



Galiano Island Local Trust Committee

Regular Meeting Agenda

Date: November 8, 2024
Time: 1:00 pm
Location: Lions Park Society
992 Burrill Road, Galiano Island, BC

	Pages
1. CALL TO ORDER	1:00 PM - 1:20 PM
2. APPROVAL OF AGENDA	
3. TRUSTEE REPORT	
4. CHAIR'S REPORT	
5. ELECTORAL AREA DIRECTOR'S REPORT	
6. FIRST NATION REPORT	
7. TOWN HALL AND QUESTIONS	1:20 PM - 1:40 PM
8. COMMUNITY INFORMATION MEETING - None	
9. PUBLIC HEARING - None	
10. MINUTES	1:40 PM - 1:50 PM
10.1 Local Trust Committee Minutes Dated October 8, 2024 (for Adoption)	4 - 15
10.2 Local Trust Committee Public Hearing Record of October 8, 2024 (for Receipt)	16 - 17
10.3 Section 26 Resolutions Without Meeting Report - None	
10.4 Advisory Planning Commission Minutes - None	
11. BUSINESS ARISING FROM MINUTES	
11.1 Follow-up Action List Dated Nov 2024	18 - 20
12. DELEGATIONS	

13.	CORRESPONDENCE	
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
14.	MEETING BREAK - COMMUNITY UPDATE	
15.	APPLICATIONS AND REFERRALS	1:50 PM - 2:30 PM
15.1	GL-RZ-2023.3 (Harris) - Staff Report (attached)	21 - 40
15.2	Salt Spring Island Local Trust Committee Proposed Bylaws 538 and 539 Referral - For Response	41 - 43
16.	LOCAL TRUST COMMITTEE PROJECTS	2:30 PM - 3:15 PM
16.1	Groundwater Sustainability Project - Proposed Bylaws 283 and 284 - Post Public Hearing Staff Report (attached)	44 - 64
17.	REPORTS	3:15 PM - 3:25 PM
17.1	Work Program Reports (attached)	
17.1.1	<u>Active Projects Report Dated Nov 2024</u>	65 - 65
17.1.2	<u>Future Projects Report Dated Nov 2024</u>	66 - 67
17.2	Applications Report - Verbal Update	
17.3	Trustee and Local Expense Report Dated Sept 2024	68 - 68
17.4	Adopted Policies and Standing Resolutions (attached)	69 - 73
17.5	Local Trust Committee Webpage	
17.6	Islands Trust Conservancy Report - None	
18.	NEW BUSINESS	3:25 PM - 3:40 PM
18.1	Phase 4 Community Engagement Options - Policy Statement Amendment Project (PSAP) - Staff Report (attached)	74 - 78
19.	UPCOMING MEETINGS	3:40 PM - 3:50 PM
19.1	Draft 2025-2026 LTC Meeting Schedule (attached) (for Adoption)	79 - 79
	That Galiano Island Local Trust Committee adopt the 2025-2026 regular meeting schedule for the next fiscal year as proposed by staff.	
19.2	Next Regular Meeting Scheduled for December 10, 2024 at the Galiano South Community Hall, Galiano Island	

- | | | |
|-----|-----------------------|-------------------|
| 20. | TOWN HALL | 3:50 PM - 4:10 PM |
| 21. | CLOSED MEETING - None | |
| 22. | ADJOURNMENT | 4:10 PM - 4:10 PM |

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: October 8, 2024
Location: Lions Park Society
992 Burrill Road, Galiano Island, BC

Members Present: Timothy Peterson, Chair
Ben Maberley, Local Trustee
Lisa Gauvreau, Local Trustee

Staff Present: Kim Stockdill, Island Planner
Phil Testemale, Planner 2 (electronic)
William Shulba, Senior Freshwater Specialist
Carly Bilney, Recorder (electronic)

Others Present: Penelakut Chief Chakeenakwaut Jack
Penelakut Councillor Ken Thomas
Justine Starke, Manager, Service Delivery, Southern Gulf Islands, Capital
Regional District,
There were approximately twenty-four (24) members of the public
present.

1. CALL TO ORDER

Chair Peterson called the meeting to order at 1:00 p.m. He acknowledged that the meeting was being held in the territory of the Coast Salish First Nations and commented on the need to acknowledge the truth as a precursor to reconciliation.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TRUSTEE REPORT

Trustee Gauvreau's report included the following comments:

- Attended the recently held Trust Council meeting and highlighted the Islands Trust Accessibility Committee that aims to promote inclusive and accessible practices, and the endorsement by Trust Council of a plan to promote reconciliation efforts
- Commented on the wildfire situation currently in the province and gave thanks to volunteer firefighters, particularly on Galiano

Trustee Mabberley's report included the following comments:

- Attended a reconciliation event at the North Hall hosted by the North End Community Association and Michelle Crocker, and attended the Georgeson family reunion – both events were opportunities for people to get together and learn about history

4. CHAIR'S REPORT

Chair Peterson made the following comments in his report:

- Representatives of the Islands Trust attended the Union of British Columbia Municipalities convention and met with Ministers to discuss the Islands Trust mandate, a rural community housing stream, and wildfire planning
- Provided highlights of the last Islands Trust Council meeting

5. ELECTORAL AREA DIRECTOR'S REPORT – none

6. FIRST NATION REPORT

Penelakut Councillor Thomas commented on his experience at the Reconciliation Day event at the North Galiano Community Hall.

Penelakut Chief Jack commented on her desire to reiterate the message of what Penelakut Elders and Council have directed her to do. She made the following comments:

- We want to build partnerships in Penelakut territories and assert ourselves back into territories where we have not been (e.g. Galiano, Salt Spring, Tent Island territories)
- We are here to work in partnership and work together as one
- We cannot do anything by ourselves
- We appreciate the invite to join the meetings and to be a part of the community and build a bridge
- We have fallen behind as a result of non-communication with our counterparts and we want to catch up

7. TOWN HALL AND QUESTIONS

Town hall was held and the following comments were made:

- Trustees were urged to prioritize a review of Wise Island bylaws
- Support was expressed for proposed policy changes that relate to bylaw enforcement on Mudge Island
- Support was expressed for deferred bylaw enforcement on Wise Island until the bylaws have been reviewed
- The appraisal in GL-SUB-2021.1 (Waterfall) has been approved in principle by the Capital Regional District
- The decision to provide parkland or pay a cash-in-lieu amount during subdivision is up to the applicant
- Trustees should be neutral about who they represent

- If Trust Council is going to send a letter to the Minister, First Nations should be at the forefront and the focus should be on reconciliation
- Concern was expressed that not enough information has been made available to the community on proposed Bylaws 283 and 284, and there would be limited opportunity for people to discuss the information because the Public Hearing immediately follows the Community Information Meeting
- The proposals being discussed at the Community Information Meeting should have been included in the Active Page’s Trustee Report

8. COMMUNITY INFORMATION MEETING

8.1 Groundwater Sustainability Project – Proposed Bylaws 283 and 284

Island Planner Stockdill reviewed the Groundwater Sustainability Project and the proposed Bylaws 283 and 284 that were given First Reading in March 2023. Community members were invited to ask questions (Q represents questions and comments, A represents responses):

- Would Development Permit Exemption ‘p’ require an amendment to the Water Sustainability Act?
 - The proposed bylaws were referred to the Ministry of Water Land and Resource Stewardship to provide an opportunity to review them and ensure they are in compliance with the Act; a response was not received
 - A Local Trust Committee bylaw would not require an amendment to provincial legislation.
- Can staff provide assurance that the proposed bylaws are in compliance with all water regulations?
- Without a definite response from the Ministry, compliance should not be assumed
 - Staff has reviewed the Groundwater Protection Regulation and the Water Sustainability Act
 - The bylaw proposes a minimum duration of pumping as 12 hours, where as, provincial [“Guide to Conducting Pumping Tests”](#) state minimum durations of typical pumping tests are 24 to 72 hours unless stabilization of the pumping water level occurs
 - Local by-laws, regulatory requirements can stipulate minimum pumping durations
- Do we assume the Province’s silence is approval? Is this silence enough to give you confidence to move forward with the bylaws?
- Are there any other issues where you might not be in compliance?
 - We have a professional planner and a professional geoscientist – both public servants that have done due diligence through analysis and are confident in the result
- How many parcels of land would be affected by Development Permit Exemption ‘p’?
- The exemption should not move forward without knowing how many parcels of land may be affected

- There are other exemptions (e.g. Private Managed Forest Land) so the protected area is about half the land within the Development Permit Area
- Staff does not have information on property owners that would be affected by Exemption 'p'
- Development Permit Exemption 'p' is unusual because it regulates land use based on the identity of the land owner rather than the land use
- The Development Permit Area adds another layer of care to land that has been identified as a critical recharge area
- Freshwater sustainability needs to be a key lens through which Islands Trust land use decisions are made for First Nations and non-First Nations
- Has there been effort to find out how many properties would be affected by Development Permit Exemption 'p'?
 - Trustee responded there are 62 parcels of land that would be in the Development Permit Area; half are involved with other exemptions, and of the remaining 31 parcels, six would be affected by Exemption 'p'
- If there is an exemption granted to a person who qualifies for Exemption 'p' and they sell the land to somebody who does not qualify, Exemption 'p' goes with the person and not the land
- What if there are two or more people who own the land, and one has First Nations status and the other(s) do not?
 - If that person that owns land meets Exemption 'p' than activities may be exempt
- What Development Permit Areas do best is facilitate voluntary compliance
- Education is paramount and it should be known that federal and provincial parks and private managed forest lands have critical recharge areas
- Even if a critical recharge area is exempted from the Development Permit Area, it needs to be understood that what happens in those areas can have an impact

Councillor Thomas made the following comments:

- Penelakut Tribe has a water team
- We have to work together
- Water sustainability is an issue everywhere, not just on Galiano
- We know the land and have had how many years of not being able to have a say in what goes on in our territory; I come to work with the community in hopes to change that
- We need to get rid of negativity
- Water is a sensitive and important resource
- We appreciate people coming together and working with us
- We have been pushed aside for too long
- It is an honour to be here

Chief Jack made the following comments:

- The Islands Trust is not given enough credit for the work that it does
- I hear the concerns of the community members

- I want to reassure the community that we hold ourselves to a high standard, and are not just haphazardly doing work
 - I speak in the direction that my Elders and Council have directed me; the agenda put forward is from our community and our Elders
 - The integrity in how I speak is from my grandparents who raised me; I always try to honour my grandparents and our Elders
 - I'm grateful that you are including us in a document and have pride that we are finally being included in a document that we were removed from not by choice
 - Exemption 'p' is a topic of conversation; I want to hear the concerns and how we best work together to be able to move all our work forward
 - When we are included in the documents, I appreciate and honour that and will work with people that are willing to work with me
 - I say to the community, 'help us help you help us' in being able to move all our agendas forward working as one
 - Thank you for being strong enough to stand up and put something in a document
 - We appreciate the voice when we have never had one; we appreciate being included in a document when we have never had one; this is the foundation of the Declaration on the Rights of Indigenous Peoples Act, the United Nations Declaration on the Rights of Indigenous Peoples and reconciliation
 - If we were to do anything that goes against our community as a whole we would have to answer to them
- With so many exemptions, will the proposed bylaws still be viable in achieving their goal?
 - The Development Permit Area does not cover the critical aquifer recharge area
 - The Development Permit Area in isolation is not as effective as the Development Permit Area with an education about what a critical aquifer recharge area is
 - The real holes in the Development Permit Area are in the parks and private managed forest lands, which are beyond the jurisdiction of the Islands Trust
 - There is need for more consultative process and education about how we protect groundwater
 - Why are cisterns not required to be connected to a well?
 - To connect to a house's water system, the water in the cistern needs to be potable
 - It is good to give the landowner the option to do what they want with their water storage.
 - Are other First Nations groups whose traditional territory includes Galiano also involved?
 - At least 13 other First Nations listed in the staff report that were consulted
 - What is Exemption 'p' supposed to protect?

- Exemption 'p' is a step forward the Local Trust Committee is making for reconciliation
- Staff read the Reconciliation Declaration that was passed by the Islands Trust in 2019 and noted that this statement is to consider relationship building in all the work the Islands Trust does
 - Comments were made that the main thing the Islands Trust does is build bylaws and the Local Trust Committee has shown courage by creating Exemption 'p' and bringing this conversation forward
- Are staff members advocating support for Exemption 'p'?
 - Staff is advocating support for reconciliation
- Have staff and the Trustees considered possible ramifications of proceeding with Exemption 'p' when the legal opinion states it would probably be invalid?
 - If the exemption was challenged legally, that part of the Development Permit Area would be removed
- Are the Trustees prepared to bring on litigation?
 - The Trustees do not know if there will be a legal challenge or what the outcome would be

Trustee Gauvreau made the following comments:

- We all support reconciliation
- Exemption 'p' is open to misinterpretation and misunderstanding remains
- We need to consider amending Exemption 'p' to make sure everything is encompassed
- We are getting caught up in solving reconciliation and politicizing something that is administrative

Trustee Mabberley made the following comments:

- This is, as Trustees, the first document where we are able to offer reconciliation in a way that is a clear indication to First Nations that they belong
 - The first thing you do to beat colonization is to stop the colonization process and stop ignoring the Peoples who have been on this land since time immemorial
 - It pains me that the Penelakut are not at this table and involved in the drafting of this document; the process we are involved in does not allow for that to happen
 - The fact that Penelakut have a higher standard than we do on how to protect the land encourages me to keep Exemption 'p' in the bylaw
-
- Regardless of what happens to Exemption 'p', would the Trustees consider taking on an Official Community Plan review of water policies that would include Penelakut and other First Nations on the island so that we can all do it together?
 - Yes
 - Why did we not put a provision in the bylaw that would provide a role for Penelakut water experts to work with Islands Trust water experts and supervise the development permits that would apply to everyone?

- The Groundwater Sustainability Project came to Trustees and was an opportunity to include recognition of and reconciliation with First Nations Peoples

Trustee Gauvreau provided the following draft amended wording for Exemption ‘p’ for consideration: Activities taken specifically for the preservation, restoration and safeguarding of Indigenous cultural heritage and archaeological sites including, but not limited to, alteration, habitat restoration; ceremonial uses are exempt from acquiring a development permit provided they are carried out in collaboration with or under guidance from appropriate First Nations.

The meeting was recessed for a break at 3:13 p.m. and reconvened at 3:32 p.m.

9. PUBLIC HEARING

9.1 Groundwater Sustainability Project – Proposed Bylaws 283 and 284

9.1.1 Recess for Public Hearing

The meeting recessed at 3:33 p.m. for the Public Hearing.

9.1.2 Recall to order

The meeting was recalled to order at 4:05 p.m.

10. MEETING BREAK

11. CAPITAL REGIONAL DISTRICT RURAL HOUSING PROGRAM PRESENTATION

Justine Starke, Manager, Southern Gulf Islands Service Delivery at the Capital Regional District, presented on the Capital Regional District’s Rural Housing Program and made the following comments:

- One of the main objectives of the housing strategy is having the Capital Regional District create a rural housing program to support islanders in providing housing for islanders
- The program aims to support the creation of a greater diversity of housing for the community
- The Rural Housing Program has proposed a pilot project for 2025 for island electoral areas that looks into funding incentives for people to build out secondary suites and cottages where they have zoning
- One goal of the program is to provide pre-development funding to support infrastructure costs to non-profit property owners and improve the likelihood that bigger funders might contribute
- Another goal is to have the capacity to support and educate island communities
- Money requested from the Capital Regional District Board is a small start that will hopefully be used to leverage more from other funders once success has been demonstrated

After the presentation community members were invited to ask questions:

- How does the pilot program help with the higher cost of building?
 - We are trying to build a fund to give to the grant
 - The program provides for a 5-year forgivable loan and when the loan recipient demonstrates they have met compliance with the program and the tenant is renting at an affordable rate, their loan is forgiven
- Has consideration been given to trailers?
 - Rezoning for a trailer park raises issues with the building code and Canadian Standards Association
 - The Capital Regional District is working to reconcile when the building code applies to trailers and when it does not
 - The provincial government has a lot of work to do on the building codes to allow for alternative housing like trailer parks
 - The Local Trust Committee can consider floor area requirements in bylaws for secondary suites
- What is the Capital Regional District Rural Housing Initiative doing to ensure there is funding from senior levels of government for Galiano Green?
 - We have a lot of applications in to fund the \$14-million project
- How does the program ensure rental units are affordable?
 - This is challenging because costs are so high
 - When building, an owner has to look at how much funding they will get and the level of financing and how much they will need to operate
 - We hope to develop a readiness kit to help people think through what it will take to develop a project.

The presenter encouraged landowners to fill out the Rural Housing Pilot Program Property Owner's Survey that is currently open and available online.

12. MINUTES

12.1 Local Trust Committee Minutes Dated September 10, 2024 (for Adoption)

By general consent the Galiano Island Local Trust Committee meeting minutes of September 10, 2024 were adopted.

12.2 Section 26 Resolutions Without Meeting Report – None

12.3 Advisory Planning Commission Minutes – None

13. BUSINESS ARISING FROM MINUTES

13.1 Follow-up Action List Dated Oct 2024

Received for information.

14. DELEGATIONS – None

15. CORRESPONDENCE

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

16. MEETING BREAK – COMMUNITY UPDATE

17. APPLICATIONS AND REFERRALS

17.1 GL-BP-2024.10 (1724 Sticks Allison) – Release of Covenant – Staff Report

Island Planner Stockdill presented the staff report on behalf of Planner Testemale. Comments were made that the applicant has met all the requirements.

GL-2024-024

It was Moved and Seconded,

that Galiano Island Local Trust Committee approve the release of the Covenant EW62082 (Proof of Potable Water) registered under section 219 of the Land Title Act that is Attachment 1 to this report for STRATA LOT 8, DISTRICT LOT 30, GALIANO ISLAND, COWICHAN DISTRICT, STRATA PLAN VIS5536 (PID: 025-936-476).

CARRIED

GL-2024-025

It was Moved and Seconded,

that Galiano Island Local Trust Committee designate the Chair of the Local Trust Committee to sign the release for the Covenant EW6208.

CARRIED

17.2 GL-SUB-2021.1 (Waterfall) - Acceptance of Covenants/Cash-in-Lieu Amount – Staff Report

Island Planner Stockdill reviewed the staff report on behalf of Planner Testemale. The following comments were made:

- The applicants noted the proposed subdivision was arrived at after many iterations
- The bare land strata portion of the subdivision would be a common driveway
- The Capital Regional District told the applicants they had to get an appraisal rather than just use the assessment to determine the value of the subject land
- Concern was expressed that the appraised market value of the subject property is too low
- If the Local Trust Committee thinks the appraisal is too low, a new appraisal would be needed and would cost \$3000-\$5000
- Support was expressed for the appraisal as it was carried about by a professional

GL-2024-026

It was Moved and Seconded,

that Galiano Island Local Trust Committee agrees that, for the purpose of calculating cash-in-lieu for subdivision application GL-SUB-2021.1 (Waterfall), the market value of the land on June 11, 2024 was \$1,515,000.00 as stated in the appraisal report prepared by Katie Snell, ACCI, P.App., dated June 19, 2024 that is Attachment 1 to this report for GL-SUB-2023.1 (Waterfall).

CARRIED

GL-2024-027

It was Moved and Seconded,

that Galiano Island Local Trust Committee accept the Section 219 Covenant (Strata Lot 4 – Density) that is Attachment 2 to this report for GL-SUB-2023.1 (Waterfall).

CARRIED

GL-2024-028

It was Moved and Seconded,

that Galiano Island Local Trust Committee accept the Section 219 Covenant (All Strata Lots – Water Treatment) that is Attachment 3 to this report for GL-SUB-2023.1 (Waterfall).

CARRIED

GL-2024-029

It was Moved and Seconded,

that Galiano Island Local Trust Committee approve the release of the following covenants registered under section 219 of the Land Title Act for Lot B, Section 1, Galiano Island, Cowichan District, Plan VIP87346:

- a. Covenant EF12652 (Density) that is Attachment 4 to this report; and,
- b. Covenant M58171 (Proof of Potable Water) that is Attachment 5 to this report.

CARRIED

GL-2024-030

It was Moved and Seconded,

the Galiano Island Local Trust Committee designate the Chair of the Local Trust Committee to sign the two (2) Covenants and the releases for Covenants EF12652 and M58171.

CARRIED

18. LOCAL TRUST COMMITTEE PROJECTS

18.1 Groundwater Sustainability Project – Proposed Bylaws 283 and 284 – Post Public Hearing Staff Report

A question was raised about the process of amending Development Permit Exemption ‘p’ if the Local Trust Committee came to that decision. Staff suggested deferring the post Public Hearing staff report to the November meeting to give Trustees time to consider Exemption ‘p’. It was noted that an amendment to the exemption can be

made after the Public Hearing; however, if the Local Trust Committee needs more information from First Nations or community members a new Public Hearing would be required.

Island Planner Stockdill noted minor tweaks to the proposed bylaw that could be given to the Trustees for consideration.

By general consent review of the post Public Hearing staff report was deferred to the November Local Trust Committee meeting.

19. REPORTS

19.1 Work Program Reports

19.1.1 Active Projects Report Dated Oct 2024

Received for information.

19.1.2 Future Projects Report Dated Oct 2024

Received for information.

19.2 Applications Report – Verbal Report

Island Planner Stockdill noted that staff is prioritizing the drafting of a letter for discussion at the November Local Trust Committee meeting.

19.3 Trustee and Local Expense Report – None

19.4 Adopted Policies and Standing Resolutions

19.5 Local Trust Committee Webpage

19.6 Islands Trust Conservancy Report – None

20. NEW BUSINESS – None

21. UPCOMING MEETINGS

21.1 Next Regular Meeting Scheduled for November 8, 2024 at the Galiano Lions Club Hall, Galiano Island

22. TOWN HALL

One member of the community encouraged Trustees to develop protocol with Penelakut Tribe to involve Penelakut in the management of groundwater resources on Galiano.

23. CLOSED MEETING – None

24. ADJOURNMENT

By general consent the meeting was adjourned at 5:13 p.m.

Tim Peterson, Chair

Certified Correct:

Carly Bilney, Recorder

Galiano Island Local Trust Committee Record of a Public Hearing Proposed Bylaws 283 and 284

Date:	October 8, 2024
Location:	Galiano Lions Park Society 992 Burrill Road, Galiano Island BC
Members Present:	Timothy Peterson, Chair Ben Maberley, Local Trustee Lisa Gauvreau, Local Trustee
Staff Present:	Kim Stockdill, Island Planner Phil Testemale, Planner 2 (electronic) William Shulba, Senior Freshwater Specialist Carly Bilney, Recorder (electronic)
Others Present:	Penelakut Chief Chakeenakwaut Jack Penelakut Councillor Ken Thomas Justine Starke, Manager, Service Delivery, Southern Gulf Islands, Capital Regional District, There were approximately twenty-four (24) members of the public present.

9.1 Groundwater Sustainability Project – Proposed Bylaws 283 and 284

Chair Peterson called the Public Hearing to order at 3:33 p.m. He read a statement outlining the content, purpose, and process of the Public Hearing.

Island Planner Stockdill read a statement related to the purpose of proposed Bylaw Nos. 283 and 284 and their development to date.

Members of the community were invited to speak and the following comments were made:

- One community member commented that the public hearing was advertised in the Driftwood, which is a publication that is not widely read by Galiano community members
 - it was suggested that the inadequate advertising should be considered a technicality
 - Island Planner Stockdill commented that provincial legislation requires that the public hearing notice be posted in a periodical that comes out at least every two weeks
- Carmita de Menyhart suggested the public hearing be postponed so that community members on Galiano can be given more opportunity to consider the proposals

- Carmita de Menyhart referred to the Personal Interests section of the Islands Trust Standards of Conduct and suggested it applies
 - Chair Peterson noted it is up to individual Trustees to make a declaration regarding the Standards of Conduct if they deem necessary
- Jennifer Margison expressed support for amending Development Permit Exemption ‘p’ in consultation with Penelakut Tribe and any other groups that would be impacted
 - She commented that it is not helpful to define the conversation around those who support reconciliation and those who do not, and suggested the Trust can do more to work towards reconciliation
- Stephen Rybak expressed support for the proposed bylaws if the Trustees replace Exemption ‘p’ with an exemption based on defining First Nations uses and practices and develop the wording in collaboration with Penelakut and any other First Nations who have an interest.
 - He commented that the merits of an application are to be decided upon land use and not land user
- Art Moses expressed support for the objectives of the Groundwater Sustainability Project
 - He expressed concern about Exemption ‘p’ and commented that having development permit requirements not apply to a specific group of landowners while applying to all others would be bad land use planning that could be defeated in court
 - He expressed support for amending the bylaw to ensure Penelakut water experts are given a co-management role in overseeing the bylaws
- Art Moses suggested that the Local Trust Committee make an exchange of land with Penelakut Tribe or other Coast Salish First Nation a part of rezoning, and should lobby the provincial government to transfer Crown land to the Penelakut Tribe, particularly District Lot 87
 - He suggested the Local Trust Committee encourage or require landowners and conservation groups to develop co-management arrangements to increase Indigenous peoples’ access to their traditional lands

Chair Peterson called three times for speakers and no comments were made. There being no further submissions, Chair Peterson closed the Public Hearing at 4:05 p.m.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD.

RECORDER

DATE

Follow Up Action Report

Galiano Island

11-Jul-2023

Progress	Activity	Responsibility	Dates	Status
0%	1 16.1 Staff to bring forward staff report for public participation options regarding the work program. (ON HOLD until completion of GWS project)	Kim Stockdill	Target: 31-Dec-2024	In Progress

09-Jul-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 15.1 PLRZ20240003 (Palmberg) - Applicant to provide the following information: (ON HOLD) 1. Scale of proposed uses. 2. Business plan for light industrial and cidery uses. 3. Water management plan 4. Timing/phased approach of development 5. Detailed site plan	Kim Stockdill	Target: 29-Nov-2024	In Progress

Follow Up Action Report

Galiano Island

10-Sep-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 11.1 Staff to contact GL APC in regards to the Wise Island referral.	Kim Stockdill	Target: 27-Sep-2024	Completed
0%	2 15.1 GL-RZ-2021.2 1. Staff to create draft bylaw numbers and templates - Done BLS 292/293 2. Staff to schedule meeting with Penelakut/MOTI/Applicant - in process 3. Staff to send referral to GI Parks & Rec Commission - in process	Jas Chonk Kim Stockdill	Target: 29-Nov-2024	In Progress
0%	3 15.1 GL-RZ-2023.2 1. Staff to create draft bylaw numbers and templates - Done BLS 294/295 2. Staff to schedule meeting with Penelakut/MOTI/Applicant - in process 3. Staff to send referral to GI Parks & Rec Commission - in process 4. Staff to review easement/SRoW from Cook Road to DL 85 (emergency access)	Jas Chonk Kim Stockdill	Target: 29-Nov-2024	In Progress
0%	4 Staff to facilitate scheduling a meeting between Penelakut Chief, Council and staff, and the Galiano LTC.	Kim Stockdill	Target: 25-Oct-2024	Completed

Follow Up Action Report

Galiano Island

08-Oct-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 12.1 GL LTC meeting minutes of September 10 2024 adopted as is.	Emily Bryant	Target: 18-Oct-2024	Completed
0%	2 17.1 GL-BP-2024.10 (Florianova) - LTC approved release of covenant and LTC Chair to sign covenant release.	Phil Testemale	Target: 29-Nov-2024	In Progress
0%	3 17.2 GL-SUB-2021.1 (Waterfall): 1. LTC agrees with cash-in-lieu. Staff to send letter to CRD. 2. LTC accepts both draft Section 219 covenants. 3. LTC approves the release of two existing covenants. 4. Chair to sign covenant releases and two new Section 219 covenants.	Phil Testemale	Target: 29-Nov-2024	In Progress
0%	4 GWS Project - staff to bring forward post public hearing staff report with edits to November 8 2024 LTC meeting.	Kim Stockdill	Target: 01-Nov-2024	Completed



DATE OF MEETING: November 8, 2024

TO: Galiano Island Local Trust Committee

FROM: Kim Stockdill, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: Rezoning Application – Preliminary Report

Applicant: George Harris

Location: 9980 Porlier Pass Rd – PID: 026-836-734

RECOMMENDATION

- 1. That the Galiano Island Local Trust Committee direct staff to proceed with application GL-RZ-2023.3 (Harris) and to prepare draft bylaws and a housing agreement.**

REPORT SUMMARY

The purpose of this preliminary report is to provide information regarding rezoning application GL-RZ-2023.3 (Harris) and to seek direction from the Galiano Island Local Trust Committee (LTC) to proceed, or not proceed, with the application, including the preparation of draft bylaws and a housing agreement.

The application as proposed would amend the Galiano Island Land Use Bylaw (LUB) No. 127, 1999 by rezoning the subject property from the following split zones: Commercial Private Film School (C7) zone and Rural Residential (RR), to a site-specific Community Housing (CH) zone. An amendment to the Galiano Island Official Community Plan (OCP) Bylaw No. 108 would also be required to re-designate the lot from the Commercial (C) and Rural Residential (RR) designations to the Community Housing (CH) designation.

BACKGROUND

The subject property is located mid-island along Porlier Pass Road. The lot slopes from the front lot line upward towards the rear of the property. The existing driveway bisects a wetland area (not mapped as a sensitive ecosystem), transverses across the western neighbouring property via easement access, and winds upwards towards the existing developed area. The buildings located on the property were originally used for forestry purposes and were converted for the use of a film school in the late 1990s.

As stated by the applicant, the buildings are now used as affordable housing for Galiano Island residents. The previously used film school student accommodation buildings are now converted into five housing units each with their own kitchen. As this use currently does not comply with existing zoning, a rezoning application is required to legalize the use.

The property owner applied to rezone the property in 1995 to amend the zoning from Rural Residential (RR) to a Commercial 7 (C7) zone that would permit a commercial film school use. In 2002, the property was successfully rezoned to the C7 use and re-designated as Commercial in the OCP. The film school business operated for approximately 20 years (as stated by the applicant).

In 2006 a lot line adjustment was registered to the Land Title Office. Prior to the lot line adjustment, the property was 1.578 hectares in area. The outcome of the lot line adjustment increased the area of the subject property to 1.98 ha and also created a split zoned parcel (C7 and RR).

Staff visited the property twice; once in June 2023 and a second time on October 29, 2024. Attachment 1 provides additional site context. Attachment 2 provides relevant maps, orthophotos, and site visit photos. A cover letter provided by the applicant is included as Attachment 3.

The applicant's proposal is to rezone the property to allow for affordable rental use with a total density for 12 housing units. Some of the housing units will be equipped with their own kitchen, and a common kitchen is proposed for communal use. The applicant would also like to legalize the following uses, buildings and/or structures: common laundry room, common lounge room, and bike repair shop.

Application Rationale

As stated by the applicant (Attachment no. 3), the rationale for the proposed rezoning is as follows:

- The goal of turning the Gulf Island Film and Television School-GIFTS into the "Gulf Island Frugal Tenancy Site"-GIFTS (as affordable housing) is an important part of ensuring Galiano can house those most in need.
- A significant water license, sewage system, integrated fire alarm and final occupancy permit existed for 30 residential [film school] students and a Manager's family under the current [C7] zoning. The sewage system was designed for 45 people which included the administration, teachers, interns and guests while the film school was in session.
- Extensive repair and upgrades to add integrity, sustainability, comfort and efficiency - including heat pumps to replace energy inefficient electric and propane heating - to the site.
- Applying for a rezoning to allow improvements to continue and, more importantly, ensure secure housing for an important part of our community.

Figure 1 - Location of Subject Property

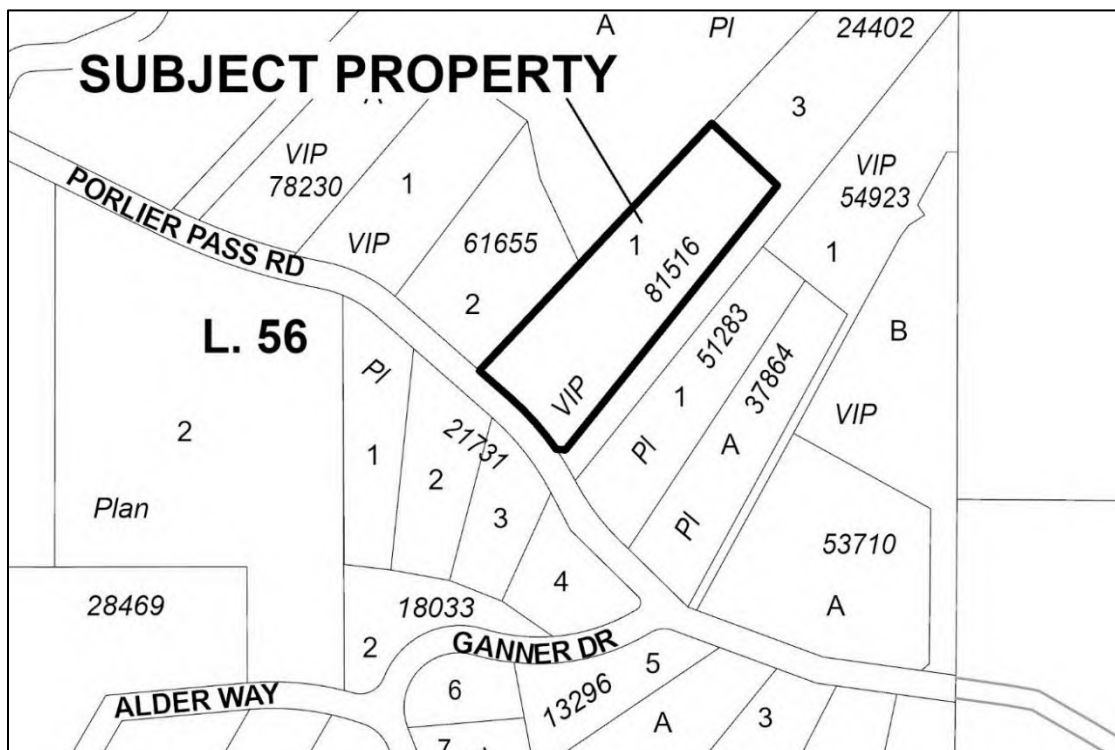


Figure 2 – Orthophoto with Zoning



ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement

The most relevant policies of the Islands Trust Policy Statement (ITPS) relating to this rezoning proposal are:

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.

5.8.6 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.

If LTC decides to proceed with drafting bylaws, the ITPS policy checklist would be presented to LTC for review and consideration in a future staff report if at such time draft bylaws are presented for first reading.

Official Community Plan

The OCP land use designations for the subject property are: Commercial (C) and Rural Residential (RR). An amendment to the Galiano Island OCP is required to change the OCP designation from a split designation to a single land use designation: Community Housing (CH).

Applicable OCP Policies or Development Permit Areas (DPAs):

OCP Policy/DPA	Application to Comply	Staff Comments
<p>1.6 Community Housing – Policy ‘b’:</p> <p>Applications for rezoning to a higher density than permitted by current zoning shall be considered where the application would result in the provision of seniors, affordable or special needs housing, subject to the following:</p>		
<p>i) All additional density greater than that permitted by current zoning shall be in the form of units reserved primarily for occupancy as affordable, seniors or special needs housing as operated on a not for profit basis.</p>	✓	Property will be rezoned to allow affordable housing only (market housing not intended)
<p>ii) Applications shall include provision of a housing agreement ensuring that for affordable housing the rental, lease, sale or share prices are fixed below average rates within the region, and the agreement may limit occupancy of the dwellings to rental, lease, co-housing or cooperative tenure, and may limit occupancy.</p>	✓	Housing agreement will be a condition of rezoning
<p>iii) Applications may be for units in the form of clustered detached dwellings, duplexes or attached ground-oriented housing, and are encouraged to incorporate water conservation and energy efficient building design elements, including rainwater catchment.</p>	✓	Units will be primarily clustered and/or attached.
<p>iv) All applications shall site development on land with modified ecosystems, avoid potentially hazardous lands, demonstrate an adequate supply of potable water, and be in proximity and accessible to existing roads, services and other amenities.</p>	✓	Location of future buildings will be located outside of the slope hazard area. As a condition of rezoning, applicant must provide a groundwater assessment to ensure adequate supply of potable water. Property is located on main arterial road.
<p>v) Consideration of applications for affordable or seniors or other special needs housing shall include the following where appropriate: amendment of the OCP to designate the land as Community Housing, designation as a development permit area, amendment of the zoning to designate the area for affordable or special needs housing, site-specific zoning regulation of density, siting and size, and registration of a housing agreement and a section 219 covenant.</p>	✓	Property to be re-designated to Community Housing. A housing agreement and a Section 219 covenant (if required) will be a condition of rezoning.
<p>2. Water Supply – Policy ‘e’:</p> <p>Any rezoning application involving an increase in density or intensity of use should be required to provide an assessment of the availability of sustainable, long-term groundwater. Any additional density or intensity of use that would negatively affect</p>	✓	A groundwater assessment will be required.

the quality or quantity of groundwater should not be permitted in critical groundwater areas.		
3. Heritage Conservation – Policy ‘c’: All development applications shall be reviewed for the presence of known and recorded archaeological sites. Applicants should modify or revise proposed development plans to avoid archaeological site impacts as the best means of preserving archaeological resources. Alteration of a protected archaeological site requires a Provincial Heritage Alteration Permit prior to land altering activities.	✓	Application reviewed – see Attachment No. 1
6. Climate Change Mitigation & Adaption – Policy ‘b’ In considering applications for new development, the LTC should ensure that additional density is located in areas accessible to existing transportation and services.	✓	Additional density is located on existing main road.
Development Permit Area 7 – Steep Slope Moderate Hazard	N/A	If development is proposed within the Steep Slope Moderate Hazard DPA, a development permit may be required.

Land Use Bylaw

The subject property is split zoned Commercial 7 (C7) and Rural Residential (RR) in the Galiano Island Land Use Bylaw No. 103. The intent is to rezone the entirety of the subject property to a site-specific Community Housing (CH) zone to legalize the affordable rental housing use. The site-specific CH zone will also regulate:

- Permitted uses (affordable rental housing and accessory uses)
- Density – maximum number of dwelling or multi-dwelling units
- Maximum floor area of buildings and structures

Residential Rental Tenure

In May 2018, the Province amended the *Local Government Act* to provide local governments with the authority to zone land for residential rental tenure. The intent is to give local governments greater ability to preserve existing rental housing and/or increase the supply of new rental housing in their communities.

In accordance with this, staff recommend including a zone-specific regulation in the amending bylaw that regulates tenure to “residential rental tenure”, along with an associated definition, as suggested below:

Definition of residential rental tenure: *means the granting of a right to occupy a dwelling unit as living accommodation where the minimum occupancy period is thirty consecutive days, and where the dwelling unit is not owned by a dwelling unit occupant, but where regular payments are made to the owner for the use of the dwelling unit.*

Housing Agreement

Section 483 of the *Local Government Act* authorizes LTC to enter into a housing agreement, which defines terms and conditions agreed to by the LTC and the property-owner/operator regarding the occupancy, rents and tenure of the housing units identified in the agreement. The primary purpose of a housing agreement is to ensure that a development provides affordable rentals in the long term, as intended.

There are three parts to a housing agreement:

1. **A bylaw.** Adopted by the LTC and authorizes LTC to enter into a housing agreement with another party.

2. **The housing agreement.** The housing agreement is attached to the bylaw, and is a contract between the parties to provide affordable housing.
3. **Registration on title.** Once the bylaw is approved, notice of the housing agreement is registered on title.

Contents of a housing agreement generally include:

- Definitions and Interpretation
- Agreement over the lands on use and development, including property maintenance;
- Affordable rental housing eligibility;
- Rental rates;
- Rules governing the establishment of rental policies by owners to ensure alignment with policy goals of the housing agreement and the *Residential Tenancy Act*;
- Restrictions on subletting or assignment;
- Monitoring and reporting requirements to the LTC; and,
- General terms related to various legal matters such as order to comply if in default, site inspections, indemnity, covenant runs with the land, amendment and termination etc.

Terms of Reference

Should the LTC decide to proceed with the application, a terms of reference will be issued to the applicant from staff that provides specific guidance on application requirements that is consistent with the Galiano Island Development Approval Information Bylaw No. 148 (DAI Bylaw).

A Groundwater Assessment prepared by a professional Engineer or Hydrogeologist with experience in groundwater hydrogeology and water resources management will be a requirement of the rezoning application. The Groundwater Assessment should ensure the existing well has sufficient quality and quantity for the proposed use, and that the extraction of groundwater water in respect of each permitted building, structure or use will not adversely affect the quantity or quality of any existing groundwater well or surface water used as a source of potable water.

A Waste Water Assessment prepared by a professional will be a requirement of the rezoning application to ensure the existing waste water treatment systems are sufficient for the proposed use and densities.

A housing agreement will be required to ensure the land in perpetuity is used for affordable housing as stated above. A section 219 covenant may also be required to restrict uses, or prescribe development layout or restrictions.

Confirmation from the Capital Regional District (CRD) Building Department to ensure the existing buildings meet the BC Building Code for the proposed affordable housing use or brought up to code (owner will obtain occupancy permit for use).

Consultation

Statutory Requirements

In accordance with regular statutory requirements a public hearing is required. It is common practice to hold a Community Information Meeting (CIM) prior to that. With direction from LTC these would be scheduled either separately or concurrently after draft bylaws are complete, reviewed and have received at least First Reading should the application proceed to that stage.

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

First Nations

Staff have identified the following First Nations for bylaw referral based on the Province's database:

- Stz'uminus First Nation
- Lake Cowichan First Nation
- Halalt First Nation
- Lyackson First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Pauquachin First Nation
- Tsartlip First Nation
- Tseycum First Nation
- Cowichan Tribes
- Tsawwassen First Nation
- Tsawout First Nation
- WSANEC Leadership Council

Agencies

Staff have identified the following agencies for bylaw referral; the LTC may direct staff to include other agencies not listed. The LTC may also choose to refer the rezoning proposal to the Galiano Island Advisory Planning Commission by resolution.

Provincial Agencies

- Ministry of Forests, Lands & Natural Resource Operations – Water Licensing Branch
- Ministry of Attorney General and Minister responsible for Housing
- Ministry of Transportation and Infrastructure

Adjacent Local Trust Committees

- Mayne Island Local Trust Committee
- Salt Spring Island Local Trust Committee
- Thetis Island Local Trust Committee
- Gambier Island Local Trust Committee

Regional Agencies

- CRD, Planning and Protective Services, Building Inspection
- CRD, Planning and Protective Services, Regional Housing
- Island Health
- Galiano Island Fire Rescue – South Department
- Islands Trust Conservancy

Non-Agency Referrals

- BC Hydro and Power Authority
- BC Housing
- Coast Salish Peoples of Galiano Society
- Georgeson Family

RECOMMENDATION

Based on the foregoing, the recommendations on page 1 are supported as:

- Affordable housing has been identified in numerous studies as a longstanding community need;

- The proposed land use is consistent with housing-related policies of the Islands Trust Policy Statement (ITPS) and OCP and the subject property is already designated and zoned for community housing;
- Proceeding with the preparation of draft bylaws would allow for next steps in the process to proceed including the initiation of First Nations engagement, referrals to potentially affected agencies, and the consideration of further input from the public including adjacent property owners.

ALTERNATIVES

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

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.

Resolution:

That the Galiano Island Local Trust Committee request that the applicant for GL-RZ-2023.1 submit to the Islands Trust _____.

2. Send Rezoning Application to the Galiano Advisory Planning Commission

Resolution:

That the Galiano Island Local Trust Committee refer rezoning application GL-RZ-2023.1 (Rockafella) to the Galiano Advisory Planning Commission for the following purpose _____.

3. Deny the application

The LTC may deny the application.

Resolution:

That the Galiano Island Local Trust Committee proceed no further with application GL-RZ-2023.1 (Rockafella).

NEXT STEPS

With direction from LTC, Staff will:

- Develop a draft amending bylaw and a draft housing agreement
- Prepare a cost recovery agreement for legal review of a housing agreement
- Refer the application to the CRD Building Department
- Conduct agency and First Nation referrals

Submitted By:	Kim Stockdill, Island Planner	October 31, 2024
Concurrence:	Robert Kojima, Regional Planning Manager	October 31, 2024

ATTACHMENTS

1. Site Context
2. Maps, Plans, Ortho-photos
3. Terms of Reference
4. Cover Letter from applicant

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 1, District Lot 56, Galiano Island, Cowichan District, Plan VIP81516
PID	026-836-734
Civic Address	9980 Porlier Pass Rd
Lot Size	1.98 hectares (4.88 acres)

LAND USE

Current Land Use	Forest and Residential
Surrounding Land Use	Forest, Residential, Utility, and Nature Protection

HISTORICAL ACTIVITY

File No.	Purpose
GL-SUB-1990.30	N/A
UN-SUB-1991.82	
GL-SUB-1999.2	
GL-RZ-1995.4	To rezone a portion of the subject property to a permit a film school

POLICY/REGULATORY

Official Community Plan Designations	Galiano Island OCP No. 108, 1995 Designations: Commercial (C) and Rural Residential (RR)
Land Use Bylaw	Galiano Island LUB No. 127, 1999: Commercial Private Film School (C7) and Rural Residential (RR)
Other Regulations	N/A
Covenants	None
Bylaw Enforcement	GL-BE-2019.17 – Closed GL-BE-2021.10 – Closed

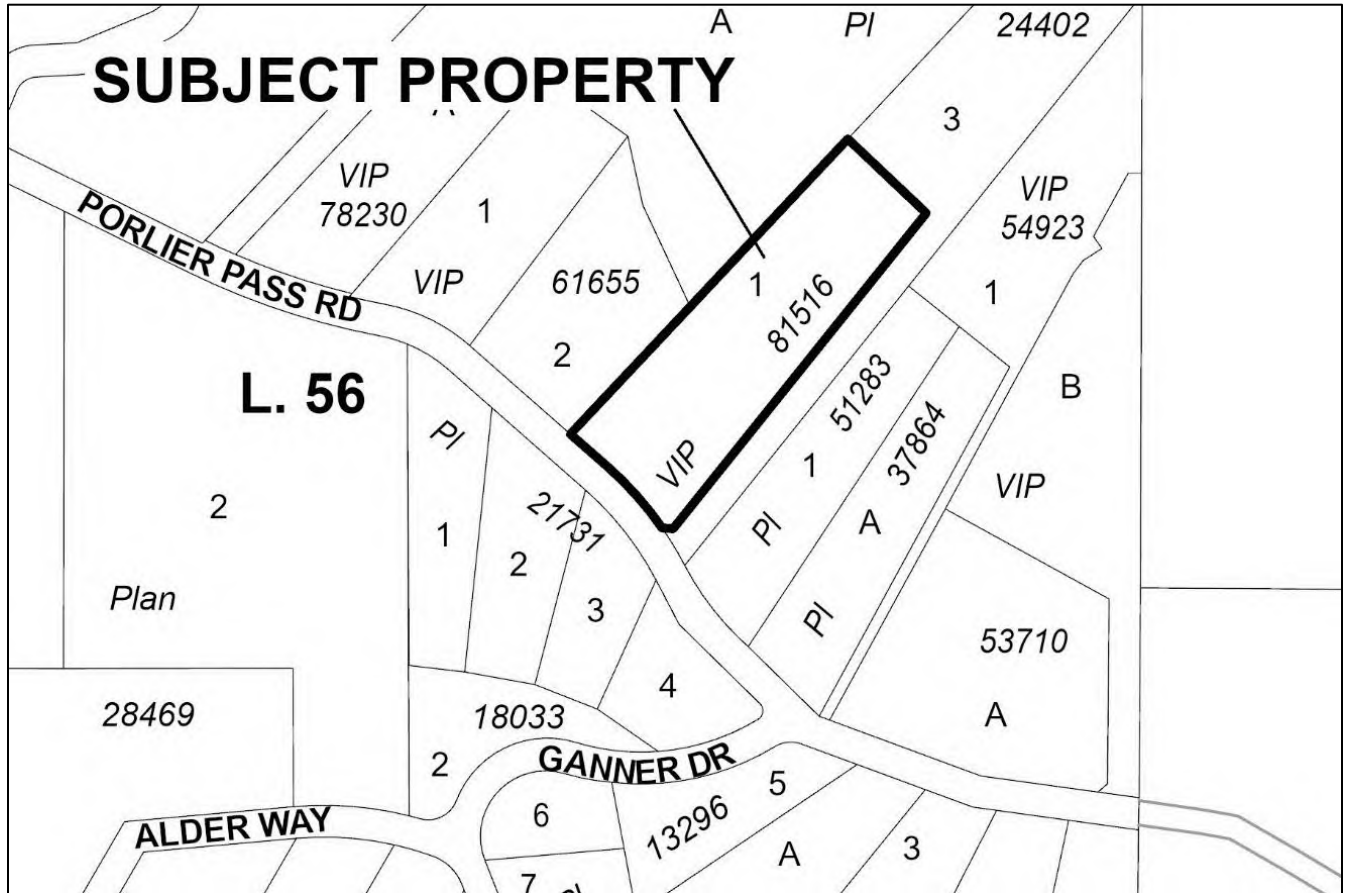
SITE INFLUENCES

Islands Trust Conservancy	The Islands Trust Conservancy covenant is directly northwest of the subject property; therefore a referral will be made to the ITC.
Regional Conservation Strategy	The proposal does not impact the objectives and priorities of the Islands Trust Conservancy regional conservation plan.
Species at Risk	N/A
Sensitive Ecosystems	N/A
Hazard Areas	Low and medium risk steep slope on property
Archaeological Sites	There is potential for the presence of archaeological material. Staff have directed the applicant to the following guidelines:

	<ul style="list-style-type: none"> • All archaeological and cultural heritage is protected under the <i>Heritage Conservation Act</i> and areas of archaeological potential may contain undocumented archaeological sites which would be automatically protected under the <i>Heritage Conservation Act</i> (including all intact or disturbed sites) and require a permit from the BC Archaeology Branch. Further information regarding permits: https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits. • In the event that archaeological features or materials are found, either intact or disturbed on the subject property, stop work immediately and contact the BC Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca. • Any impacts, would include the following: landscaping, tree removal, digging, using heavy equipment, development, fencing, footings, or any form of groundwork. For more information regarding registered archaeological sites and archaeological potential on the subject property, submit an Archaeological Information Request Form: www.archdatarequest.nrs.gov.bc.ca, or contact Islands Trust to access mapping of the subject property.
Climate Change Adaptation and Mitigation	Increased density and clustered design support climate change strategies
Shoreline Classification	N/A
Shoreline Data in TAPIS	N/A

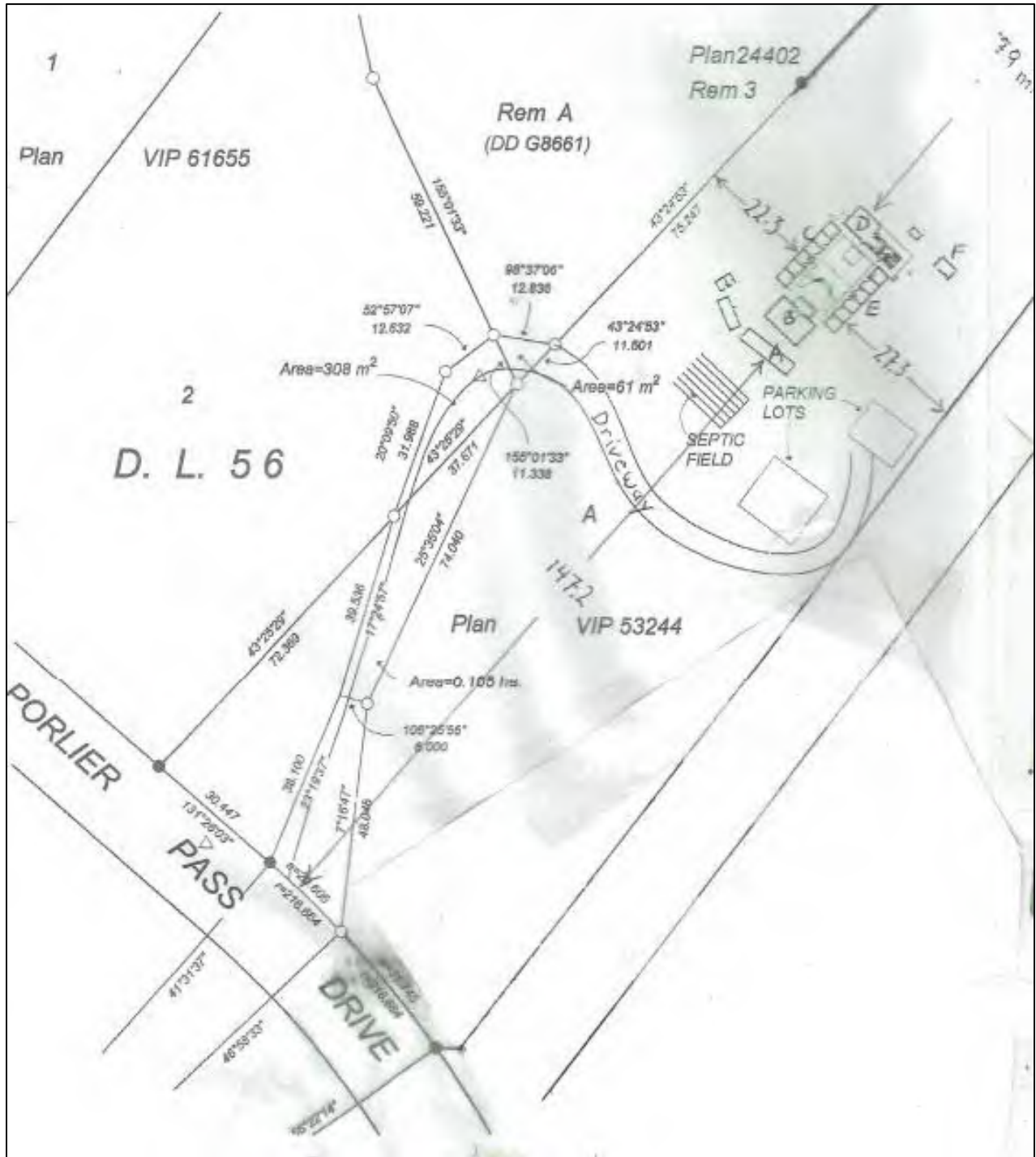
ATTACHMENT 2 – MAPS, PLANS, ORTHO-PHOTOS

2.1 SUBJECT PROPERTY MAP



2.2 SITE PLAN PROVIDED BY APPLICANT

- A - Atco trailer 10'x39'
- B - Main buidng 34'x21' - 2 stories
- C - Atco trailer 10'x56'
- D - Cookhouse/washrooms 20'x50'
- E - Atco trailer 10'x56'
- F - Pump house 8'x12'



2.3 ZONING AND ORTHO



2.4 DEVELOPMENT PERMIT AREAS



2.5 10 METRE CONTOURS



2.6 SITE VISIT PHOTOS



LOOKING NORTH TOWARDS EXISTING BUILDING CURRENTLY USED FOR COMMUNITY HOUSING



LOOKING WEST TOWARDS EXISTING BUILDING



LOOKING NORTH TOWARDS REAR OF PROPERTY (MODERATE STEEP SLOPE)



LOOKING SOUTH TOWARDS WINDING DRIVEWAY



LOOKING SOUTH TOWARDS PORLIER PASS RD AND WETLAND AREAS BORDERING DRIVEWAY



200-1627 Fort Street, Victoria, BC V8R 1H8
Telephone 250 405-5151 Fax 250 405-5155
Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC
1.800.663.7867
Email information@islandstrust.bc.ca
Web www.islandstrust.bc.ca

November 8, 2024

File Number: GL-RZ-2023.3 (Harris)

Dear George Harris
Via email: XX

Re: Rezoning Application GL-RZ-2023.3 (Harris) - Terms of Reference – Lot 1, District Lot 56, Galiano Island, Cowichan District, Plan VIP81516

The Islands Trust has completed a preliminary review of your rezoning application for 9980 Porlier Pass Road on Galiano Island.

The purpose of this letter is to identify information that is required from the applicant pursuant to the [Galiano Island Development Approval Information Bylaw No. 148](#) (DAI Bylaw). Under the DAI bylaw, a zoning amendment application uses a 'terms of reference' (TOR) approach to information collection. The objective of this TOR is to identify and request any anticipated information from the applicant in a timely manner, and as early as possible in the process.

The information received by Islands Trust to date pertaining to your application includes:

- Signed and dated land use application seeking rezoning of the subject parcel from Commercial 7 (C7) and Rural Residential (RR) to site-specific Community Housing zone
- A brief summary of property background and proposed uses
- Site plan showing existing driveways, buildings and structures
- A current land title search for the subject property

As per this TOR, additional information that is required to proceed with your application for consideration by the Galiano Island Local Trust Committee (LTC) includes:

- 1) A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the proposed areas for future development (where future community housing units may be located) and associated features - existing buildings and structures, roads and driveways, existing septic field and tanks, existing well, topographic features, and any significant sensitive environmental or habitat features.
- 2) Hydrogeologist's* Report
 - a. Confirmation that the existing well has sufficient available groundwater to provide the daily required volume of potable water for each existing and proposed community housing unit.
 - b. Confirmation that the quality of groundwater from the well meets or exceeds the Guidelines for Canadian Drinking Water Quality.
 - c. Inclusion of recommendations for mitigation measures, if applicable, to ensure long-term sustainable yield of the drilled wells and to lower the risk of saltwater intrusion.

Prior to initiating the assessment, staff recommend the Hydrogeologist contact the Islands Trust Senior Freshwater Specialist (wshulba@islandstrust.bc.ca) regarding the requirements and contents of the assessment report.

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

Note: It is the applicant's responsibility to ensure the existing and proposed uses meet the Water Sustainability Act. It is also the applicant's responsibility to ensure well registration for the existing and proposed uses and density.

- 3) Verify, in writing, the existing septic field and tanks are compliant and sufficient for the existing and proposed densities.
- 4) Regarding the potential for archaeological material to be found on the property, Islands Trust reviews all applications/permits using Remote Access to Archaeological Data (RAAD) mapping to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. Further to that review, staff direct the applicant to contact the BC Archaeology Branch to determine if an archaeological permit would be required prior to commencing development.

With respect to any reporting requirements listed above, the applicant and/or professional must, in accordance with generally accepted impact assessment methodology, ensure the reports:

- (a) identify relevant baseline information and document the nature of the resource or other matter on which the proposed activity or development may have an impact;
- (b) identify and describe the potential and likely impacts of the activity or development including any cumulative effects when combined with other projects proposed or under development;
- (c) evaluate the impacts in terms of their significance and the extent to which and how they might be mitigated; and
- (d) make recommendations as to conditions of approval that may be appropriate to ensure that undesirable impacts are minimized or avoided, and
- (e) make recommendations as to measures that may restore or enhance natural functions or features that have been damaged or degraded prior to development or that would be impacted by the proposed development.

This information must be prepared by a professional or professionals in good standing with his/her professional organization within British Columbia, acting within his/her area of expertise, and with demonstrated and pertinent experience and/or training.

Please also note that the Islands Trust reserves the right to require additional information or clarification in response to the project reports. As a condition of rezoning, the Local Trust Committee will require a registration of a housing agreement and associated Section 219 covenants. Any additional requirements will be provided in writing and will identify the additional information required in as clear and specific manner as possible.

If you have any questions concerning the application or TOR requirements stated above, please do not hesitate to contact me.

Sincerely,

Kim Stockdill
Island Planner, Galiano Island Local Trust Area

cc: *Robert Kojima, Regional Planning Manager*
William Shulba, Senior Freshwater Specialist
Galiano Island Local Trust Committee

The goal of turning the Gulf Island Film and Television School-GIFTS into the "Gulf Island Frugal Tenancy Site"-GIFTS (as affordable housing) is an important part of ensuring Galiano can house those most in need.

I have been a board member of 3 different housing societies over the past 15 years and am presently on the board of GALI and GIGARHS. Although we have now spent over a million dollars on soft costs, we are likely to be many, many years from success. Our building costs have doubled since applying for rezoning and financing has tripled. The budget of GALI has gone from 7 million dollars to 14 million dollars and is expected to continue to inflate.

After running GIFTS as a film school for 20 years, I sold it to new owners who unfortunately failed, blaming COVID, and returned the facility to me. A local First Nations mother from an old Galiano family and her children approached me, after they had been evicted and were sleeping in their car, to ask if she could stay at the facility while it was sitting empty. I was extremely reluctant, but agreed to a very temporary situation while I decided what to do with the newly returned property. This quickly led to a further 4 single moms with kids, and a couple of single men moving in. About half the residents are Indigenous, and none of the residents have any other option for housing on Galiano Island. These people are the volunteer firefighters, first responders, recycle center volunteers, dish washers, house cleaners, childcare providers, bicycle mechanics, etc.

A significant water license, sewage system, integrated fire alarm and final occupancy permit existed for 30 residential students and a Manager's family under the current zoning. The sewage system was designed for 45 people which included the administration, teachers, interns and guests while the film school was in session. After extensive repair and upgrades to add integrity, sustainability, comfort and efficiency - including heat pumps to replace energy inefficient electric and propane heating - to the site, our new residents have come together to support each other in a community that I could never have envisioned when I agreed to their requests for emergency housing on the old film school site.

I am now applying for a rezoning to allow improvements to continue and, more importantly, ensure secure housing for an important part of our community. While I am able to pay the fees for rezoning, the funds for doing so are diverted from those available to improve the living situation of those on-site now. Please consider waving the fees to rezone my property to Community Housing for the ongoing benefit of those who reside there and other members of the Galiano community who may find themselves in need while we all wait for the "official" affordable housing projects to navigate the continued bureaucracy to their completion.

Thank you for your consideration,

George Harris

From: Rob Pingle
Sent: Friday, October 18, 2024 2:52 PM
To: 'cathie.mcintyre@bcassessment.ca'; 'Breysen, Tara MOTI:EX';
'vss@bcassessment.ca'; 'cali.melnechenko@gov.bc.ca';
'realestate@crd.bc.ca'; 'gateway_office@islandhealth.ca';
'info@islandpathways.ca'; 'mtippett@cvr.bc.ca'; Jas Chonk; Nadine Mourao
Cc: Chris Buchan
Subject: Salt Spring Island Local Trust Committee Proposed Bylaw Nos 538 & 539
Referral - For Response
Attachments: SS-LTC_2024-10-18_SS-BL-538-539_ReferralFRM.pdf

Dear Referral Coordinators,

We are contacting you in regards to a referral of Bylaw Nos. 538 and 539 (attached), which propose to amend the Official Community Plan and Land Use Bylaw to permit the redevelopment of the existing ferry terminal area and wharf. Our planner is available to discuss this referral with you if you would like to ensure that your concerns or comments are considered by our elected officials.

The purpose of the bylaw amendments are to amend the Land Use Bylaw (LUB) to legalize the existing terminal use, while expanding the water lot Official Community Plan (OCP) designation Shoreline Development and Shoreline 3 LUB zoning to permit a redevelopment of the existing ferry loading trestle. The applicant satisfies policy within the OCP related to transportation policy and objectives, while working towards providing further environmental reports to satisfy Development Permit Area environmental protection objectives in the OCP. The proposal will allow for offshore redevelopment, while legalizing onshore use.

Staff reports and other materials related to the proposed bylaw can be viewed on our website at: <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/> as SS-RZ-2024.1.

A reply is respectfully requested by **November 15, 2024**.

Should you have any questions, or require further information on the Proposed Bylaw, please contact Island Planner Chris Buchan at (250) 538-5601 or cbuchan@islandstrust.bc.ca and she would be happy to answer any questions you may have.

Referral responses should be addressed to myself at rpingle@islandstrust.bc.ca.

Thank you for your time and attention to this referral,

Rob Pingle

Legislative Clerk | Deputy Secretary

Islands Trust

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

Phone: 250-538-5600 | www.islandstrust.bc.ca

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



BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area

Bylaw Nos.: 538 & 539

Date: October 18, 2024

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 60 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Floridor Oprea British Columbia Ferry Corporation Inc. Suite 500 – 1321 Blanshard Street Victoria BC V8W 0B6

PURPOSE OF BYLAW:

To Permit BC Ferries Terminal Re-development / To Legalize pre-existing uses.

GENERAL LOCATION:

Terminus of Vesuvius Bay Road (BC Ferries Terminal)

LEGAL DESCRIPTION:

1. District Lot 600, Cowichan District, Plan 27TU1028; and
2. Lot 2, Section 9, Range 2 West And Section 10, Range 3 West, North Salt Spring Island, Cowichan District Plan 43894
3. LOT 1, SECTION 10, RANGE 3 WEST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 23440

SIZE OF PROPERTY AFFECTED:

Water lot – 0.94 Ha, Parcel 1 – 0.24 ha,
Parcel 2 – 0.39 ha

ALR STATUS:

Not in ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Residential (R)/ Shoreline Development (SD)

OTHER INFORMATION:

The applicant is seeking an amendment to the Land Use Bylaw (LUB) to legalize the existing terminal use, while expanding the water lot Official Community Plan (OCP) designation Shoreline Development and Shoreline 3 LUB zoning to permit a redevelopment of the existing ferry loading trestle. The applicant satisfies policy within the OCP related to transportation policy and objectives, while working towards providing further environmental reports to satisfy Development Permit Area environmental protection objectives in the OCP. The proposal will allow for offshore redevelopment, while legalizing onshore use.

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

Chris Buchan

(Signature)

Name: Chris Buchan

Title: Acting Island Planner

This referral has been sent to the following agencies:

First Nations

- Cowichan Tribes
- Halalt First Nation
- Lyackson First Nation
- Malahat First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Stz'uminus First Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tsecum First Nation
- Ts'uubaa-Asatx First Nation
- Salt Spring Island Coast Salish Society

Provincial Agencies

- BC Assessment Authority
- Ministry of Transportation & Infrastructure
- Ministry of Water, Land & Resource Stewardship
- Front Counter BC

Regional Agencies

- Capital Regional District
- Vancouver Island Health Authority
- SSI Advisory Planning Commission

Non-Agency Referrals

- Island Pathways

Adjacent Local Trust Committees and Municipalities

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

BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

538 & 539
(Bylaw Numbers)

(Title)

(Agency)



DATE OF MEETING: November 8, 2024
TO: Galiano Island Local Trust Committee
FROM: Kim Stockdill, Island Planner
Victoria Office
SUBJECT: Groundwater Sustainability Project - Bylaw Nos. 283 and 284 – Post Public Hearing

RECOMMENDATION

1. That Galiano Island Local Trust Committee proposed Bylaw No. 283, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2022” be amended as follows:
 - By adding the following wording to Section 10 after Exemption ‘g’ to include a new Development Permit Area exemption ‘h’:
“Cutting and removal of trees with a trunk diameter less than 20 centimeters measured 1.5 metres above the ground.”
 - By replacing Plan No. 2 ‘Schedule G – Development Permit Area 4: Groundwater Recharge Protection’ with an updated map attached to staff report dated November 8, 2024.
2. That the Galiano Island Local Trust Committee proposed Bylaw No. 283, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2022” be read a Second time as amended.
3. That the Galiano Island Local Trust Committee proposed Bylaw No. 284, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2022” be amended as follows:
 - By deleting Section 2.4 in it’s entirety and replacing it with:
“Removing Subsection 13.23 from Part 13 ‘Subdivision and Development Regulations’ to Section 2 ‘General Regulations’” as a new subsection and by replacing the word “16,000” with “18,000”.
 - By replacing the word “property” with “lot” in Sections 2.1 and 2.3.
4. That the Galiano Island Local Trust Committee proposed Bylaw No. 284, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2022” be read a Second time as amended.
5. That the Galiano Island Local Trust Committee proposed Bylaw No. 283, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2022” be read a Third time.
6. That the Galiano Island Local Trust Committee proposed Bylaw No. 284, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2022” be read a Third time.
7. That the Galiano Island Local Trust Committee proposed Bylaw Nos. 283 and 284 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.
8. That the Galiano Island Local Trust Committee proposed Bylaw No. 283 be forwarded to the Minister of Municipal Affairs for approval.

BACKGROUND

A Community Information Meeting and Public Hearing was held on October 8, 2024. The Public Hearing binder can be found on the [Galiano Local Trust Committee \(LTC\) Project's webpage](#).

AMENDMENTS FOR CONSIDERATION

Bylaw No. 283:

The following are amendments to the proposed Galiano Official Community Plan (OCP) Bylaw No. 283 for the LTC's consideration:

- **Section 10** – Add a new exemption following Exemption 'g' that reads:
"h) Cutting and removal of trees with a trunk diameter less than 20 centimeters measured 1.5 metres above the ground."
The proposed bylaw currently exempts the cutting and removal of 5 trees per hectare (with a trunk diameter greater than 20 centimetres measured 1.5 metres above the ground) within a 12-month period per lot, but does not exempt the cutting or removal of trees with less than a trunk diameter of less than 20 centimeters. If the proposed bylaw is not amended to include this new exemption, the removal of one small tree within the DPA would require the issuance of a Development Permit.
- **Plan No. 2** – Update Schedule G – Development Permit Area 4: Groundwater Recharge Protection map to remove a Nature Protection zoned lot from the new DPA as shown on Attachment No. 5.

Bylaw No. 284:

The following are amendments to the proposed Galiano Land Use Bylaw (LUB) Bylaw No. 284 for the LTC's consideration:

- Sections 2.1 and 2.3 – Replace the word "property" with "lot" for consistency in the Galiano Island LUB.
- Section 2.4 – Delete this section in its entirety and replace it with:
"Removing Subsection 13.23 from Part 13 'Subdivision and Development Regulations' to Section 2 'General Regulations' as a new subsection and by replacing the word "16,000" with "18,000".

Currently Section 2.4 in proposed Bylaw No. 284 will change the minimum cistern capacity of 16,000 L to 18,000 L. Staff recommend keeping this amendment but also move the cistern requirement from the Subdivision Regulations Section in the LUB to the General Regulation Section for increased transparency. The location of this regulation in the subdivision regulations can at times be missed during the building permitting process.

The above suggested amendments are included in the recommendations on Page 1 of the staff report.

PUBLIC HEARING

A public hearing is a quasi-judicial process during which specific procedures must be followed. Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Second Reading (this may include amendments to alter a bylaw).
2. Consideration of Third Reading.
3. Forwarding of the bylaw to Executive Committee for approval.
4. Forwarding of the bylaw to the Minister's office for approval (OCP amendment bylaws only).

5. Reconsideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need the opportunity to consider any new relevant material and further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised during the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner’s consent.

If the Executive Committee and Minister approve the bylaws, the next step for the LTC would be to adopt the bylaws.

ALTERNATIVES

1. Remove Exemption ‘p’ from proposed Bylaw No. 283

The LTC may decide to remove Exemption ‘p’ from the proposed new Development Permit Area in Bylaw No. 283.

Draft Resolution:

That Galiano Island Local Trust Committee proposed Bylaw No. 283, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2022” be amended by deleting the following words from Section 10: “ p) Land owned by a person with federal Indigenous status living in their traditional territory with proof of Indigenous family lineage.”

2. Proceed no further with bylaw(s)

The LTC may decide to proceed no further with Bylaw Nos. 283 and 284.

Draft Resolution:

That the Galiano Island Local Trust Committee proceed no further with Bylaw Nos. 283 and 284.

3. Receive for information

The LTC may receive the report for information

NEXT STEPS

Staff will amend the bylaws (if direction given by the LTC) and send to Executive Committee for approval.

Submitted By:	Kim Stockdill, Island Planner	October 25, 2024
Concurrence:	Robert Kojima, Regional Planning Manger	October 25, 2024

ATTACHMENTS

1. Proposed Bylaw No. 283
2. Proposed Bylaw No. 284
3. Map – DPA & PMFL Lots
4. Updated Schedule G – Development Permit Area 4: Groundwater Recharge Protection map

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 283

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

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	14 TH	DAY OF	MARCH	2023.
PUBLIC HEARING HELD THIS	8 TH	DAY OF	OCTOBER	2024.
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 1000m², 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 100m².
- 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.

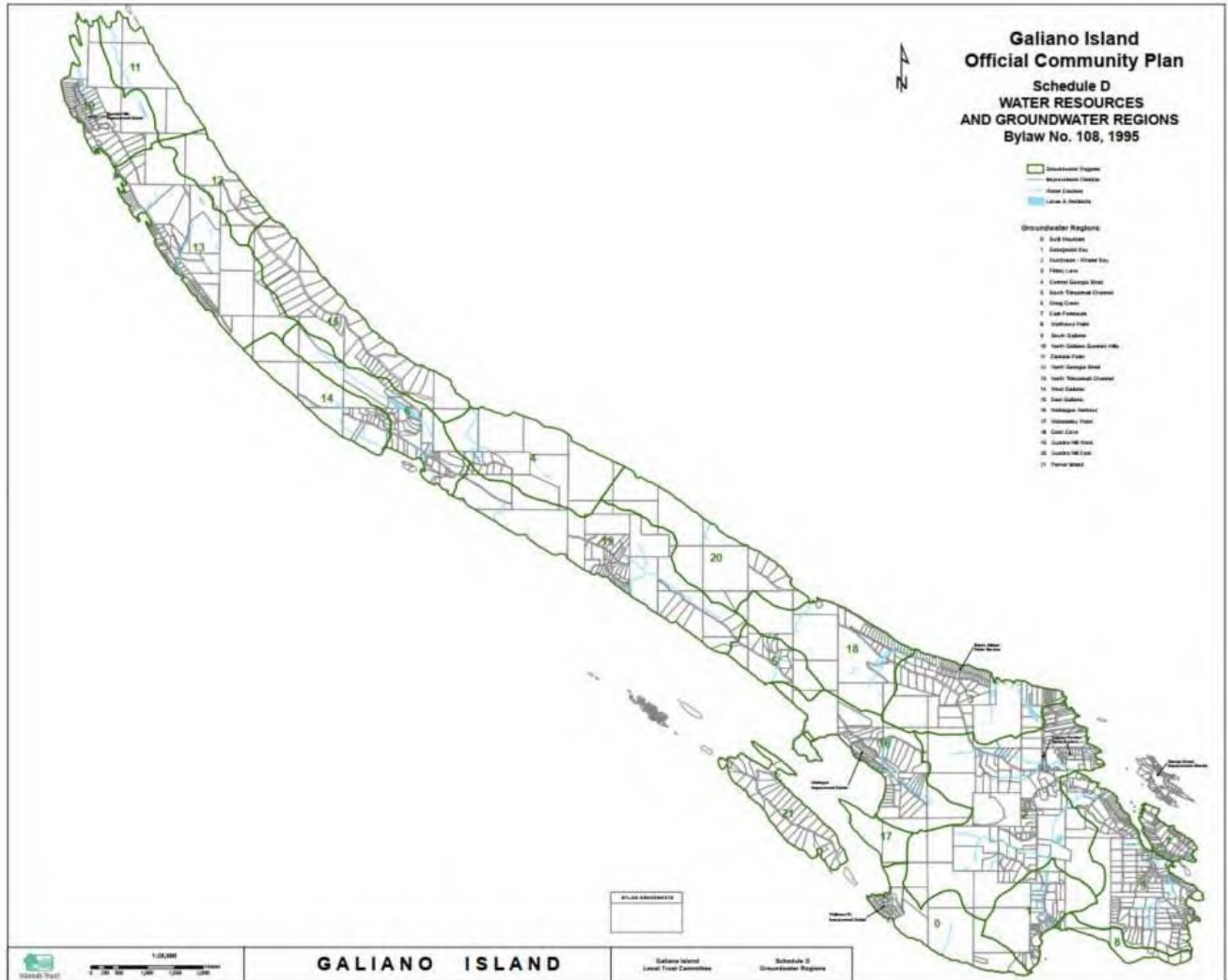
1. In general, development should minimize negative impacts on the quality and quantity of subsurface water supplies.
2. Where a qualified professional hydrogeologist or engineer has made recommendations for mitigation measures, the permit conditions may include a requirement for security in the form 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. 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:
- a. Each well has been constructed in accordance with the *Groundwater Protection Regulation*;
 - b. Each well has been constructed in accordance with Sections 13.29, 13.30 and 13.31;
 - c. 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;
 - d. 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
 - e. Includes recommendations for mitigation measures, if applicable, to ensure long-term sustainable yield of the drilled well.

TABLE 1 DOMESTIC POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION	
USE	VOLUME (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:
- a. Results of a water quality analysis, completed by an accredited laboratory;
 - b. A plan of the proposed subdivision indicating the location where each water sample was taken;
 - c. 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.
 - d. 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
 - e. 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:
- a. pumping groundwater, at a constant rate, for a minimum period of 12 hours; and
 - b. withdrawing the total daily required volume specified in section 13.27 over a maximum period of 24 hours; and
 - c. 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.”

- 2.8 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.

- 2.9 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.”

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.

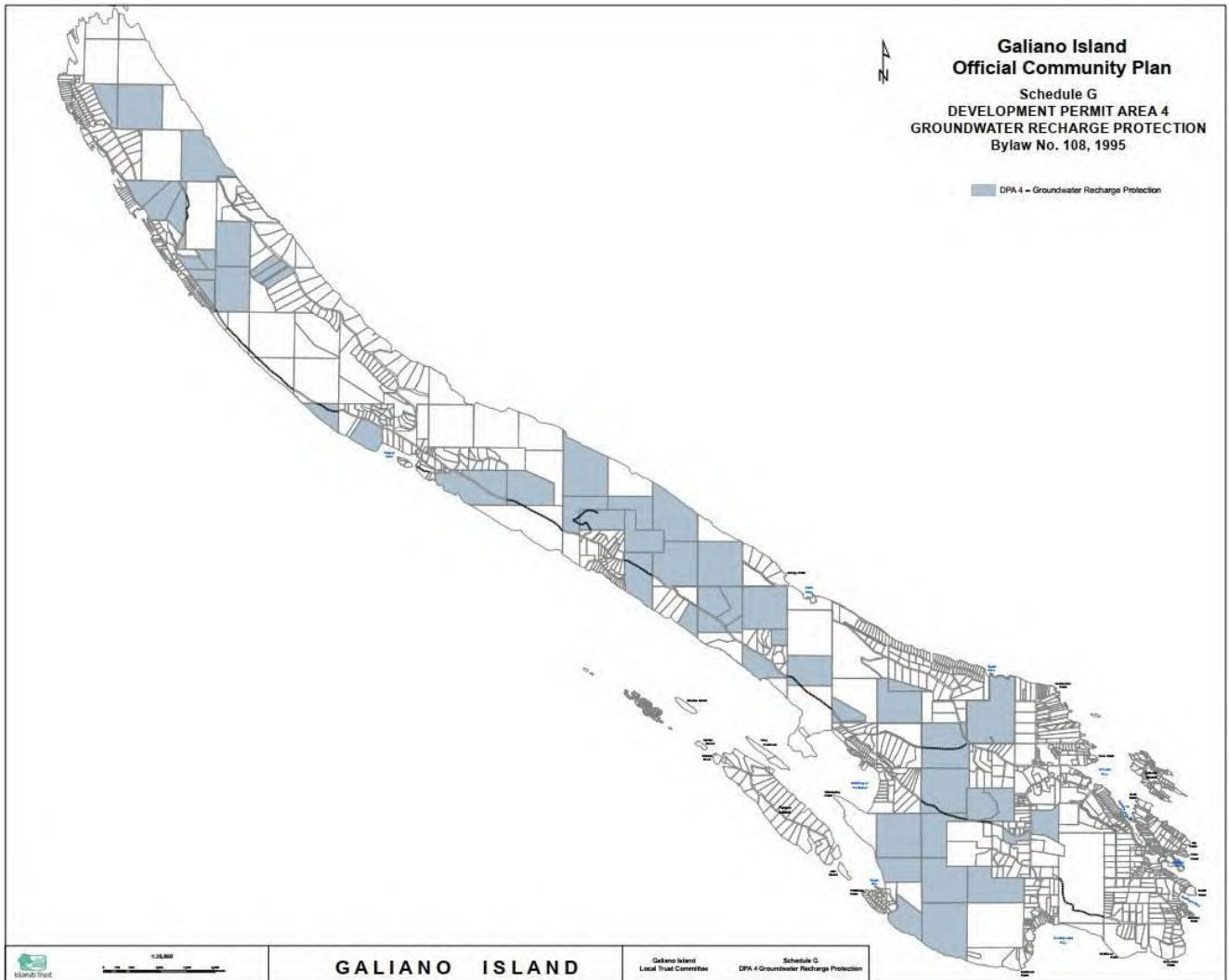
READ A FIRST TIME THIS	14 TH	DAY OF	MARCH	2023.
PUBLIC HEARING HELD THIS	8 TH	DAY OF	OCTOBER	2024.
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

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

Schedule G – Development Permit Area 4: Groundwater Recharge Protection

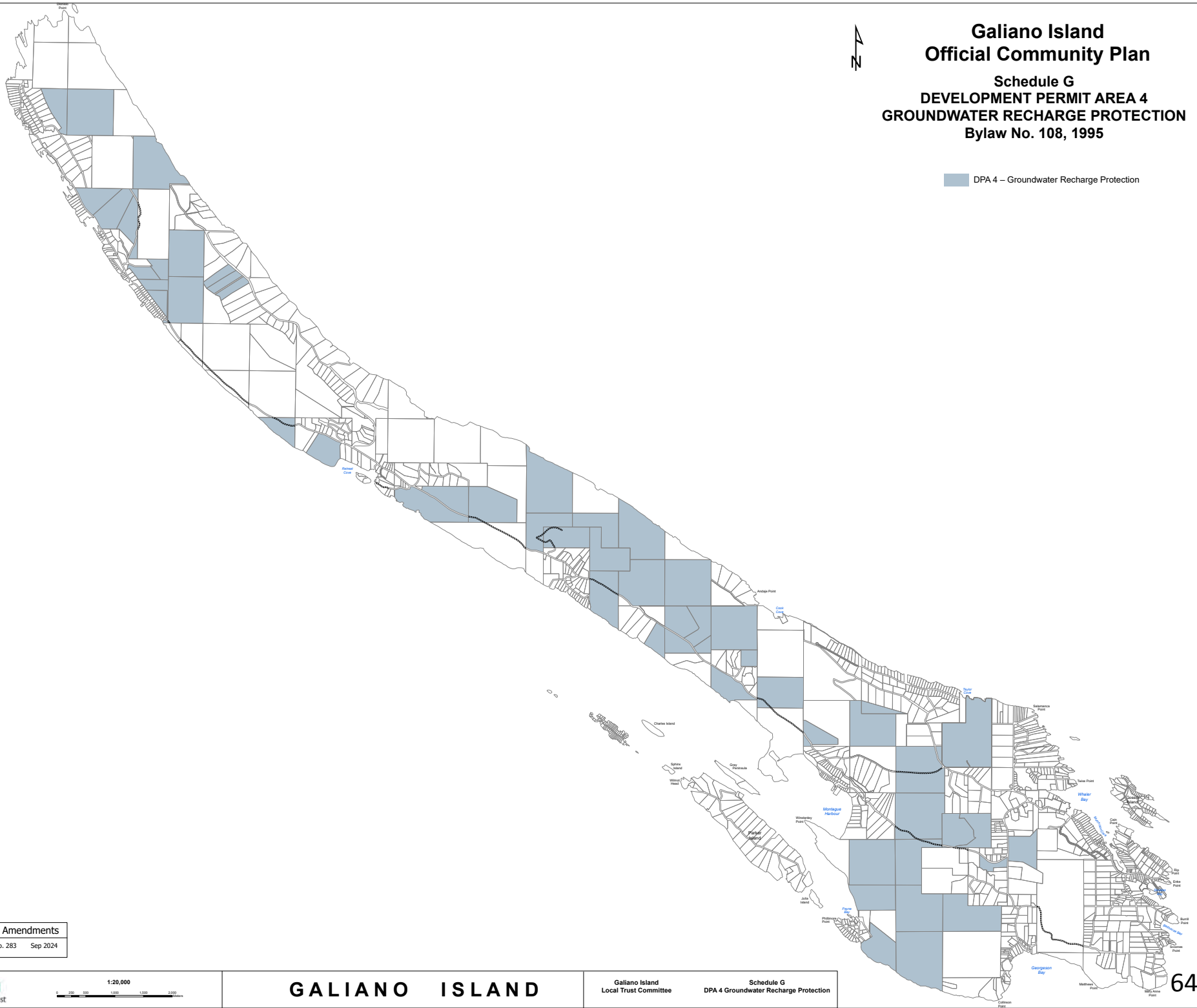


Galiano Island Official Community Plan

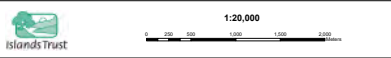
Schedule G DEVELOPMENT PERMIT AREA 4 GROUNDWATER RECHARGE PROTECTION Bylaw No. 108, 1995



■ DPA 4 – Groundwater Recharge Protection



Bylaw Amendments
Bylaw No. 283 Sep 2024



GALIANO ISLAND

Galiano Island Local Trust Committee Schedule G
DPA 4 Groundwater Recharge Protection

Active Projects Report

Galiano Island

1. *Minor Project - Groundwater Sustainability*

Responsible

Dates

Activity:

Kim Stockdill

Rec'd: 02-Apr-2019

Phase 1 and 2: mapping and data analysis - Completed

Target: 30-Sep-2023

Phase 3: Implementation of mapping and data analysis

Future Projects Report

Galiano Island

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

Future Projects Report

Galiano Island

5. <i>Emergency Access Planning</i>	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
6. <i>Review of Road Network Plan</i>	Responsible	Date Received
Review of Road Network Plan - include December 11th APC memo in review process - meet with MOTI		02-Mar-2020
7. <i>Review of LUB tiny home/trailer regulations, maximum house sizes and lot coverage</i>	Responsible	Date Received
		01-Jun-2021
8. <i>Wise Island bylaw review</i>	Responsible	Date Received
Review of Wise Island bylaws and potentially other islands with water access only		06-Sep-2022
9. <i>Shoreline model protection bylaw</i>	Responsible	Date Received
Review APC report in consideration of development of shoreline model protection bylaw		06-Sep-2022

Islands Trust

LTC EXP SUMMARY REPORT F2025

Invoices posted to Month ending September 2024

625 Galiano	Invoices posted to Month ending September 2024	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-625	LTC "Trustee Expenses"	280.00	518.28	-238.28
LTC Local				
65200-625	LTC - Local Exp - LTC Meeting Expenses	2,230.00	1,666.70	563.30
65210-625	LTC - Local Exp - APC Meeting Expenses	300.00	0.00	300.00
65220-625	LTC - Local Exp - Communications	3,000.00	1,490.52	1,509.48
TOTAL LTC Local Expense		<u>5,530.00</u>	<u>3,157.22</u>	<u>2,372.78</u>
Projects				
73001-625-4114	Galiano Groundwater Strategy Implementation	1,500.00	620.59	879.41
TOTAL Project Expenses		<u>1,500.00</u>	<u>620.59</u>	<u>879.41</u>

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
<p>2023-015 (Standing)</p> <p>First Nations Reconciliation</p> <p>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. The Galiano Island Local Trust Committee endeavour to:</p> <ul style="list-style-type: none"> a. Annually write a letter to all First Nations knowledge holders introducing Trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as provide an update of current projects and advocacy activities; b. For various Local Trust Committee meetings, invite local First Nations and knowledge holders 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 knowledge holders 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 knowledge holders on engagement principles for inclusive land use, marine use and climate change planning advocacy, protection and stewardship and knowledge and information sharing protocols; and e. Establish and maintain government to government dialogue with Local First Nations and knowledge holders now and into the future based on respect and recognition of Aboriginal Rights and Titles, Treaty Rights, and First Nations Traditional Territories within the Islands Trust Area. 	<p>Carried</p>	<p>14-Mar-2023</p>
<p>2020-042 (Standing)</p> <p>Use of Development Permits for Variances</p> <p>That the Galiano Island Local Trust Committee request that development permit applications where a variance is requested be processed as a combined application with both a development permit and a development variance permit.</p>	<p>Carried</p>	<p>08-Sep-2020</p>

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
<p>2020-041 (Standing)</p> <p>Unlawful Land Uses and Planning Applications</p> <p>that the Galiano Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications:</p> <p>a. Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and that staff are directed to continue with enforcement until the use is ceased.</p> <p>b. The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, cease.</p> <p>c. Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee; bylaw enforcement actions, including the issuing of notices, will continue.</p> <p>d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application.</p>	<p>Carried</p>	<p>06-Jul-2020</p>
<p>2020-013 (Standing)</p> <p>Advisory Planning Commission</p> <p>that the Galiano Island Local Trust Committee request that prior to expiration of Advisory Planning Commission members terms of office, staff write to commissioners asking if they wish to be reappointed and also advertise for expressions of interest for new commissioners.</p>	<p>Carried</p>	<p>03-Feb-2020</p>

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
<p>2019-014 (Standing)</p> <p>13.1 Cannabis Retail - Staff Report</p> <p>that the Galiano Local Trust Committee adopt the following standing resolution with respect to the processing of non-medicinal cannabis retail license applications:</p> <ul style="list-style-type: none"> - Proposed or amended licenses for non-medicinal cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: <ul style="list-style-type: none"> o Name of the applicant and a description of the proposal in general terms o The location of the proposed establishment and the subject site o The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application o How public comments may be submitted to the local trust committee. 	Carried	04-Mar-2019
<p>2018-064 (Standing)</p> <p>11.1 Telecommunication Strategy Project - Staff Report</p> <p>that the Galiano Island Local Trust Committee endorses the Telecommunication strategy Project Charter dated June 22, 2016</p>	Carried	04-Jun-2018
<p>2014-029 (Standing)</p> <p>Community Wells as a Community Benefit</p> <p>That the Galiano Island Local Trust Committee will consider as a community benefit for all rezoning applications where there is an increase in density, the establishment of an instrumented observation well.</p>	Carried	07-Apr-2014

Standing Resolutions Log

Galiano Island

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



Standing Resolutions Log

Galiano Island

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



File No.: Policy Statement
Amendment Project (PSAP)

DATE OF MEETING: Fall 2024

TO: Local Trust Committees
Bowen Island Municipality

FROM: Trust Area Services

SUBJECT: Phase 4 Community Engagement Options - Policy Statement Amendment Project (PSAP)

RECOMMENDATION

1. That [*name of LTC/Bowen Island Municipality*] select Engagement Option(s) [*Insert option #s here*] for Phase 4 community engagement about the new draft Islands Trust Policy Statement.

REPORT SUMMARY

The purpose of this report is to provide local trust committees (LTCs) and Bowen Island Municipality (BIM) with the opportunity to advise Trust Council which, if any, local public engagement activities the LTC/BIM would prefer used to seek community input to inform the LTC's/BIM's referral response to Trust Council about the draft new Policy Statement. Trust Council will refer the new Policy Statement to LTCs and Bowen Island Municipality for comment once Trust Council has provided approval in principle.

The project work plan anticipates that virtual and on-island engagement will take place between May and October 2025.

BACKGROUND

Through approval of the Policy Statement Amendment Project Charter, Islands Trust Council has confirmed its intent to support a six-month local engagement window once Trust Council grants the draft Policy Statement approval in principle.

The project charter for the Policy Statement Amendment Project envisions Phase 4 engagement taking place simultaneously at the federation-wide and local trust area/Bowen Island levels. At the federation-wide level, the following engagement activities are planned:

- A survey¹, available both online and in hard copy that can be picked up at key locations on the islands; and
- An online workshop open to all that wish to attend.

¹ There will be an opportunity for people to phone in their answers to the survey as well.

Options for on-island engagement are laid out in the table below.

This will be the fourth time that local communities have been engaged as part of the Policy Statement Amendment Project. Information about previous engagement phases is available in the “Project Library” on the [Islands 2050 webpage](#).

ANALYSIS

On-Island Engagement Options

Option Number	Option Type	Option Description	Trust Area Services Staff Participation	Option Cost (from PSAP budget)
1.	No formal on-Island engagement	LTC/BIM receives the draft policy statement and develops a referral response based on their own perspectives or information gathered informally in the community ²	N	\$0
2.	Town Hall during regular LTC/BIM meeting(s)	LTC/BIM allocates time within one or more regular LTC meetings to hear views of community members	N	\$0
3.	LTC/BIM-led Community Information Meeting prior to regular LTC meeting	LTC/BIM requests and advertises Community Information Meeting to be held on regular LTC/BIM meeting day specific to the draft new Policy Statement	N	\$XXX (advertising) \$XXX (engagement materials)
4.	Staff-led Community Information Meeting prior to regular LTC/BIM meeting	LTC/BIM requests and advertises for Community Information meeting to be held on regular LTC/BIM meeting day specific to the Policy Statement	Y	\$XXX (advertising) \$XXX (engagement materials)
5.	Staff-led Community Information Meeting outside of regular LTC/BIM meeting ³	LTC requests and advertises for special meeting to be held specific to the Policy Statement	Y	\$XXX (advertising) \$XXX (engagement materials) \$XXX (hall rental + catering) \$XXX (minute taker)

² Trustees are welcome to convene informal gatherings at their own cost, but use of project funds requires a more formal structure (minute taker/recorder etc).

³ On-Island engagement events that involve TAS staff will likely involve total overtime, travel, and potentially accommodation costs in the order of between \$250 and \$1,000.

6.	Staff-run info booth	Staff set up a booth at a popular community hub to share information about the PSAP and gather feedback for presentation to LTC/BIM	Y	\$XXX (advertising) \$XXX (engagement materials)
7.	Staff-run info booth on the ferry	Staff set up a booth on the ferry to share information about the PSAP and gather feedback for presentation to LTC/BIM	Y	\$XXX (advertising) \$XXX (engagement materials)

Issues and Opportunities

Need for Local Engagement

LTCs/BIM considering Phase 4 local engagement for the Policy Statement Amendment Project should consider the nature of the information they hope to receive to inform their referral response. LTCs/BIM are under no obligation to pursue on-island engagement if they are satisfied they can comment on the draft Policy Statement without it. A survey option will be available to on-island residents regardless of an LTC's/BIM's on-island engagement selection.

Project Budget

Subject to Trust Council approval, the anticipated budget for Phase 4 on-island community engagement is \$20,000. This is not sufficient for staff-supported engagement on all 13 large islands or associated islands. Once all LTCs/BIM have submitted their engagement requests, staff will review the nature of each request, and if it does not seem feasible to deliver the type of engagement requested with the existing budget, staff will advise Executive Committee and propose options and alternatives.

Rationale for Recommendation

The purpose of this report is to solicit LTC/BIM direction so Trust Area Services staff can prepare appropriate opportunities and materials in support of local trust committee engagement on the Policy Statement. The content of any recommendations is at the LTC's/BIM's discretion.

ALTERNATIVES

1. Request alternative approach to engagement

The LTC/BIM may have ideas for local engagement that staff have not included above. If this is the case, and provided such ideas are feasible within both project budget and timeline, then LTC/BIM may request this approach. If this is the case, the following resolution is appropriate :

That the [name of LTC/Bowen Island Municipality] requests the following form of local engagement for Phase 4 community engagement about the new draft Policy Statement

NEXT STEPS

Staff will collate the on-island engagement requests of all LTCs/BIM and assess them for feasibility relative to project budget and staff resources. Depending on the results of that assessment, staff will draft a public engagement plan and schedule for Trust Council approval and/or seek direction from Executive Committee if LTC/BIM requests exceed budget or resourcing limits.

Submitted By:	Jason Youmans, Senior Policy Advisor	September 26, 2024
Concurrence:	Clare Frater, Director, Trust Area Services	October 2, 2024

ATTACHMENTS

- 1. Policy Statement Amendment Project Charter V9

Policy Statement Amendment Project - Project Charter V9

Purpose To support Trust Council’s update of the Islands Trust Policy Statement bylaw, incorporating feedback from Indigenous Governing Bodies, the public, and referral agencies, and approval by the Minister of Municipal Affairs.

Background Trust Council has assigned Executive Committee, with involvement from Trust Programs Committee as appropriate, the task of updating the Islands Trust Policy Statement through the lenses of reconciliation, climate change, and affordable housing, and to undertake early engagement with Indigenous Governing Bodies (IGBs) and the public in the process.

Objectives

- To adopt an updated Policy Statement bylaw that supports Trust Council’s commitments to reconciliation, climate change, and affordable housing, and reflects feedback from the public, IGBs, and partner agencies.

In Scope

- Amendment drafting of V1 as directed by TC resolutions, communications, legal review, and implementation planning
- IGB engagement, public engagement, and agency referrals
- Four readings/Ministerial approval

Out of Scope

- Treaty or territorial negotiations or accommodation
- Consequential amendments to official community plans and land use bylaws

Workplan Overview

Major Deliverable/Milestone	Dates
<p>Past Years (FY 2019-20, 2021-22, 2022-23, 2023-24)</p> <ul style="list-style-type: none"> -IGB early engagement Phases 1 (2019-2021), 2 (2021-2022), and 3 (2023) -Public engagement Phases 1 (2019-2020), 2 (2021), and 3 (2022) -Policy review and analysis by Trust Council’s committees/working groups and staff (2020-22) -Amendment drafting and legal review Phase 1 (Apr-Jun 2021), Phase 2 (Dec 2022-Mar 2023) - IGB Early engagement Phase 3 	2019-2024
<p>Present (FY 2024-25)</p> <ul style="list-style-type: none"> - Review and revision of draft Policy Statement by Committee of the Whole 	May - December 2024
<p>Proposed Next Steps (FY 2024-25)</p> <ul style="list-style-type: none"> -Approval in principle by Trust Council -Six month public engagement (referrals to local trust committees and Island Municipalities for local engagement; Trust-wide survey; and virtual community workshop) - Amendments and First Reading - Bylaw referral to IGBs, regional districts, Conservancy Board and others 	Jan 2025 May– October 2025 Nov- Dec 2025 Dec 2025 - March 2026
<p>Final Adoption (FY 2025-26/2026-27)</p> <ul style="list-style-type: none"> -Trust Council receives referral responses and passes resolutions on further revisions required -Amendment drafting and amendment/Second and Third Reading by Trust Council -Refer proposed bylaw to Minister with final FN engagement report; allow six months for review - Ministerial Approval (estimated—no statutory timeline), and Adoption -Final graphic design and distribution, celebration event, implementation planning 	April 2026 May 2026 May2026 Dec 2026 Dec 2026—Jan 2027

Project Team

Executive Committee Trust Programs Committee Director, TAS	Project Champion Policy Content Advisors Project Director
Sr. Policy Advisor	Project Manager & Policy Writer
Program Coordinator	Public Engagement Coordinator
Communications Specialist	Communications Coordinator

Budget

Item	FY 24-25	FY25-26	FY26-27
Communications	\$10,000	\$26,000	\$10,000
Public Engagement	\$0	\$60,000	\$0
Legal Review	\$25,000	\$5,000	\$5,000
Capacity Funding	\$4,000	\$0	\$0
Total Activity Costs:	\$39,000	\$91,000	\$15,000

Approved by:

Clare Frater, Director, TAS

Endorsement: TC

Date: TC-2024-077, Sept, 25, 2024

*Timeline assumes Trust Council schedules special meetings between regular quarterly meetings.



Islands Trust

DRAFT

Galiano Island Local Trust Committee January, 2025 – March, 2026 Regular Meetings

The Galiano Island Local Trust Committee will be meeting to consider land use applications, bylaws, correspondence, and various community planning topics.

DATE		TIME	LOCATION
Tuesday	February 11, 2025	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road (or Electronic)
Tuesday	April 8, 2025	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road (or Electronic)
Tuesday	June 3, 2025	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road (or Electronic)
Tuesday	July 8, 2025	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road (or Electronic)
Tuesday	September 9, 2025	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road (or Electronic)
Tuesday	October 14, 2025	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road (or Electronic)
Tuesday	November 4, 2025	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road (or Electronic)
Tuesday	December 9, 2025	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road (or Electronic)
Tuesday	February 10, 2026	1:00 p.m.	Galiano South Community Hall 141 Sturdies Bay Road (or Electronic)

The proposed meeting agenda is generally available one week prior to the meeting and may be obtained at the Islands Trust office or on our website.

Please note that correspondence received from the public may become part of a meeting agenda that is published online.

VISIT OUR WEBSITE: <https://islandstrust.bc.ca/location/galiano/>
CONTACT US AT 250-405-5151 OR: southinfo@islandstrust.bc.ca