



Galiano Island Local Trust Committee

Regular Meeting Agenda

Date: February 11, 2025
Time: 1:00 pm
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

		Pages
1.	CALL TO ORDER	1:00 PM - 1:20 PM
2.	TERRITORIAL ACKNOWLEDGEMENT	
3.	APPROVAL OF AGENDA	
4.	TRUSTEE REPORT	
5.	CHAIR'S REPORT	
6.	ELECTORAL AREA DIRECTOR'S REPORT	
7.	FIRST NATION REPORT	
8.	TOWN HALL AND QUESTIONS	1:20 PM - 1:40 PM
9.	COMMUNITY INFORMATION MEETING - None	
10.	PUBLIC HEARING - None	
11.	MINUTES	1:40 PM - 1:50 PM
11.1	Local Trust Committee Minutes Dated December 10, 2024 (for Adoption)	4 - 10
11.2	Section 26 Resolutions Without Meeting Report - None	
11.3	Advisory Planning Commission Minutes - None	
12.	BUSINESS ARISING FROM MINUTES	
12.1	Follow-up Action List Dated Feb 2025	11 - 14
13.	DELEGATIONS	

14. CORRESPONDENCE

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

15. MEETING BREAK - COMMUNITY UPDATE

16. APPLICATIONS AND REFERRALS 1:50 PM - 3:00 PM

- | | | |
|------|--|---------|
| 16.1 | Salt Spring Island Local Trust Committee Referral for Proposed Bylaw No. 541 (for Response) (attached) | 15 - 20 |
| 16.2 | GL-RZ-2021.2 (Matheson-Bairstow) and GL-RZ-2023.2 (Larsen) – Staff Memo (attached) | 21 - 24 |
| 16.3 | GL-RZ-2023.1 (Rockafella) – Staff Report (attached) | 25 - 36 |
| 16.4 | PL-RZ-2024-0003 (Palmberg) – Staff Report (attached) | 37 - 50 |

17. LOCAL TRUST COMMITTEE PROJECTS

18. REPORTS 3:00 PM - 3:10 PM

- | | | |
|--------|--|---------|
| 18.1 | Work Program - Staff Report (attached) | 51 - 55 |
| 18.1.1 | <u>Active Projects Report Dated Feb 2025</u> | 56 - 56 |
| 18.1.2 | <u>Future Projects Report Dated Feb 2025</u> | 57 - 58 |
| 18.2 | Applications Report Dated Feb 2025 | 59 - 64 |
| 18.3 | Trustee and Local Expense Report Dated Dec 2024 (attached) | 65 - 65 |
| 18.4 | Adopted Policies and Standing Resolutions (attached) | 66 - 70 |
| 18.5 | Local Trust Committee Webpage | |
| 18.6 | Islands Trust Conservancy Report - None | |

19. NEW BUSINESS

20. UPCOMING MEETINGS

- | | |
|------|--|
| 20.1 | Next Regular Meeting Scheduled for April 8, 2025 at the South Community Hall, Galiano Island |
|------|--|

21. TOWN HALL 3:10 PM - 3:30 PM

22. CLOSED MEETING (Distributed Under Separate Cover)

22.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (a):

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

AND that the recorder and staff attend the meeting.

22.2 Recall to Order

22.3 Rise and Report

23. ADJOURNMENT

3:30 PM - 3:30 PM

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: December 10, 2024
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

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

Staff Present: Kim Stockdill, Island Planner
Brad Smith, Island Planner
Joe Elliott, Senior Indigenous Relations Advisor
Carly Bilney, Recorder (electronic)

Others Present: There were approximately 17 members of the public present.

1. CALL TO ORDER

Chair Peterson called the meeting to order at 1:00 p.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Peterson acknowledged that the meeting was being held in territory of the Coast Salish First Nations. He described the egregious activities undertaken in Indian hospitals that have inflicted harm on members of indigenous communities that continue to the present day.

3. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

4. TRUSTEE REPORT

Trustee Gauvreau reported the following:

- Information from the December Trustee report that did not make it into the Active Page will be shared on Facebook
- Trustee Gauvreau attended a meeting hosted by the Southern Gulf Islands Housing NOW Project and the Southern Gulf Islands Community Justice Program that emphasized the importance of safety, connection and belonging and how those play into the concept of home

Trustee Mabberley reported the following:

- The Capital Regional District has noted the unofficial start of the housing project will be early in the new year with trees being cleared
- Trustee Mabberley gave kudos to all those involved in the Galiano Green housing project, which is a huge step for the community
- Funding has been acquired for parking at Montague and work will be coordinated with the Ministry of Infrastructure and Transportation in early spring

5. CHAIR'S REPORT

Chair Peterson reported the following:

- The most recent Trust Council meeting – the first with new Chief Administrative Officer Rueben Bronee – focused on a preliminary review of the 2025-26 draft budget; Council meetings were scheduled for the year and it was agreed that the Committee of the Whole would meet more often
- The Southern Gulf Islands Forum had its first meeting with the new Member of the Legislative Assembly for Saanich North and the Islands, Rob Botterell, where plans for a joint session with representatives of the San Juan islands was discussed
- At the recent meeting of the Executive Committee Galiano Bylaws No. 283 and 284 were approved and will now go to the Ministry

6. ELECTORAL AREA DIRECTOR'S REPORT – none

7. FIRST NATION REPORT

Councillor Thomas of Penelakut Tribe expressed a desire to continue communicating and working together, and thanked Trustees and staff for their work.

Councillor Thomas read a note from Chief Jack who expressed regrets for her absence at the meeting due to prior commitments, and who shared greetings to the Galiano community. Her comments noted that much has been accomplished in understanding true reconciliation between our communities and expressed a commitment to finding a path forward with mutual understanding and cooperation.

8. TOWN HALL AND QUESTIONS

Town hall was held and the following comments were made:

- Trustees were urged to make progress on a review of bylaws related to Wise Island
- Support was expressed for bylaw abeyance regarding solar panels and water access until bylaws can be drafted specifically for Wise Island
- The installation of solar panels on Wise Island involves a cedar pier that would not require concrete construction, blasting or drilling
- The provincial moratorium that prohibits new private moorage within the Southern Gulf Islands remains in place

- The work starting at the Galiano Green housing site is the unofficial roll-out of the project and the Capital Regional District has asked Trustees to inform the public that site prep and civil work would begin before birds start to nest in the spring; funding for the project from a senior level of government has not been announced
- The Islands Trust voluntarily makes meeting recordings available to the public though there is no statutory obligation to do so; the recording of the past Trust Council meeting was taken down due to workplace safety concerns

9. COMMUNITY INFORMATION MEETING – None

10. PUBLIC HEARING – None

11. MINUTES

11.1 Local Trust Committee Minutes Dated November 8, 2024 (for Adoption)

On Page 8 of the November 8 Minutes (top of Page 10 of the current agenda), “The Chair noted that a joint Official Community Plan review will be undertaken...” Discussion was held about how the review will be undertaken *at some point in the future*. Chair Peterson noted he would follow up with meeting administrators to clarify the matter.

By general consent the Galiano Island Local Trust Committee meeting minutes of November 8, 2024 were adopted as to be amended.

11.2 Section 26 Resolutions Without Meeting Report – None

11.3 Advisory Planning Commission Minutes – None

12. BUSINESS ARISING FROM MINUTES

12.1 Follow-up Action List Dated Dec 2024

Island Planner Stockdill made the following comments:

- PLRZ20240003 (Palmberg) is in review and should be on the February agenda
- An advertisement has gone out seeking members for the Galiano Advisory Planning Commission

13. DELEGATIONS – None

14. CORRESPONDENCE

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

15. MEETING BREAK – COMMUNITY UPDATE

16. APPLICATIONS AND REFERRALS

16.1 GL-SUB-2023.2 (Hayes) - Staff Report

Island Planner Stockdill presented the staff report on behalf of Planner Testemale, who, she noted, has announced his retirement from the Islands Trust and will be greatly missed. The following comments were made:

- There is no real reason to build a subdivision road as both lots currently have access
- Exempting a lot or a subdivision from the minimum frontage requirement is common
- The Development Permit is in process and if any outstanding issues arise as part of the process they would come back to the Local Trust Committee for discussion

GL-2024-043

It was Moved and Seconded,

that Galiano Island Local Trust Committee exempt proposed Rem. Lot 1 and Lot A of subdivision GL-SUB-2023.2 from the 1/10 perimeter provision of Section 512 of the Local Government Act.

CARRIED

A break was held between 1:40 p.m. and 1:50 p.m.

16.2 GL-RZ-2014.1 (Crystal Mountain) – Staff Report

Planner Smith reviewed the staff report and provided an update on engagement undertaken with Penelakut Tribe. Discussion ensued and the following comments were made:

- Penelakut Tribe has indicated concern with the potential use of a Section 219 Covenant, which is a colonial instrument, and expressed a preference to apply their own tools; how this could provide certainty for the applicants is necessary to discuss
- The applicant expressed comfort with where the application is though noted many details need to be considered
- Another Public Hearing will need to be held
- Clarification on if there are any concerns from Penelakut Tribe with proposed lot layout, future land use, archaeological interests etc., including the currently proposed Nature Protection zoning on lands to be donated, is key
- Penelakut Tribe has concerns about sharing sensitive information
- Culturally sensitive information does not need to be shared; however, there needs to be discussion between the applicant and Penelakut Tribe to determine the precise boundaries that define the land that is to be donated
- Penelakut Tribe holds the land to a higher, almost sacred, standard than the colonial standard

- Communication is important to ensure Penelakut Tribe and Crystal Mountain Society are comfortable neighbours
- By working together, the two parties need to decide what each needs to move forward
- It may be possible for a third party to hold a Covenant until negotiations are complete
- The Local Trust Committee has wide discretion to decide what constitutes Community Benefit, and giving the land to Penelakut Tribe as opposed to the Islands Trust Conservancy does not conflict with the Official Community Plan

Discussion continued about the proposed recommendations in the staff report, and the following comments were made:

- The role of the Local Trust Committee at this point would be to formally signal support while the bulk of the work will go to the applicants and Penelakut Tribe to sort out details of land transfer
- The staff report could perhaps be received for information
- The recommendations signify that the Local Trust Committee is supportive, and they provide clarity and direction for the applicants to consider next steps
- A good approach would be to have staff approach the Islands Trust Conservancy about being an intermediary between the landowner and Penelakut Tribe
- A question was raised about whether Snuneymuxw First Nation would be comfortable with this approach and Councillor Thomas of Penelakut Tribe responded that he has been in good communication with them

GL-2024-044

It was Moved and Seconded,

that Galiano Island Local Trust Committee is supportive of an alternative 75% land transfer to the Penelakut Tribe instead of the Islands Trust Conservancy as part of rezoning application GL-RZ-2014.1.

CARRIED

GL-2024-045

It was Moved and Seconded,

that Galiano Island Local Trust Committee requests that the Crystal Mountain Society consider an alternative 75% land transfer to Penelakut Tribe instead of the Islands Trust Conservancy as part of rezoning application GL-RZ-2014.1.

CARRIED

GL-2024-046

It was Moved and Seconded,

that Galiano Island Local Trust Committee requests that the applicant engage directly with Penelakut Tribe to determine feasibility of a 75% land transfer of Crystal Mountain Society lands to Penelakut Tribe as part of rezoning application GL-RZ-2014.1, including agreement on proposed lot layout, future uses, and subdivision mechanism acceptable to the Local Trust Committee.

CARRIED

Trustee Gauvreau suggested exploring the possibility of transferring land into the Penelakut Land Code to better support land-use planning and land management goals. Support was expressed for considering how to integrate Penelakut Tribe's established processes with that of the Islands Trust to make future land transfers more straightforward.

GL-2024-047

It was Moved and Seconded,

that Galiano Island Local Trust Committee direct staff to investigate, report back on the process, feasibility and implications of transferring lands associated with rezoning applications to be governed under Penelakut Tribe Land Code.

CARRIED

GL-2024-048

It was Moved and Seconded,

that Galiano Island Local Trust Committee direct staff to engage with the Islands Trust Conservancy and the Galiano Conservancy Association to consider the role of facilitator in land transfer applications.

CARRIED

Island Planner Stockdill commented that GL-RZ-2014.1 (Crystal Mountain) is now open again for public comment as there will be a second Public Hearing.

A break was held from 3:30 p.m. to 3:40 p.m.

17. LOCAL TRUST COMMITTEE PROJECTS

18. REPORTS

18.1 Work Program Reports

18.1.1 Active Projects Report Dated Dec 2024

18.1.2 Future Projects Report Dated Dec 2024

Brief discussion was held on each item on the Future Projects report to determine how to update the list.

GL-2024-049

It was Moved and Seconded,

that Galiano Island Local Trust Committee direct staff to remove Item 4 – Cannabis Retail and Production – from the Future Projects List.

CARRIED

18.2 Applications Report – Verbal Update

Island Planner Stockdill noted the intention to bring three rezoning applications (DL 85 and 86, Palmberg and Rockafella) to the February meeting agenda.

18.3 Trustee and Local Expense Report Dated Oct 2024

Received for information

18.4 Adopted Policies and Standing Resolutions

Received for information

18.5 Local Trust Committee Webpage

Lisa Gauvreau commented that a new mapping schedule is to be released later this month.

18.6 Islands Trust Conservancy Report Dated Nov 2024

Received for information. Trustee Gauvreau commented on the 30th anniversary of the Islands Trust Conservancy.

19. NEW BUSINESS – None

20. UPCOMING MEETINGS

20.1 Next Regular Meeting Scheduled for February 11, 2025 at the Galiano South Community Hall, Galiano Island

21. TOWN HALL

Town hall was held and one community member spoke to express gratitude to Trustees for their hard work.

22. CLOSED MEETING – None

23. ADJOURNMENT

By general consent the meeting was adjourned at 3:54 p.m.

Tim Peterson, Chair

Certified Correct:

Carly Bilney, Recorder

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-Jan-2025	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	Completed

Follow Up Action Report

Galiano Island

10-Sep-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 15.1 GL-RZ-2021.2 1. Staff to create draft bylaw numbers and templates - BLs 292/293 (DONE) 2. Staff to schedule meeting with Penelakut/MOTI/Applicant - (DONE) 3. Staff to send referral to GI Parks & Rec Commission - in process	Jas Chonk Kim Stockdill	Target: 29-Nov-2024	In Progress
0%	2 15.1 GL-RZ-2023.2 1. Staff to create draft bylaw numbers and templates - BLs 294/295 (DONE) 2. Staff to schedule meeting with Penelakut/MOTI/Applicant - meeting with staff and MOTI completed (DONE) 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

08-Oct-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 17.1 GL-BP-2024.10 (Florianova) - LTC approved release of covenant and LTC Chair to sign covenant release.	Kim Stockdill	Target: 29-Nov-2024	In Progress
0%	2 17.2 GL-SUB-2021.1 (Waterfall): 1. LTC agrees with cash-in-lieu. Staff to send letter to CRD. (DONE) 2. LTC accepts both draft Section 219 covenants. (DONE) 3. LTC approves the release of two existing covenants. (DONE) 4. Chair to sign covenant releases and two new Section 219 covenants. (to be signed Feb 12)	Kim Stockdill	Target: 29-Nov-2024	In Progress

Follow Up Action Report

Galiano Island

08-Nov-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 Galiano APC 1. Staff to advertise for one new APC member. All APC memberships have expired, email has been sent to existing members and also has been advertised. (DONE) 2. Staff to resend Wise Island referral to APC.	Jas Chonk Kim Stockdill	Target: 31-Jan-2025	In Progress
0%	2 15.1 GL-RZ-2023.3 (Harris) 1. Staff to draft bylaws and housing agreement. Staff to create bylaw number for LUB amendment bylaw, OCP amendment bylaw, and housing agreement administrative bylaw. DONE - BL 296 (OCP); BL 297 (LUB); BL 298 (Housing) 2. Staff to amend ToR (add CRD referral) and then send to applicant. Staff to report back on occupancy permit and maximum number of occupants.	Jas Chonk Kim Stockdill	Target: 28-Mar-2025	In Progress
0%	3 16.1 Groundwater Sustainability Project 1. Proposed Bylaw no. 283 given second reading as amended. Staff to add amendments as noted in staff report. (Done) 2. Proposed Bylaw no. 284 given second reading as amended. Staff to add amendments as noted in staff report. (Done) 3. Proposed Bylaw nos. 283 and 284 given Third reading. (Done) 4. Refer proposed Bylaw nos. 283 and 284 to Executive Committee. (Done) 5. Refer proposed Bylaw no. 283 to the Minister for approval. (Done)	Jas Chonk Kim Stockdill	Target: 20-Dec-2024	Completed

Follow Up Action Report

Galiano Island

10-Dec-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 11.1 Galiano LTC Meeting minutes of November 8, 2024 adopted upon review.	Emily Bryant	Target: 10-Jan-2025	Completed
0%	2 16.1 GL-SUB-2023.2 (Hayes) - subdivision exempt from Section 512 of the LGA requiring 10% perimeter of the lot(s). Staff to record this exemption approval in Cityview.	Kim Stockdill	Target: 24-Jan-2025	Completed
0%	3 Land Transfer Applications: 1. LTC directs staff to engage with the Islands Trust Conservancy and the Galiano Conservancy Association to consider the role of facilitator in land transfer applications. 2. LTC directs staff to investigate, report back on the process, feasibility and implications of transferring lands associated with rezoning applications to be governed under Penelakut Tribe land codes.	Brad Smith Kim Stockdill	Target: 28-Mar-2025	In Progress
0%	4 16.2 GL-RZ-2014.1 (Crystal Mountain) 1. LTC requests applicant to engage with Penelakut Tribe to determine feasibility of land transfer, including agreement on proposed lot layout, future uses, and subdivision mechanism acceptable to the LTC. Staff to report back once applicant has completed engagement.	Brad Smith	Target: 28-Mar-2025	In Progress
0%	5 18.1.2 Staff to remove Item 4 (Cannabis Retail & Production) from Future Projects List	Kim Stockdill	Target: 20-Dec-2024	Completed

From: Rob Pingle
Sent: Thursday, January 16, 2025 1:52 PM
To: 'mtippett@cverd.bc.ca'; Jas Chonk; Nadine Mourao; 'realestate@crd.bc.ca'; 'amanda.vanderkloof@bcas.ca'; 'saltspring@rcmp-grc.gc.ca'; 'jholmes@saltspringfire.com'; 'FrontCounterBC@gov.bc.ca'; Corlynn Strachan
Cc: Oluwashogo Garuba
Subject: Salt Spring Island Local Trust Committee Proposed Bylaw No 541 Referral - For Response
Attachments: SS-LTC_2024-01-16_SS-BL-541_ReferralFRM.pdf

Dear Referral Coordinators,

We are contacting you in regards to a referral of Bylaw No. 541 (attached), which proposes to amend the Land Use Bylaw to permit one (1) dwelling and one (1) full time rental cottage on the property at 200 Collins Road, Salt Spring Island.

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 PLRZ20240145.

A reply is respectfully requested by **March 17, 2025** to ensure that your concerns or comments are considered by our elected officials.

Should you have any questions, or require further information on the Proposed Bylaw, please contact Islands Trust Planner Oluwashogo Garuba at (250) 538-5603 or ogaruba@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

4 – 121 McPhillips Avenue | Salt Spring Island BC V8K 2T6

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

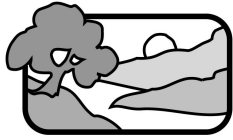
You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

The Salt Spring Island Islands Trust office at 500 Lower Ganges Rd is now closed. Islands Trust staff will continue to provide services by phone and e-mail until the new office space at 121 McPhillips Avenue opens. During the in-person office closure period, enquiries can be submitted by email at ssiinfo@islandstrust.bc.ca, or call 250.537.9144.

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

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOŖÉĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwəθən, səliwətaʔ, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', SÁÁUTW, Stz'uminus, ʔaʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLÉLP, WSIKEM, Xeláltxw, Xwémalhkwu, Xwsepsum, and xʷməθkʷəy̓əm First Nations. Islands Trust is committed to

reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.



Islands Trust

BYLAW REFERRAL FORM

4-121 McPhillips Ave
Salt Spring Island, BC V8K 2T6
Ph: (250) 537-9144
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: 541 Date: January 16, 2025

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:

Jordan Litke

PURPOSE OF BYLAW:

To change the subject property zoning from Rural to Rural variant f to permit one (1) dwelling and one (1) full time rental cottage.

GENERAL LOCATION:

200 Collins Road, Salt Spring Island

LEGAL DESCRIPTION:

LOT 3 SECTION 3 RANGE 2 WEST NORTH SALT SPRING COWICHAN DISTRICT PLAN EPP100050

SIZE OF PROPERTY AFFECTED:

4.2 hectares (10.4 acres)

ALR STATUS:

Not in ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Rural Neighbourhood (RN)

OTHER INFORMATION:

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

(Signature)

Name: Oluwashogo Garuba

Title: Islands Trust Planner

This referral has been sent to the following agencies:

First Nations

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

Salt Spring Island Coast Salish Society

Regional Agencies

Capital Regional District
CRD – SSI Building Inspection
Islands Trust – Islands Trust Conservancy

Provincial Agencies

BC Assessment Authority
Front Counter BC

Non-Agency Referrals

BC Ambulance Service
RCMP
SSI Fire-Rescue

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)

541
(Bylaw Number)

(Title)

(Agency)

DRAFT

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 541

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

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

1. Citation

This bylaw may be cited for all purposes as “Salt Spring Island Land Use Bylaw, 1999, Amendment No. 2, 2024”.

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

- 2.1 Schedule “A” – Zoning Map, is amended by changing the zoning classification for LOT 3 SECTION 3 RANGE 2 WEST NORTH SALT SPRING COWICHAN DISTRICT PLAN EPP100050 from Rural (R) to Rural variant f (R (f)), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “A” to Bylaw No. 355 as are required to effect this change.

3. SEVERABILITY

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

READ A FIRST TIME THIS _____ DAY OF _____ 20____

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____

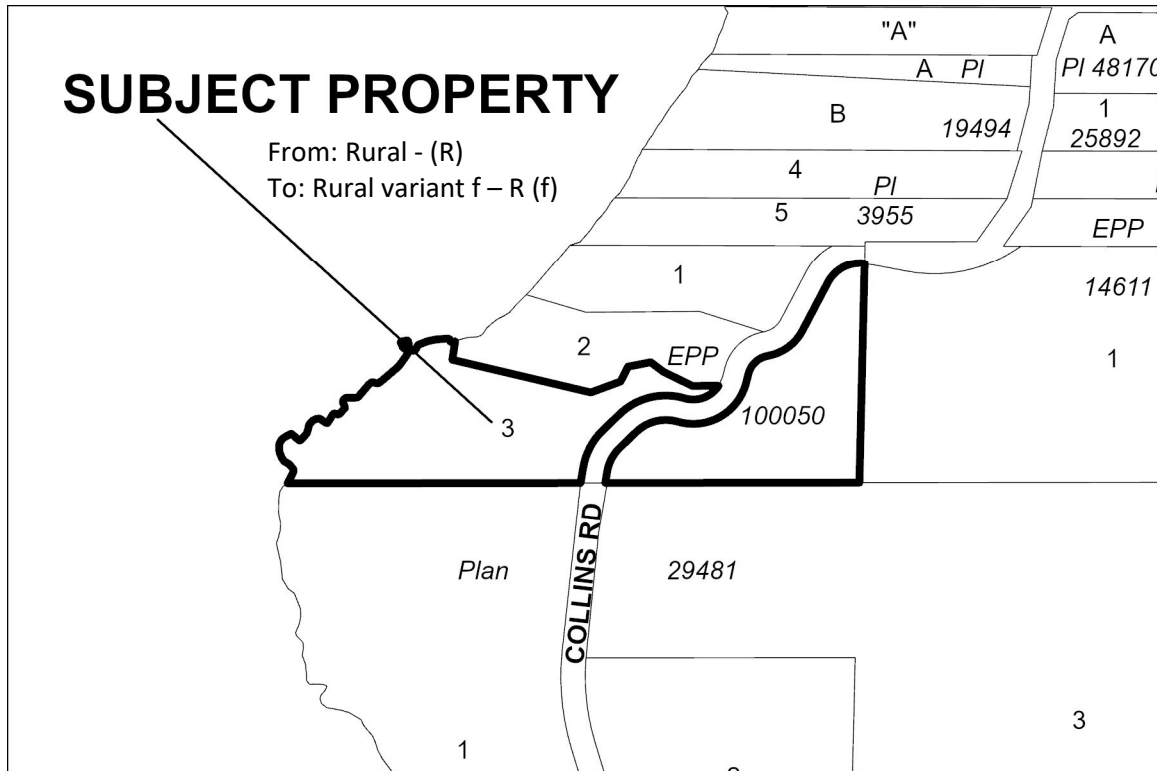
ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 541

Plan No. 1





File No.: GL-RZ-2023.2 (Larsen) & GL-RZ-2021.2 (Matheson-Bairstow)

DATE OF MEETING: February 11, 2025
TO: Galiano Island Local Trust Committee
FROM: Kim Stockdill, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: District Lot 85 & 86 Rezoning Application – Staff Memo
Location: District Lot 85 & 86 Galiano Island Cowichan District

MEMORANDUM SUMMARY

The purpose of this staff memorandum is to provide the Galiano Island Local Trust Committee (LTC) with further information regarding the rezoning applications in related to District Lots 85 and 86. No action by the Galiano Island LTC is required at this time.

BACKGROUND

At the September 10, 2024 regular Galiano Island LTC meeting, the LTC passed the following resolutions for District Lot 85 (GL-RZ-2023.2):

GL-2024-020

that Galiano Island Local Trust Committee direct staff to prepare draft bylaws for rezoning application GL-RZ-2023.2 (McElhanney).

GL-2024-021

that Galiano Island Local Trust Committee direct staff to refer GL-RZ-2023.2 (McElhanney) to the Galiano Island Parks and Recreation Commission.

GL-2024-022

that Galiano Island Local Trust Committee direct staff to schedule a meeting with the Ministry of Transportation and Infrastructure, Penelakut Tribe and the applicant to discuss road access and emergency access for District Lot 85.

At the September 10, 2024 regular Galiano Island LTC meeting, the LTC passed the following resolutions for District Lot 86 (GL-RZ-2021.2):

GL-2024-017

that Galiano Island Local Trust Committee direct staff to prepare draft bylaws for rezoning application GL-RZ-2021.2 (Matheson/Bairstow).

GL-2024-018

that Galiano Island Local Trust Committee request staff to refer GL-RZ-2021.2 (Matheson/Bairstow) to the Galiano Island Parks and Recreation Commission.

GL-2024-019

that Galiano Island Local Trust Committee direct staff to schedule a meeting with the Ministry of Transportation and Infrastructure, Penelakut Tribe and the applicant to discuss road access and emergency access for District Lot 86.

Updates

Penelakut Tribe Meeting:

Islands Trust staff and the Galiano Island LTC attended Penelakut Tribe Chief and Council meeting on January 9, 2024. During this meeting both rezoning applications were discussed and the following questions were presented to Penelakut Tribe Chief, council, and staff members:

- Are the lot lines as proposed reasonable and in line with the views of your Nation?
- The proposed zoning of a majority of the lands to be transferred is Nature Protection, are you comfortable with this zoning being retained on the 75% portion should land transfer occur?
- As a condition of the rezoning application and subsequent subdivision application, the existing road access on DL 85 and 86 is subject to land transfer. In the past, land for road dedication have been transferred to the Ministry of Transportation and Infrastructure. In addition, there is an easement registered on both lots (DL 85 and 86) granting the right for other specific district lots access to and egress from DL 85 and 86.
 - Is your Nation interested in receiving the road dedication located on District Lot 85 and 86? If so, are there any concerns with the existing easement granting access to and egress from the lots?
- What is your understanding of other local First Nations views on a potential land transfer?
- Are there any other concerns, issues or information gaps that we should be aware of with respect to these two rezoning applications?

The discussions primarily focused on the first question—whether the Penelakut Tribe supports the site plans as prepared by the applicants. It was suggested that Penelakut members and staff conduct a site visit to familiarize themselves with the land before making recommendations or supporting the proposed layout. The Penelakut Tribe Chief, Council, and staff members will review the other questions as the application process moves forward.

Islands Trust staff are still in the process of scheduling a site visit, aiming to complete it by the end of February.

MOTT Meeting:

Islands Trust staff met electronically with Ministry of Transportation and Transit (MOTT) staff to discuss the proposed subdivision layout, road dedication, and other potential MOTT requirements.

MOTT staff indicated that dedicated access to the sea, as per Section 75 of the *Land Title Act*, may not be required as there is already established highway access south of District Lot 85. Regarding park dedication in compliance with Section 510 of the *Local Government Act*, the two subdivision proposals would trigger the requirement to provide park dedication if:

- The subdivision creates more than 3 additional lots, and
- The subdivision creates a lot with an area less than 2.0 hectares

The discussion also covered road dedication, registered easements, emergency access, and the potential for non-dedicated access. MOTT staff stated that decisions about road dedication and management will be finalized during the subdivision application process.

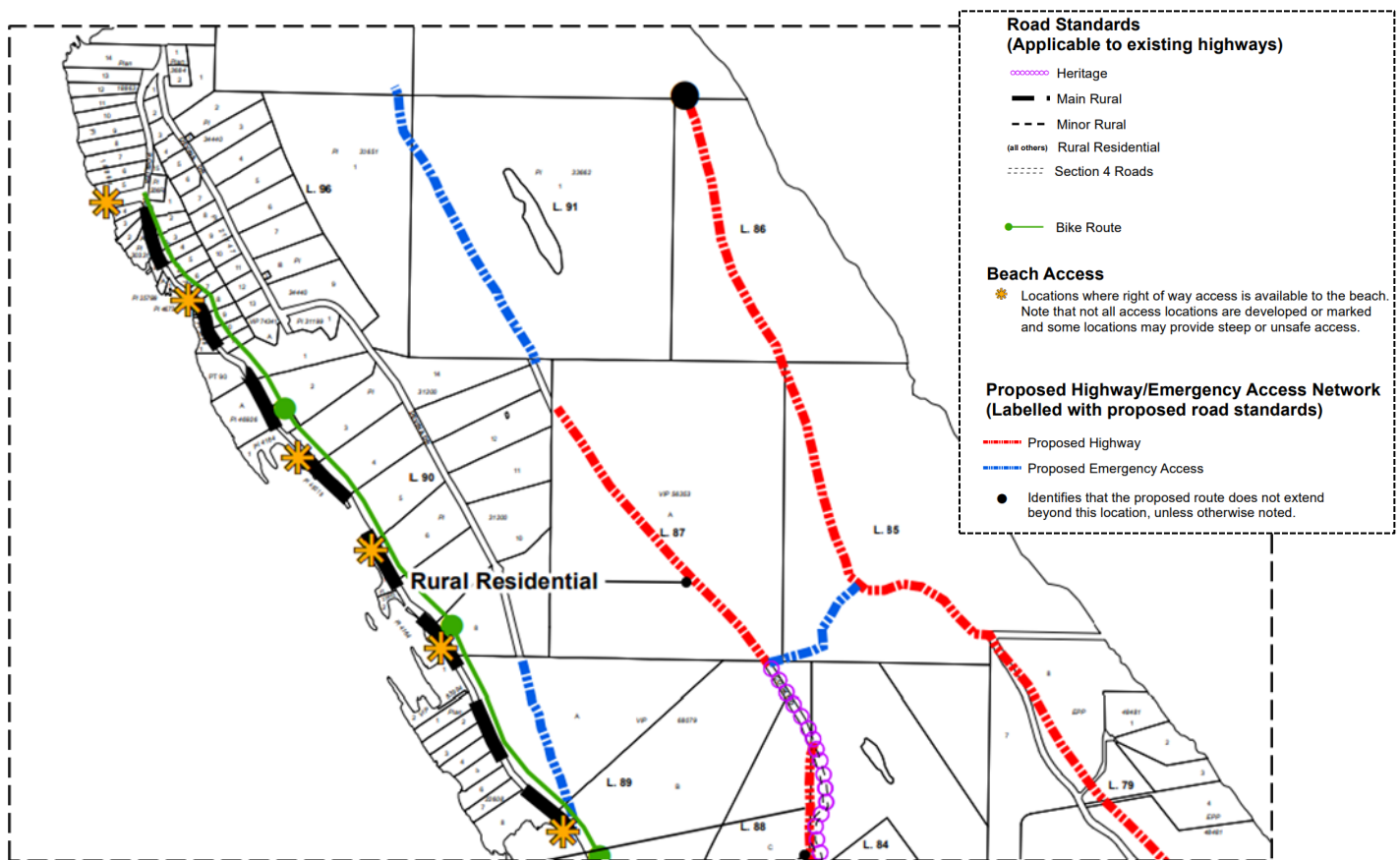
MOTT staff also noted that applicants may begin the subdivision application process once their site plan has been finalized.

Emergency Access:

The Galiano Island OCP Schedule 'C' Road Network Plan identifies the existing easement access that bisects District Lots 85 and 86 (south to north) as a 'proposed highway' section. Determining if the road must be dedicated will be finalized during the subdivision process.

On DL 85, an emergency access route has been proposed (see blue line). The property owner stated that this access may already exist under a Statutory Right of Way (SRoW). If no SRoW currently exists for this emergency access, one must be granted as a condition of rezoning if deemed necessary by the Capital Regional District (CRD).

Figure 1 – Schedule 'C' Road Network Pan (excerpt)



Amenity zone

At the September 10, 2024, the LTC discussed the requirement of a community park as a condition of rezoning instead of transferring the proceeds of a residential land sale to a non-profit affordable housing agency. These discussions will continue once with applicants finalize their site plan and determine if they must comply with Section 510 of the *Local Government Act*.

Next Steps

Applicants

As outlined in the Terms of Reference which was issued to the applicant in 2021, the applicant will continue to work on and provide to the LTC:

- **An updated site plan outlining the developable areas. This site plan will be attached to the amending Land Use Bylaw (LUB). The final site plan must be completed prior to First Reading of the amending bylaw**
- Updated site plan to include area for community park dedication subsection to Section 510 of the *Local Government Act* (if necessary)
- Geotechnical Assessment – if ‘developable areas’ are located within Development Permit Area 7 – Moderate Steep Slope
- Groundwater Report – parameters of the report will be determined by the Islands Trust Senior Freshwater Specialist and planning staff. Report to be completed prior to scheduling of Public Hearing
- Septic Disposal Report – to confirm septic viability, and to provide a site plan showing the existing and proposed septic areas for those lots where zoning permits a residential use. Report to be completed prior to scheduling of Public Hearing
- Ecological Overview Report – to provide information regarding the ecological significance on the lands to be transferred. Report to be completed prior to scheduling of Public Hearing
- Sustainable Forestry Covenant – to register a Section 219 covenant on title for the proposed Forest 3 zoned portion of the lot. Covenant to be registered on title of parent parcel prior to bylaw adoption
- Section 219 Covenants:
 - Development Control Covenant(s) – covenant(s) to include recommendations of the geotechnical assessment (if required), groundwater report, well monitoring conditions, ecological overview report, Site Plan, land transfer information (road portion and west lot portion), restriction on use or occupancy of dwellings until land is successfully transferred, sale of RR1 lot to be donated to a non-profit affordable housing society, and subdivision clause (owner must subdivide in accordance to attached site plan)
 - Covenant to be registered on title of parent parcel prior to bylaw adoption
 - There may be two Development Control Covenants. One permanent covenant which stays on the property title for each lot in perpetuity, and another temporary covenant which may be discharged if all clauses in the covenant are satisfied

The applicants’ first priority is to finalize their site plan after the site visit with the Penelakut Tribe representative. Once the site plan is satisfactory to the applicants, Penelakut Tribe, Islands Trust staff, and LTC, the applicants may proceed with fulfilling the Terms of Reference.

NEXT STEPS

- Schedule site visit with Penelakut Chief, council members, and staff
- Applicant to update site plan if required

Submitted By:	Kim Stockdill, Island Planner	January 31, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	January 31, 2025

File No.: GL-RZ-2023.1 (Rockafella)
Draft Bylaw No. 291

DATE OF MEETING: February 11, 2025

TO: Galiano Island Local Trust Committee

FROM: Kim Stockdill, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: District Lot 14 Rezoning Application – Staff Report

Applicant: Tahirih Rockafella

Location: STRATA LOTS 1, 2, 3, 4, and 5, DISTRICT LOT 14 GALIANO ISLAND COWICHAN DISTRICT STRATA PLAN VIS4887 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1

RECOMMENDATION

1. That, pursuant to Local Government Act s. 464(2), the Galiano Island Local Trust Committee resolves to not hold a public hearing for Bylaw No. 291, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2023” and that staff give notice of First Reading in accordance with s.467 of the Local Government Act after the receipt of a draft sustainable forestry covenant and a groundwater assessment covenant.
2. That the Galiano Local Trust Committee request staff to schedule a Community Information Meeting for draft Bylaw No. 291 prior to First Reading.

REPORT SUMMARY

The purpose of this staff report is to provide the Galiano Island LTC with further information regarding the rezoning application and to present a draft Land Use Bylaw (LUB) amendment bylaw (draft Bylaw No. 291).

BACKGROUND

The application as proposed would amend the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) by rezoning the 85 hectare subject property from Forest 1 (F1) to two split-zones: 82.5 hectare to be a site-specific Forest 3 a (F3(a)) zone and 2.7 hectares to a site-specific Forest Industrial b (FI(b)) zone.

At the June 20, 2023 staff presented a preliminary staff report to the Galiano LTC. The LTC at the meeting passed the following resolution:

GL-2023-38

It was Moved and Seconded,

that the Galiano Island Local Trust Committee direct staff to proceed with further information for application GL-RZ-2023.1 (Rockafella) and to prepare draft bylaws.

CARRIED

ANALYSIS

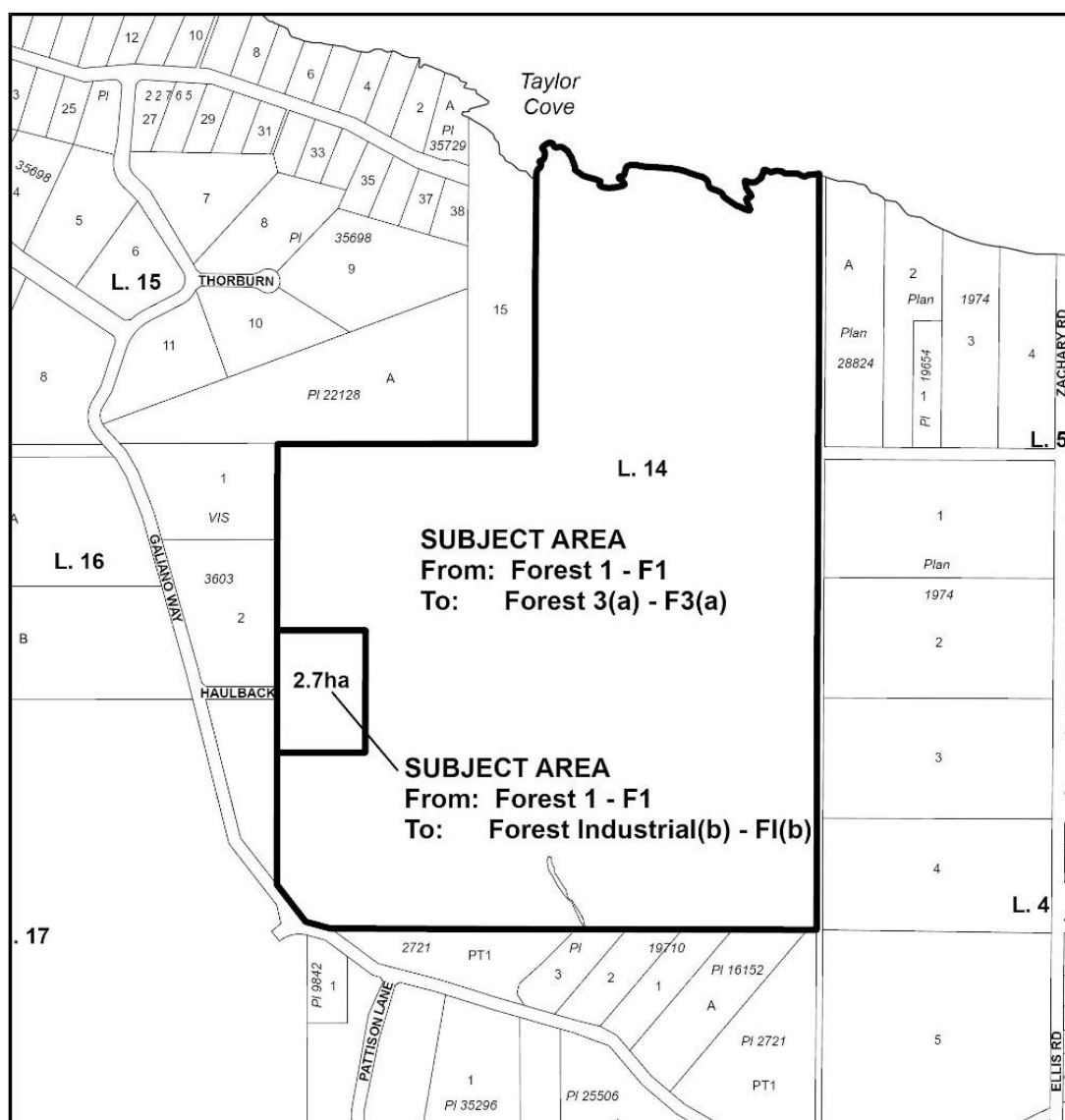
Draft Land Use Bylaw

In order to legalize the siting of the four existing dwellings, the majority of the property (82.5 hectares) will be rezoned to a site-specific Forest 3(a) zone (see attached draft Bylaw No. 291). The site-specific regulations for Forest 3(a) are:

- Permitting four dwellings on the subject property
- Limiting the floor area of each dwelling to 93 m² (1000 ft²)
- Permitting one non-residential accessory building/structure per one dwelling

The 2.7 ha area portion of the property, currently used as a sawmill, will be rezoned to a site-specific Forest Industrial (b) zone. The FI(b) zone principal use will be forestry with all other 'forest industrial' uses to be accessory. The FI(b) zone will not permit an accessory dwelling unit.

Figure 1 -Draft LUB Map (Bylaw No. 291)



Official Community Plan (OCP)

Below is a table summarizing the applicable OCP policies and how the application will comply with each policy.

Figure 2 – OCP Policy Compliance

Policy	Policy Wording (excerpts)	Compliance
Forest Policy A	<i>The principal use shall be forestry. All structures including <u>dwellings</u> (except dwellings on land rezoned to RR or CF) <u>must be accessory to the principal forestry use</u> and no uses should impair the long-term natural processes of forest growth and regeneration...</i>	Draft Bylaw No. 291 states that the four dwellings must be accessory to timber production and harvesting uses. Forestry will be the principal use in the FI(b) zone with all other uses accessory.
Forest Policy A	<i>...Instead, in order to preserve and protect the forest resource, <u>the plan favours the clustering of residential uses</u> on sites within the forest, carefully selected as the basis of sound planning principles, with the balance of the lands being set aside for forest uses in perpetuity.</i>	Draft Bylaw No. 291 will include the site plan (will be added to Schedule D) that shows the clustering of residential uses to the “developable area”.
Forest Policy B ii	<i>Dwellings are permitted in the Forest designation in the following circumstances:</i>	
	<i>... land whose owner grants to the Silva Forest Foundation and the Local Trust Committee or any other covenantee satisfactory to the Local Trust Committee a covenant to manage the land in accordance with sustainable forest practices and prohibiting subdivision of the land into lots less than 20 hectares (49.4 acres), <u>may be rezoned to permit one accessory dwelling per 20 hectares</u> (49.4 acres) if the lot complies with Land Transportation Policy o).</i>	A sustainable forestry covenant is required as a condition of rezoning. The covenant will restrict forest activities based on an approved Sustainable Forestry Management Plan that includes consideration of sensitive species and habitats identified in the baseline report. The covenant will also include a baseline report and restrict subdivision.
	<i>...The location of the dwelling and any accessory buildings or structures must be selected to minimize their impact and the impact of related services on the forest, and the land use bylaw amendment must specify the location of the buildings.</i>	The sustainable forestry covenant would include restrictions on the residential developable area.
Land Transportation Policy C	<i>The Road Network shown on Schedule C represents both existing and proposed roads, and is subject to the following: i) the locations of proposed highways and emergency access routes shall be considered approximate locations; ii) locations of proposed highways and emergency access routes shall be confirmed at time of rezoning, subdivision or building permit;</i>	Staff are in the process of sending a referral the Capital Regional District (CRD) and BC Hydro to determine if an emergency access is desirable for the CRD.
Land Transportation Policy O	<i>Residential use should only be permitted on any lot on Galiano Island where there is access to the lot providing continuous road access to the Sturdies Bay Ferry</i>	The subject property is accessed via a dedicated highway (Haulback Road).

	<i>Terminal by any combination of dedicated highway, statutory right of way and private easement identified on Schedule C as Proposed Highway or Proposed Emergency Access.</i>	
Water Supply Policy E	<i>Any rezoning application involving an increase in density or intensity of use should be required to provide an assessment of the availability of sustainable, long-term groundwater. Any additional density or intensity of use that would negatively affect the quality or quantity of groundwater should not be permitted in critical groundwater areas.</i>	The applicant has provided Groundwater Assessment referencing the quality and quantity of groundwater. In addition, a Section 219 covenant is required as a condition of rezoning.

Terms of Reference

The [terms of reference](#) (attached to the staff report dated October 10, 2023) includes specific guidance on application requirements that are consistent with the Galiano Island Development Approval Information Bylaw No. 148 (DAI Bylaw). The terms of reference requests the following information from the applicant:

- Developable areas site plan – see Plan No. 2 in draft Bylaw No. 291 (attached)
- Hydrogeologist Groundwater Assessment
- Septic servicing information
- Sustainable forestry management covenant
- Possibility for emergency access or public trail, based on CRD recommendations (referral to be sent)

Groundwater Assessment

The applicant provided a [Groundwater Assessment](#) prepared by Hy-Geo Consulting. As part of the assessment a pumping test was conducted on well (WTN10347), which is connected to the existing well. Additionally, water was also tested from the well to ensure compliance with the Galiano Island Land Use Bylaw and the Guidelines for Canadian Drinking Water (Health Canada).

The assessment concludes that:

“Results of the recent pump testing carried out on Well WTN 103407 indicates that the well has a minimum potential long-term yield of potential yield 1.73 L/min (2491 L/day) or 0.45 USgpm while not drawing groundwater levels below sea level. This yield exceeds the bylaw requirements of 2275 L/day. Well WTN 103407 therefore, is more than capable of meeting the minimum standards of 0.42 USgpm (1.58 L/min) or 2275 L/day for potable water supply under Galiano Island Land Use Bylaw No. 127, 1999.

Under normal domestic use of the well up to 2275 L/day the well would not have any detrimental effect on neighbouring wells or nearby surface water sources.

Laboratory results of the August 13, 2024 sampling, indicate the water quality of the subject well met or exceeded the Guidelines for Canadian Drinking Water-Summary Tables (Health Canada, 2022) for all parameters analyzed except for elevated levels of: Turbidity at 3.5 NTU, Total Aluminium at 104 µg/L, and Total Manganese at 30.2 µg/L. The elevated levels of these constituents do not pose a health hazard and are only of aesthetic concern. They may be present in particulate form and may be reduced by filtering.

No Total coliforms or E.Coli bacteria were detected in the recent sampling. These results indicate that the water meets the prescribed standards for potable water as set out in Schedule A of the Drinking Water Protection Regulation (Province of British Columbia, 2024d).”

As a condition of this rezoning application, the applicant will be required to register a Section 219 covenant, which would restrict the connection of the two existing wells to any dwellings until a new Groundwater Assessment is completed. This assessment must:

- Confirm each well has sufficient available groundwater to provide the daily required volume of potable water to supply 2275 litres for each dwelling the well is servicing
- Confirm the quality of groundwater from each well meets or exceeds the Guidelines for Canadian Drinking Water Quality
- Include recommendations for mitigation measures, if applicable, to ensure long-term sustainable yield of the drilled wells and to reduce the risk of saltwater intrusion

Additionally, the Section 219 covenant would require a Groundwater Assessment for any future wells on the property and ensure the property owner complies with the *Water Sustainability Act* (e.g., licensing for non-domestic groundwater use).

Septic Servicing Information (provided by applicant)

The applicant provided the following statement regarding septic servicing:

“All potential residential sites were determined to have access to large areas suitable for standard gravity fed septic fields. Specific sites that could efficiently service the existing shed structures were identified and located by a certified septic installer after ground-based examination of soils and topography. Approved locations are shown on the [Site Plan](#).”

Sustainable forestry management covenant

The applicant has hired a R.P.Bio to complete a baseline report which will identify the significant sensitive terrestrial and aquatic ecosystem features and provide a biological inventory. The baseline report will be included as an appendix in the sustainable forestry covenant and will serve as an objective information baseline for monitoring compliance.

The baseline report and draft covenant should be available for staff and the Galiano LTC to review in February. The Galiano Conservancy Association has agreed to act as the third-party covenant holder.

STATUTORY REQUIREMENTS - PUBLIC HEARING

Recent amendments to the *Local Government Act* have changed public hearing procedures. Section 464(2) of the *Local Government Act (LGA)* now states that a local government is not required to hold a public hearing on a proposed land use bylaw if:

- (a) an official community plan is in effect for the area that is the subject of the zoning bylaw, and
- (b) the bylaw is consistent with the official community plan.

If the LTC determines that the proposed land use bylaw amendment meets these conditions, the LTC may choose not to hold a public hearing; however, notice must be given prior to First Reading of the draft bylaw. The LTC may choose to hold a community information meeting prior to First Reading which could in fact act as a de facto public hearing.

The process for not holding a public hearing (in compliance with Section 464(2) of the LGA) would be as follows:

1. LTC gives direction to staff to draft a LUB amending bylaw - completed
2. Staff to initiate bylaw referrals to agencies and First Nations – in process
3. Staff brings forward the draft LUB for LTC’s review – in process
4. LTC gives direction to staff to give Notice of First Reading. This notice would be placed in local newspapers and be posted to the LTC webpage and community notice boards.

5. The LTC has the option to request staff to schedule a Community Information Meeting prior to First Reading.
6. The LTC may give First, Second, and Third reading at a single LTC meeting.

If the LTC opts to hold a public hearing, the normal statutory process will apply. The decision to hold or not hold a public hearing must be made prior to First Reading of the bylaw.

Referrals

Staff are in the process of sending the draft bylaw out on referral to the CRD, BC Hydro, First Nations, Islands Trust Conservancy, and other agencies as listed in the preliminary [staff report dated June 20, 2023](#).

Rationale for Recommendation

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

- The applicant has provided an updated site plan, Groundwater Assessment, and septic servicing information in accordance with the Terms of Reference
- The application complies with the Galiano Island Official Community Plan as shown in Figure 2.

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

- Applicant to provide draft sustainability forestry covenant (expected in February 2025)
- Staff to work with applicant to draft Section 219 groundwater assessment covenant
- Continue discussion with CRD and BC Hydro regarding an emergency access
- Staff to issue Notice of First Reading

Submitted By:	Kim Stockdill, Island Planner	January 31, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	January 31, 2025

ATTACHMENTS

1. Draft LUB Bylaw No. 291

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 291

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, 2023”.

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 By adding the following new Subsection under Section 7.3 ‘Forest 3 Zone’:

“Site-Specific Regulations

7.3.8 The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 7.3			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	F3(a)	A Portion of District Lot 14, Galiano Island, Cowichan District	1) Despite Subsection 7.3.2, one single non-residential building or structure for timber production and harvesting uses with a floor area not exceeding 93 square metres is permitted per dwelling, and every such buildings or structure must be screened by a landscape screen not less than 9 metres in height and complying with Subsection 15.1.1 of this bylaw. 2) Despite Subsection 7.3.3, four dwellings accessory to timber production and harvesting uses with a maximum floor area of 93 square metres per dwelling.

2.2 By adding the following new Section 9.6(C):

“9.6(C) Forest Industrial Zone B – FI(B)

The intent of the FI(B) zone is to permit limited industrial uses within a prescribed area of a forest lot.

Permitted Uses

9.6(C).1 In the Forest Industrial FI(B) zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.

- 9.6(C).1.1 timber production and harvesting
- 9.6(C).1.2 aggregate processing and storage
- 9.6(C).1.3 storage and repair of forestry equipment and vehicles
- 9.6(C).1.4 accessory sawmilling and planing of timber and the growing of seedlings in nurseries
- 9.6(C).1.5 accessory contractors' workshops and yards
- 9.6(C).1.6 accessory sale of building materials and supplies manufactured on the lot

Permitted Density

9.6(C).2 Lot coverage must not exceed 20% of any lot.

Permitted Height

9.6(C).3 No building or structure for a use permitted by this section may exceed 9 metres in height. Accessory buildings and structures must not exceed one storey and a height of 5 metres.

Minimum Setbacks

9.6(C).4 Buildings and structures must be sited

- 9.6(C).4.1 at least 7.5 metres from a front or rear lot line;
- 9.6(C).4.2 at least 6 metres from each interior side lot line, except where the lot line is common to a lot in a commercial or industrial zone, in which case the required distance is 3 metres; and
- 9.6(C).4.3 at least 4.5 metres from any exterior side lot line.

Minimum Lot Size

9.6(C).5 No lot having an area less than 2.7 hectares may be created by subdivision.

Screening

9.6(C).6 Lots on which light industrial uses are carried on must be screened by a landscape screen not less than 2 metres in height and complying with the requirements of Part 15 of this bylaw.”

- 2.3 Schedule "B" – Zoning Map, is amended by changing the zoning classification of a portion of District Lot 14, Galiano Island, Cowichan District from Forest 1 to Forest 3(a) and from Forest 1 to Forest Industrial (B), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" to Bylaw No. 127 as are required to effect this change.
- 2.4 Schedule "D" is amended by inserting 'Plan No. 2' attached to and forming part of this bylaw as Schedule D as a new "Plan 6".

3. SEVERABILITY

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

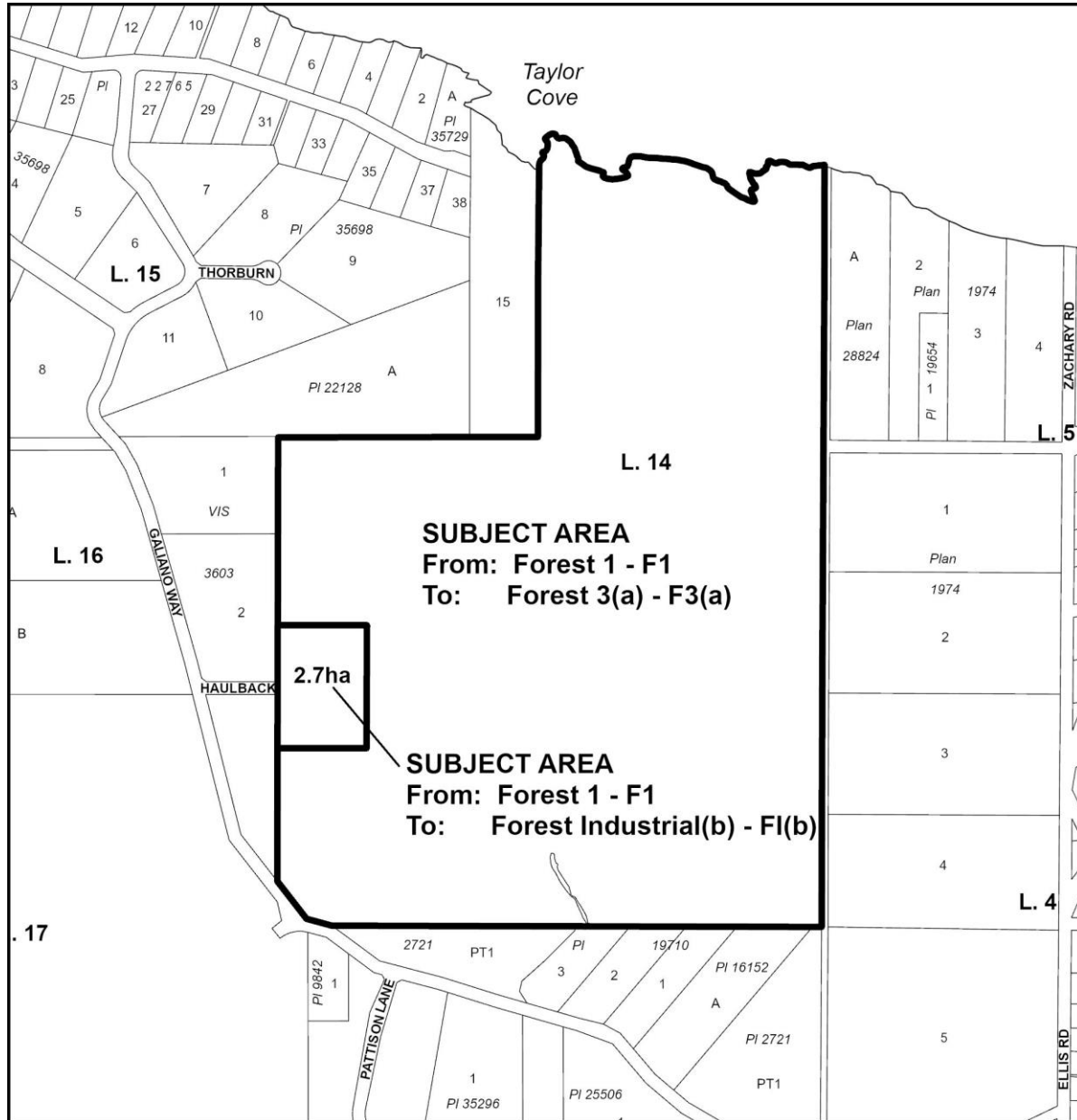
READ A FIRST TIME THIS	_____	DAY OF	_____	20____
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

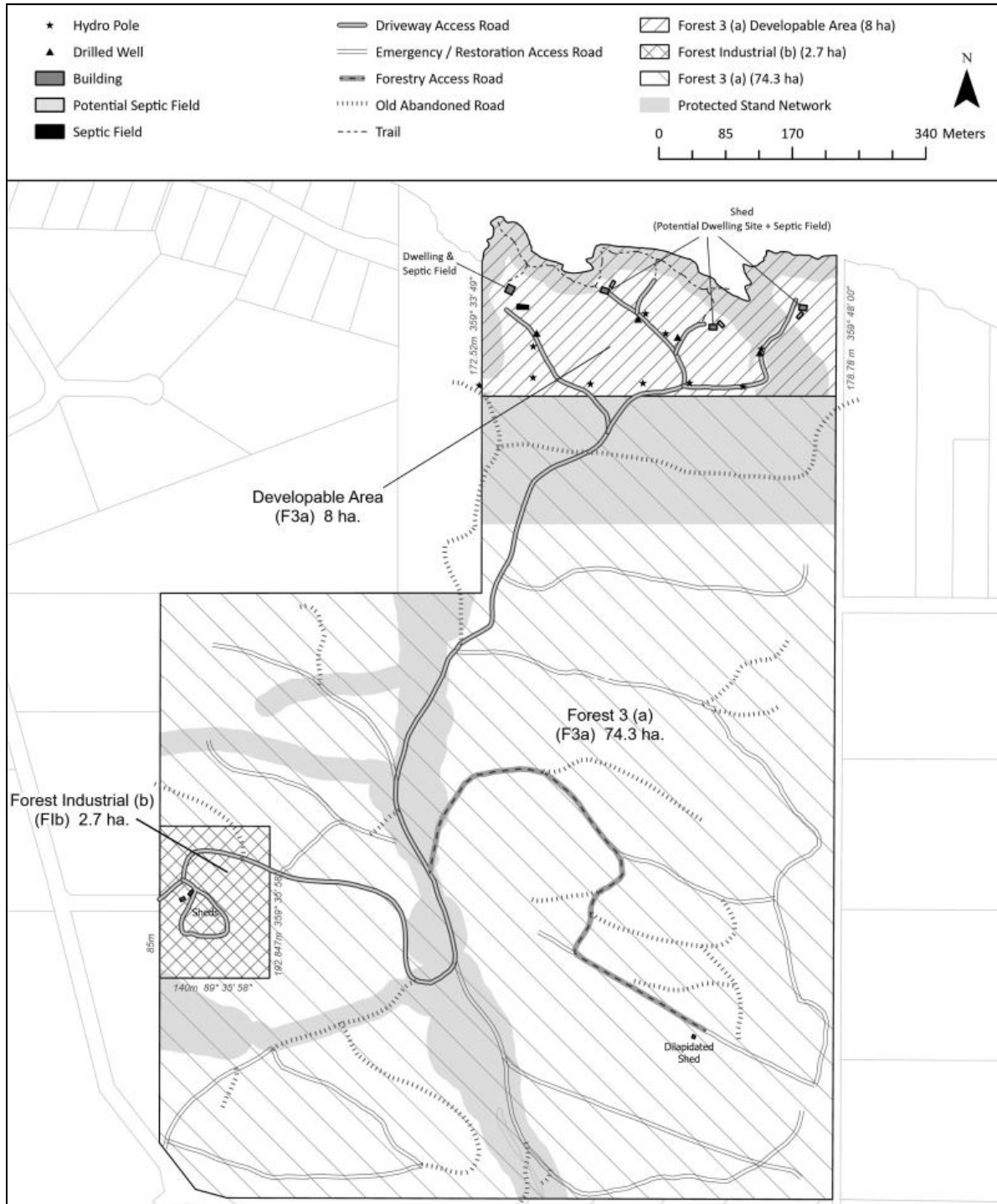
SECRETARY

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 291**

Plan No. 1



GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 291
Plan No. 2



DATE OF MEETING: February 11, 2025

TO: Galiano Island Local Trust Committee

FROM: Kim Stockdill, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: Lot A, Plan 22128 (Galiano Way) Rezoning Application – Staff Report

Applicant: Leif Palmberg

Location: Lot 'A' of Lot 15, Galiano Island, Cowichan District, Plan 22128

RECOMMENDATION

1. That the Galiano Island Local Trust Committee direct staff to proceed with application PL-RZ-2024-0003 (Palmberg) and to prepare draft bylaws.

REPORT SUMMARY

The purpose of this staff report is to provide further information regarding rezoning application GL-RZ-2024.1 (Palmberg) provided by the applicant 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.

The application as proposed would amend the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) by rezoning the subject property to permit the following proposed uses:

- Works yard
- Contractor's workshop and yard
- Storage and sale of gravel, soil and aggregates
- Sawmilling, planing and manufacturing of wood products
- Production and sales of cider and wine

BACKGROUND

A preliminary staff report was presented to the Galiano Island LTC on July 9, 2024. At this meeting the LTC passed the following resolution:

GL-2024-015

that Galiano Island Local Trust Committee request that the applicant for PLRZ20240003 submit to the Islands Trust

- I. Information regarding the scale of the proposed uses
- II. Business plan for the light industrial uses and cidery
- III. Information on a ground water management plan
- IV. Information on timing / phased approach
- V. Detailed site plan

The applicant has provided an updated [site plan](#) (attached), a [well construction](#) report on the well drilled last year, and a [business plan](#) which includes information on the scale of the proposed uses and phased development.

Applicant's Proposal & Business Plan

The applicant wishes to add additional permitted uses to their lot in order to facilitate the growth of their business as well as add new economic opportunities that would use produce from the property's farm.

The applicant is proposing a phased approach to the implementation of the proposed uses on the property. If the rezoning application is successful, the following outlines the timeline for development:

- Present – Farm use (orchard and garden)
- Within 1 year – Small scale commercial saw milling and wood processing, and the storage of aggregates and soil
- 2 to 3 years – Bays will be constructed for the storage and sale of gravel, soil and aggregates
- 5 to 10 years – Development of cidery using produce grown on the property. This timeline would allow the property owner a reasonable timeframe to obtain the necessary licensing for cidery/wine production and a provincial water license, complete the construction of a cidery building and accessory infrastructure, and allow the on-site plants to mature and produce fruit.

The applicant has provided further details for each proposed use:

Contractors' workshops and yards

- These uses would allow for the continued operation of the applicant's excavation/septic business in a more efficient manner

Storage and sale of gravel, soil and aggregates

- The intent is for a small-scale operation with limited public hours, with the majority of sales dedicated to aggregate delivery
- Maximum volume of material stored per years is 305 metres³ (400 yards³)
- Allows the applicant/property owner to split loads of material efficiently, rather than having to haul full loads of material from suppliers in Saanich, directly to the client's site.

Sawmilling, planing and manufacturing of wood products

- The annual processing of raw logs is 350 metres³ (450 yards³), which is approximately 10 logging truckloads per year.
- No raw logs will be taken off-site; they will be processed on-site
- Raw logs would be from on-site and also from Galiano clients who are clearing for driveways and construction
- Potential for one employee
- The applicant's current equipment (trucks, excavators, and loaders) can be used for both the existing excavating business and sawmilling, planing, and manufacturing of wood products

Production and sales of cider and wine

- Cidery will be a craft cidery focused on producing local, high-quality ciders
- Direct sell to consumers as well as restaurants, bars and local retail stores
- There are currently no local cideries, wineries, or breweries on Galiano Island

- Fruit from on-site orchard to be primarily used. Early production may require purchasing a large portion of the required fruit until the orchards reach maturity. Intent is to purchase from local growers
- Production up to a maximum of 20,000 imperial gallons/year (90,000 litres/year)
- Pressing, fermenting, aging and packaging will be on-site
- Initial staff of two employees covering production, sales and administrative duties

The applicant's rationale can also be found in the preliminary staff report dated [July 9, 2024](#).

ANALYSIS

Official Community Plan

The Galiano Island Official Community Plan (OCP) land use designation for the subject-property is currently Rural (R) and the principal uses shall be residential and agriculture. The Rural policies in the OCP do not provide any policies related to permitted additional uses within the designation (for example, contractor yard, cidery uses). If the rezoning application proceeds, staff will determine if an OCP amending bylaw will be required to support the proposed contractor yard, wood processing, aggregate sale/storage, and cidery use, or if they could be permitted as accessory uses.

Land Use Bylaw

The subject property is zoned Rural 2 (R2) in the Galiano Island Land Use Bylaw No. 103. The R2 zone permits dwellings, cottages, home occupations, farm use, and secondary suites. As the R2 zone does not permit the proposed uses, an amendment to the Galiano LUB will be required.

A draft LUB will permit the proposed uses and can regulate the following:

- Increased setbacks for certain uses, buildings and/or structures
- Establish a maximum floor area, or total maximum floor area for proposed uses
- Establish height requirements (for example, 5 metres in height for all buildings except for a dwelling and/or cottage)
- Landscape screening requirements
- Lot coverage requirements

Regulating days and hours of operation, specific conditions of use, and/or number of vehicles on site can be achieved by registration of a Section 219 covenant.

Terms of Reference

Should the LTC decide to proceed with the application, the attached terms of reference will be issued to the applicant providing specific guidance on application requirements that is consistent with the Galiano Island Development Approval Information Bylaw No. 148 (DAI Bylaw). The following is included in the terms of reference:

- A septic disposal report
- An ecological overview report prepared by a R.P.bio to assess the ecological impacts of the proposed uses (if any) and provide recommendations and mitigation measures
- A Groundwater Management Plan prepared by a professional hydrogeologist. The specifics for the groundwater management plan will be prepared by the Islands Trust Freshwater Specialist
- A Section 219 covenant to restrict or require the following:
 - A Section 219 that would restrict a use until a groundwater assessment prepared by a professional hydrogeologist to demonstrate there is sufficient quality and quantity of

groundwater is received. A section 219 covenant may also be required to require ongoing monitoring and/or future groundwater assessments confirming sufficient quality and quantity prior to development of the certain uses (cidery). The specifics of a groundwater assessment and/or monitoring report will be prepared by the Islands Trust Freshwater Specialist. Staff will report back with further information.

- Specific construction requirements (if required)
- Conditions of use – days/hours of operation, number of vehicles on site, etc.
- Environmental monitoring or reporting (if required)
- Wastewater and stormwater management plan (if required)

Anticipated Impacts of Proposed Uses

Contractor Yard, Aggregate Sale/Storage, Wood processing Uses: The rationale for the proposed uses is supportable due to the limited Light Industry zoned properties on Galiano Island. Currently there are three properties zoned for Light Industry, and one Temporary Use Permit which temporarily allows a contractor's yard use and the processing of aggregates, soils and mulch.

The lots surrounding the subject property are larger tracts of land which would be minimally impacted from the proposed uses. As part of the LUB bylaw amendment, staff would require landscaping requirements and setback requirements to ensure the reduction of any potential visual or noise impacts.

Cidery Use: Although the proposed use of a cidery or winery could be supported as there are no other similar uses on Galiano Island, the following potentials impact should be properly discussed and assessed:

- Water use: The production of cider could put additional demand on the local aquifer. A groundwater assessment and monitoring will be required at time of development of the cidery use. The applicant will also be required to apply to the province for a commercial groundwater license
- Traffic: Increase to local traffic. The LTC may wish to consider requiring of a section 219 covenant to restrict the number of days or hours for the proposed uses
- Noise: An increase of noise disturbance from the cidery/winery
- Other unintended uses: The LTC may wish to consider restricting other uses; for example, restrict the rental of the cidery/ winery for events and weddings
- Septic: A septic assessment will be required to ensure sufficient and safe disposal

Rationale for Recommendation

Based on the foregoing, the recommendation on page 1 is supported as:

- 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 PLRZ20240003 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 PLRZ20240003 (Palmberg) 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 PLRZ20240003 (Palmberg).

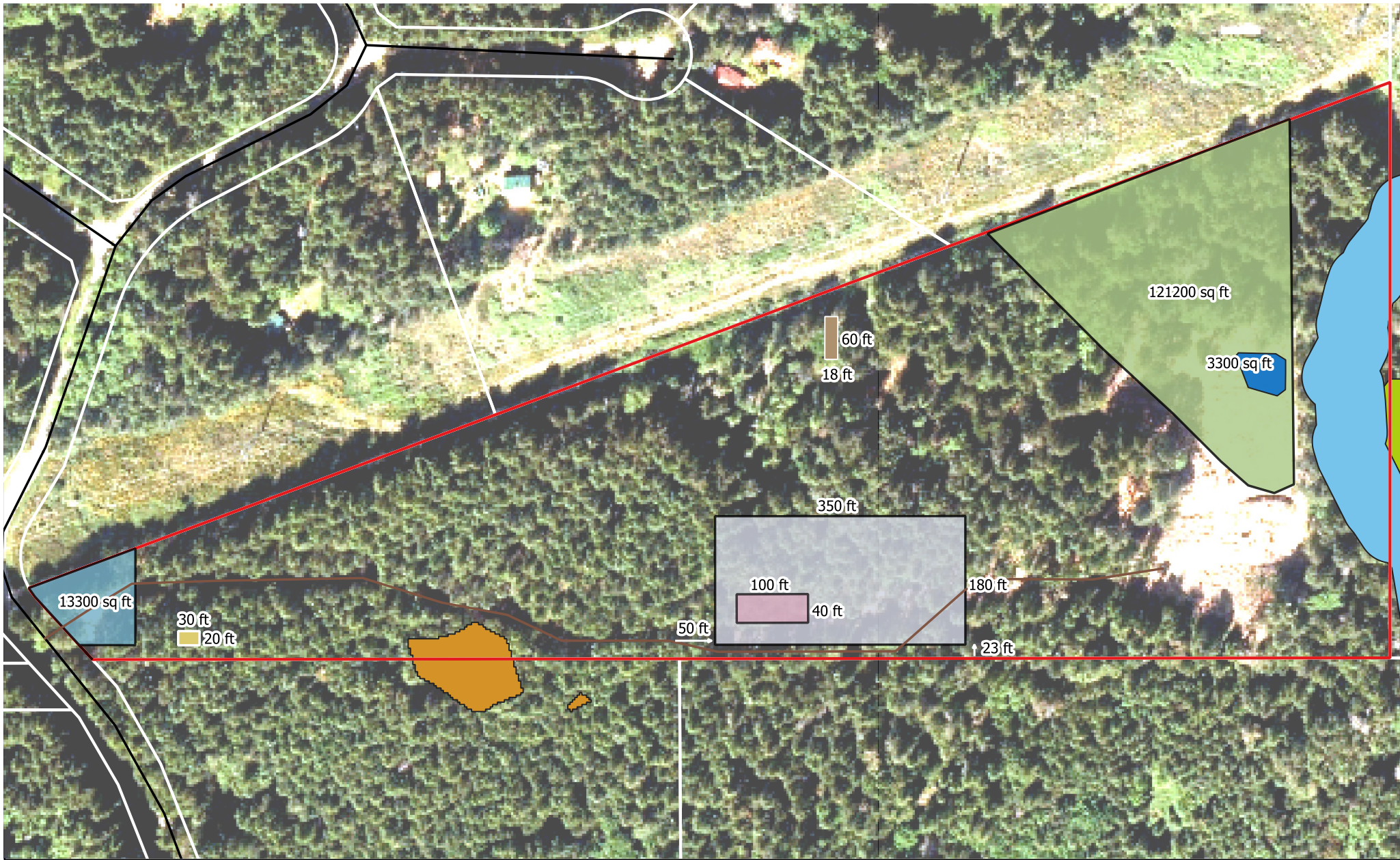
NEXT STEPS

With direction from the LTC, Staff will draft amending bylaws for further consideration by the LTC and issue the Terms of Reference to the applicant.

Submitted By:	Kim Stockdill, Island Planner	February 4, 2025
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ATTACHMENTS

1. Updated Site Plan
2. Business Plan
3. Well Log
4. Draft Terms of Reference



Site Plan | PID: 003-321-649

- Parking - Tasting Room - Septic Field - Orchard - Pond - Multipurpose Cidery/Workshop - Work/Aggregate Yard/Sawmill	- Driveway - Paved Road - Gravel Road - Residential Site Land Parcels	DPAs - Riparian - Sensitive Ecosystems - Slope - Moderate Hazard		N 0 25 50 m Scale 1 : 2,500	Created by: Keefeer Ecological Services Ltd. 42 Date: 2024-07-26
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Islands Trust Re-Zoning Application for PID 003-321-649.

Response to follow up questions

1. Scale of proposed uses

- a. Cider & Wine production: production up to a maximum of 20,000 imperial gallons / year.
- b. Wood processing: annual processing to a maximum of 350 cubic meters of raw logs/year. This equates to approximately 10 logging truck loads per year.
- c. Aggregates and soils: maximum volume of aggregates and soils stored at any one time will be 305 cubic meters (400 cubic yards).

2. Business Plan for Light Industrial uses and cidery - see below.

3. Groundwater management plan

- a. A detailed groundwater management plan will be created with the assistance of a hydrogeologist. This is in the early stages of development.

4. Timing and phased approach details

- a. Cider & Wine production:
We expect cider production would hopefully begin within 5 years of rezoning. We feel that this would be a reasonable timeframe to get necessary licensing for alcohol production, as well as a water license, and construct a cidery building and associated infrastructure. This early production may require purchasing a large portion of the required fruit until the orchards reach maturity.
- b. Wood processing:
Small scale commercial saw milling and wood processing could commence within approximately one year. Production would increase as infrastructure allows but will likely never reach the maximum of 350 cubic meters per year.
- c. Aggregates and soils:
Storage of aggregates will start immediately, with bays being constructed over a period of 2-3 years as needed.

Business Plan: Cidery - 832 Galiano Way

Mission Statement: To produce high-quality craft cider using apples grown on-site, and locally sourced apples, using traditional cider production methods.

Business Name: Yet to be determined

1. Executive Summary:

Location: 832 Galiano way

Products: Ciders of various styles using mostly traditional methods.

Target Market: Local and tourist cider enthusiasts (farmgate sales, i.e. tasting room sales), restaurants, and retail outlets.

2. Business Description

This cidery will be a craft cidery focused on producing local, high-quality ciders on Galiano Island. We will emphasize locally sourced ingredients and traditional methods to create a distinct product line.

Legal Structure: Limited Liability Corp.

Location: 832 Galiano way, Galiano Island, BC

3. Market Analysis

Industry Overview: The craft cider industry is growing rapidly as consumers seek alternative beverages to beer and wine. There is a particular demand for locally produced, artisanal products within the gulf islands.

Target Market: Consumers aged 19+ with an interest in craft beverages. The plan will be to sell direct to consumers as well as to restaurants, bars, and local retail stores focused on local and craft products. Potential for expanding into regional markets as production increases.

Competition: There are currently no local cideries, wineries, or breweries. Competition at a Galiano Island level is minimal. On a wider scale, competition includes regional craft cideries, wineries and breweries on the other Gulf Islands, Rural Vancouver Island, as well as large commercial cider brands.

4. Organization and Management: 100% ownership to be retained by Leif Palmberg. This will be a small scale business managed by Leif Palmberg.

Staffing: Initial staff of two employees (including myself), covering production, sales, and administrative duties.

5. Marketing and Sales Strategy: Confidential.

6. Operations Plan:

Facility Setup: Design and layout of the cidery to optimize production efficiency, including a space for fermentation, storage and office space.

Production Process: Apples will be sourced from on-site orchards as well as other orchards(ideally local) as needed. Pressing, fermenting, aging, and packaging on-site. Quality control at each stage of production as per industry standards.

Suppliers: Supply as much fruit as possible in house, secondly build relationships with other local growers, lastly source fruit as needed from off island only if demand cannot be met locally.

Distribution: Deliver to wholesale customers while maintaining inventory for direct sales.

7. Financial Plan: Confidential

Business Plan: Leif Palmberg Excavating - light industrial uses at 832 Galiano Way

1. Executive Summary:

Leif Palmberg Excavating is the business I currently operate on Galiano as a one person operation. As a licensed ROWP I construct and service septic systems, I also offer general excavating. For certain projects I collaborate with other local small business operators who do similar work, including Galiano Tree Service, Galiano Cleaning, Sam Moodie, Galiano Septic, and others.

My aim is to provide quality services for the best possible price while remaining profitable. I always try to achieve this goal by maximizing efficiency and good planning. Over the past few years I have found it difficult to consistently achieve this goal without a yard to operate from, or location to store materials and equipment. The rezoning at 832 Galiano Way will provide a yard to keep an assortment of aggregates. This will allow me to split loads of material efficiently, rather than having to haul full loads of material from suppliers in Saanich, directly to the client's site.

I have a small sawmill which has been in my family for over 30 years. I would like the opportunity to buy logs from clients who are having land cleared for driveways and construction and turn these logs into high value products. Having these opportunities would allow me to hire

one employee starting immediately, and possibly more in the future, generate more cash flow and invest in newer, more efficient and more environmentally friendly equipment. Much of my equipment including trucks, excavators and loaders can be used for both my existing excavating business and in production and handling of logs and lumber, allowing me to generate added revenue with limited new equipment investment.

3. Market Analysis:

My target market is all landowners and general contractors on Galiano, as they require some land clearing, septic systems, driveways, general excavating and wood products. My experience over the last six years suggests there is room for growth in this industry as I have had to turn down many jobs that I would've been happy to take on, if I would have had the time and personpower.

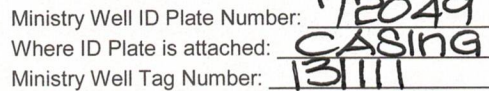
4. Organization and Management:

I have been operating as a sole proprietor but would create an LLC before hiring employees and growing my company. I will remain as the owner/operator/manager of this business but with the right employee and proper training, I could in time hand over some managerial duties.

5. Products or Services:

- General Excavating
- Septic System Installation and Servicing
- Land Clearing
- Aggregate and Soil Delivery and Sales

6. Financial Plan: Confidential



Sheet 1 of 1



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

February XX, 2025

File Number: GL_PL-RZ-2024-0003

Attn: Leif Palmberg
Via email: XXX

Dear Leif Palmberg

Re: Rezoning Application GL-PL-RZ-2024-0003 (Palmberg) - Terms of Reference - Lot 'A' of Lot 15, Galiano Island, Cowichan District, Plan 22128, (PID 003-321-649)

The Galiano Island Local Trust Committee (LTC) received a staff report for rezoning application GL_PL-RZ-2024.0003 (Palmberg) at the February 11, 2025 LTC meeting. At that meeting, the LTC passed a resolution to proceed with the application, including the drafting of amending bylaws and the issuance of a Terms of Reference (TOR).

Consistent with the Galiano Island Development Approval Information Bylaw No. 148 (DAI Bylaw), 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 in your application package includes:

1. Completed application form
2. Statement of Title Certificate
3. Site Disclosure Form
4. Letter of Intent
5. Site Plan
6. Business Plan
7. Well Log

Additional information required to proceed with your application includes:

- 1) A **site plan** professionally prepared at an appropriate scale, based on the existing legal survey, delineating the proposed area for rezoning and all existing and proposed buildings and structures, roads and driveways, topographic features, and any significant sensitive habitat features.
- 2) A **septic disposal report**, prepared by a registered onsite wastewater practitioner, for the septic servicing of the proposed uses consistent with section 8.13 of the LUB.
- 3) **Development Permit Areas** - There are the following development permit areas (DPAs) affecting the area proposed for rezoning
 - DPA 1 – Riparian Areas
 - DPA 3 – Tree Cutting & Removal
 - DPA 5 – Sensitive Ecosystems (Wetland)

- DPA 7 – Steep Slope Hazard Areas (Moderate)

Please note that any land alteration or construction of a building or structure may require a Development Permit.

- 4) An **ecological overview report** prepared by a registered professional biologist that includes:
 - a. Property location and description including existing legal encumbrances and history of use
 - b. Identification of existing structures, roadways and other development features
 - c. A desktop GIS inventory that includes:
 - i. Identification of habitat by type and calculation of percentage of each type
 - ii. Identification of significant or sensitive terrestrial and aquatic ecosystem features
 - d. Identification of development permit areas (DPAs) and an assessment of ecological impacts of any proposed **developable areas** within those DPAs
 - e. Ground-truthing of desktop inventory findings as required
 - f. Maps, Photos and other relevant materials
 - g. Recommendations for alternative development options and mitigation measures

- 5) A **Groundwater Management Plan** prepared by a professional hydrogeologist. The specifics for the groundwater management plan will be prepared by the Islands Trust Freshwater Specialist.

- 6) **Land Title Act s. 219 covenant** - The applicant should be aware that the LTC may seek further conditions of rezoning to be established as part of a s.219 covenant. A s.219 covenant is a charge secured against the title to a property in favour of the LTC to impose an obligation on the property owner, as per the provisions of s.219 of the *Land Title Act*. In this case, a s. 219 covenant could include conditions not captured through rezoning in the LUB such as the inclusion of a detailed site plan, specific construction requirements, environmental monitoring and reporting obligations, and other limits on the proposed land use and development.

In this case, a s. 219 covenant could include conditions not captured through rezoning in the LUB such as the inclusion of a detailed site plan, specific construction requirements, groundwater use restrictions, wastewater and stormwater management plan obligations (if required), environmental monitoring and reporting obligations, and other limits on the proposed land use and development.

- 7) **Archaeological Material** - The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. In this case, there is a portion of a registered archaeological site located on the subject property near the proposed area of rezoning, and archaeological potential identified on other areas of the subject property.

To provide the applicant with awareness regarding potential archaeological sites, including what to do if archaeological materials are encountered during development, staff include the Islands Trust Chance Find Protocol and the provincial Archaeological Branch *Heritage Act* guidelines as attachments to this TOR.

Reporting Requirements

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. 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

Attachment 1. Islands Trust Chance Find Protocol
Attachment 2. Provincial Archaeological Branch *Heritage Act* guidelines

pc: Robert Kojima, Regional Planning Manager

File No.: 12-04-6500-02

DATE OF MEETING: February 11, 2025
TO: Galiano Island Local Trust Committee
FROM: Robert Kojima, Regional Planning Manager
Southern Team
COPY: Kim Stockdill, Island Planner
SUBJECT: Local Trust Committee Work Program Review

RECOMMENDATION

1. That the Galiano Island Local Trust Committee amend the [Active Projects List/Future Projects List] as follows: [state amendments].

REPORT SUMMARY

The Local Trust Committee has substantially completed its current project – Groundwater Sustainability - consequently the LTC should consider reviewing its 'Work Program' and provide direction for any changes to identify a new Active Project and to update the Future Projects. The LTC has also requested staff to provide a report on public participation options for its Work Program following completion of the current project.

This report provides a summary of the currently identified future projects, and identifies other potential projects the LTC may wish to consider for the remainder of this term. This updates a report provided to the LTC in late 2022, and includes some options for engaging the community in identifying priorities.

Project Approval and Management

By Trust Council policy, an LTC can have one active Minor Project at a time, in addition to any Major Projects funded through a business case approved by Trust Council. Minor Projects are initiatives that can be undertaken for a maximum of \$5,000 per year (excluding staff time), would be anticipated to be completed in 12 to 18 months, and which can be supported by the LTC's assigned planner. Minor Projects are approved by the Director of Planning Services and funded out of a fund in the annual budget approved by Trust Council. Minor Projects can be initiated at any time by an LTC, subject to available funding and resources. Typically, Minor Projects are initiatives to amend the OCP or LUB for a specific purpose, and can range from initiatives such as housing to minor updates and technical amendments. A Minor Project is initiated by an LTC resolution to amend its Work Program to make the project its Top Priority and to request staff to prepare a project charter. Prior to initiating a new Minor Project an LTC may request information from staff to assist in determining if the proposed project is feasible and would address the issues prior to commencing the project.

Business Cases for Major Projects

Major Projects are any LTC projects that require a budget greater than \$5,000 in any given fiscal year and typically would be significant, multi-year initiatives, such as an OCP or LUB review. These projects would be supported by planners from the Regional Planning Team and are required to have a business case approved by Trust Council. An LTC considering a Major Project should start developing a business case in the spring, endorse the business case in the summer in order to have it reviewed by Regional Planning Committee and by the Financial Planning Committee at their October and November meetings. The Financial Planning Committee's recommendations on the business case would then be considered at the December Trust Council for inclusion in the budget for the following fiscal year.

Potential Future Projects

With pending completion of the current project, the LTC should review its future projects. The following section identifies potential future projects from several sources.

1. **Future Projects List:** as issues are identified, an LTC can add potential projects to the 'Future Projects List'. These are tracked in a report included in each agenda package. The following table summarizes the items currently identified on the Future Projects List:

Date added	Issue	Description	Comments
2012	Parking	Roadside parking in summer for Spanish Hills Dock and boat launch.	This is not LTC jurisdiction, so would involve advocacy with MoTI. The OCP does include a policy supporting rezoning for a parking area if a lot were proposed.
2013	Light Industrial Zoning	A review and inventory assessment of existing and potential light industrial zones.	Would be a minor project, LTC should consider whether this remains a significant issue, the OCP currently includes TUP guidelines for 'contractor yards'
2019	Coastal Douglas-fir Protection	Implementation of recommendations from toolkit	Would be a minor project – focussing on amending sensitive ecosystem DPAs (also a strategic initiative – see below)
2019	Emergency Access Planning	Follow-up from CRD emergency planning process - include consideration of developing driveway guidelines for emergency access within land use bylaw	Would be a minor project, amending OCP schedule and policies, and consideration of possible regulatory standards
2020	Review of Road Network Plan	Review of Road Network Plan (December 11th APC memo in review process)	Would be a minor project if focus is on reviewing and potentially amending OCP schedule and policies. Would be a major project if additional mapping or professional reports included.

Date added	Issue	Description	Comments
2021	Review of tiny home/trailer regulations, maximum house sizes and lot coverage	Was identified as a future Phase II Housing initiative (following STVR Review) from previous term.	Would be a minor project. Scope could be expanded to a broader housing initiative using Housing Toolkit options. RPC is currently supporting a Tiny Homes on Wheels initiative.
2022	Wise Island Bylaw Review	Review of OCP and LUB pertaining to Wise Island bylaws and potentially other islands with water access only	Minor project to consult with residents, create discrete policies and zoning regulations for associated islands. Creation of new separate bylaws for associated islands not supported.
2022	Shoreline model protection bylaw	Review APC report in consideration of development of shoreline model protection bylaw	A minor project to review existing DPA, and setbacks and dock zoning.

The LTC should review the Future Projects List and remove any initiatives it considers out-of-date or any it no longer supports.

2. Strategic initiatives: these are potential projects that have been advanced through the Regional Planning Committee or are on the Trust Council Strategic Plan, with a brief description of each:
 - a. Affordable Housing: a broader review of housing policies and regulations, including consideration of implementation of Islands Trust housing toolkit recommendations and coordination with CRD [Southern Gulf Islands Housing Strategy](#). This could be a Minor Project.
 - b. Coastal Douglas-fir Ecosystem Protection: Regional Planning Committee prepared a toolkit with options for protecting significant tracts of mature forest. This is also on the LTC's Future Projects List.
 - c. Cultural Heritage Protection implementation: implementation could include designation of Heritage Conservation Areas, based on existing mapping, designation of shoreline areas and First Nations recommendations. Given additional mapping, First Nations consultation, and other costs this would likely be a Major Project.
 - d. Shoreline Review: This is also on the LTC's Future Projects list.
 - e. Development Permit Area Review: while not a specific Regional Planning Committee project, Galiano's development permit areas were, for the most part, adopted or amended over ten years ago. A discrete review and update could be an LTC project this term, if no new mapping is needed it would be a Minor Project.

3. OCP / LUB Review: Galiano's OCP was extensively reviewed and updated more than ten years ago and the LUB was subsequently amended as well. Galiano's Bylaws are not the oldest, but nor are they the most recent in the Trust Area.
4. Other potential projects:
 - a. Staff maintain a list of minor errors, out-dated references, unclear regulations and policies, and other potential OCP and LUB technical and minor amendments. The LTC could consider a minor LUB amendments project.
 - b. the LTC should consider identifying other potential initiatives or issues, either as an LTC or through a process of community consultation.

Finally, the LTC is not obliged to have a current project. Alternately, the LTC could continue to focus on the current rezoning applications.

Community Engagement

The LTC resolution from 2023 requested options on community engagement to identify priorities. There is a range of approaches the LTC could consider:

- Gather input on-line, advertise through subscriber notification and trustee report in Active Page.
- Use one or more town hall sessions during regular meetings to gather input, advertised through subscriber notification and trustee report in Active Page.
- Schedule a Community Information meeting, either during a regular meeting or as a special meeting (electronic or in-person) to gather input. The format could be a combination of open house and town hall.
- Request that staff prepare and post an on-line questionnaire.
- Refer to the APC, this report could be used as a basis for APC discussion. Alternately, a special APC could be appointed as a working group to recommend priorities.
- Outreach: local trustees could engage in targeted outreach to existing community groups, at local events, and to First Nations to gather input.

If the LTC wishes to use multiple methods or multiple opportunities for engagement, this would be a longer and more involved process. The LTC could request staff prepare a draft engagement plan for LTC review and endorsement.

Rationale for Recommendation

The current Active Project is substantially complete, barring issues with Ministerial approval, the LTC should consider if it wishes to identify a new project, review and update its Future Projects list, and consider if it wishes to engage the community on identifying priorities.

ALTERNATIVES

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

1. Undertake Community Engagement

The LTC may wish to consult with the community on potential priorities. The resolution can be worded as:

That the Galiano Island Local Trust Committee request staff to [state action] for the purpose of setting LTC priorities.

2. Make no changes to the Work Program

The LTC is under no obligation to have a current project. No resolution would be required.

Submitted By:	Robert Kojima, Regional Planning Manager	January 30, 2025
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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. *Parking Issues*

Responsible

Date Received

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

23-Jul-2012

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

2. *Light Industrial Zoning*

Responsible

Date Received

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

18-Nov-2013

3. *Coastal Douglas-Fir Protection*

Responsible

Date Received

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

04-Feb-2019

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

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

4. *Emergency Access Planning*

Responsible

Date Received

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

02-Apr-2019

5. *Review of Road Network Plan*

Responsible

Date Received

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

02-Mar-2020

Future Projects Report

Galiano Island

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

Responsible

Date Received

01-Jun-2021

7. *Wise Island bylaw review*

Responsible

Date Received

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

06-Sep-2022

8. *Shoreline model protection bylaw*

Responsible

Date Received

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

06-Sep-2022



Galiano Local Trust Committee

Open Applications

Report

Print Date: February 4, 2025

Agricultural Land Reserve

Application Number	Applicant Name	Date Received	Address	Purpose
GL-ALR-2023.2	Samuel Mabberley	10/19/2023	1008 MONTAGUE RD	Application to include land in the Agricultural Land Reserve.
Planner		Status	Most Recent Completed Activity	
Kim Stockdill		In Abeyance	Planning Review	

Board of Variance

Application Number	Applicant Name	Date Received	Address	Purpose
PLBOV20240273	Michael Carrothers	10/22/2024	61 CEMETERY RD	A request for a variance to allow septic tanks to be located within the property setback on the side boundary of 61 Cemetery Road.
Planner		Status	Most Recent Completed Activity	
Kim Stockdill		Under Review	Planning Review	

Galiano

Development Permit

Application Number	Applicant Name	Date Received	Address	Purpose
GL-DP-2023.6	Brian Gaudet	9/14/2023	1656 STICKS ALLISON RD, GALIAN	1656 sticks Allison Rd- Application for a tree cutting DP for restoration
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Waiting for Submittals	Verify Submittal / Fees	

Application Number	Applicant Name	Date Received	Address	Purpose
GL-DP-2024.2	John Poppleton	3/6/2024	2990 GEORGESON BAY RD, GALIA	POPPLETON - 2990 GEORGESON BAY RD: An application in combination with GL-DVP-2023.6 for a DP for development in a sensitive ecosystem DPA.
Planner		Status	Most Recent Completed Activity	
Kim Stockdill		Under Review	Planning Review	

Application Number	Applicant Name	Date Received	Address	Purpose
PLDP20240147	Jared Taylor	7/23/2024	172 BURRILL RD	Riparian DP application
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Local Trust Committee	Assign to LTC Meeting	

Galiano

Development Variance Permit

Application Number	Applicant Name	Date Received	Address	Purpose
GL-DVP-2023.6	John Poppleton	12/22/2023	2990 GEORGESON BAY RD, GALIA	POPPLETON - 2990 Georgeson Bay Rd: Siting of a septic system in a setback.
Planner		Status	Most Recent Completed Activity	
Kim Stockdill		Local Trust Committee	Verify Final Review Status	

Land Transfer

Application Number	Applicant Name	Date Received	Address	Purpose
GL-OWN-2021.1	GALIANO CONSER	1/1/1998	0 PORLIER PASS RD, GALIANO, B	See comments for description of project and status.
Planner		Status	Most Recent Completed Activity	
Kate Emmings		Open	Determine Next Steps - PL	

Galiano

Rezoning

Application Number	Applicant Name	Date Received	Address	Purpose
GL-RZ-2023.2	Flemming Larsen	4/26/2023	5500 BODEGA BEACH DR, GALIAN	DL 85 - 5500 BODEGA BEACH DR: Application for rezoning from F1
Planner		Status	Most Recent Completed Activity	
Kim Stockdill		Local Trust Committee	Assign to LTC Meeting	

Application Number	Applicant Name	Date Received	Address	Purpose
GL-RZ-2021.2	CORINNE A MATHE	8/16/2021	0 COOK RD, GALIANO, BC V0N 1P	DL 86 - COOK RD - application for rezoning to emend the OCP and LUB to permit a rezoning from F1 to create an F3 zoned parcel, two 2.0 hectare Rural Residential-zoned parcels, and 12+ ha of parkland and road dedication.
Planner		Status	Most Recent Completed Activity	
Kim Stockdill		Local Trust Committee	Assign to LTC Meeting	

Application Number	Applicant Name	Date Received	Address	Purpose
GL-RZ-2023.1	Tahirih Rockafella	3/28/2023	0 HAULBACK RD, GALIANO, BC V0	Application for rezoning to amend the zoning from F1 to F3 and Forest Industrial. Bylaw 291
Planner		Status	Most Recent Completed Activity	
Kim Stockdill		Local Trust Committee	Assign to LTC Meeting	

Galiano

Application Number	Applicant Name	Date Received	Address	Purpose
GL-RZ-2023.3	George Harris	6/8/2023	9980 PORLIER PASS RD, GALIANO	Application to rezone property from C7 - Commercial Private Film School Zone to CH2 Community Housing 2 Zone.
Planner		Status	Most Recent Completed Activity	
Kim Stockdill		Local Trust Committee	Create Draft Bylaw(s)	

Application Number	Applicant Name	Date Received	Address	Purpose
PLRZ20240003	LEIF C PALMBERG	5/15/2024	0 GALIANO WAY, GALIANO, BC V0	To amend zoning from R2 to Site Specific R2 Zoning
Planner		Status	Most Recent Completed Activity	
Kim Stockdill		Local Trust Committee	Assign to LTC Meeting	

Application Number	Applicant Name	Date Received	Address	Purpose
GL-RZ-2014.1	CRYSTAL MOUNTA	10/28/2014	0 PORLIER PASS RD, GALIANO, B	20300 PORLIER PASS RD: Application for rezoning to amend the OCP and LUB to allow for a Forest Retreat Centre - Bylaws 256 (OCP) and 257 (LUB)
Planner		Status	Most Recent Completed Activity	
Brad Smith		Local Trust Committee	Record LTC Decision/Update FUAL	

Galiano

Application Number	Applicant Name	Date Received	Address	Purpose
GL-RZ-2020.1	Fred King	10/27/2020	0 PORLIER PASS RD, GALIANO, B	51 Galiano Way - Application for rezoning from F1 to F3 - Bylaw 279 (LUB)
Planner		Status	Most Recent Completed Activity	
Kim Stockdill		Local Trust Committee	Verify Final Review Status	

Subdivision

Application Number	Applicant Name	Date Received	Address	Purpose
GL-SUB-2024.1	Danica Berginc	4/4/2024	771 GEORGESON BAY RD, GALIA	BERGNIC - 771 GEORGESON BAY RD/1153 GEORGESON BAY RD: Referral of a boundary adjustment subdivision application.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		In Abeyance	Record and File PLR	

Application Number	Applicant Name	Date Received	Address	Purpose
GL-SUB-2023.1	Jared Taylor	3/31/2023		TAYLOR - 172 BURRILL RD: Referral of a subdivision application for 1 new lot.
Planner		Status	Most Recent Completed Activity	
Bruce Belcher		Administrative Approval	Record and File PLR	

Islands Trust

LTC EXP SUMMARY REPORT F2025

Invoices posted to Month ending December 2024

625 Galiano	Invoices posted to Month ending December 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	3,282.56	-1,052.56
65210-625	LTC - Local Exp - APC Meeting Expenses	300.00	0.00	300.00
65220-625	LTC - Local Exp - Communications	3,000.00	1,949.79	1,050.21
TOTAL LTC Local Expense		<u>5,530.00</u>	<u>5,232.35</u>	<u>297.65</u>
Projects				
73001-625-4114	Galiano Groundwater Strategy Implementation	<u>1,500.00</u>	<u>1,241.18</u>	<u>258.82</u>
TOTAL Project Expenses		<u>1,500.00</u>	<u>1,241.18</u>	<u>258.82</u>

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2023-015 (Standing) First Nations Reconciliation 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: 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.	Carried	14-Mar-2023
2020-042 (Standing) Use of Development Permits for Variances That the Galiano Island Local Trust Committee request that development permit applications where a variance is requested be processed as a combined application with both a development permit and a development variance permit.	Carried	08-Sep-2020

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2020-041 (Standing) Unlawful Land Uses and Planning Applications that the Galiano Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications: 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. 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. 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. d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application.	Carried	06-Jul-2020
2020-013 (Standing) Advisory Planning Commission that the Galiano Island Local Trust Committee request that prior to expiration of Advisory Planning Commission members terms of office, staff write to commissioners asking if they wish to be reappointed and also advertise for expressions of interest for new commissioners.	Carried	03-Feb-2020

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2019-014 (Standing) 13.1 Cannabis Retail - Staff Report that the Galiano Local Trust Committee adopt the following standing resolution with respect to the processing of non-medicinal cannabis retail license applications: - 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: - 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
2018-064 (Standing) 11.1 Telecommunication Strategy Project - Staff Report that the Galiano Island Local Trust Committee endorses the Telecommunication strategy Project Charter dated June 22, 2016	Carried	04-Jun-2018
2014-029 (Standing) Community Wells as a Community Benefit 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.	Carried	07-Apr-2014



Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2014-000 (Standing)	Carried	03-Feb-2014

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:

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.

2011-205 (Standing)	Carried	17-Oct-2011
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Special Occasion Liquor Licenses

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.

2010-115 (Standing)	Carried	18-Oct-2010
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Publishing Notices beyond legal requirements

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.



Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2009-085 (Standing)	Carried	11-May-2009
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		