the quality and quantity of drinking water sources for current and future Trust Area residents is preserved and protected, and
- the overall health of watersheds and ground water in the Islands Trust Area is protected.

Mapping of recharge and water balance completed in 2021 for Galiano Island identifies that the island has a number of areas of critical concern with respect to groundwater vulnerability.

The Objectives of the development permit area are:

- to protect and sustain access to a reliable and safe supply of drinking water for groundwater wells
- to protect and sustain the quality and supply of surface and groundwater necessary to the provision of ecological services
- to mitigate the impacts of development and climate change on groundwater supplies

#### **4.4 Development Approval Information**

The Groundwater Recharge Protection DPA is also designated an area for which development approval information (DAI) may be required according to Section 485(1) of the *Local Government Act*. The designation of these areas for this purpose is based on the special conditions or objectives supporting the designation of the DPA. Development approval information means information on the anticipated impact of the proposed activity or development on the community or the natural environment.

#### **4.5 Applicability**

A development permit is required for the subdivision of land, construction of, addition to or alteration of a building or other structure, or land alteration, including the cutting of trees, unless exempted below.

#### **4.6 Development Permit Exemptions**

The following activities are exempt from any requirement for a development permit:

- a) Development for which Islands Trust has been provided with a written statement from a registered professional hydrogeologist with relevant experience certifying that the proposed would have no impact on critical groundwater recharge.

- b) Repair, maintenance, alteration, additions to, or reconstruction of existing lawful buildings, structures or utilities, including those that are lawfully non-conforming (a building permit may still be required).
- c) Dwellings, cottages, accessory buildings and structures, and associated land alteration that are clustered within a residential home plate not exceeding an area of 1000m<sup>2</sup>, and one access driveway and overhead utility lines and poles outside of the residential home plate
- d) Land that is subject to a conservation covenant under section 219(4) of the *Land Title Act* in relation to natural, environmental, wildlife or plant life value relating to the land, granted to the Local Trust Committee or a covenantee designated under section 219(3)(c) of the *Land Title Act*.
- e) Repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving asphaltting or similar surfacing.
- f) Removal of invasive species.
- g) Cutting and removal of up to 5 trees per hectare (with a trunk diameter greater than 20 centimetres measured 1.5 metres above the ground) within a 12-month period on any one lot.
- h) Removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property.
- i) Farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2), (3), (4) and (5) of the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*.
- j) Forest management activities, as defined in the *Private Managed Forest Land Regulation*, on land classified as managed forest land under the *Private Managed Forest Land Act*.
- k) The construction of an accessory building or structure with a lot coverage of less than 100m<sup>2</sup>.
- l) Construction of trails or fences that does not alter contours of the land.
- m) Emergency actions required to prevent, control or reduce an immediate threat to human life, the natural environment or public or private property including:
  - i. Forest fire protection measures;
  - ii. Flood and erosion protection works;
  - iii. Protection, repair or replacement of public facilities;
  - iv. Clearing of an obstruction from a bridge, culvert, dock wharf or stream; or
  - v. Bridge repairs.
- n) Works undertaken by a local government or a body established by a local government.
- o) Works authorized under a provincial statute.

- p) Land owned by a person with federal Indigenous status living in their traditional territory with proof of Indigenous family lineage.

#### 4.7 Guidelines

The *Local Government Act* prohibits construction of buildings and structures and the alteration of land and subdivision in Development Permit Area 4 unless the owner first obtains a development permit. Development permits will be issued in accordance with the following guidelines.

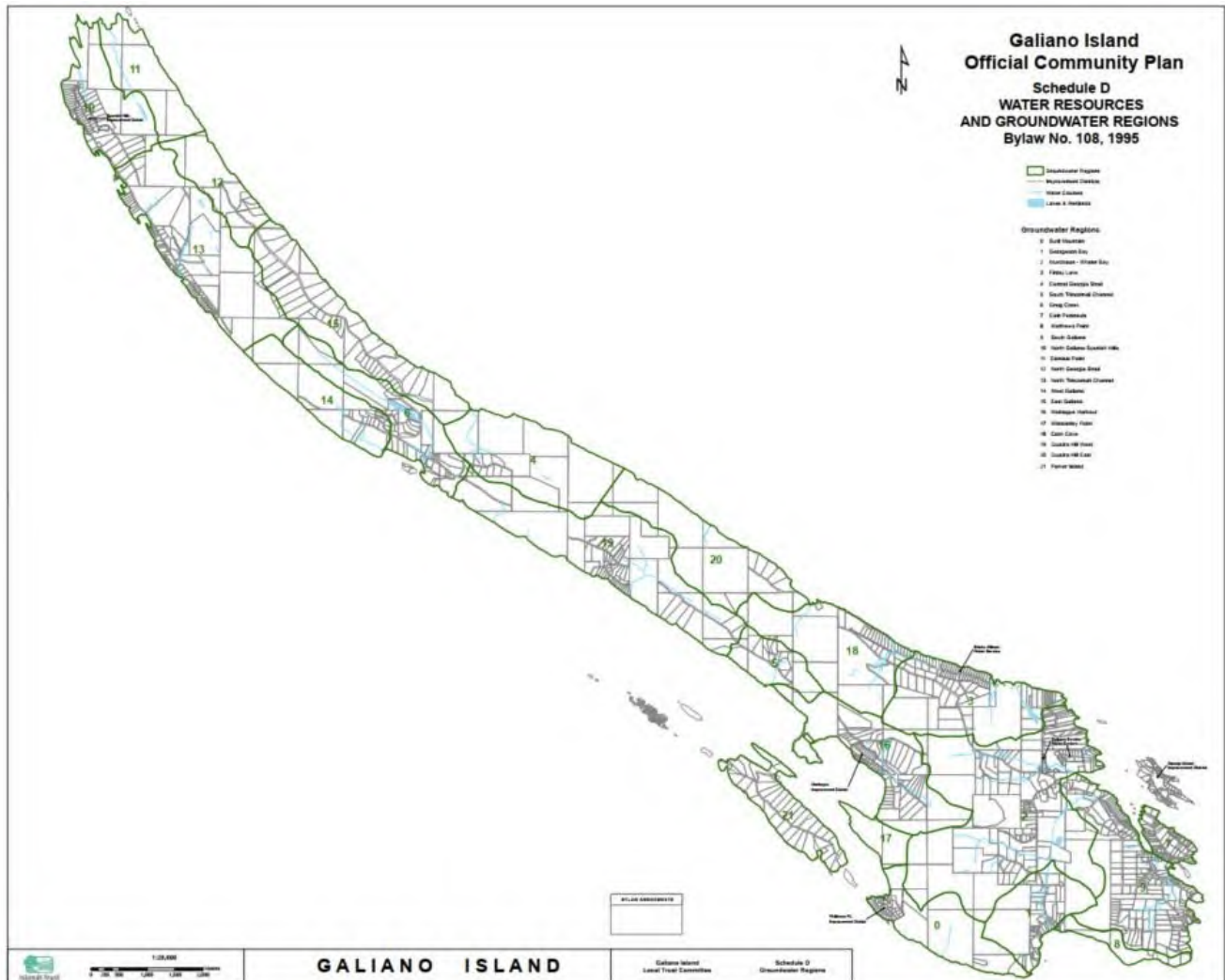
1. In general, development should minimize negative impacts on the quality and quantity of subsurface water supplies.
2. Where a qualified professional hydrogeologist or engineer has made recommendations for mitigation measures, the permit conditions may include a requirement for security in the form of an irrevocable letter of credit, to ensure the protection of groundwater supply quality or quantity consistent with the measures and recommendations described in the report.
3. Where the qualified professional hydrogeologist or engineer's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a hydrogeologist or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.
4. Where an application involves the subdivision of land, layout of the subdivision should be, to the greatest extent possible, designed to:
  - a) replicate the function of a naturally vegetated watershed;
  - b) maintain the hydraulic regime of surface and groundwater pre-development flow rates;
  - c) minimize interference with groundwater recharge;
  - d) not introduce or remove material where it would cause erosion of or the filling in of natural watercourses or wetlands.
5. Where freshwater collection and storage cisterns are required as a condition of the construction of a building, impervious surfaces should be minimized.
6. Where freshwater collection cisterns are required as a condition of construction of a building, the LTC may require that all new dwelling units include:
  - i. External equipment for collecting and distributing rainwater from the dwelling unit roof;
  - ii. A pumping system;
  - iii. An overflow handling system.
7. The use of impervious paved driveways shall be discouraged.
8. Where tree removal is not exempt from the requirement for a permit:

- a. Removal of trees from steep slopes should only be allowed where necessary and where replacement vegetation / erosion control measures are established. Plans delineating extent of vegetation / tree removal and location of proposed construction, excavation and / or blasting, may be required.
  - b. All development should be undertaken and completed in such a manner as to prevent the release of sediment to any watercourse. An erosion and sediment control plan, including actions to be taken prior to land clearing and site preparation and the proposed timing of development activities to reduce the risk of erosion, may be required as part of the development permit application.
  - c. Existing, native trees should be retained wherever possible and trees to be retained near development should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
  - d. If the area has been previously cleared of trees, or is cleared during the process of development, replanting requirements may be specified in the development permit. Areas of undisturbed bedrock exposed to the surface or natural sparsely vegetated areas should not require planting.
  - e. Tree species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should preferably be native to the area, and should be selected for erosion control and/or wildlife habitat values as needed. Suitably adapted, non-invasive, non-native trees may also be considered acceptable.
  - f. All replanting should be maintained by the property owner for a minimum of 2 years from the date of completion of the planting to ensure survival. This may require removal of invasive, non-native weeds (e.g., Himalayan blackberry, Scotch broom, English ivy) and irrigation. Unhealthy, dying or dead trees should be replaced at the owner's expense in the next regular planting season. Permits may include, as a condition, the provision of security to guarantee the performance of terms of the permit.
9. Roads, driveways, trails and pathways should follow the contours of the land and appropriately manage drainage. The construction of roads and utility corridors and other activities involving the disturbance of the soil, must be conducted in such a manner that the productivity of the local groundwater recharge area is not impaired through soil compaction, altered surface drainage patterns, siltation, erosion, or salt water intrusion.
  10. Parking areas should be located and constructed so as to minimize erosion and water pollution by controlling storm runoff. Structural measures such as catch basins, oil separators, bio- filtration trenches or swales, unpaved or permeable all-weather surfaces should be considered for this purpose.
  11. Permits may include minor variances to subdivision or building and structure siting or size regulations to meet the objectives of the development permit area."
  12. Section VI Development Approval Information, Subsection 2. Special Conditions "ii" is amended by deleting "elevated groundwater catchments" and replacing it with

“groundwater recharge”.

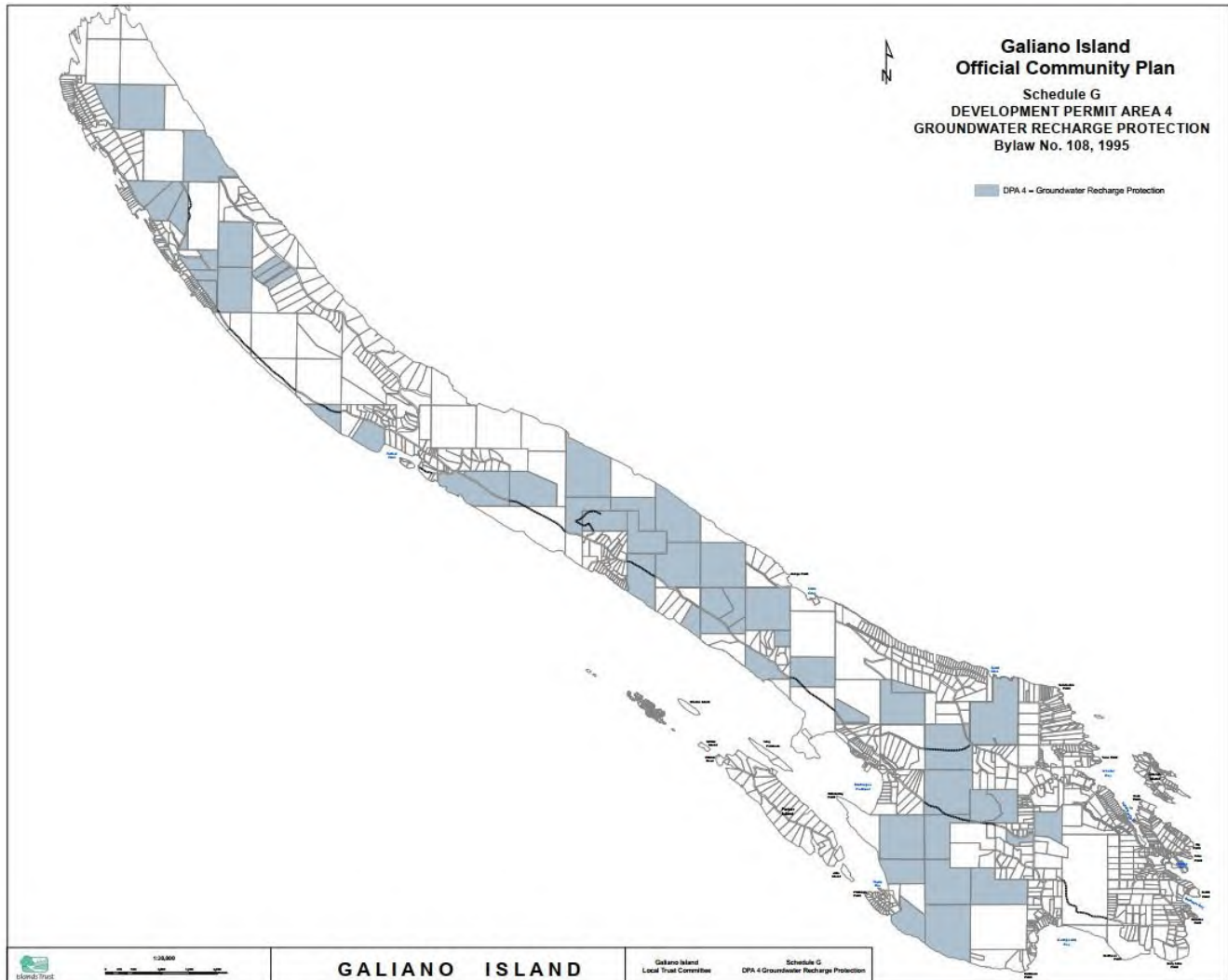
13. Schedule “D – Water Resources” is removed and replaced with Schedule “D – Groundwater Regions” as shown on Plan No.1 attached and forming part of this bylaw.
14. Schedule “G – Development Permit Area 4: Elevated Groundwater Catchment” is removed and replaced with Schedule “G – Development Permit Area 4: Groundwater Recharge Protection” as shown on Plan No.2 attached and forming part of this bylaw.

**GALIANO ISLAND LOCAL TRUST COMMITTEE**  
**BYLAW NO. 283**  
**Plan No.1**



**GALIANO ISLAND LOCAL TRUST COMMITTEE**  
**BYLAW NO. 283**  
**Plan No.2**

**Schedule G – Development Permit Area 4: Groundwater Recharge Protection**



# DRAFT

## GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 284

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

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

1. Citation

This bylaw may be cited for all purposes as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2022”.

2. Galiano Island Local Trust Committee Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999,” is amended as follows:

2.1 Section 2 General Regulations, Subsection 2.28– Secondary Suites is amended by removing 2.28.6 in entirety and replacing it with “ 2.28.6 A building permit for a property outside a water service area shall not be issued for a secondary suite unless a freshwater catchment and storage system having a capacity of at least 18,000 litres is installed on the property.”

2.2 Section 2 General Regulations is amended by inserting “Cistern Requirements” as a new heading under Section 2.28.

2.3 Section 2 General Regulations is amended by inserting, under the heading “Cistern Requirements” the following:

“2.29 A building permit for a property outside a water service area shall not be issued for a new building to be used as a dwelling, including a cottage, unless a cistern (or combination of cisterns) for the storage of freshwater having a capacity of at least 18,000 litre is installed on the property.

2.30 The floor area occupied by any cistern located in a building and the housing provided for such cistern is excluded from the calculation of the floor area of the building and the lot coverage of the lot on which it is located. “

2.4 Section 13 Subdivision and Development Regulations 13.23 is amended by removing “16,000” and replacing it with “18,000”.

2.5 Section 13 Subdivision and Development Regulations is amended by deleting 13.24 through 13.29 in its entirety and replacing it with the following and by making such consequential numbering alterations to effect this change.

## “Standards for Potable Water Supply

*Information Note: If more than one dwelling unit is connected to the same source of water, the water system may be subject to the Drinking Water Protection Act, the Water Utility Act or other regulations pertaining to water supply systems.*

*Information Note: Water obtained from a stream, or non-domestic groundwater use requires a licence under the Water Sustainability Act.*

- 13.24 Where potable water is proposed to be supplied to lots in a subdivision by an established community water system, the applicant for subdivision must provide written confirmation from the community water system that it is able to supply potable water for the permitted principal use and density to each lot.
- 13.25 Where potable water is proposed to be supplied to lots in a subdivision by creating a community water system, the applicant for subdivision must provide proof of all authorizations required under the *Drinking Water Protection Act*, the *Water Utility Act* or any other enactment pertaining to water supply systems.
- 13.26 Where potable water is proposed to be supplied to lots in a subdivision from a stream, the applicant for subdivision must provide proof of authorization in the form of a water licence confirming that the total volume of water granted to the licence holder is able to supply potable water for domestic uses at the volume specified in Table 1 to each lot.
- 13.27 Where potable water is proposed to be supplied to lots in a subdivision by drilled wells the applicant for subdivision must provide written certification under seal of a hydrogeologist that:
- Each well has been constructed in accordance with the *Groundwater Protection Regulation*;
  - Each well has been constructed in accordance with Sections 13.29, 13.30 and 13.31;
  - Each well has sufficient available groundwater to provide the daily required volume of potable water for the permitted domestic uses on each lot in accordance with Table 1;
  - Each well for which a water licence has not been issued has sufficient available groundwater volume for all permitted non-domestic, non-agricultural, non-park, non-conservation area principal uses for each lot at the permitted density of use; and
  - Includes recommendations for mitigation measures, if applicable, to ensure long-term sustainable yield of the drilled well.

| TABLE 1<br>DOMESTIC POTABLE WATER SUPPLY STANDARDS FOR<br>SUBDIVISION |                            |
|-----------------------------------------------------------------------|----------------------------|
| USE                                                                   | VOLUME<br>(litres per day) |
| <i>Per lot (including one dwelling)</i>                               | 2000                       |

|                                                               |      |
|---------------------------------------------------------------|------|
| <i>Each additional permitted dwelling and cottage per lot</i> | 2000 |
|---------------------------------------------------------------|------|

- 13.28 Where the potable water is proposed to be supplied to lots in a subdivision by drilled wells, for any well where a water licence has not been issued the applicant for subdivision must also provide written certification under seal of a hydrogeologist:
- Results of a water quality analysis, completed by an accredited laboratory;
  - A plan of the proposed subdivision indicating the location where each water sample was taken;
  - A statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan.
  - Confirmation, based on the accredited laboratory water quality analysis, that each proposed water supply source is potable, or can be made potable, with a treatment system; and
  - Confirmation, based on the accredited laboratory water quality analysis of chloride concentrations, that each drilled well is not likely to be affected by the intrusion of saline groundwater or sea water in accordance with the Province of British Columbia guidance documents.
- 13.29 Where a water license has not been issued and where potable water is proposed to be supplied to lots in a subdivision by a drilled well, a pumping test shall be carried out on each well in a proposed subdivision by:
- pumping groundwater, at a constant rate, for a minimum period of 12 hours; and
  - withdrawing the total daily required volume specified in section 13.27 over a maximum period of 24 hours; and
  - monitoring groundwater levels continuously during the pumping test and during the recovery period.
- 13.30 Where potable water is to be supplied by a drilled well a sounding tube or wellhead port must be installed to enable the insertion of water level monitoring equipment.
- 13.31 Drilled wells used for the purposes of subdivision must not be located within 50 metres of the natural boundary of the sea.
- 13.32 If the daily required volume of potable water cannot be supplied in accordance with Section 13.24 or if the certification in Subsections 13.27(c) and 13.27(d) cannot be made, the Approving Officer may nonetheless approve the subdivision provided that the applicant grants a s.219 covenant to the Galiano Island Local Trust Committee and the Capital Regional District that restricts the development of the subdivision to the uses or density of the uses for which a certification has been made under Sections 13.24 or 13.27.
- 13.33 Where the certification under subsection 13.28(d) states that a water supply is not potable but can be made potable with a treatment system, the Approving Officer may approve subdivision provided that the applicant grants a s. 219 covenant under the *Land Title Act* to the Galiano Island Local Trust Committee and the Capital Regional District that requires on-going treatment of the water to potable water standards recommended by a hydrogeologist.

- 13.34 For the purposes of subdivision, drilled wells impacted by seawater intrusion or whose operation is likely to cause seawater intrusion are not permitted sources of potable water.
- 13.35 For the purposes of subdivision, alternative potable water supplies including, but not limited to, shallow dug wells, rainwater catchment and desalination are not permitted sources of potable water.
- 13.36 The requirements of Sections 13.24-13.35 do not apply where the proposed subdivision is a boundary adjustment that does not result in an increase in the number of lots or permitted dwelling units, provided that all lots in the subdivision are currently serviced by existing wells, community water system connection or water licence.
- 2.6 Section 17 Interpretation, Subsection 17.1 Definitions, is amended by inserting the following in alphabetical order:
- ““aquifer” means a geological formation; or a group of geological formations, or a part of one or more geological formations that is groundwater bearing and capable of storing, transmitting and yielding groundwater.
- “groundwater” means water naturally occurring below the surface of the ground.
- “Hydrogeologist” means an engineer or geoscientist with competency in the field of hydrogeology, regulated under the Professional Governance Act, Engineers and Geoscientists Regulation.
- “potable” means water that is safe to drink, fit for domestic purposes and meets the Heath Canada Guidelines for Canadian Drinking Water Quality or any guidance documents or legislation which may be enacted in substitution.”
- “pumping test” means a flow test to determine the long-term sustainable yield of a well, conducted under supervision of a hydrogeologist, and that is consistent with the British Columbia Guide to Conducting Pumping Tests, Guidance for Technical Assessments in Support of an Application for Groundwater Use in British Columbia, other guidance documents which may be issued, applicable legislation, and consists of pumping groundwater from a well typically for 12 to 72 hours depending on aquifer characteristics.
- 2.7 Section 17 Interpretation, Subsection 17.1 Definitions, is amended by removing the definition of “community water system” in its entirety and replacing it with:
- ““community water system” means a system of waterworks that serves more than one lot and is owned, operated and maintained by an improvement district, a regional district, a water utility, a society, or a water supplier.”

are currently serviced by existing wells, community water system connection or water licence.”

- 2.5 Section 17 Interpretation, Subsection 17.1 Definitions, is amended by adding the following in alphabetical order:

““aquifer” means a geological formation; or a group of geological formations, or a part of one or more geological formations that is groundwater bearing and capable of storing, transmitting and yielding groundwater.

“groundwater” means water naturally occurring below the surface of the ground.

“Hydrogeologist” means an engineer or geoscientist with competency in the field of hydrogeology, regulated under the Professional Governance Act, Engineers and Geoscientists Regulation.

“potable” means water that is safe to drink, fit for domestic purposes and meets the Health Canada Guidelines for Canadian Drinking Water Quality or any guidance documents or legislation which may be enacted in substitution.”

“pumping test” means a flow test to determine the long-term sustainable yield of a well, conducted under supervision of a hydrogeologist, and that is consistent with the British Columbia Guide to Conducting Pumping Tests, Guidance for Technical Assessments in Support of an Application for Groundwater Use in British Columbia, other guidance documents which may be issued, applicable legislation, and consists of pumping groundwater from a well typically for 12 to 72 hours depending on aquifer characteristics.

- 2.6 Section 17 Interpretation, Subsection 17.1 Definitions, is amended by removing the definition of “community water system” in its entirety and replacing it with:

““community water system” means a system of waterworks that serves more than one lot and is owned, operated and maintained by an improvement district, a regional district, a water utility, a society, or a water supplier.”

## ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

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File Name: 2021 Groundwater  
Implementation

### PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, 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 CHECKLIST

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                                                                                                                                                                                                                                                                                                  |
|------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <b>3.1</b>   | <b>Ecosystems</b>                                                                                                                                                                                                                                                                                                 |
| ✓          | <b>3.1.3</b> | 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.                                   |
| ✓          | <b>3.1.4</b> | 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        | <b>3.1.5</b> | 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.                                                |
|            | <b>3.2</b>   | <b>Forest Ecosystems</b>                                                                                                                                                                                                                                                                                          |
| ✓          | <b>3.2.2</b> | 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.                                |
|            | <b>3.3</b>   | <b>Freshwater and Wetland Ecosystems and Riparian Zones</b>                                                                                                                                                                                                                                                       |
| ✓          | <b>3.3.2</b> | 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.                                          |
|            | <b>3.4</b>   | <b>Coastal and Marine Ecosystems</b>                                                                                                                                                                                                                                                                              |
| N/A        | <b>3.4.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.                                                                                                                                               |
| N/A        | <b>3.4.5</b> | 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                                                                                                                                                                                                                                                                                                                                                                 |
|------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <b>4.1</b>   | <b>Agricultural Land</b>                                                                                                                                                                                                                                                                                                                                                         |
| N/A        | <b>4.1.4</b> | 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        | <b>4.1.5</b> | 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        | <b>4.1.6</b> | 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        | <b>4.1.7</b> | 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        | <b>4.1.8</b> | 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        | <b>4.1.9</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.                                                                                                                                                                                                         |
|            | <b>4.2</b>   | <b>Forests</b>                                                                                                                                                                                                                                                                                                                                                                   |
| N/A        | <b>4.2.6</b> | 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        | <b>4.2.7</b> | 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        | <b>4.2.8</b> | 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.                                                                                                             |
| CONSISTENT | No.          | DIRECTIVE POLICY                                                                                                                                                                                                                                                                                                                                                                 |

|     |               |                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | <b>4.3</b>    | <b>Wildlife and Vegetation</b>                                                                                                                                                                                                                                                                                                                                                                                                      |
|     | <b>4.4</b>    | <b>Freshwater Resources</b>                                                                                                                                                                                                                                                                                                                                                                                                         |
| ✓   | <b>4.4.2</b>  | 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 | <b>4.4.3</b>  | 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                                                                                                                                                                                                                                   |
|     | <b>4.5</b>    | <b>Coastal Areas and Marine Shorelands</b>                                                                                                                                                                                                                                                                                                                                                                                          |
| N/A | <b>4.5.8</b>  | 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 | <b>4.5.9</b>  | 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 | <b>4.5.10</b> | 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 | <b>4.5.11</b> | 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.                                                                                                                                                                               |
|     | <b>4.6</b>    | <b>Soils and Other Resources</b>                                                                                                                                                                                                                                                                                                                                                                                                    |
| N/A | <b>4.6.3</b>  | 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                                                                                                                                                                                                                                                                                                                           |
|------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <b>5.1</b>   | <b>Aesthetic Qualities</b>                                                                                                                                                                                                                                                                                                                 |
| N/A        | <b>5.1.3</b> | 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.                                                                     |
|            | <b>5.2</b>   | <b>Growth and Development</b>                                                                                                                                                                                                                                                                                                              |
| N/A        | <b>5.2.3</b> | 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.                                                                                                                               |
| ✓          | <b>5.2.4</b> | 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        | <b>5.2.5</b> | 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        | <b>5.2.6</b> | 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.                             |
|            | <b>5.3</b>   | <b>Transportation and Utilities</b>                                                                                                                                                                                                                                                                                                        |
| N/A        | <b>5.3.4</b> | 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.                                                  |
| N/A        | <b>5.3.5</b> | 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        | <b>5.3.6</b> | 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        | <b>5.3.7</b> | 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.                   |
|            | <b>5.4</b>   | <b>Disposal of Waste</b>                                                                                                                                                                                                                                                                                                                   |
| N/A        | <b>5.4.4</b> | 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                                                                                                                                                                                                                                                                                                                           |

|     |              |                                                                                                                                                                                                                                                                                                                                                                           |
|-----|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | <b>5.5</b>   | <b>Recreation</b>                                                                                                                                                                                                                                                                                                                                                         |
| N/A | <b>5.5.3</b> | 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 | <b>5.5.4</b> | 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 | <b>5.5.5</b> | 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.    |
| N/A | <b>5.5.6</b> | 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 | <b>5.5.7</b> | 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.                                                                                                                                                                               |
|     | <b>5.6</b>   | <b>Cultural and Natural Heritage</b>                                                                                                                                                                                                                                                                                                                                      |
| N/A | <b>5.6.2</b> | 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 | <b>5.6.3</b> | 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.                                                                                                                         |
|     | <b>5.7</b>   | <b>Economic Opportunities</b>                                                                                                                                                                                                                                                                                                                                             |
| N/A | <b>5.7.2</b> | 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.                                                                                                                                 |
|     | <b>5.8</b>   | <b>Health and Well-being</b>                                                                                                                                                                                                                                                                                                                                              |
| N/A | <b>5.8.6</b> | 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.     |

|   |                                                                              |
|---|------------------------------------------------------------------------------|
|   | <b>POLICY STATEMENT COMPLIANCE</b>                                           |
| ✓ | <b><i>In compliance with Trust Policy</i></b>                                |
|   | <b><i>Not in compliance with Trust Policy for the following reasons:</i></b> |

## Active Projects 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: 31-Mar-2023

## Future Projects Report

### Galiano Island

#### 1. *Parking Issues*

Responsible

Date Received

Issue for discussion with MoTI and public parking issues generated from associated islands.

23-Jul-2012

(see correspondence from P. Midgely on agenda of Apr/12)

#### 2. *Light Industrial Zoning*

Responsible

Date Received

A review and inventory assessment of existing and potential light industrial zones.

18-Nov-2013

#### 3. *Coastal Douglas-Fir Protection*

Responsible

Date Received

Review 'Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)' and provide recommendations from toolkit.

04-Feb-2019

- LPC is intending to develop a model bylaw in 2021-22.

Include review the Contiguous Forest Mapping in the Islands Trust Area Report.

#### 4. *Cannabis Retail and production*

Responsible

Date Received

Consider review of policies and regulations to address cannabis retail sales and production

05-Mar-2019

#### 5. *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

## Future Projects Report

### Galiano Island

#### 6. *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

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

Responsible

Date Received

01-Jun-2021

#### 8. *Wise Island bylaw review*

Responsible

Date Received

Review of Wise Island bylaws and potentially other islands with water access only

06-Sep-2022

#### 9. *Shoreline model protection bylaw*

Responsible

Date Received

Review APC report in consideration of development of shoreline model protection bylaw

06-Sep-2022

## Applications

### 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:** Kim Stockdill

#### Planning Status

**Status Date:** 01-Mar-2023

DP is with Director of LPS for approval.

**Status Date:** 19-Dec-2022

File re-assigned to Kim Stockdill

**Status Date:** 29-Nov-2022

Revised recommendation letter from Ryzuk (November 24) received.

| File Number  | Applicant Name                 | Date Received | Purpose                                                                           |
|--------------|--------------------------------|---------------|-----------------------------------------------------------------------------------|
| GL-DP-2022.3 | Galiano Island Contracting LTD | 11-Aug-2022   | 675 Cain Rd - Improvement to an existing revetment structure, x-ref GL-DVP-2022.6 |

**Planner:** Kim Stockdill

#### Planning Status

**Status Date:** 31-Jan-2023

Further information required from applicant before application can proceed.

**Status Date:** 19-Dec-2022

File re-assigned to Kim Stockdill

**Status Date:** 10-Nov-2022

Updated Survey (Glen Mitchell) by end of November

## Applications

### Development Permit

| File Number  | Applicant Name | Date Received | Purpose                                                  |
|--------------|----------------|---------------|----------------------------------------------------------|
| GL-DP-2023.1 | Carrick, Ian   | 04-Jan-2023   | Application for a DP for development in a shoreline DPA. |

**Planner:** Kim Stockdill

#### Planning Status

---

**Status Date:** 01-Mar-2023

Environmental Assessment received.

**Status Date:** 31-Jan-2023

Application on hold until Environmental Assessment is received. KS

**Status Date:** 11-Jan-2023

Planner Kim Stockdill assigned.

### Development Variance Permit

| File Number   | Applicant Name | Date Received | Purpose                         |
|---------------|----------------|---------------|---------------------------------|
| GL-DVP-2022.4 | Carrick, Ian   | 31-May-2022   | Application for stairs and deck |

**Planner:** Kim Stockdill

#### Planning Status

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**Status Date:** 01-Mar-2023

Environmental assessment received.

**Status Date:** 11-Jan-2023

Application on hold until Environmental Assessment is received. KS

**Status Date:** 19-Dec-2022

File re-assigned to Kim Stockdill

## Applications

### Development Variance Permit

| File Number   | Applicant Name                 | Date Received | Purpose                                                                        |
|---------------|--------------------------------|---------------|--------------------------------------------------------------------------------|
| GL-DVP-2022.6 | Galiano Island Contracting LTD | 03-Oct-2022   | 675 Cain Rd - Application for a variance for siting of a seawall in a setback. |

**Planner:** Kim Stockdill

#### Planning Status

**Status Date:** 31-Jan-2023

Further information required by applicant before application can proceed.

**Status Date:** 19-Dec-2022

File re-assigned to Kim Stockdill

**Status Date:** 10-Nov-2022

Updated Survey (Glen Mitchell) by end of November

| File Number   | Applicant Name                 | Date Received | Purpose                                                                                            |
|---------------|--------------------------------|---------------|----------------------------------------------------------------------------------------------------|
| GL-DVP-2023.1 | Yellowhouse Art Centre Society | 10-Jan-2023   | 2517 STURDIES BAY RD: Application for a variance for parking and existing structures in a setback. |

**Planner:** Kim Stockdill

#### Planning Status

**Status Date:** 31-Jan-2023

Application to be placed on March 14th agenda.

**Status Date:** 24-Jan-2023

Planner Kim Stockdill assigned.

**Status Date:** 12-Jan-2023

File opened simultaneously with GL-TUP-2023.1.

## Applications

### Rezoning

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

**Planner:** Brad Smith

#### Planning Status

**Status Date:** 31-Jan-2023

Staff report on Feb 7, 2023 agenda recommending the application go to public hearing

**Status Date:** 23-Jan-2023

Draft Water Management Plan covenant conditions to legal counsel for review

**Status Date:** 19-Jan-2023

Planner met with applicant and rezoning project manager to discuss status and next steps

| 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:** Kim Stockdill

#### Planning Status

**Status Date:** 12-Jan-2023

Planner contacted applicant re status of TOR deliverables: well drilled, conducting pump testing, geotech assessment complete, no progress on covenant

**Status Date:** 28-Oct-2021

Applicant working on DAI TOR items

**Status Date:** 31-Aug-2021

Planner to contact applicant for status update

## Applications

### Rezoning

| File Number  | Applicant Name | Date Received | Purpose                                                     |
|--------------|----------------|---------------|-------------------------------------------------------------|
| GL-RZ-2022.2 | Hayes, Judy    | 02-Aug-2022   | Bylaw Amendment & Rezoning - Bylaws 287 (OCP) and 288 (LUB) |

**Planner:** Kim Stockdill

#### Planning Status

**Status Date:** 19-Dec-2022

Applicant sent Terms of Reference consistent with DAI bylaw

**Status Date:** 15-Dec-2022

LTC directed staff to proceed with drafting amending bylaws - staff to issue TOR to applicant consistent with DAI bylaw

**Status Date:** 23-Nov-2022

Staff report on Dec 5, 2022 LTC 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:** Kim Stockdill

#### Planning Status

**Status Date:** 30-Jan-2023

Staff contacted by applicant to initiate DP application for DPA 1, 2, 5 with respect to subdivision

**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

## Applications

### Subdivision

| 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:** Charly Caproff

#### Planning Status

**Status Date:** 19-Dec-2022

File re-assigned to Charly Caproff

**Status Date:** 23-Jun-2022

Applicant hiring environmental professional for required DP application.

**Status Date:** 01-Dec-2021

New subdivision layout plan rec'd

| File Number   | Applicant Name           | Date Received | Purpose                                                                                                                                                                                                                                                                                                                               |
|---------------|--------------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| GL-SUB-2022.1 | Okuda Andersen,<br>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:** 12-Oct-2022

PLR letter received from MOTI and filed in EDM

**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

## Applications

### Temporary and Industrial Use Permit

| File Number                                                                       | Applicant Name                 | Date Received | Purpose                                                                                                         |
|-----------------------------------------------------------------------------------|--------------------------------|---------------|-----------------------------------------------------------------------------------------------------------------|
| GL-TUP-2023.1                                                                     | Yellowhouse Art Centre Society | 10-Jan-2023   | Application for a temporary use permit for use of the property as a community arts centre with residential use. |
| <b>Planner:</b> Kim Stockdill                                                     |                                |               |                                                                                                                 |
| <b>Planning Status</b>                                                            |                                |               |                                                                                                                 |
| <b>Status Date:</b> 31-Jan-2023<br>Application to be placed on March 14th agenda. |                                |               |                                                                                                                 |
| <b>Status Date:</b> 24-Jan-2023<br>Planner Kim Stockdill assigned.                |                                |               |                                                                                                                 |
| <b>Status Date:</b> 12-Jan-2023<br>File created in EDM.                           |                                |               |                                                                                                                 |

| File Number                                                                                | Applicant Name | Date Received | Purpose                                                                                                               |
|--------------------------------------------------------------------------------------------|----------------|---------------|-----------------------------------------------------------------------------------------------------------------------|
| GL-TUP-2023.2                                                                              | Mabberley, Sam | 24-Feb-2023   | 1008 MONTAGUE RD: Application for a temporary use permit for storage and transfer of aggregate and soils on property. |
| <b>Planner:</b> Charly Caproff                                                             |                |               |                                                                                                                       |
| <b>Planning Status</b>                                                                     |                |               |                                                                                                                       |
| <b>Status Date:</b> 24-Feb-2023<br>File created in EDM.                                    |                |               |                                                                                                                       |
| <b>Status Date:</b> 24-Feb-2023<br>NOTE: Applicant prefers to be contacted via phone call. |                |               |                                                                                                                       |
| <b>Status Date:</b> 24-Feb-2023<br>Mailing List + Subject Property Map requested from GIS. |                |               |                                                                                                                       |

***Islands Trust***  
LTC EXP SUMMARY REPORT F2023  
Invoices posted to Month ending January 2023

| 625 Galiano             | Invoices posted to Month ending January 2023 | <u>Budget</u>   | <u>Spent</u>    | <u>Balance</u>   |
|-------------------------|----------------------------------------------|-----------------|-----------------|------------------|
| 65000-625               | LTC "Trustee Expenses"                       | 302.00          | 148.20          | 153.80           |
| LTC Local               |                                              |                 |                 |                  |
| 65200-625               | LTC - Local Exp - LTC Meeting Expenses       | 4,294.00        | 4,080.57        | 213.43           |
| 65210-625               | LTC - Local Exp - APC Meeting Expenses       | 333.00          | 715.28          | -382.28          |
| 65220-625               | LTC - Local Exp - Communications             | 250.00          | 2,387.59        | -2,137.59        |
| 65230-625               | LTC - Local Exp - Special Projects           | 279.00          | 0.00            | 279.00           |
| TOTAL LTC Local Expense |                                              | <u>5,156.00</u> | <u>7,183.44</u> | <u>-2,027.44</u> |
| Projects                |                                              |                 |                 |                  |
| 73001-625-4114          | Galiano Groundwater Strategy Implementation  | 2,000.00        | 156.30          | 1,843.70         |
| 73001-625-4125          | Galiano Crown Lot Rezoning                   | 1,000.00        | 2,141.06        | -1,141.06        |
| TOTAL Project Expenses  |                                              | <u>3,000.00</u> | <u>2,297.36</u> | <u>702.64</u>    |

## Standing Resolutions Log

### Galiano Island

| Resolution Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Action  | Date        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------------|
| <b>2020-042 (Standing)</b><br><br><b>Use of Development Permits for Variances</b><br><br>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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Carried | 08-Sep-2020 |
| <b>2020-041 (Standing)</b><br><br><b>Unlawful Land Uses and Planning Applications</b><br><br>that the Galiano Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications:<br>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.<br>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.<br>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.<br>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. | Carried | 06-Jul-2020 |

## Standing Resolutions Log

### Galiano Island

| Resolution Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Action  | Date        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------------|
| <b>2020-013 (Standing)</b><br><br><b>Advisory Planning Commission</b><br><br>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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Carried | 03-Feb-2020 |
| <b>2019-053 (Standing)</b><br><br><b>12.4 Adopted Policies and Standing Resolutions</b><br><br>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: <ul style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>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;</li> <li>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;</li> <li>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.</li> </ul> | Carried | 03-Jun-2019 |

## Standing Resolutions Log

### Galiano Island

| Resolution Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Action         | Date               |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|--------------------|
| <b>2019-014 (Standing)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Carried</b> | <b>04-Mar-2019</b> |
| <b>13.1 Cannabis Retail - Staff Report</b><br>that the Galiano Local Trust Committee adopt the following standing resolution with respect to the processing of non-medicinal cannabis retail license applications: <ul style="list-style-type: none"> <li>- Proposed or amended licenses for non-medicinal cannabis retail establishments require an application to the local trust committee.</li> <li>- 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.</li> <li>- The public consultation process shall be determined by the local trust committee after initial review of the proposal.</li> <li>- 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"> <li>o Name of the applicant and a description of the proposal in general terms</li> <li>o The location of the proposed establishment and the subject site</li> <li>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.</li> <li>o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application</li> <li>o How public comments may be submitted to the local trust committee.</li> </ul> </li> </ul> |                |                    |
| <b>2018-064 (Standing)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Carried</b> | <b>04-Jun-2018</b> |
| <b>11.1 Telecommunication Strategy Project - Staff Report</b><br>that the Galiano Island Local Trust Committee endorses the Telecommunication strategy Project Charter dated June 22, 2016                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                    |
| <b>2014-029 (Standing)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Carried</b> | <b>07-Apr-2014</b> |
| <b>Community Wells as a Community Benefit</b><br>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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |                    |

## Standing Resolutions Log

### Galiano Island

| Resolution Number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Action         | Date               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|--------------------|
| <b>2014-000 (Standing)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Carried</b> | <b>03-Feb-2014</b> |
| <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"> <li>1. There have been significant delays or longer than typical timelines in the enforcement process</li> <li>2. The LTC is considering on-going, relevant policy or regulatory changes that could impact enforcement</li> <li>3. Litigation has been recommended</li> <li>4. Legal counsel has been involved (beyond providing a basic interpretation)</li> <li>5. There has been enforcement action beyond seeking voluntary compliance (e.g. a BEN warning or ticket, adjudication, a compliance agreement negotiated, etc.)</li> <li>6. There has been, or is an expectation of, joint enforcement with other jurisdictions</li> <li>7. There is potential for impact on other related enforcement files.</li> </ol> |                |                    |
| <b>2011-205 (Standing)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Carried</b> | <b>17-Oct-2011</b> |
| <p><b>Special Occasion Liquor Licenses</b></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>                                                                                                                                                                                                                                                                                                                                                                        |                |                    |
| <b>2010-115 (Standing)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Carried</b> | <b>18-Oct-2010</b> |
| <p><b>Publishing Notices beyond legal requirements</b></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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                |                    |



## Standing Resolutions Log

### Galiano Island

| Resolution Number                                                                                                                      | Action  | Date        |
|----------------------------------------------------------------------------------------------------------------------------------------|---------|-------------|
| 2009-085 (Standing)                                                                                                                    | Carried | 11-May-2009 |
| <b>Parks Commission Referral</b>                                                                                                       |         |             |
| That staff refer all applications adjacent to a park or ocean access to the Galiano Island Parks and Recreation Commission for comment |         |             |



## HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY January 24, 2023 BOARD MEETING

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

- Nominations for the Chair, Vice-Chair and Financial Planning Committee (FPC) representative were held. Trustee Adams was elected Chair of ITC Board, Trustee Smith was elected Vice-Chair, and Trustee Yates was elected as the FPC representative.
- The ITC Board discussed the ITC ex officio seat on the Governance Committee, noting the ITC Chair will appoint a member to the committee. Shortly after the ITC meeting, the ITC Chair appointed Trustee Grant Scott as the ITC Board's ex-officio member on the Islands Trust Council's Governance Committee.
- The ITC Board continues to have a vacancy for one Ministerial appointment. The posting for the vacancy closed on October 7, 2022. The ITC Board is awaiting news from the [Crown Agencies and Board Resourcing Office](#) regarding a potential new member.

### 2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Board approved the draft 2023-2025 Islands Trust Conservancy Interim Plan in November 2022 and directed staff to forward it to the Minister of Municipal Affairs by December 31, 2022, for review and approval. A meeting has been set to discuss the plan with Ministry staff. Staff will inform the ITC Board of the outcomes.
- The ITC Board reviewed and approved the 2026-2030 ITC Plan Project Charter.
- The ITC Board reviewed and approved the 2023-2026 Species at Risk Program Project Charter.
- The ITC Board reviewed the 2023/24 ITC Budget briefing from the Financial Planning Committee. The ITC Board discussed potential budget reductions and moved that ITC Budget has been carefully considered potential budget reductions and their implications, and concluded that its budget request is necessary and responsible going forward.

### 3. COVENANT AND PROPERTY ACQUISITIONS

- The ITC Board received reports on covenants and acquisitions for information.
- ITC registered a 11.35 hectare covenant, known as the Livingstone Covenant on Lasqueti island. This covenant is the first covenant on Lasqueti and is part of the Natural Area Protection Tax Exemption (NAPTEP) Program. It was gifted through the Federal Ecological Gifts Program.

### 4. COVENANT AND PROPERTY MANAGEMENT



ISLANDS TRUST CONSERVANCY

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

- ITC Board reviewed and approved the ITC NAPTEP Covenants Monitoring Report for 2022, and directed staff to address management concerns as identified in the report.
- ITC Board reviewed and approved the ITC Nature Reserve Monitoring Report 2022.

### 5. COMMUNICATIONS AND OUTREACH

- ITC has updated its website to include information about the species at risk program, see <https://islandstrust.bc.ca/conservancy/species-at-risk/>
- ITC is hosting Species at Risk focussed speaker series between February 16 and April 12, 2023. For more information, see <https://islandstrust.bc.ca/conservancy/species-at-risk/>

### 6. FUNDRAISING AND CONSERVANCY SUPPORT

- The ITC Board received a legacy donation of \$25,000 for the purposes of implementing a Western Screech-Owl research project on Link Island.
- The ITC Board reviewed an application from the Nature Conservancy of Canada and awarded a \$50,000 Opportunity Fund Grant for the acquisition of 161 ha (397 acres) of conservation lands on Reginald Hill on Salt Spring Island.
- The ITC Board awarded a \$4,614.75 grant from the Morrison Waxler Biodiversity Legacy Fund Grant program to expand the existing Nighthawk Hill NAPTEP covenant on North Pender Island.

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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)

**From:** David Maude <[dmaude@islandstrust.bc.ca](mailto:dmaude@islandstrust.bc.ca)>

**Sent:** Tuesday, January 31, 2023 7:04 PM

**To:** Mayne Island Local Trust Committee <[MayneIslandLocalTrustCommittee@islandstrust.bc.ca](mailto:MayneIslandLocalTrustCommittee@islandstrust.bc.ca)>; North Pender Island Local Trust Committee <[NorthPenderIslandLocalTrustCommittee@islandstrust.bc.ca](mailto:NorthPenderIslandLocalTrustCommittee@islandstrust.bc.ca)>; South Pender Island Local Trust Committee <[SouthPenderIslandLocalTrustCommittee@islandstrust.bc.ca](mailto:SouthPenderIslandLocalTrustCommittee@islandstrust.bc.ca)>; Saturna Island Local Trust Committee <[SaturnaIslandLocalTrustCommittee@islandstrust.bc.ca](mailto:SaturnaIslandLocalTrustCommittee@islandstrust.bc.ca)>; Galiano Island Local Trust Committee <[GalianoIslandLocalTrustCommittee@islandstrust.bc.ca](mailto:GalianoIslandLocalTrustCommittee@islandstrust.bc.ca)>

**Cc:** Paul Brent <[pbrent@mac.com](mailto:pbrent@mac.com)>

**Subject:** Siting and Use Permits option

Fellow Trustees.

*Second try, the Trust email seems to be having issues....*

There have been some ongoing concerns with regard to CRD Building Inspection, the timeliness and costs of inspections and permit issuance and the barriers these might present to enable economical and creative housing solutions.

There is a potential that CRD could withdraw Building Inspection which could be replaced by Siting and Use Permits (Link below to the Hornby Bylaw for your reference). This would undertake involve a full public process both by the Trust and CRD that likely would take some time to accomplish.

At the Mayne Island January 30 meeting, the following motion was passed:

***"That the Mayne island LTC request Trustee Maude write to Saturna Island LTC, South Pender Island LTC, Galiano Island LTC and North Pender Island LTC to request their thoughts on Mayne Island LTC asking CRD to identify interest in implementing siting and use permits in the event CRD should discontinue use of building permits."***

What we would like is some feedback that we could pass onto Director Brent as to whether there is interest amongst the islands to pursue this as an option.

Thank you.

<https://islandstrust.bc.ca/document/hornby-ltc-siting-and-use-permit-bylaw-no-168/>

**Mayne Island Trustee  
Trust Council Vice Chair**

**Wi'la'mola - we are all travelling together**

**Notice of motion to replace Standing Resolution 2019-053 (Standing)*****Notice of Motion for Standing Resolution***

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:

- a) Annually, write a letter to all Local First Nations Organizations, (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 all Local Trust Committee meetings, invite Local First Nations to attend meetings; as well as, provide a traditional welcome to their territory if they would like;
- c) Work with Local First Nation governments and Organizations 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 Local First Nation governments and Organizations 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 dialogue with Local First Nations and Organizations , now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, traditional rights and First Nations' traditional territories within the Islands Trust Area.
- f) direct staff to not take enforcement action against any Indigenous Peoples in regards to their Traditional and Inherent Rights

DATE OF MEETING: March 14, 2023  
TO: Galiano Island Local Trust Committee  
FROM: Warren Dingman Bylaw Compliance & Enforcement Manager  
SUBJECT: Bylaw Enforcement Policy options for Wise Island

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## RECOMMENDATION

1. That the Galiano Island Local Trust Committee defer enforcement on Wise Island for any solar panels, stairs or decks sited within the setback from the natural boundary of the sea, and contravening section 2.14 of the Land Use Bylaw No. 127, until a Wise Island Bylaw Review is completed.
2. That the Galiano Island Local Trust Committee direct that the adjudication process for any disputed Bylaw Violation Notices for section 2.14 be placed on hold until the Wise Island Bylaw Review is completed.

## REPORT SUMMARY

This report provides a summary of the bylaw enforcement activities on Wise Island and the enforcement options available to the Local Trust Committee.

## BACKGROUND

Wise Island has a total of six open files for the siting of structures within the required setback area from the natural boundary of the sea. The siting of the structures may also have required a development permit as they are located in the Development Permit Area 2 – Shoreline & Marine, which includes all land 15 metres upland of the natural boundary of the sea. Since 2018, 5 files have been closed for the Wise Island after compliance was achieved. For a majority of the files, both open and closed, the structures subject to complaint have been solar panels.

The oldest open file is from 2019, and the newest was opened in April 2022. All were opened because of the receipt of a public complaint except one, and that file was opened under Trust Council Policy because a bylaw officer observed contraventions in the setback from the natural boundary of the sea and in a development permit area.

A total of 18 Bylaw Violation Notices have been issued for 4 of the files. The majority of the bylaw notices have either been paid or have been disputed.

## ANALYSIS

There have been several delegations to the Galiano Island Local Trust Committee from Wise Island regarding on-going enforcement activity for solar panels and other small structures in the setback from the sea.

There have been consistent complaints regarding the installation of solar panels, and their associated structures, since 2018. Multiple water taxi trips around the island by staff have revealed a proliferation of solar panels, but due to limited resources, we have not opened a group of proactive files to try and address them all. We have pursued mainly those subject to public complaint.

The required setback from the natural boundary of the sea is 7.5 metres and our efforts have focused on ensuring that the solar panels, and any other structures, have been moved out of the required setback area. Roof mounted solar panels are a viable option for the property owners, or they can construct an accessory structure to support the panels that does not encroach on the setback area, and outside of what is a development permit area. The property owners have also had the option of apply for development variance permits, and there is currently one variance permit application in process.

At the February 7, 2023, public meeting the Galiano Island LTC indicated they wish to address the issues above. Planning staff indicated that a Wise Island Bylaw Review is on the future projects list, and the LTC could consider this as the LTC's next minor project. Options for deferred bylaw enforcement for properties on Wise Island if the minor project proceeds were discussed.

The recommendation provided in this report will deal with bylaw contraventions on land only, and it would not deal with any contraventions located in the marine zone.

## ALTERNATIVES

The Galiano Island Local Trust Committee could adopt the following resolution but it is not recommended.

- 1. That the Galiano Island Local Trust Committee direct the Bylaw Compliance & Enforcement Manager to close any files on Wise Island for the siting of solar panels, stairs and decks that are in contravention of section 2.14 of the Galiano Island Land Use Bylaw No. 127.**

|               |                                                        |               |
|---------------|--------------------------------------------------------|---------------|
| Submitted By: | Warren Dingman, Bylaw Compliance & Enforcement Manager | March 6, 2023 |
| Concurrence:  | Robert Kojima, Regional Planning Manager               | March 6, 2023 |