



Galiano Island Local Trust Committee

Regular Meeting Agenda

Date: June 20, 2023
Time: 1:00 pm
Location: North Community Hall
22790 Porlier Pass Road, Galiano Island, BC

	Pages
1. CALL TO ORDER	1:00 PM - 1:20 PM
2. APPROVAL OF AGENDA	
3. TRUSTEE REPORT	
4. CHAIR'S REPORT	
5. ELECTORAL AREA DIRECTOR'S REPORT	
6. TOWN HALL AND QUESTIONS	1:20 PM - 1:40 PM
7. COMMUNITY INFORMATION MEETING - None	
8. PUBLIC HEARING - None	
9. MINUTES	1:40 PM - 1:50 PM
9.1 Local Trust Committee Minutes Dated April 11, 2023 (for Adoption)	4 - 13
9.2 Local Trust Committee Special Meeting Minutes of May 6, 2023 (for Adoption)	14 - 16
9.3 Local Trust Committee Public Hearing Record of May 6, 2023 (for Receipt)	17 - 21
9.4 Local Trust Committee Special Meeting Minutes Dated May 9, 2023 (for Adoption)	22 - 23
9.5 Section 26 Resolutions Without Meeting Report - None	
9.6 Advisory Planning Commission Minutes Dated April 20, 2023 (for Receipt)	24 - 28
10. BUSINESS ARISING FROM MINUTES	
10.1 Follow-up Action List Dated June 2023	29 - 31
11. DELEGATIONS	

11.1	Wise Island Community Association re Wise Island Rezoning and Bylaw Amendments	32 - 34
12.	CORRESPONDENCE	
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
13.	MEETING BREAK - COMMUNITY UPDATE	
14.	APPLICATIONS AND REFERRALS	1:50 PM - 2:40 PM
14.1	Salt Spring Island Local Trust Committee Referral for Proposed Bylaw No. 530 (for response) (attached)	35 - 37
14.2	GL-ALR-2023.1 (Cupples) - Staff Report (attached)	38 - 50
14.3	GL-RZ-2023.1 (Rockafella) – Staff Report (attached)	51 - 75
15.	LOCAL TRUST COMMITTEE PROJECTS	2:40 PM - 2:55 PM
15.1	DL 64, 68, 72, 87 RZ Project - Proposed Bylaws 231 and 232 - Consideration of Adoption - Staff Report (attached)	76 - 84
16.	REPORTS	2:55 PM - 3:05 PM
16.1	Work Program Reports (attached)	
16.1.1	<u>Active Projects Report Dated June 2023</u>	85 - 85
16.1.2	<u>Future Projects Report Dated June 2023</u>	86 - 87
16.2	Applications Report Dated June 2023 (attached)	88 - 95
16.3	Trustee and Local Expense Report Dated April 2023 (attached)	96 - 96
16.4	Adopted Policies and Standing Resolutions (attached)	97 - 101
16.5	Local Trust Committee Webpage	
16.6	Islands Trust Conservancy Report - None	
17.	NEW BUSINESS	3:05 PM - 3:40 PM
17.1	Galiano Island LTC Freedom of Information and Protection of Privacy Bylaw No. 290 - Consideration of Adoption (attached)	102 - 106
17.2	Galiano Island Local Trust Committee Bylaw No. 289 - Bylaw Enforcement Notification Amendment - Staff Report (attached)	107 - 129
18.	UPCOMING MEETINGS	

18.1 Next Regular Meeting Scheduled for July 11, 2023 at the Galiano North Community Hall, Galiano Island

- | | | |
|------------|------------------------------|--------------------------|
| 19. | TOWN HALL | 3:40 PM - 4:00 PM |
| 20. | CLOSED MEETING - None | |
| 21. | ADJOURNMENT | 4:00 PM - 4:00 PM |

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: April 11, 2023
Location: Galiano South Community Hall
141 Sturdies Bay Road
Galiano Island BC

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

Staff Present: Robert Kojima, Regional Planning Manager
Brad Smith, Island Planner
Charly Caproff, Planner 2
Pat Todd, Recorder

Others Present: Approximately forty (40) members of the public were present.

1. CALL TO ORDER

Chair Peterson called the meeting to order at 1:00 p.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. RISE AND REPORT – In-Camera Meeting March 14, 2023

Deferred to next meeting.

3. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. TRUSTEE REPORT

Trustee Gauvreau reported a busy month – number of meetings. Her Trustee office hours are Monday 9:00 to 11:00 a.m., and she encouraged residents to drop by and chat. Of note is the passing of former LTC Trustee Louise Decario who oversaw the 2-year review of the Official Community Plan (OCP) and she spoke highly of past Trustee Decario's thoughtful leadership.

Trustee Mabberley spoke of the significant time that past Trustee Decario had given to the Galiano community.

5. CHAIR'S REPORT

Chair Peterson spoke to LTC directing staff to draft and bring back Bylaw 228 regarding free-ranging farm animals. Bylaw enforcement staff are working on this item.

Provincial monies have been received by IT, \$150,000, for First Nations Engagement and Protocol Agreements.

6. ELECTORAL AREA DIRECTOR'S REPORT- none

7. TOWN HALL AND QUESTIONS

General Comments

Speaker: Regarding Wise Island and motion defeated at last meeting. Decks and stairs are a necessity and would ask the LTC to reconsider decision. Galiano Bylaws are not necessarily appropriate for Wise Island, need time to review Bylaws.

Speaker: Supportive of comments regarding Wise Island. Correspondence noted last month could not be found on the web site. Questioned if general correspondence is posted.

Planner Smith noted general correspondence would appear in Public Agenda. At this time one application is closed and one is in abeyance.

Speaker: In support of Wise Island comments.

Speaker: Letter submitted to staff. Staff confirmed receipt; however, there is no specific information received yet to reply.

Speaker: Standing Resolutions of April 7, 2014 were not discussed regarding recent affordable housing rezoning applications and community benefit. Questioned whether these were referenced/discussed in Staff Reports and at LTC meetings.

Planner Smith spoke to application, stating significant efforts were made to review and answer questions regarding water. A number of submissions were received concerning water problems. Wording is "Will be considered". Requirements and covenants are in place to monitor.

Speaker: Consider Gambier Island Bylaws for Passage Island, if they are applicable to Wise Island and if they could be incorporated into Galiano OCP. Urging LTC to refer matter to Advisory Planning Commission. Understood Staff have received a copy of Gambier Bylaws.

Speaker: Crystal Mountain rezoning application would create a large multi-unit visitor accommodation with no access to a main road, only a residential road which contravenes OCP Policy. An emergency access created would be welcome. A second development area contravenes many policies. No justification for allowing a split. There are ongoing concerns with water supply and consumption. The 2015 report indicates less water than required for a commercial operation, and should require a Provincial Water License prior to proceeding with

application. Against approval of development of Upper Ridge.

Chair Peterson directed the Town Hall to questions regarding a Temporary Use Permit.

Trustee Mabblerley recused himself at 1:28 p.m. due to conflict of interest.

Speaker: TUP is a short-term usage, and the only reason for the TUP is to circumvent the rezoning process.

Speaker: Temporary Use Permit (TUP) is essential to island growth and would further serve the community. Construction jobs could be completed faster and more efficiently, thus saving costs. There would be less need to get supplies from off-island. Trucks are currently on road twice a day. It is a great investment and benefit to the community.

Speaker: Suggest speakers use microphone. There is unloading of material from barges and equipment grinding up the hill at Montague. Road is a tourism corridor, busy with cyclists, etc., which is problematic.

Speaker: Questioned industrial use of the site regarding watershed. Montague Road is extremely congested.

Speaker: Spoke in appreciation of comments regarding Louise Decario and her work for the community. Referred to OCP and Land Use Bylaws (LUB) for contractors' yards and construction yards. Others are near or in residential areas. "Contractor Yard" is not what site was intended for.

Speaker (resident of Montague Road who works from home): Spoke, regarding TUP activities currently ongoing, inappropriate activities for forest lands, water contamination concerns, and neighbours' right to enjoy property impacted by long-standing bylaw infractions.

Speaker (resident of Montague Road): Supports previous comments. Spoke on concerns regarding industrial operation surrounded by residential homes, large truck traffic and effects on water.

Speaker (resident of Montague Road): Stated the paramount importance of water and protection from potential contamination including from storage of telephone poles. Compaction has been resulting in run-off and ditches are full. Advised not to ignore DP4.

Speaker: Spoke of admiration for Louise Decario's efforts, and the importance of Trustees to consider letters. Is not supportive of TUP and advised to apply to rezone and initiate process to weigh the environmental impact. Also stated that the area is not the place for industrial traffic.

Speaker: Will not support the TUP until a more fulsome and informed community dialogue is initiated. Only received the Staff Report one week ago with only two days to respond in writing, and stated the need for more information and time to study before making a decision. Is confused by the Staff Report, and was not advised of potential impacts. Is of the opinion that the Ministry of Transportation and Infrastructure (MoTI) is only interested in access but not

traffic.

Speaker: Had written in opposition to the TUP. Stated that Trustees should represent community members' interests. Spoke of implications of industrial use on forest area land and that the TUP is not appropriate tool. Advised a more in-depth evaluation and assessment of the suitability and impact of rezoning.

Speaker (resident Montague Road): - Points of concern have been covered by previous speakers, potential impacts are unclear and unknown.

Speaker (resident Montague Road): –Voiced opposition to TUP, stating far too many problems as have been pointed out. His primary concern is driveway access, as the development appears to be crossing his property on the map. Advised a survey be conducted prior to approving the TUP.

Speaker: Noted previous support for the TUP, which was approved and recognises the need for soil and aggregate storage. Does not support the current application.

Speaker: Opposed to the TUP due to concerns with farms produce for market and pollution. Desires to see a monitoring of activity.

Speaker: Opposed to TUP. The crest of the hill increases the risk of possible accidents with the trucks for tourists and children.

Speaker (resident Montague Road): Declared the applicant's right to live on the land in peace and quiet, as well as the importance of being a good steward for the land. Stated the TUP goes against the OCP, and is seen as a way around rezoning. Claims it has been in violation of Zone F1 uses for years.

Speaker (property borders TUP area): – Does not feel the traffic will impact significantly, adding that traffic has always been an issue on hill. Supports a 3-year TUP. Mentioned the storage area is deep into the lot, and doubts the impact on the water table as it has been there a long time. Stated a need to trust people to do what they say they will do.

Speaker: Does not support the TUP. Stated that the TUP is supposedly for "short-term use" and temporary, but noted the application is for 6 years. Compared the definition of a TUP versus the rationale of a TUP within the Staff Report.

Speaker: Stated the TUP should not be approved.

Speaker: Noted past work by Trustee Decario, whose review of the OCP reflected the hopes and aspirations of the island. Advised to review the LUBs according to the OCP policies. The TUP would have a significant impact on OCP, especially in the F1 Zone. Mentioned current non-conforming, illegal activities and the effort to legalize them. Noted the TUP is adjacent to a wet land. Advised the LTC needs to vet with OCP F1 Zone details. The rezoning application and tourism accommodation does not conform to F1 within OCP objectives. Advised the LTC needs to base decision making on OCP guidelines to protect public interests.

Speaker (TUP applicant): Cited hypocritical comments and pointed out others using larger machinery and having illegal septic systems. Stated the ferries as an issue, with more construction vehicles having an impact on passenger cars. Advised that the TUP is an alternate solution, where the barges bring in material, unload and continue construction. He also added that it eases pressure on the ferries, making it good for the community. He also stated that animals are not legal on an F1 property, and advised to comply with the LUBs.

Trustee Mabberley returned to the meeting at 2:15 p.m.

8. COMMUNITY INFORMATION MEETING – None

9. PUBLIC HEARING – None

The meeting recessed for a break at 2:17 p.m. and resumed at 2:28 p.m.

10. MINUTES

10.1 Local Trust Committee Minutes Dated March 14, 2023

By general consent, the Local Trust Committee meeting minutes of March 14, 2023 were adopted.

10.2 Section 26 Resolutions Without Meeting Report – None

10.3 Advisory Planning Commission Minutes – None

11. BUSINESS ARISING FROM MINUTES

11.1 Follow-up Action List Dated April 2023

Planner Smith noted that Planner Stockdill is looking into microphones for next meeting.

12. DELEGATIONS – none

13. CORRESPONDENCE

Received from the public.

14. MEETING BREAK - COMMUNITY UPDATE – none

Trustee Mabberley recused himself at 2:31 p.m. due to conflict of interest.

15. APPLICATIONS AND REFERRALS

15.1 GL-TUP-2023.2 (Mabberley)

Planner Caproff reviewed the application, which is to store a maximum of 2 tons of aggregate for a term of 3 years, with an option to renew. Rationale from applicant is that it would lower costs to consumers, lessen ferry traffic and no land alteration is involved, and supports the island, employment and location close to the harbour for barges, stating it is a small footprint relative to the lot size. There is livestock on the land, which is not permitted, and should be dealt with separate to the TUP. Submissions to date have been 11 against, 3 for and 80 signatures on a petition supporting the TUP. Concerns raised were reviewed.

Trustee Gauvreau spoke to the mandate to preserve and protect and noted it is a large commercial operation. She stated she is not prepared to permit the TUP at this time, adding only a rezoning would be considered.

Chair Peterson spoke in agreement, and stated ongoing non-conforming operations should cease prior to the rezoning application going forward.

GL-2023-018

It was Moved and Seconded,

That the Galiano Local Trust Committee not approve the issuance of Temporary Use Permit GL-TUP-2023.2 (Mabberley).

CARRIED

Process forward would be to make an application to rezone.

Trustee Mabberley rejoined the meeting at 2:42 p.m.

15.2 GL-RZ-2022.2 (Hayes)

Planner Smith reviewed the application, noting the report presents draft Bylaws as requested at the December meeting. Work is ongoing regarding Groundwater report.

Reviewed the checklist and the agencies were notified of the draft bylaws. A request was made to include the Coast Salish of Galiano in First Nations listings.

GL-2023-019

It was Moved and Seconded,

That the Galiano Island Local Trust Committee Bylaw No. 287, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2022" be read for a first time.

CARRIED

GL-2023-020

It was Moved and Seconded,

That the Galiano Island Local Trust Committee Bylaw No. 288, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2022” be read for a first time.

CARRIED

GL-2023-021

It was Moved and Seconded,

That the Galiano Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 287, Cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2022”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GL-2023-022

It was Moved and Seconded,

That the Galiano Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 288, Cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2022”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

15.3 GL-RZ-2014.1 (Crystal Mountain)

Planner Smith reviewed the progress to date. Has spoken with applicant who is working with the Capital Regional District (CRD). A Statutory Right of Way agreement has been negotiated with the CRD and allows for emergency access and egress across the lands. This secures 75% of the Emergency Access Route. A legal memorandum was shared with the CRD, and the CRD are satisfied. Legal opinion is that access is permitted through Easement. There have been two comprehensive Community Information Meetings.

Public Hearing is scheduled for May 6, 2023.

16. LOCAL TRUST COMMITTEE PROJECTS

Received for information.

17. REPORTS

17.1 Work Program Reports

17.1.1 Active Projects Report Dated April 2023

Special meeting to be scheduled when legal opinion received on Groundwater.

GL-2023-023

It was Moved and Seconded,

That the Galiano Local Trust Committee ask staff to add a Community Information Meeting prior to the Public Hearing regarding Emergency Access, on the May 6, 2023 agenda.

CARRIED

17.1.2 Future Projects Report Dated April 2023

Received for information.

17.2 Applications Report Dated April 2023

Received for information.

17.3 Trustee and Local Expense Report – None

17.4 Adopted Policies and Standing Resolutions

Received for information.

17.5 Local Trust Committee Webpage

To be updated upon conclusion of meeting.

17.6 Islands Trust Conservancy Report Dated – None

18. NEW BUSINESS

18.1 Annual Report

GL-2023-024

It was Moved and Seconded,

That the Galiano Island Local Trust Committee approves the format and outline of contents for the 2022/2023 Annual Report.

CARRIED

18.2 Freedom of Information and Protection of Privacy Bylaw

GL-2023-025

It was Moved and Seconded,

That the Galiano Island Local Trust Committee Bylaw No. 290, cited as “Galiano Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 290, 2023”, be read a first time.

CARRIED

GL-2023-026

It was Moved and Seconded,

That the Galiano Island Local Trust Committee Bylaw No. 290, cited as “Galiano Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 290, 2023”, be read a second time.

CARRIED

GL-2023-027

It was Moved and Seconded,

That the Galiano Island Local Trust Committee Bylaw No. 290, cited as “Galiano Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 290, 2023”, be read a third time.

CARRIED

GL-2023-028

It was Moved and Seconded,

That the Galiano Local Trust Committee Bylaw No. 290, cited as “Galiano Island Local Trust Committee Freedom of information and Protection of Privacy Bylaw No. 290, 2023”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

18.3 Galiano Cemetery Archaeology Permit – Letter of Support

Discussion

- Advocate for Church to begin process for protection of identified historical site
- A lot of work to be done between Church and First Nations
- Opportunity to locate an alternative site

GL-2023-029

It Was Moved and Seconded,

That the Galiano Local Trust Committee send to the Archaeology Branch of British Columbia a letter of support for St. Margaret Anglican Church’s application for an Archaeology Permit to allow archaeological work on a portion of the Galiano Cemetery.

CARRIED

19. UPCOMING MEETINGS

19.1 Special Meeting – Groundwater Sustainability Project

GL-2023-030

It was Moved and Seconded,

That the Galiano Island Local Trust Committee request staff to schedule an electronic Special Meeting in order to receive the legal opinion related to the Groundwater Sustainability Project.

CARRIED

19.2 Next Regular Meeting Scheduled for June 20, 2023 at the Galiano North Hall, Galiano Island

20. TOWN HALL

Speaker: In reference to a comment by the TUP applicant, requested that the record indicate their septic system was permitted and properly installed.

Speaker: In reference to a comment by the TUP applicant, stated that the large machinery is used only on their property for personal use; also felt the applicant's remarks were threatening.

Speaker: Inquired regarding Groundwater Recharging Areas, advised to send any questions or feedback directly to Planner Chadwick.

Speaker: Stressed the importance of reminding the public to address the Trustees and not the individuals. Stated that discussions should be respectful and should speak to issues and not personalities.

Speaker: Addressed the use of TUPs for Short Term Vacation Rentals (STVR) and questioned if the freeze still in place.

Planner Smith informed speaker that the previous LTC had directed staff to remove language from OCP that allowed TUPs for STVRs through bylaw amendments.

21. CLOSED MEETING – None

22. ADJOURNMENT

By general consent, the meeting was adjourned at 3:15 p.m.

Tim Peterson, Chair

Certified Correct:

Pat Todd, Recorder

Galiano Island Local Trust Committee

Minutes of Special Meeting

Date: May 6, 2023
Location: Lions Park Society
992 Burrill Road, Galiano Island BC

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

Staff Present: Brad Smith, Island Planner
Fran Munro, Recorder

Others Present: Approximately 90 members of the public were present.

1. CALL TO ORDER

Chair Peterson called the meeting to order at 12:40 p.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented

3. COMMUNITY INFORMATION MEETING

3.1 GL-RZ-2014.1 (Crystal Mountain) - Proposed Bylaws 256 and 257

Planner Smith provided an overview of the current status of the application and potential next steps following the public hearing. Planner Smith also presented an update on the emergency access agreement that was reached with the CRD and the applicant and the status of the applicant's water license application.

The applicant's consultant provided further information on the emergency access agreement. A map was shown of the OCP and the network plan. It outlined the emergency access route. Access will only be available in the event of a declared emergency. The CRD and the Fire Department need to work in concert to declare the state of emergency. The easement is not owned by the CRD.

Who will be responsible for maintaining the easement? "The CRD has the right to maintain access" to the roads and crossings until a public emergency has been declared.

4. PUBLIC HEARING

4.1 GL-RZ-2014.1 (Crystal Mountain) - Proposed Bylaws 256 and 257

4.1.1 Recess for Public Hearing

Galiano Local Trust Committee meeting closed at 1:27 p.m.

4.1.2 Recall to Order

Galiano Island Local Trust Committee meeting recalled at 3:43 p.m.
Public Hearing Record under separate cover.

Chair Peterson explained that it is post public hearing regarding proposed bylaws 256 and 257 and therefore there will be no more discussion on these bylaws and that the LTC can not receive any more information or public submissions.

5. BUSINESS

The meeting was recessed for a break at 3:49 p.m. and reconvened at 4:00 p.m.

5.1 GL-RZ-2014.1 (Crystal Mountain) – Proposed Bylaws 256 and 257 – Post Public Hearing Staff Report (Attached)

Planner Smith presented the staff report which recommended second and third reading of BL 256 and 257, as well as forwarding the proposed bylaws to the executive committee, and BL 256 to the Ministry of Municipal Affairs for approval. Planner Smith advised that the bylaw referral process to agencies and First Nations was complete, but that the Penelakut have sent a recent response that they have not been adequately consulted. With respect to that, Planner Smith recommended that the alternative is to direct staff to engage with the Penelakut in a way that is appropriate for them and bring the results back to the LTC.

Trustee Mabberley is of the view that the application meets the requirements of the OCP and he has no issues with rezoning of the Crystal Mountain. He was satisfied with the documentation on the emergency access. He did not believe the project should be stalled because they have not acquired a water licence yet. Statutory requirements must be met to be fair to the applicant. Trustee Mabberley wanted to see a 3rd party monitor on that covenant. Planner Smith responded that legal counsel could be included in this work.

Trustee Mabberley advised he received a call from Josh James and Ken Thomas of Penelakut indicating that they were not in favour of this project given the lack of meaningful consultation. He indicated he was not willing to move forward with 2nd and 3rd reading until these concerns are addressed.

Trustee Gauvreau advised the project is ready for the 2nd or 3rd reading, but believed that it would be disrespectful to move forward without further consultation with the Penelakut. Trustee Gauvreau two motions that were passed by the LTC:

GL-20230-31

It was Moved and Seconded,

That the Galiano Island Local Trust Committee directs staff to conduct further consultation with the Penelakut Tribe on rezoning application GL-RZ-2014.1 (Crystal Mountain).

CARRIED

GL-20230-32

It was Moved and Seconded,

That the Galiano Island Local Trust Committee requests that the Trust Council prioritize a review of the Islands Trust First Nations Bylaw Referral Process and that an agenda item for this topic be placed on the June 27-29 Trust Council Agenda for consideration.

CARRIED

Trustee Mabberley proposed another motion that was also passed:

GL-20230-33

It was Moved and Seconded,

That the Galiano Island Local Trust Committee directs staff to work with the Applicant on inserting a new condition in the s.219 Covenant that requires a third party to monitor the Covenant conditions annually for rezoning Application GL-RZ-2014.1 (Crystal Mountain).

CARRIED

The Trustees agreed to defer further readings of the bylaws until they hear back from Islands Trust staff on their consultation with the Penelakut Tribe. Planner Smith advised that they will work with the applicant on the covenant amendments and connect with the Penelakut Tribe. Islands Trust will then prepare a staff report with an update on where they are at with consultations with the Penelakut for a future LTC meeting.

6. ADJOURNMENT

By general consent, the meeting was adjourned at 4:30 p.m.

Tim Peterson, Chair

Certified Correct:

Fran Munro, Recorder

**Galiano Island Local Trust Committee
Record of a Public Hearing
Proposed Bylaws 256 and 257**

Date: May 6, 2023
Location: Galiano Lions Park Society
992 Burrill Road, Galiano Island BC

Members Present: Tim Peterson, Chair
Ben Mabblerley, Local Trustee
Lisa Gauvreau, Local Trustee
Brad Smith, Island Planner
Fran Munro, Recorder

Others Present: Approximately 90 members of the public were present.

4.1 GL-RZ-2014.1 (Crystal Mountain) - Proposed Bylaws 256 and 257

Chair Peterson called the Public Hearing to order at 1:20 p.m. He read a statement outlining the content, purpose, and process of the Public Hearing.

Planner Smith read a statement related to the purpose of proposed Bylaw Nos. 256 and 257 and their development to date

The documents for review are in the public hearing binder and on the Islands Trust website. Written submissions must be submitted by the close of this hearing.

There were 86 submissions received. Chair Peterson gave a 3-minute period for each speaker attending in-person today. Galiano Island Local Trust Committee proposed Bylaw No. 256, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2016" and "Galiano Island Official Community Plan Bylaw No. 257, 1999, Amendment No. 1, 2016" public hearing is now open. It may be adjourned and reconvened.

There was a written speakers list, with speakers having three minutes each.

Colleen Doty was satisfied that the applicant, staff, and LTC have done their due diligence and supports the proposed bylaws.

Elizabeth Latta stated that Crystal Mountain showed respect for the environment and is a benefit to the community. She noted Crystal Mountains' efforts to engage the community and the Penelakut. The Islands Trust will have to start a new process for consulting with the Penelakut. She supports the application and rezoning moving forward.

Doug Latta stated that Crystal Mountain would look after the land and was in favour of the Crystal Mountain application and requested that Islands Trust consult the indigenous community.

Patrick Ramsay was wholly in favour of moving forward with the application.

Sheila Anderson was concerned that this proposal would lead to forest fragmentation. She wanted the Trust Committee to consider whether this proposal achieves minimal forest fragmentation.

Lorelei Allan believed that Crystal Mountain is a benefit to the community and would like to see the proposal moved forward.

Stephen Rybak grudgingly supported the application. He did not believe that Crystal Mountain should be classified as a community facility.

Cheryl Fraser described the benefits of the meditation services offered by Crystal Mountain and commended everyone for continuing to support meditation on Galiano Island.

Emma Davis explained that Crystal Mountain provides wilderness education and noted that other rezoning applications have been approved on that basis. She stated that Crystal Mountain programming benefits the community and creates jobs and supports the application and would like to see it approved.

Susan van Asselt noted that Crystal Mountains' educational programs were the reason why she and her husband moved to Galiano. She supports the application because she believed that Crystal Mountain would preserve the land in an environmentally sensitive manner.

Arjan van Asselt was thankful for all the work done and was in full support of the application. He stated that Crystal Mountain provides valuable opportunities to the community, first class environmental protection, and exceeds planning guidelines.

Kiyo Okuda was not against the Crystal Mountain development specifically, but was concerned about up-zoning in the forest and compromising emergency access. He asserted that Crystal Mountain's local benefit is meagre and all the time and resources spent on the rezoning is inappropriate.

Jane Wolverton believed that Crystal Mountain is appropriately designated as a community facility.

Carmita de Menyhart stated that Bylaws 256 and 257 are contrary to the official community plan and did not support the rezoning. She expressed concern that Crystal Mountain's proposal will set a precedent for further proposals to rezone forest land.

Jennifer Margison thought that Crystal Mountain had its merits, but had issues with its effects on the ecosystem and forest fragmentation. She did not believe this proposal is compliant with the Trust policy, particularly when it comes to forest fragmentation and the detrimental impact of that.

Art Moses thought it was presumptuous of staff to recommend proceeding with this application in advance of the public hearing. He noted that bylaws 256 and 257 violate the official community plan and would set a precedent.

Akasha Forest supported taking the time to have a good consultation with the First Nations in the area. She read a letter of complaint by one of the neighbours of the Crystal Mountain resort, which stated that Crystal Mountain owners, members, and guests have been trespassing on the easement road without permission. The authors of the letter did not support the rezoning.

Suzanne Fournier urged the LTC to reject the rezoning that would convert the F1 land to an intensive year-round retreat and resort. She stated that the development would fraction the forest into two sections and was concerned that no septic testing on the upper ridge had been done and believed Crystal Mountain was not in compliance with the Capital Regional District and the Vancouver Island Public Health Authority for 20 years. She read a statement sent to her by Penelakut Counsellor Ken Thomas. The Penelakut did not receive notice of this public hearing. The Penelakut used this land in historical times as a lookout and for homes. The Penelakut leadership did not support this land proposal by Crystal Mountain given the lack of consultation, and it should not proceed until there has been meaningful consultation with the Penelakut.

Pat Mayhill read a letter stating that Crystal Mountain was waging a war against the bylaws of the Islands Trust for a long time. The author argued that Crystal Mountain ignored the community plan and their estimates on water usage did not make sense. The author did not see Crystal Mountain as a community benefit and considered it to be a commercial enterprise.

Risa Smith wanted the Trust to find an independent body to monitor compliance with the covenant. She stated that wellness retreats are the fastest growing tourist industry in the world, and believed that these retreats should be classified as a commercial activity and noted that this decision is precedent setting.

Hayden Pritchard stated that Crystal Mountain is an immediate neighbour and they are good quiet neighbors. He was concerned that this application will change Crystal Mountain from a small seasonal operation into a massive commercial cost-recovery operation and noted his understanding that Crystal Mountain had been operating illegally for 20 years and had been building without permits. He reluctantly supported the rezoning, but stipulated that they should restrict the expansion and operation as proposed.

George Harris recalled his experience as a Trustee and recognized that Crystal Mountain was extremely open to making changes. He strongly supported this application, and he did not believe it was precedent setting because each application is evaluated individually. He agreed that there has been an issue with indigenous consultation, but reiterated that this application should proceed.

BREAK – 2:30pm – 2:45pm

Anthony Peirce was a neighbour to Crystal Mountain. His concern was with the groundwater quantity and did not believe that enough testing had been done. He referred to a report that stated 30 people overnight would use 10,000 litres of water per day. He thought a hydrograph should be put there to ensure Crystal Mountain would not do harm by increasing the people in the area.

Kiyo Okuda does not see Crystal Mountain doing the work to preserve forest integrity, sustainability, diversity, and risk mitigation. He did not believe this development was in the community plan and provided little or no public or local benefit. He did not support this plan and hoped the Trustees understand their obligation to preserve the forest zone.

Michael Maclean hoped that any issues can be resolved in a positive way to allow this wonderful opportunity to realize itself.

Jane Wolverton did not believe this development should be considered forest fragmentation because the area is naturally fragmented by a cliff and lower bench area. She agreed that the Trust should work with the First Nations here to avoid confrontation. She believed Crystal Mountain reached out to the tribe over the past three years and asserted that Crystal Mountain has addressed all the issues raised within the context of the OCP and supports moving forward with this application.

Carmita de Menyhart identified that the resort would require accommodation for their guests and it would increase pressure on the groundwater demands and accommodation. She contended that Galiano cannot sustain both more visitor accommodation and housing, and that the Trust will need to choose one. She hopes the Trust will not pass the second and third reading.

Art Moses raised the concern that this plan violates the Official Community Plan. He thought these changes should be done by public process and not site by site rezoning. The F1 zoning is designed to maintain forest land, preserve the rural character, and help mitigate climate change and this application would set a precedent for more rezoning. He reiterated that the fragmented development plans are contrary to the OCP and Islands Trust policy.

Suzanne Fournier maintained that the rezoning was not about the people but about the land and the size and scale of the development is the problem. There was no arrangement to monitor the effects on the groundwater in the upper ridge. Her main concern was that Crystal Mountain should not be considered a community facility, but a lucrative business that attracts a large international audience. She reiterated that the First Nations consultations have not been sufficient and referrals from a government agency should provide capacity funding to allow them to conduct a thorough review and adequately respond.

Pat Mayhill reiterated that Crystal Mountain is not a benefit to the community. She believed this application ignored the Official Community Plan. She is concerned that the rezoned lot will be sold for hefty profit and noted that the Islands Trust groundwater specialist had classified the lot as a class 1 high vulnerability area. She described Galiano as the driest island, and was concerned about the amount of available potable water and the resort guest's use of the water.

Akasha Forest emphasized that the zoning is not about the benefits of mediation, but is based on the land. She noted that First Nations were not included in the creation of the original community plan and stated that indigenous land rights and consultation must be considered now, and not put aside for another time.

Paula Uyenaka wanted to speak to the complexity of consultations with First Nations and urges Islands Trust to co-create a process. The consultation needs to be indigenous led, from nation to nation. There are many questions that need to be resolved to create a meaningful consultation process, as the current referral package is not adequate.

Nancy McPhee had been with the Justice Institute of BC for 30 years and believed this is not a collaborative conflict resolution process. She stated that the land was logged before Crystal Mountain bought the land. She argued that Crystal Mountain has made great effort to preserve and protect the forest in the area.

Quetzo Herejk attended meetings for the last 10 years and felt like the goal posts were constantly moving and hoped indigenous members of the region could be included in consultation and believed Crystal Mountain is interested in improving the existing framework

for consultation. She contended that the current F1 zoning allows for unsustainable logging, but Crystal Mountain's rezoning application would protect 90% of the forest.

Laurene Stefanyk Stated Crystal Mountain has negotiated in good faith over the last 17 years and they took time to go to Penelakut and meet with elders in an act of reconciliation. She requested that the Islands Trust invest money to improve the consultation process and urged the Committee to continue to the third reading of this application.

Bonny Norton identified herself as a Neighbour of Crystal Mountain. She believes the water issue could affect the whole island. She wanted Crystal Mountain to remain as it is for five years so that we can look at the impact on the water and the region.

Sarah Knoebber was frustrated that the application had been taking so long and thought that we could figure things out to move along. She lives on the ridge, and has not been impacted by Crystal Mountains' water usage.

Colleen Doty spoke to the discussion about profiteering and wanted to clarify that as a charity, Crystal Mountain is only allowed to transfer property to other charities and it restricts what they are able to do with the property.

Written submissions were handed in.

Chair Peterson called three times for speakers.

The Chair explained that legislatively, the LTC can not hear new information about this application following the public hearing.

There being no further submissions, Chair Peterson closed the Public Hearing at 3:43 p.m.

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

RECORDER

DATE



DRAFT

Galiano Island Local Trust Committee

Minutes of Special Meeting

Date: May 9, 2023
Location: Electronic Meeting

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

Staff Present: Kim Stockdill, Island Planner
Narissa Chadwick, Island Planner
Katherine Vogt, Recorder

1. CALL TO ORDER

Chair Peterson called the special meeting to order at 2:07 p.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. CLOSED MEETING (Distributed Under Separate Cover)

3.1 Motion to Close Meeting

GL-2023-034

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3 s. 90(1)(i) for the purpose of considering the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and that the recorder and staff attend the meeting.

CARRIED

The meeting was closed at 2:10 p.m.

3.2 Recall to Order

By general consent, the meeting was called to order at 2:33 p.m.

3.3 Rise and Report

Chair Peterson reported that the LTC had received legal advice regarding the proposed Groundwater Recharge Protection Development Permit Area at the closed meeting.

4. BUSINESS

4.1 Galiano Island Local Trust Committee Proposed Bylaws 283 and 284

Trustees discussed the proposed Official Community Plan Bylaw No. 283 and the proposed Land Use Bylaw No. 284, noting the following:

- The establishment of a reconciliation learning group at Islands Trust Council is underway; and may become helpful for working through local issues.
 - A planner noted that the proposed bylaw Item P exemption was included in the bylaw referral sent to First Nations in March 2023; and no response has been received.
- Some community members had recently expressed concerns regarding transparency of the proposed bylaw proceedings.

GL-2023-035

It was MOVED and SECONDED,

that the Galiano Island Local Trust Committee direct Staff to engage for comment with the Georgeson family, the Coast Salish Peoples of Galiano Society; and the Penelakut First Nation regarding Bylaw No. 283, cited as Galiano Island Official Community Plan Bylaw No. 108, 1995 Amendment No. 1, 2002, in reference in particular to exemption Item P.

CARRIED

Further discussion of the bylaws was deferred to the next scheduled Local Trust Committee meeting on June 20, 2023.

5. ADJOURNMENT

By general consent, the meeting was adjourned at 2:54 p.m.

Tim Peterson, Chair

Certified Correct:

Katherine Vogt, Recorder



DRAFT

Galiano Island Advisory Planning Commission Minutes

Date: April 20, 2023 @ 3:00 PM
Location: Electronic via Zoom and in person

Members Present: Patrick Ramsay (Chair)
Karen Harris
Allan De Genova
Laurene Stefanyk
Robert Matson

Regrets: Jeannine Georgeson
Sherri Moore-Arbour

Staff Present: Fran Munro (Recorder)

Members of the Public: No members of the public were present.

1. CALL TO ORDER

Chair Ramsay called the meeting to order at 3:00 p.m. He acknowledged that the meeting was being held in the unceded territories of the Coast Salish Peoples and expressed hope that we move toward reconciliation.

2. APPROVAL OF THE AGENDA

By general consent, the agenda was approved as presented.

3. MINUTES OF JUNE 24, 2022 FOR ADOPTION

It was Moved and Seconded,

That the Galiano Advisory Planning Commission minutes of June 24, 2022 be adopted as presented.

CARRIED

4. CONSIDERATION OF APC REFERRAL PACKAGE AND MEMO RE. RESOLUTION GL-2023-05 WORK PROGRAM REVIEW STAFF REPORT

Thank you for the opportunity to review motion number GL-2023-05.

There were three potential projects which stood out as priority items.

Foremost was to ensure the safety of local residents by creating or maintaining secondary egress roads in the event of an emergency on the island. Any new developments on the island could consider the possibility of helping to extend emergency access roads. A review of road network planning could benefit the overall community.

Affordable housing and looking at alternative housing methods were considered as a priority. Other communities have found creative methods to house local residents who are either in a vulnerable position or to house other seasonal employees who need temporary accommodation. We recognize that the Province is looking at creative ideas as well.

The third item which was interesting to us was Cultural Heritage Protection and Implementation. How will the Trust engage the correct indigenous leaders in conversation and discuss priority items which would enhance relationship with our overall community? It is difficult to establish guidelines without one on one conversation with those who are empowered and supported at the regional and national level. Integrated global policies and guidelines would be of help to guide ideas at the community level. Can the trustees sit down with all local indigenous residents and discuss common interests or ideas which could be captured under the overall umbrella of reconciliation?

4.1 Parking

It was noted that roadside parking at Parkside was a safety issue but Montague was a higher priority. Spanish Hills Dock was mentioned but is limited benefit to Galiano. It is part of the M.O.T. and is expropriated land. There would be no direct interest here due to the cost.

4.2 Light Industrial Zoning

There may be applications from different parties for re-zoning. If one rezoning is approved, others may want to apply. Each would have to be addressed on a case by case basis. Emergency access for the benefit of the overall community would be a good talking point with any new application. It was mentioned that re-zoning could be addressed in relation to the ecosystem, the land and the services.

4.3 Coastal Douglas Fir Protection

This is typically handled at the Provincial Level and is a lower priority. The question was asked, "what is a tool kit"? It seems to come under the preservation of the ecosystem. It is available on-line from the Island Trust Conservancy. Crown is

likely to be the body to make the decision and legislation? A letter to Advocate for Douglas Fir protection could be sent.

4.4 Cannabis Retail and Production

This matter did not appear to be a priority from our perspective so is not important to address.

4.5 Emergency Access Planning

All applications should be reviewed and emergency access kept as a top priority. Access is needed in neighbourhoods as everyone should have an alternate method of egress from their neighbourhood in the event of an emergency.

4.6 Review of Road Network Planning

This matter needs review as it is equally important as #5 above. All neighbourhoods are priorities. Some subdivisions were created in 1978 and the roads require maintenance. There was some discussion as to whether the CRD or other entities are responsible for maintaining the roads. There should also be methods of financing maintenance.

4.7 Wise Island Bylaw Review

It was recommended that the Gambier Island O.C.P. bylaws and documents be reviewed to some degree in relation to this matter. The main concerns here are the docks and solar panels which are currently noncompliant but because of the steep slopes on these waterfront properties normal setbacks are difficult to adhere to due to terrain.

4.8 Shoreline Model Protection Bylaw

There are many different jurisdictions working here. It is work in progress and it will be continued. It is currently an LTC active project.

4.9 Affordable Housing

There were numerous discussions relating to the matter and it was agreed it was a good idea to move forward to support these types of homes. Tiny Homes were discussed in length. They can be built on narrow lots and there are reasonable bylaws which can be of assistance related to them. Alternative housing was also discussed. There was a tiny home mentioned that consists of a space of about 100 square feet with a bed, bath and table. It's our understanding at the municipal and provincial levels, they are currently looking at building templates for alternative homes that can be normalized in terms of their size, construction parameters and infrastructure.

There are regulations in place regarding trailers and they are considered illegal even though they are a reasonably safe method of providing housing for lower income families and individuals. It is a "hand in glove" matter. They provide accommodation for

many on the island. Some are run-down and some are quite lovely. There was a structured tiny village mentioned called Caledonia. Each home consists of an area of only about 100 square feet and are clustered with shared bathrooms and kitchens. *(Al De Genova advised he will send out an addendum to add to these Minutes regarding the tiny homes)*

Creating or licensing alternative affordable housing on the island is a possibility, as long as it is safe. Getting creative, smaller accommodation and away from big homes also adds diversity to the community.

4.10 Cultural Heritage Protection and Implementation

The Islands Trust Council is working on this matter. Funding will need to be looked at, as well as implementation of the Shoreline model bylaws. The local Trustees should be able to implement both. This matter and #11 below could be dovetailed.

4.11 Development Permit Area (DPA) Review

A special review will be required here. Break out zones will need to be looked at as well as financing the review. The Islands Trust Council will decide if viable.

4.12 OCP and Land Use By-Law Review

This matter fits with the DPA review. If it can't be financed, it is not a top priority. The Galiano Island APC sees other important items to review, namely affordable housing.

4.13 Other Potential Projects

Consultation with indigenous communities is a work in progress and should be looked at with the view that long-term benefit to all Islanders would be a good outcome.

5. NEXT MEETING DATE AND TIME

None.

6. ADJOURNMENT

By general consent, the meeting was adjourned at 4:05 p.m.

CHAIR

DATE

CERTIFIED CORRECT:

Fran Munro, Recording Secretary

Follow Up Action Report

Galiano Island

14-Mar-2023

Activity	Responsibility	Dates	Status
1 Look into extra speakers for LTC meetings, and a secondary microphone.	Kim Stockdill	Target: 26-May-2023	Completed
2 15.1 GL LTC requests a legal opinion on DPA exemption 'p' and if it aligns with UNDRIP, DRIPA, Land Title Act, Local Government Act, and the Islands Trust Act.	Narissa Chadwick	Target: 14-Apr-2023	Completed
3 15.1 1. GL LTC gave First Reading to draft Bylaw Nos. 283 and 284. Staff to update bylaw and post to the website. - DONE 2. Staff to send out referrals for proposed Bylaws Nos. 283 and 284. DONE 3. Proposed Bylaw Nos. 283 and 284 are consistent to the Islands Trust Policy Statement. 4. Staff to schedule a CIM and Public Hearing for proposed Bylaw Nos. 283 and 284 after legal opinion is received.	Jas Chonk Narissa Chadwick	Target: 28-Apr-2023	In Progress
4 17.1 Staff to request APC to investigate siting and use options in relation to Galiano Island.	Kim Stockdill	Target: 07-Apr-2023	In Progress



Follow Up Action Report

Galiano Island

14-Mar-2023

Activity	Responsibility	Dates	Status
5 IC - GL LTC Bylaw Enforcement Notification Bylaw No. 228 directs staff to prepare amendments to the bylaw for contravention and penalty for free ranging farm animals. Staff to draft bylaw and bring it back to the LTC. Rise and report at next meeting - April 11. - RISE AND REPORT PROVIDED BY CHAIR ON APRIL 11	Jas Chonk Warren Dingman	Target: 28-Apr-2023	In Progress

11-Apr-2023

Activity	Responsibility	Dates	Status
1 10.1 March 14, 2023 meeting minutes adopted as presented	Sheree Rialp	Target: 28-Apr-2023	Completed
2 15.1 GL-TUP-2023.2 (Mabberley) - LTC denied permit application and directed staff to proceed no further - staff to update tapis and close-out file	Charly Caproff Jas Chonk	Target: 28-Apr-2023	Completed
3 15.2 GL-RZ-2022.2 (Hayes) - BL 287, 288 given 1st reading, ITPS policy statement reviewed and deemed not contrary for both BLs: staff to update BLs, initiate First Nations and agency referrals, update tapis etc Jas: please add Coast Salish Peoples Society to referral form	Jas Chonk Kim Stockdill	Target: 28-Apr-2023	Completed
4 18.1 Annual Report wording approved as presented	Jas Chonk Robert Kojima	Target: 28-Apr-2023	Completed

Follow Up Action Report

Galiano Island

11-Apr-2023

Activity	Responsibility	Dates	Status
5 15.3 GL-RZ-2014.1 (Crystal Mountain) - staff to amend May 6 special meeting agenda to include a 30 minute CIM prior to public hearing	Brad Smith Jas Chonk	Target: 18-Apr-2023	Completed
6 18.2 FOI BL 290 RFD - BL 290 given 1st, 2nd, 3rd reading - staff to send to EC committee for approval	David Marlor Jas Chonk	Target: 28-Apr-2023	Completed
7 19.1 Special Meeting - Groundwater - Staff to schedule special meeting to receive legal opinion on groundwater sustainability project when received	Jas Chonk Narissa Chadwick	Target: 05-May-2023	Completed

06-May-2023

Activity	Responsibility	Dates	Status
1 5.1 GL-RZ-2014.1 (Crystal Mountain) - staff to initiate and conduct further consultation with the Penelakut Tribe	Brad Smith Jas Chonk	Target: 20-May-2023	In Progress

09-May-2023

Activity	Responsibility	Dates	Status
1 Groundwater Sustainability Project - Staff to further engage with Penelakut FN, Coast Salish Peoples of Galiano Society, and the Georgeson Family. (IN PROGRESS)	Kim Stockdill	Target: 28-Jul-2023	In Progress

BY EMAIL

Kim Stockdill, Galiano Planner, Islands Trust

June 8, 2023

Re: Wise Island Rezoning / By-Law Amendments

Dear Ms. Stockdill:

I am writing to you on behalf of the Wise Island Community Association, which represents all 48 Wise Island property owners.

Further to my conversation with Trustee Peterson today, and my message to you yesterday, we are requesting a “delegation” for the June 20, 2023 meeting, for which I understand the deadline is tomorrow.

Our baseline 5 minute script for presentation at that meeting is attached as Annex A, as suggested by the Chair.

Please don't hesitate to contact me at [REDACTED] or [REDACTED] if you need anything further to make the arrangements.

Best regards,

[REDACTED]

Duncan Reid
Chair, Wise Island Community Association

cc: Trustees Peterson, Gauvreau and Mabberley
Wise Island Community Association Members

ANNEX A – DELEGATION STATEMENT TO THE LTC

We are here today on behalf of the Wise Island Community Association, which represents all 48 Wise Island property owners.

Wise Island is boat access only, relies on solar power for energy generation, and relies on direct ocean access from each property for our community volunteer fire response system and for emergency situations.

What does that mean in practice?

- That means most properties are accessed from the water, with stairs and walkways to get to the cabins from the shoreline.
- That means most properties depend primarily upon solar power for lighting and electrical devices, because the only alternative is running a generator or a wind turbine.
- That means when there is a fire on Wise, which has happened on a few (very memorable) occasions in the last 30 years, the community's fire pumps need to be immediately brought to the property, taken down to the water, and used to put out the fire. That has been successful on each occasion, and all Wise Islanders are trained (and refreshed each year) on how to continue that tradition.
- That means when there is a health emergency, as has also happened a number of times, and is particularly an issue with aging owners, that emergency services or other owners need to be able to get the individual to the water and on the boat to Ganges immediately.
- Altogether, that means Wise Island faces a set of health, safety and sustainability factors that are unique to a small, off-grid, boat access island.

The direct and unprecedented application of Galiano's By-Law 127 to Wise Island by enforcement in recent years has created a number of critical issues that need urgent attention, particularly when it comes to solar power and water access.

We believe we have the path forwards on this: a proposed Wise Island Small Lot Residential zone that would slot right into Galiano's By-Law 127. After a number of further community meetings and consultations in recent months we have developed that proposed document for your consideration and we have additional copies here today.

This path forwards has the support of our community. In the most recent Annual General Meeting of the Wise Island Community Association, two unanimous resolutions were approved by the members. First, the community confirmed its support for our neighbours who are dealing with issues arising from By-Law 127.

And second, the community decided that we need to take proactive steps to resolve the mismatch between Galiano zoning and a boat-access, off-grid island with small lot sizes.

We have those minutes and those resolutions here with us today. What was truly noteworthy was the unanimous support for these resolutions. Wise Islanders are united in their view that the

Galiano SLR does not work in its current form, when islanders are being told that the items essential to the use and safety of their properties are not permitted under the Galiano by law, which was of course drafted to suit the needs of a very different island.

After that AGM, we engaged in dialogue with your predecessors, Trustees Rockafella, Rogers and Wolverton. A large delegation of Wise Islanders attended the LTC meeting on September 6, 2022, to present the issues and to highlight the need for a resolution. Those discussions were very helpful for all parties, and at that meeting the Trustees added Wise Island to the Galiano LTC project list.

So let's talk about the proposal, and what the "Wise Island Small Lot Residential Zone" could look like. That proposal would effectively be added to Galiano By-Law 127 as a substitute for Section 5.3 (the Galiano Small Lot Residential Zone).

To develop the proposal, we started with Section 5.3 of Galiano By-Law 127 (ie the currently in force zoning regulations) and then drew upon the key elements of the zoning adjustments made for Passage Island in Howe Sound a few years ago in light of challenges similar to those faced by Wise Islanders. Those provisions are set out in Gambier Bowyer By-Law 114.

We kept it very simple to try to cut through the perceived complexity on this issue. The Wise Island SLR permits solar power, stairs, and walkways within the key setback areas.

From a Wise Island perspective this proposal is a starting point, not necessarily an end point. We would be happy to talk through the rationale and the detailed elements of the proposal with you or the Staff at any time. We strongly believe that there is a practical path forwards here to adjust the Wise Island zoning in an appropriate way that will address the needs of the community.

We ask you today to approve a motion to take two actions: first, that you will take the Wise Island zoning project from the project list and resolve to put it next up when the current two projects around Crystal Mountain and water matters have been completed. We understand the importance of those projects and recognize the resource challenges that limit your ability to tackle more than two projects at once, but we believe there is an urgent need here, and momentum to sort this issue out.

Second, we would urge you to consider the Staff's previous recommendation to suspend enforcement while this project awaits its turn. An interim suspension to allow this proposal to be reviewed and considered in due course would make the most sense for Wise Islanders, and would also allow the LTC to manage the workload and resources for the LTC and your staff.

Thank you for your time, and happy to take any questions.



Islands Trust

BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area Bylaw No.: 530 Date: May 1, 2023

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within **thirty (30) days**. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Salt Spring Island Local Trust Committee (SS LTC)

PURPOSE OF BYLAW:

Accessory Dwelling Units (ADUs) to be permitted in most residential zones, with conditions.

GENERAL LOCATION:

Salt Spring Island

LEGAL DESCRIPTION:

Multiple

SIZE OF PROPERTY AFFECTED:

Multiple

ALR STATUS:

Multiple

OFFICIAL COMMUNITY PLAN DESIGNATION:

Multiple

OTHER INFORMATION:

- We sent out a referral for comments to your office back in November, 2021, on a draft bylaw to expand secondary suites to be permitted in more zones on Salt Spring Island. The Salt Spring Island Local Trust Committee (SS LTC) subsequently recommended expanding secondary suites to allow more housing types to be permitted on the island.
- Proposed Bylaw No. 530 on Accessory Dwelling Units (ADUs) to provide additional housing options was created and draft Bylaw 526 on secondary suites became part of Proposed Bylaw No. 530 on accessory dwelling units. The SS LTC gave Proposed Bylaw No. 530 the second reading followed by a public hearing in August, 2022. Upon comments from the community and First Nations the SS LTC requested staff to revise the bylaw to address the concerns raised in the comments.
- The SS LTC subsequently passed resolutions to re-hear the proposed bylaw a second time with amendments at their meeting on April 13, 2023 and requested staff to refer the proposed bylaw to agencies and First Nations for comment.
- The amended proposed bylaw included the following development standards (please see attached Proposed Bylaw No. 530 for details):
 - Limits to building size and height
 - Distance between buildings and interior lot line setbacks
 - Driveway restrictions to reduce impermeable surface
- Based on the data in the BC Housing study on ADUs, and the lack of uptake since the adoption of ADUs in Gabriola Island and North Pender Island, the SS LTC is anticipating the uptake of available lots resulting from the adoption of the proposed bylaw to be less than 10%. However, the SS LTC, passed a resolution and requested staff to monitor the outcome and report back in two years following adoption of the proposed bylaw.
- Please provide comments/concerns on the revised Proposed Bylaw No. 530 on ADUs.

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: Louisa Garbo

Title: Island Planner

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Ts'uubaa-asatx First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation
Malahat First Nation
Pauquachin First Nation
Tsartlip First Nation
Tsawout First Nation
Tseycum First Nation
Semiahmoo First Nation
Tsawwassen First Nation
Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only)

Provincial Agencies

Agricultural Land Commission
BC Assessment Authority
Ministry of Municipal Affairs
Ministry of Housing
Ministry of Transportation & Infrastructure
Ministry of Forest Lands, Natural Resource Operations and Rural
Development (water authorization)
FrontCounter BC

Regional Agencies

CRD – All Referrals & K. Campbell (SSI Senior Manager)
CRD – SSI Building Inspection
CRD – SSI Director
Vancouver Island Health Authority
Islands Trust Bylaw Enforcement and Compliance
SSI Advisory Planning Commission
SSI Agricultural Advisory Planning Commission

Non-Agency Referrals

BC Ambulance Service
North Salt Spring Waterworks District
RCMP
SSI Chamber of Commerce
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)

530
(Bylaw Number)

(Title)

(Agency)

DATE OF MEETING: June 20, 2023

TO: Galiano Island Local Trust Committee

FROM: Charly Caproff, Planner 1
Southern Team

COPY: Robert Kojima, Regional Planning Manager
Southern Team

SUBJECT: Application for Subdivision in the Agricultural Land Reserve
Applicant: L. Cupples
Location: 771 Georgeson Bay Rd

RECOMMENDATION

1. That the Galiano Island Local Trust Committee supports application GL-ALR-2023.1 and requests staff to forward the application to the Agricultural Land Commission for further consideration.

REPORT SUMMARY

The purpose of the application is to permit a boundary adjustment subdivision in the ALR. The boundary adjustment would increase the total area of 771 Georgeson Bay Road by 1.81 ha (4.47 ac), resulting in a lot that is 2.64 ha (6.53 ac), and reducing the area of the adjacent property, 1153 Georgeson Bay Road, which is currently 24.33 ha (60.11 ac). The applicant owns both properties.

BACKGROUND

The adjacent properties are within the Agricultural Land Reserve (ALR) and require approval to subdivide from the LTC and from the Agricultural Land Commission (ALC), as per the *Agricultural Land Commission Act*. The property owner submitted the application for subdivision in the ALR, seeking a boundary adjustment increasing the area of 771 Georgeson Bay Road, in order to expand production of garlic and cut flowers on the lot. Existing agriculture on the lot includes a mature fruit orchard (apples, kiwi, and quince), a flower garden for bouquet sales, a vegetable garden, and bee hives (150 lbs of honey were produced in 2020). According to the applicant, 1153 Georgeson Bay Road will continue existing agricultural production: hay fields (2500 bales produced in 2020), livestock, a commercial kiwi orchard, garlic field (2000 bulbs in 2020), and farm sales. As per the Galiano Island Land Use Bylaw (LUB) No. 127, the minimum lot size for an Agricultural (AG) zoned property created by subdivision is 4 ha (9.88 ac). However, as a boundary adjustment the subdivision would be exempted from the minimum lot size requirements as per subsection 13.1 of the LUB.

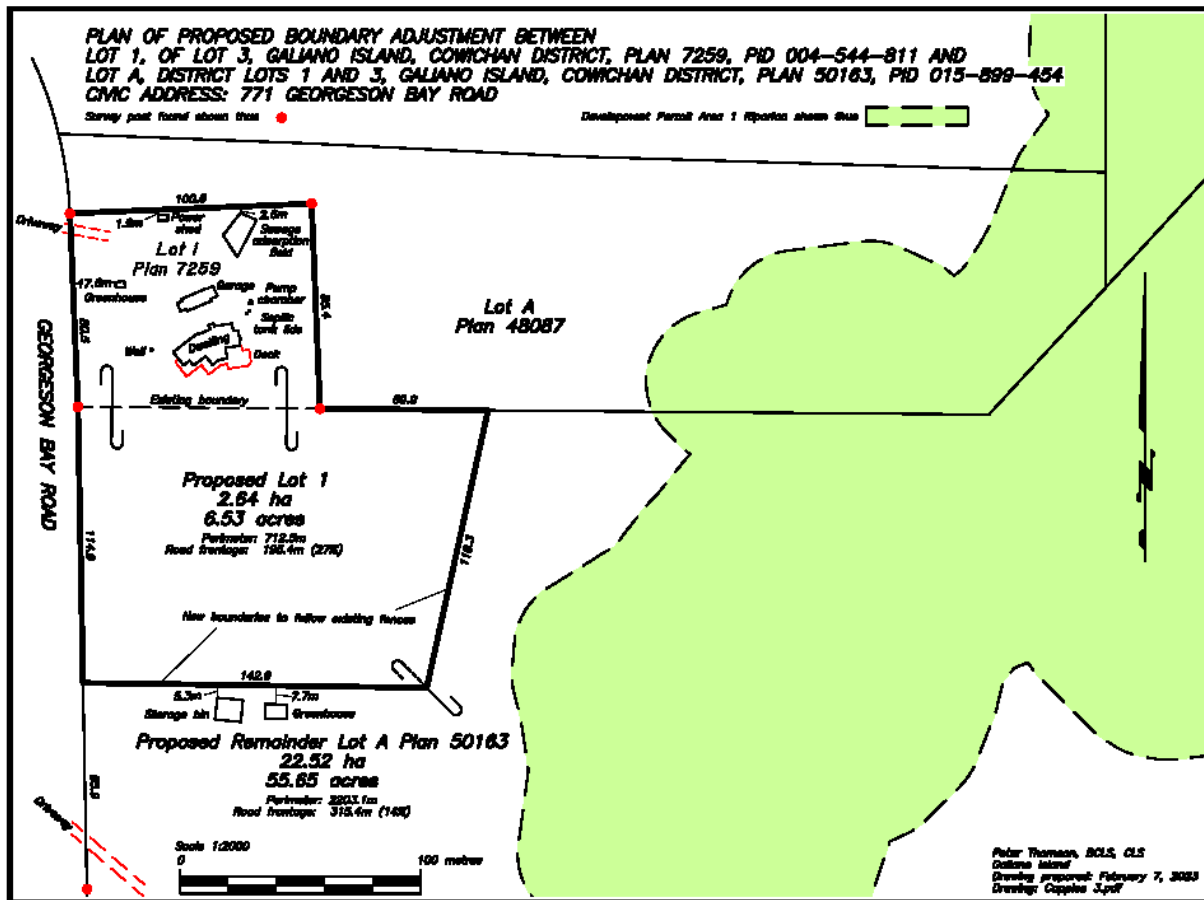


Fig. 1 – Site plan for proposed boundary adjustment

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

- 4.1.2** Trust Council shall consult with the Ministry of Agriculture, Fisheries and Food and the British Columbia Land Reserve Commission to request that agriculture policies applied to the Trust Area are appropriate to the nature of agriculture within the Trust Area, including, but not limited to, the smaller island scale of agricultural activities.
- 4.1.4** Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
- 4.1.6** Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse effects on agricultural land.

The proposal for a boundary adjustment to increase the lot size of 771 Georgeson Bay Road is consistent with the above policies.

Official Community Plan:

Both properties are designated as **Agriculture (AG)** in the Galiano Island Official Community Plan (OCP) Bylaw No. 108. Relevant Agriculture OCP Policy includes:

- 1) to preserve agricultural land, limit non-farm uses and prevent conversion of agricultural land to other uses.
- 2) to encourage agricultural activities, agricultural best practices, the protection of farmland, and the maintenance of agricultural production.
- 4) to increase local food security by encouraging local production of agricultural and horticultural products that could be sold directly to the public.

The applicant is seeking the boundary adjustment to create two productive farms. In the ALC application she states that increasing the size of 771 Georgeson Bay Road (Proposed Lot 1) will increase production on the aforementioned lot and not impact existing yields on 1153 Georgeson Bay Road.

Land Use Bylaw:

The properties are zoned as Agriculture (AG) in the Galiano Island Land Use Bylaw (LUB) No. 127. The proposed boundary adjustment subdivision appears to comply with the subdivision regulations (if the ALR application is approved the owner will subsequently submit a subdivision application for review).

Issues and Opportunities

The proposed boundary adjustment would have minimal impact on the agricultural production on 1153 Georgeson Bay Road, but would increase the viability of future production on Proposed Lot 1. No additional infrastructure (roads or buildings) will be constructed. Both lots are comprised of fertile Brunisolic and Gleysolic soils suitable for agricultural production – the proposed boundary adjustment would have minimal impact on productive soil availability. Overall the proposed boundary adjustment is minor in nature and would have minimal land use impacts.

First Nations

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

Rationale for Recommendation

The recommendation on page one (1) is supported as:

- The application is minor in nature and the proposed boundary adjustment is intended to increase overall agricultural production, which is supported by the OCP and permitted by LUB;
- Zoning regulations permit the proposed boundary adjustment and;
- No additional infrastructure, including roads or buildings, is required as part of the application

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

1. Deny the application

The LTC may deny the application. Staff would communicate the decision to the ALC and the application would not proceed. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee deny application GL-ALR-2023.1

NEXT STEPS

- Staff will forward the LTC's decision to the ALC. If supported by the LTC, then the application would be submitted to the ALC for deliberation. Should the ALC approve the proposed boundary adjustment, then an application is made to the Ministry of Transportation and Infrastructure (MOTI) for the proposed boundary adjustment subdivision. Islands Trust would then receive a referral from MOTI for subdivision review. If the application is refused by the ALC, then it does not proceed further.

Submitted By:	Charly Caproff, Planner 1	April 20, 2023
Concurrence:	Robert Kojima, Regional Planning Manager	May 4, 2023

ATTACHMENTS

1. Site Context
2. Plans, Drawings, and Photos
3. ALC Application

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 1, of Lot 3, Galiano Island, Cowichan District, Plan 7259
PID	004-544-811
Civic Address	771 Georgeson Bay Rd Galiano

LAND USE

Current Land Use	Agricultural
Surrounding Land Use	Agriculture (AG), Visitor Accommodation (Inn) (C3), Small Lot Residential (SLR)

HISTORICAL ACTIVITY

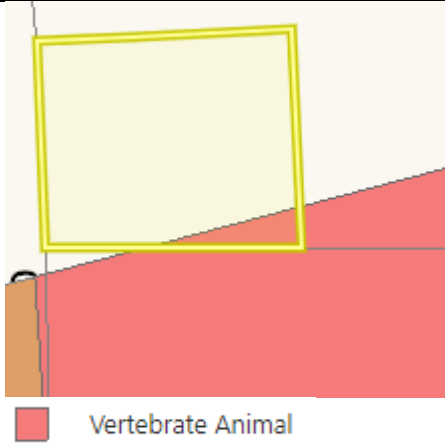
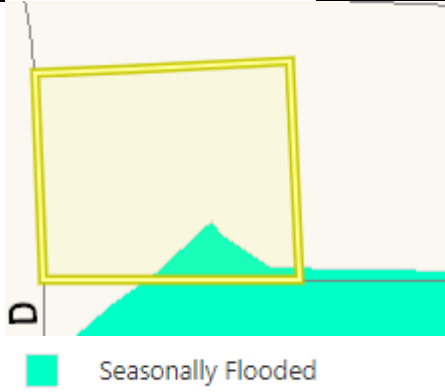
File No.	Purpose
N/A	N/A

POLICY/REGULATORY

Official Community Plan Designations	Agriculture (AG) DPA 3 – Tree Cutting and Removal Exempted, a development permit is not required for subdivision of land
Land Use Bylaw	Agriculture (AG)
Other Regulations	Subdivision application made through the ALC as per Section 21(2) of the <i>Agricultural Land Commission Act</i>
Covenants	N/A
Bylaw Enforcement	N/A

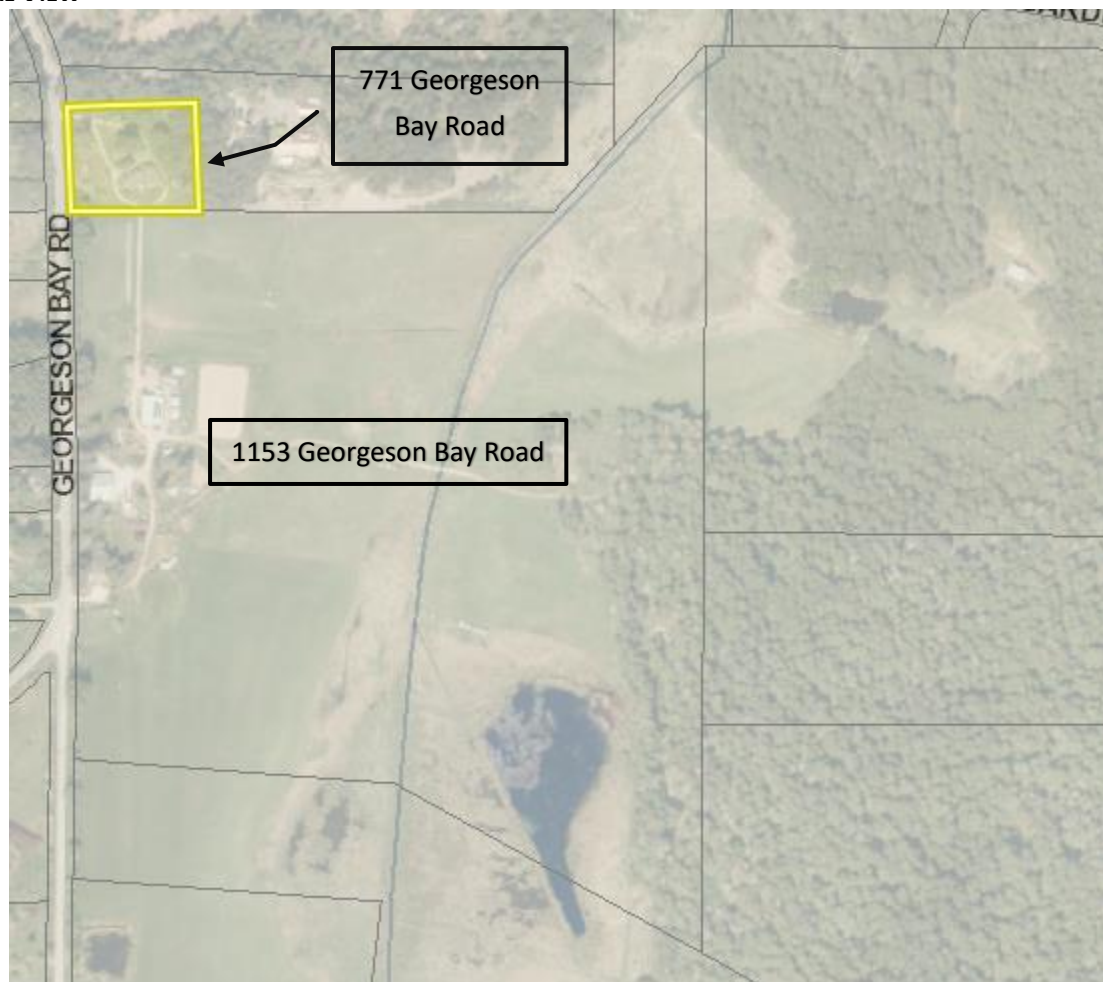
SITE INFLUENCES

Islands Trust Conservancy	N/A
Regional Conservation Plan	The proposal does not impact the objectives and priorities of the Islands Trust conservancy Regional Conservation Plan.

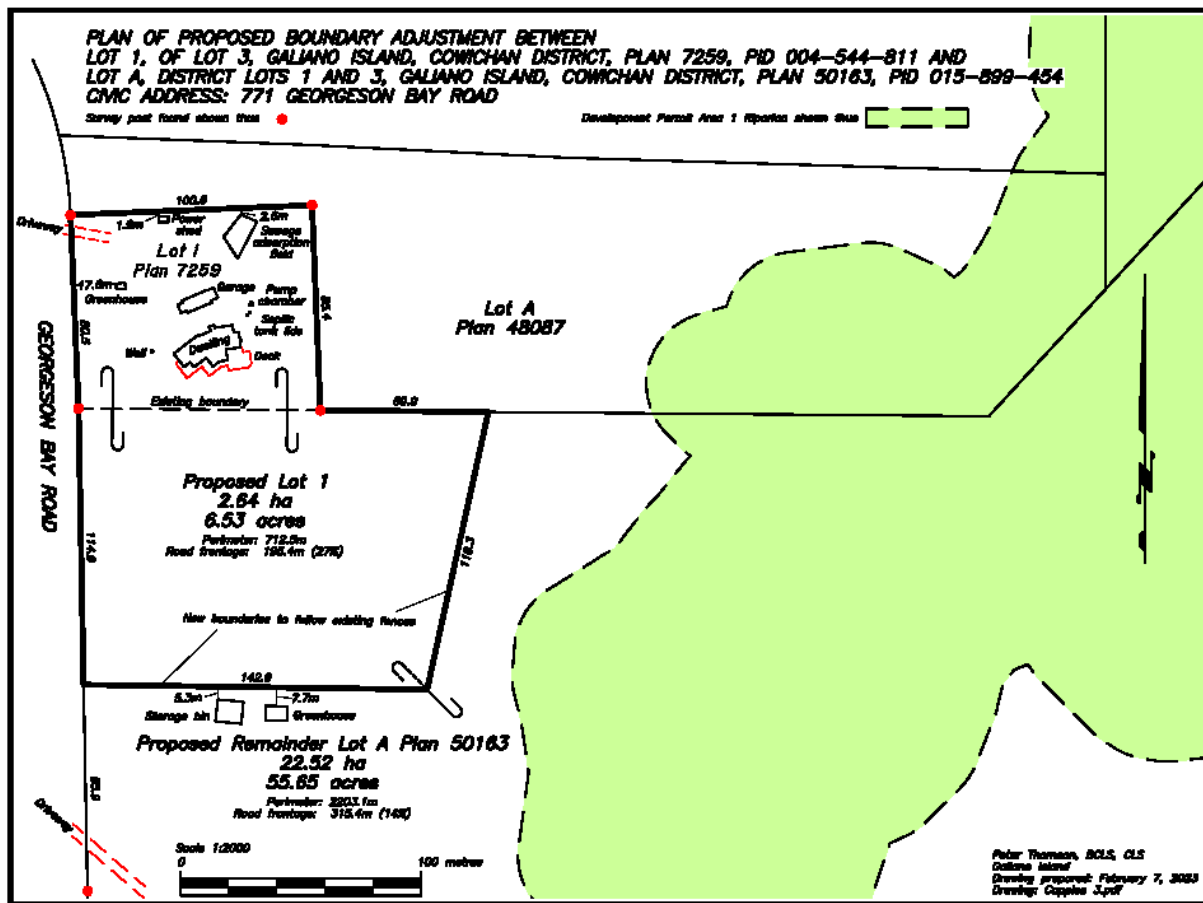
Species at Risk	
Sensitive Ecosystems	
Hazard Areas	N/A
Archaeological Sites	No archaeological sites or archaeological potential on the subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	No additional impacts to GHG emissions anticipated as a result of this application.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	N/A

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

2.1 AERIAL VIEW



2.2 SITE PLAN



2.3 SITE VISIT MAY 18, 2023



771 Georgeson Bay Road – existing agriculture



771 Georgeson Bay Road – proposed east boundary adjustment (following existing fence line)



771 Georgeson Bay Road – proposed south boundary adjustment (following existing fence line)



1153 Georgeson Bay Road – existing agriculture



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 66736

Application Status: Under LG Review

Applicant: Linda Cupples

Local Government: Islands Trust Regional District

Local Government Date of Receipt: 02/16/2023

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Subdivision

Proposal: This year my husband passed away and Im finding the farm of 100 acres to be more than I am able to farm. I would like to continue farming but on a much smaller scale with a plan to continue growing a main crop of garlic and add a kiwi orchard to supplement my income. The current space that I have which already has a house and out buildings is not large enough to incorporate a growing space that would meet my needs. I would not be adding any buildings or roads on the additional acreage from 1153 Georgeson Bay Road. I am seeking to enlarge the 771 Georgeson Bay Road parcel with land from the 1153 Georgeson Bay Rd parcel.

Mailing Address :

[REDACTED]

[REDACTED]

[REDACTED]

Canada

Primary Phone : [REDACTED]

Email : [REDACTED]

Parcel Information

Parcel(s) Under Application

1. **Ownership Type :** Fee Simple

Parcel Identifier : 004-544-811

Legal Description : LOT 1, OF LOT 3, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 7259

Parcel Area : 0.83 ha

Civic Address : 771 Georgeson Bay Rd. Galiano Island, BC V0N 1P0

Date of Purchase : 02/14/2003

Farm Classification : Yes

Owners

1. **Name :** Linda Cupples

Address :

[REDACTED]

[REDACTED]

[REDACTED]

Canada

Phone : [REDACTED]

Email : [REDACTED]

2. **Ownership Type :** Fee Simple
Parcel Identifier : 015-899-454
Legal Description : LOT A, DISTRICT LOTS 1 AND 3, GALIANO ISLAND, COWICHAN DISTRICT, PLAN 50163.
Parcel Area : 24.33 ha
Civic Address : 1153 Georgeson Bay Road, Galiano Island BC V0N 1P0
Date of Purchase : 02/14/2003
Farm Classification : Yes
Owners
1. **Name :** Linda Cupples
Address :
[REDACTED]
[REDACTED]
[REDACTED]
Canada
Phone : [REDACTED]
Email : [REDACTED]

Ownership or Interest in Other Lands Within This Community

1. **Ownership Type :** Fee Simple
Parcel Identifier : 006-549-403
Owner with Parcel Interest : Linda Cupples
Parcel Area : 11.45 ha
Land Use Type : Agricultural/Farm
Interest Type : Full Ownership

2. **Ownership Type :** Fee Simple
Parcel Identifier : 006-549-438
Owner with Parcel Interest : Linda Cupples
Parcel Area : 4.9 ha
Land Use Type : Agricultural/Farm
Interest Type : Full Ownership

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

Parcel #1 (771 Georgeson Bay Rd), approx 1 acre of:

- mature fruit orchard (apples, kiwi, quince)
- flower garden (bouquet sales)
- vegetable garden
- bee hives (150 lbs honey in 2020)

Parcel #2 (1153 Georgeson Bay Rd):

- hay fields, approx 2500 bales produced in 2020 (for farm use & sales)
- pasture
- 6 horses

- 40 laying hens (298 dozen sold in 2020)
- commercial kiwi orchard
- greenhouse for citrus
- garlic field, approx 2000 bulbs in 2020, 132lbs sold thru farm store
- farm store: skincare with farm grown herbs & botanicals, egg sales, garlic, honey
- composted manure sales

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

Parcel #1:

- garden & orchard fencing in 2012
- irrigation installed in gardens, 2012

Parcel #2:

- pasture fencing improved in 2003
- lower barn erected in 2003 for horse stables & tack room
- upper barn erected in 2004 for hay storage & farm store inventory
- riding ring added in 2004
- farm outbuildings built 2004 (animal shelters)
- new chicken coop built in 2016

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

Parcel #1:

- Land owners home

Parcel #2:

- Farm caretaker home
- Farm store built in 2012

Adjacent Land Uses

North

Land Use Type: Commercial / Retail

Specify Activity : North of Parcel 1 = hotel & residential

East

Land Use Type: Recreational

Specify Activity : Bluff Park

South

Land Use Type: Agricultural/Farm

Specify Activity : South of Parcel 2 = farmland

West

Land Use Type: Residential

Specify Activity : Georgeson Bay Rd & residential

Proposal

1. Enter the total number of lots proposed for your property.

2.02343 ha

23.13657 ha

2. What is the purpose of the proposal?

This year my husband passed away and Im finding the farm of 100 acres to be more than I am able to farm. I would like to continue farming but on a much smaller scale with a plan to continue growing a main crop of garlic and add a kiwi orchard to supplement my income. The current space that I have which already has a house and out buildings is not large enough to incorporate a growing space that would meet my needs. I would not be adding any buildings or roads on the additional acreage from 1153 Georgeson Bay Road. I am seeking to enlarge the 771 Georgeson Bay Road parcel with land from the 1153 Georgeson Bay Rd parcel.

3. Why do you believe this parcel is suitable for subdivision?

Both Parcel #1 and #2 are zoned agriculturally and the subdivision / lot line movement will improve the use and value Parcel #1, without significant loss or change to Parcel #2.

4. Does the proposal support agriculture in the short or long term? Please explain.

The proposal supports agricultural viability in the long term. Currently, Parcel #1 offers some agricultural activities, but not enough space for garlic and kiwi production. Increasing the size will create a small hobby farm on Parcel #1 and will not negatively affect the agricultural activities of Parcel #2.

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

No

Applicant Attachments

- Professional Report - Survey Report
- Proposal Sketch - 66736
- Other correspondence or file information - Map of all AG parcels
- Certificate of Title - 004-544-811

ALC Attachments

None.

Decisions

None.

DATE OF MEETING: June 20, 2023

TO: Galiano Island Local Trust Committee

FROM: Kim Stockdill, Island Planner
Southern Team

COPY: Narissa Chadwick, acting RPM
Robert Kojima, Regional Planning Manager

SUBJECT: District Lot 14 Rezoning Application – Preliminary 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 the Galiano Island Local Trust Committee direct staff to proceed with application GL-RZ-2023.1 (Rockafella) and to prepare draft bylaws.

REPORT SUMMARY

The purpose of this preliminary report is to provide information regarding rezoning application GL-RZ-2023.1 (Rockafella) 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 from Forest 1 (F1) to a split zoned lot: 80 hectare to be a site-specific Forest 3 (F3) zone for 80 ha and 5 hectares to a site-specific Forest Industrial (FI) zone. An amendment to the Galiano Island Official Community Plan Bylaw No. 108 would be required to re-designate the 5 hectare portion of the lot from Forest (F) designation to Forest Industrial (FI) designation.

BACKGROUND

District Lot 14 is approximately 85 hectares in area and is located on the southern end of Galiano Island. As stated by the applicant, the property zoned Forest 1 (F1) currently contains the following buildings:

- Four (4) buildings all with a floor area of approximately 60 m² (650 ft²):
 - Two (2) are empty or used for storage and do not have a water or electricity connection/components, nor windows or floors.
 - One (1) has electricity but does not have a water connection or facilities.

- One (1) is being used as a cottage and has electricity, a water connection, and living facilities. This building is the furthest west (next to the BC Hydro property).
- One (1) structures with a floor area of approximately 300 ft² has no electricity, water, or facilities and is currently used as an 'office' at the sawmill site.

The previously cleared 5 hectare portion of the property right off Haulback Road is currently being used as a sawmill.

In 1999, the former property owner created a building strata subdivision, stratifying the five (5) building envelopes (Strata Lots 1 to 5) with the remaining parcel as Common Property. Strata Lots 1, 3, and 4 are 64 m² (689 ft²) in area, Strata Lot 2 is 63 m² (678 ft²) in area, and Strata Lot 5 is 21 m² (226 ft²). Staff are not aware of the history regarding the deposit of the bare land strata to the Land Title Office in 1999, but are under the assumption it was successfully submitted as it complies with Section 241(1) and 242(2) of the *Strata Property Act*.

There are two large water tanks near the sawmill area to be used for fire emergencies. There are also three wells located near Strata Lot 2, 3, and 4; two of which are not in use.

Staff visited the property early in June 2023 and met with the applicant to discuss the proposal. Attachment 1 provides additional site context. Attachment 2 provides relevant maps, orthophotos, and site visit photos. A cover letter provided by the applicant is included as Attachment 3.

Application Rationale

As stated by the applicant, the rationale for the proposed rezoning is as follows:

- The property was purchased in 2017 with the existing 5 buildings and sawmilling area. At that time, about half the property had been recently clear-cut (in early 2000s) and the remainder had been cut about forty years earlier. A sawmill was in operation near the entrance (Haulback Road) which has eliminated any regeneration or restoration possibilities, as is evidenced by satellite imagery.
- The intent is to rezone the degraded area to FI (Forest Industrial). This would increase the availability of approved light industrial zoning on Galiano while also implementing a restrictive sustainable forestry covenant on the remaining land (F3) to ensure the forest has the opportunity to regenerate in a healthy and supported manner in keeping with the Islands Trust policies and mandate.
- The applicant will register a sustainable forestry covenant on the common property (except for the 5 hectare Forest Industrial zoned area).
- The applicant is proposing the registration of a s.219 covenant to restrict dwelling size and prohibit subdivision of the lot in the future.
- Ensures no further activity will take place (other than the existing buildings and sawmill) until the land is successfully rezoned. This applies to the structures as well; no improvements or building would take place until permitted.
- Applicant believes retaining the large 80 hectare parcel of land is the best way in preserving the integrity of Galiano's forest lots.

Figure 1 - Site Plan

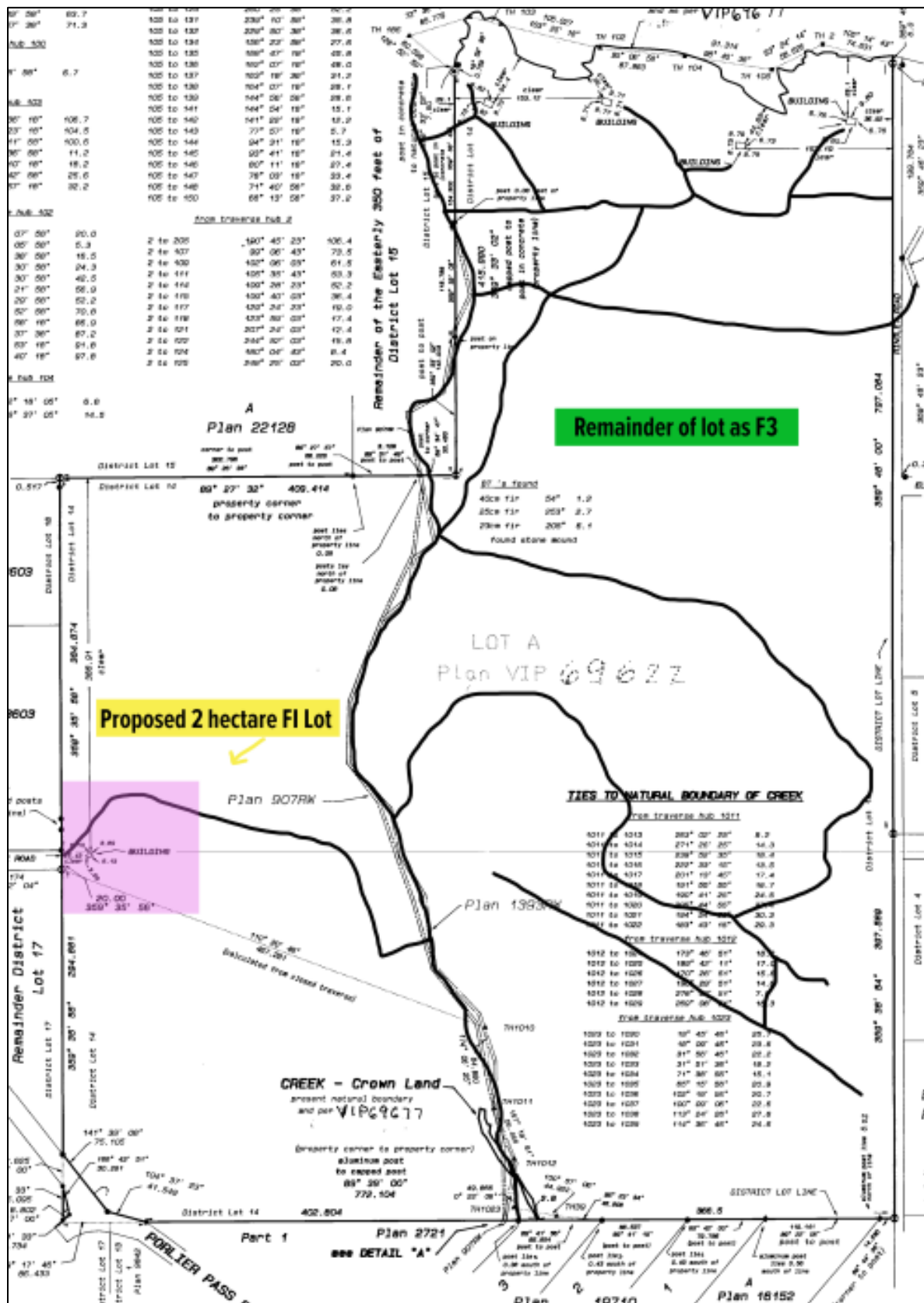
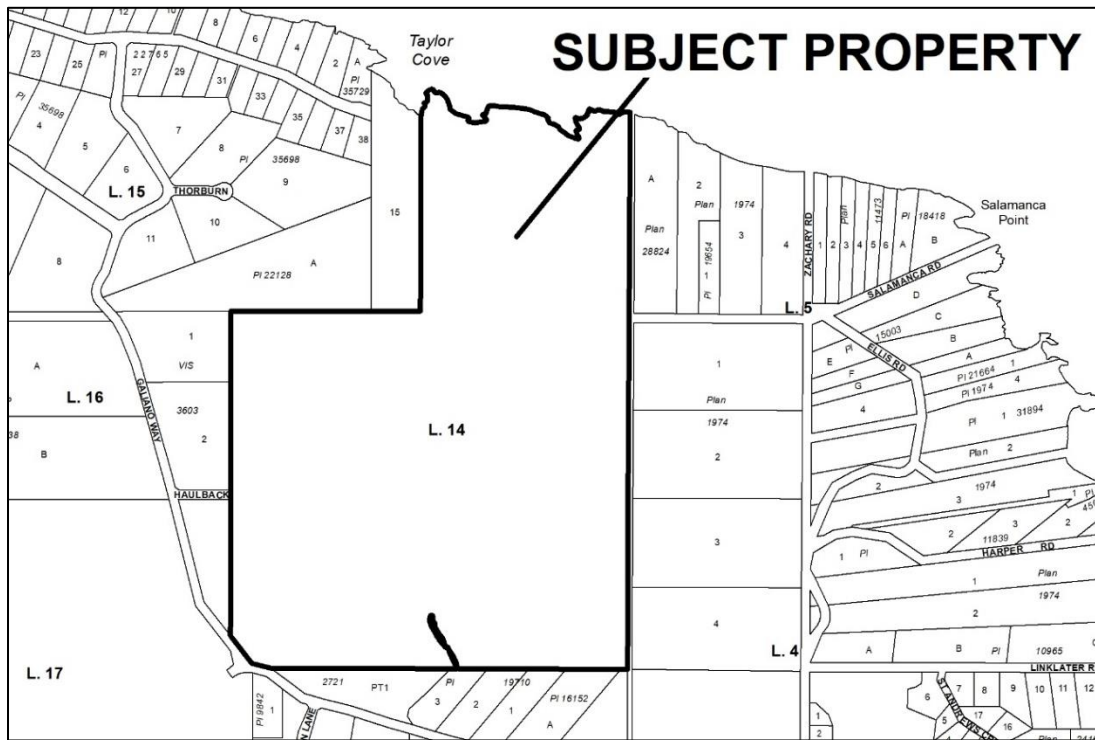


Figure 2. Location of Subject Property



ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement

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

3.2.2 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.

4.2.6 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.

4.2.7 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.

4.4.2 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.

Other ITPS policies that are also relevant include:

3.3.2 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

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

5.6.2 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.

5.7.2 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.

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

Official Community Plan

The OCP land use designation for the subject-property is currently Forest (F). An Amendment to the Galiano Island OCP should be required to change the OCP designation for the 5 hectare portion of the property to Forest Industrial (FI).

OCP Forest Policies:

- A) *The principal use shall be forestry. All structures including dwellings (except dwellings on land rezoned to RR or CF) must be accessory to the principal forestry use and no uses should impair the long-term natural processes of forest growth and regeneration. Unplanned proliferation of residential uses throughout the forest would be contrary to many of the objectives and policies in this plan, including particularly those dealing with the integrity of forest ecosystems and surface water and groundwater supplies and the impact of residential services such as roads. Instead, in order to preserve and protect the forest resource, the plan favours the clustering of residential uses 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.*
- B) *Dwellings are permitted in the Forest designation in the following circumstances*
 - ii) *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), **may be rezoned to permit one accessory dwelling per 20 hectares** (49.4 acres) if the lot complies with Land Transportation Policy o). 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.*
- G) *Appropriate small scale forest related activities such as the sustainable gathering of greenery products, food crops, hiking, bird watching and wildlife viewing, education and value added industry shall be encouraged.*

The rezoning proposal is consistent with the OCP Forest policies as Policy b)ii) states that a Forest property may be rezoned **to permit one dwelling per 20 hectares** if the lot complies Land Transportation Policy o) and a sustainable forestry covenant is registered on title. Policy b)ii) does not require the property to be subdivided. As the subject property is approximately 85 hectares in area it may have up to 4 dwellings .

The applicant would be required to establish **developable areas** for the four dwellings on the F3 zoned portion of the lot with the location selected to minimize impact. The property owner has indicated a willingness to enter into a sustainable forestry covenant with the LTC and a 3rd party covenant holder. The covenant would restrict forest activities based on a Sustainable Forestry Management Plan that includes consideration of sensitive species and habitats identified in a baseline report.

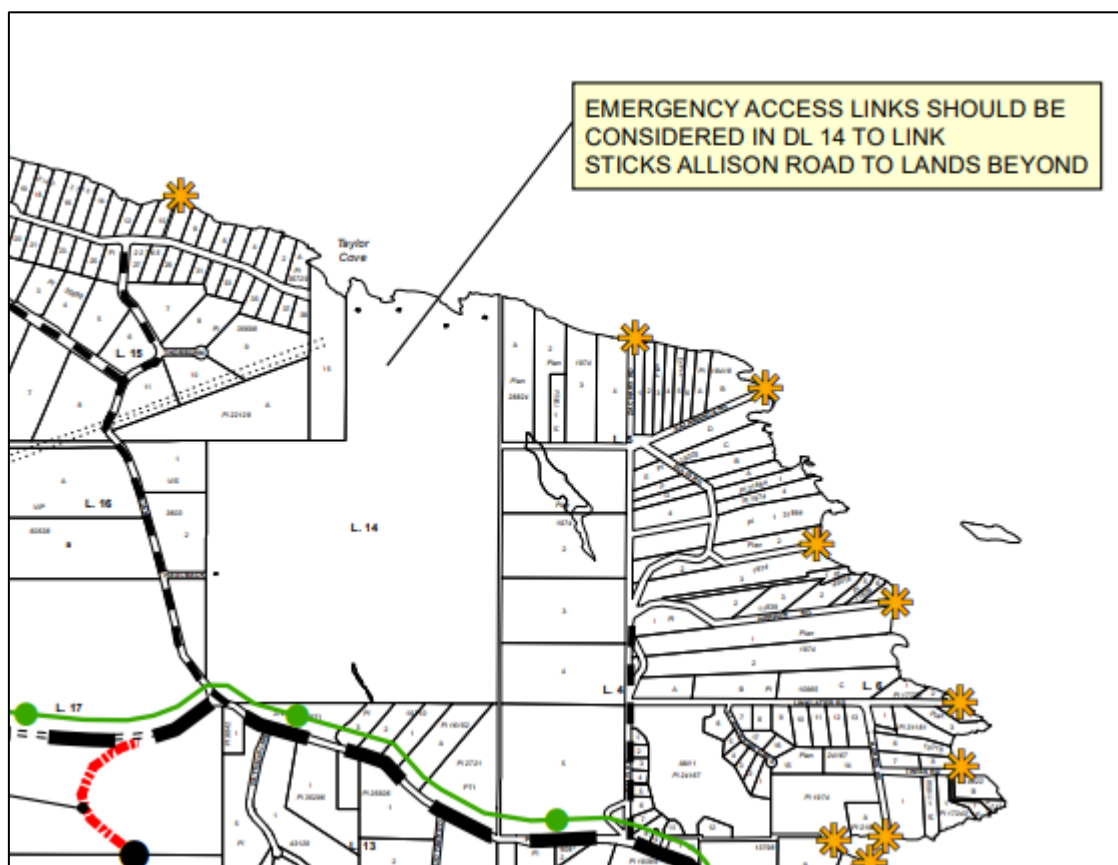
Development Permit Areas (DPAs)

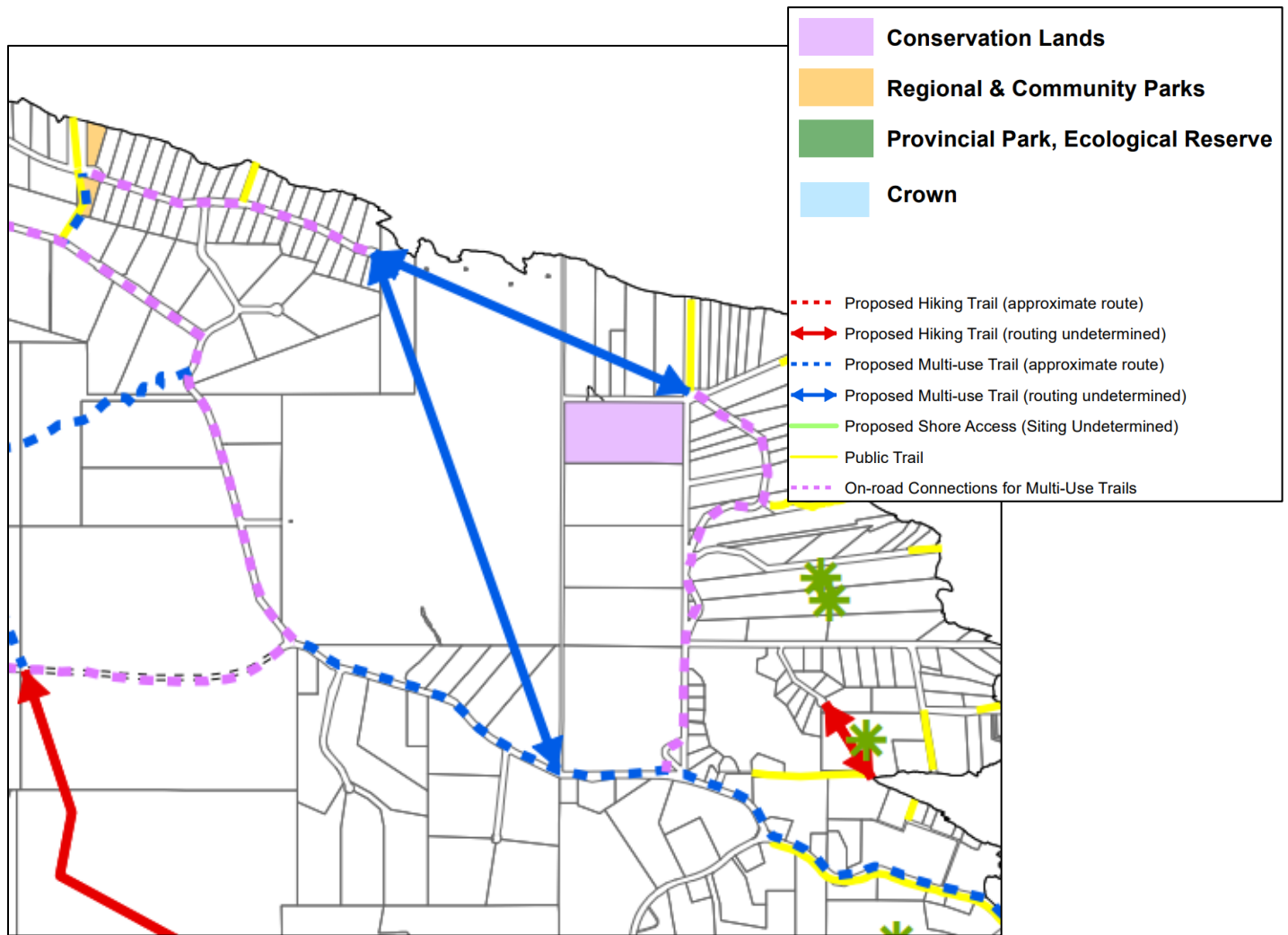
Figure 2.4 in Attachment 2 shows the following DPAs on the subject property:

- DPA 1 - Riparian Areas,
- DPA 5 – Sensitive Ecosystem, and,
- DPA 7 – Steep Slope Moderate Hazard

The building areas for the dwellings are not located within any DPAs, except for DPA 3 mentioned below. There is a small area of DPA 7 Steep Slope Moderate Hazard within the area to be rezoned to Forest Industrial. The entire Galiano Island local trust area is designated within DPA 3 – Tree Cutting and Removal for the purpose of cutting and removal of trees. One exemption for this DPA is for those areas with a registered sustainable forestry covenant.

Figure 3 – Road Network Map (OCP Schedule C)





OCP Schedules

The Road Network Map (Schedule C) in the OCP identifies the subject property as a possible emergency access to link Sticks Allison Road to lands beyond – see Figure 3. As a condition of rezoning, the LTC could request a Statutory Right of Way (SRoW) agreement with the Capital Regional District for the purposes of emergency access. If the LTC supports this condition, staff will research the feasibility of an emergency access across the subject property.

The Parks & Trail Map (Schedule E) identifies a ‘Proposed Multi-use Trail (routing undetermined)’ on the subject property – see Figure 4. A formalized trail across the subject property could be a condition of rezoning and staff can report back on options to the LTC if requested.

Land Use Bylaw

The subject property is zoned Forest 1 (F1) in the Galiano Island Land Use Bylaw No. 103. The F1 zone only permits timber production and harvesting, and, accessory forestry uses including; the sawmilling and planing of timber harvested on the same lot, and the growing of seedlings in nurseries. Residential use (dwellings) are not a permitted use in the F1 zone.

In order to legalize the siting of the four dwellings, the majority of the property would have to be rezoned to a site-specific Forest 3 (F3). This site-specific F3 zone would permit four (4) dwellings. The applicant has agreed to register a s. 219 covenant on the subject property to restrict subdivision.

The 5 ha area portion of the property, currently used as a sawmill, would be rezoned to a site-specific Forest Industrial (FI). The FI zone in the Galiano Island LUB currently permits the following uses:

- Warehouses;
- contractors' workshops and yards;
- sale of building materials and supplies manufactured on the lot;
- sawmilling, planing and manufacturing of wood products;
- mechanical repairs including boat repairs and boat building;
- gravel processing and storage; and,
- one self-contained accessory dwelling unit for the owner or operator of a principle use.

The applicant (attachment 3) has indicated that all uses permitted in the FI zone are not required and suggest limiting the use of the Forest Industrial zoned portion to the following uses:

- contractors' workshops and yards;
- sale of building materials and supplies manufactured on the lot;
- sawmilling, planing and manufacturing of wood products;
- gravel processing and storage; and,
- one self-contained accessory dwelling unit for the owner or operator of a principle use.

Terms of Reference

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

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

As there is no well near the proposed Forest Industrial zoned area staff recommend the applicant register a s.219 covenant that restricts any further use on that portion of the property (with the exception of the sawmill) until a well is drilled. A secondary Groundwater Assessment would be required to ensure there is sufficient quality and quantity water for the proposed uses (contractor's yard, sale of building materials, etc.).

Archaeological Material

Islands Trust staff has indicated to the applicant that there is a registered archaeological site on the subject property. The applicant is in the process of retaining information on this registered site. The site is not located within the residential developable areas, and can be protected by registration of a covenant. Further discussion and next steps are required from the BC Archaeological Branch. The applicant has also been notified that:

- All archaeological and cultural heritage is protected under the *Heritage Conservation Act* and areas of archaeological potential may contain undocumented archaeological sites which would be automatically protected under the *Heritage Conservation Act* (including all intact or disturbed sites) and require a permit from the BC Archaeology Branch. Further information regarding permits: <https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits>.
- In the event that archaeological features or materials are found, either intact or disturbed on the subject property, stop work immediately and contact the BC Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

Consultation

Statutory Requirements

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

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

First Nations

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

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

Agencies

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

- Ministry of Transportation and Infrastructure
- Ministry of Forests
- Island Health
- BC Hydro
- BC Archaeological Branch

- Managed Forest Council
- CRD, Planning and Protective Services, Building Inspection
- Galiano Island Fire Rescue – South Department
- Islands Trust Conservancy
- Galiano Conservancy Association
- Mayne Island Local Trust Committee
- Thetis Island Local Trust Committee
- Salt Spring Island Local Trust Committee

Rationale for Recommendation

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

- The application is reasonable as proposed and is consistent with OCP policies;
- The rezoning would address the issue of the existing buildings on the lot;
- A sustainable forestry covenant would be registered on the 80 ha of Forest 3 zoned portion of the lot with the purpose of encouraging sustainable forest practices and management.
- The proposal is to retain a large tract of forest-zoned land and reduce residential uses to small buildable footprints.
- Provides additional Forest Industrial land which could provide small forest-related economic opportunities for community members.
- A groundwater assessment would be required to ensure quality and quantity of groundwater for the proposed uses; and,
- Proceeding with the preparation of draft bylaws would allow for next steps in the process to proceed including the initiation of First Nations engagement, referrals to potentially affected agencies, and the consideration of further input from the public including adjacent property owners.

ALTERNATIVES

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

1. Request further information

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

Resolution:

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

2. Send Rezoning Application to the Galiano Advisory Planning Commission

Resolution:

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

3. Deny the application

The LTC may deny the application.

Resolution:

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

NEXT STEPS

With direction from the LTC, Staff will draft amending bylaws for further consideration by the LTC.

Submitted By:	Kim Stockdill, Island Planner	June 12, 2023
Concurrence:	Narissa Chadwick, Acting Regional Planning Manager	June 13, 2022

ATTACHMENTS

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

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	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
PID	024-621-013, 024-621-021, 024-621-030, 024-621-048, and 024-621-056
Civic Address	Haulback Road, Galiano Island
Lot Size	87 hectares (215 acres)

LAND USE

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

HISTORICAL ACTIVITY

File No.	Purpose
None	N/A

POLICY/REGULATORY

Official Community Plan Designations	Galiano Island OCP No. 108, 1995 Designations: Forest (F)
Land Use Bylaw	Galiano Island LUB No. 127, 1999: Forest 1 (F1)
Other Regulations	Private Managed Forest Lands (PMFL)
Covenants	None
Bylaw Enforcement	GL-BE-2017.12 - Closed

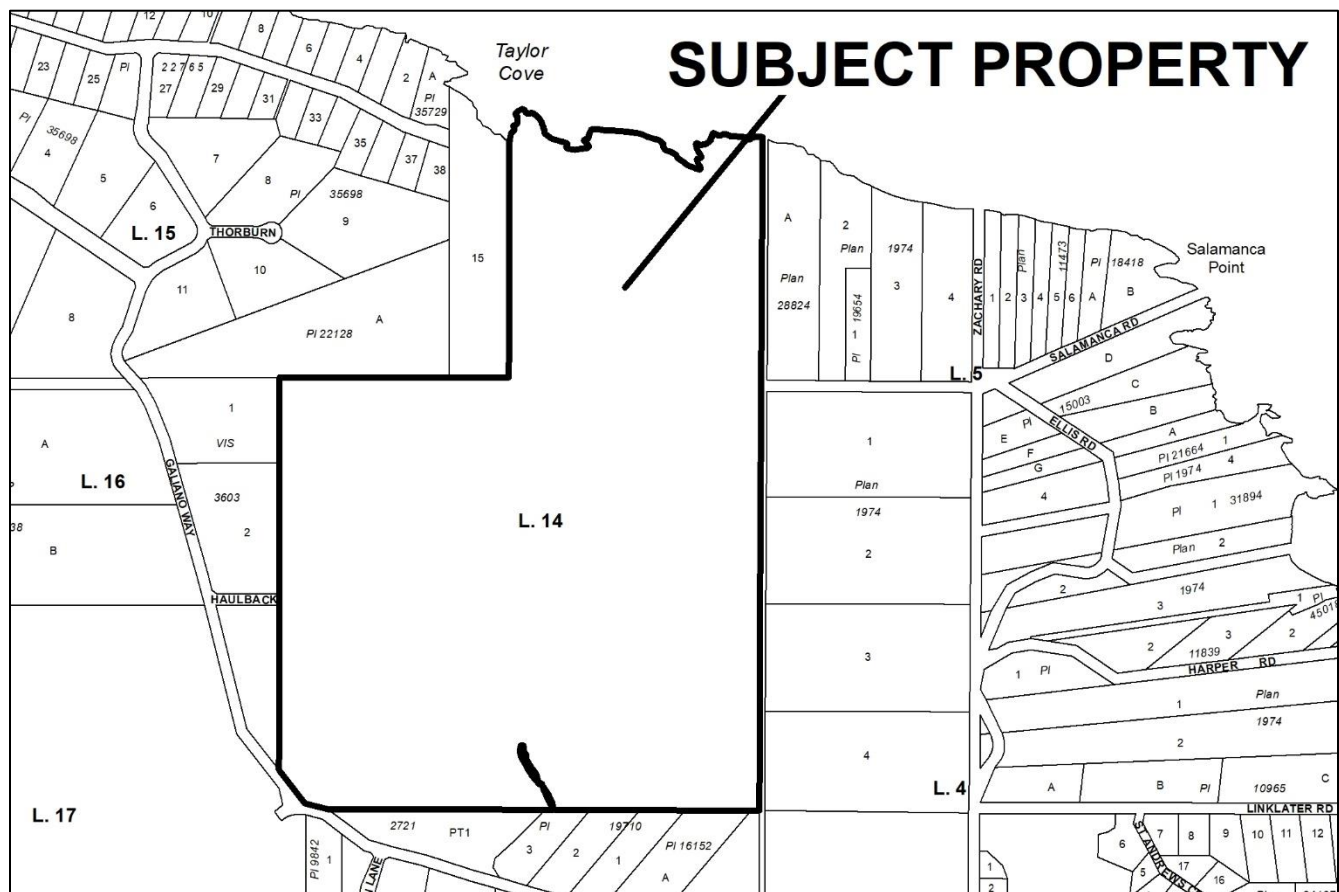
SITE INFLUENCES

Islands Trust Conservancy	The Islands Trust Conservancy covenants (Finlay Lake Covenant – PID 006-620-965) is directly east of the subject property; therefore a referral will be made to the ITC Board.
Regional Conservation Strategy	The proposal does not impact the objectives and priorities of the Islands Trust Conservancy regional conservation plan.
Species at Risk	N/A
Sensitive Ecosystems	Portions of riparian and wetland
Hazard Areas	A very small portion of small and medium risk steep slope on property
Archaeological Sites	There is a registered archaeological site on the subject property. Staff have directed the applicant to the following guidelines:

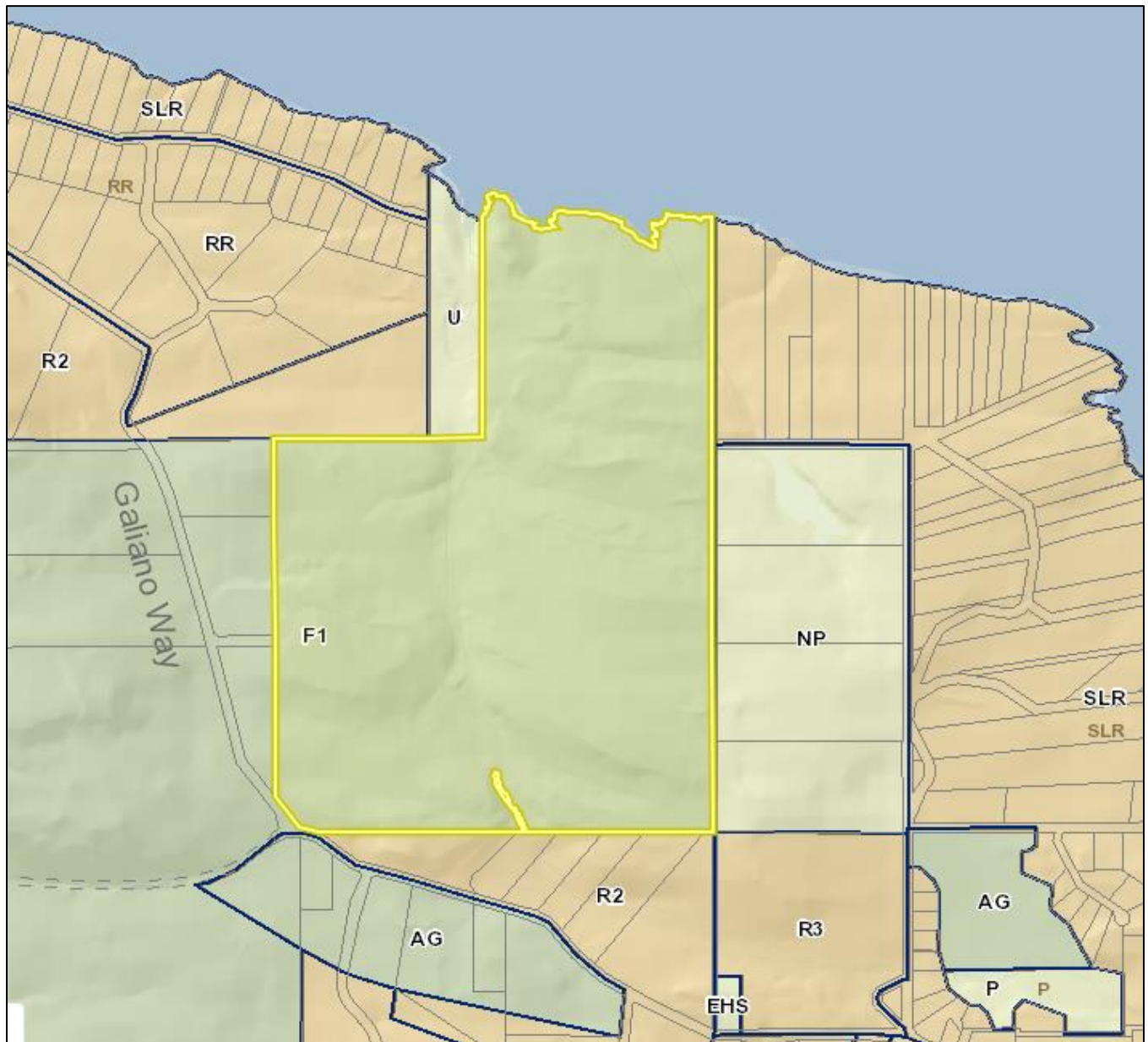
	• Applicant to contact the BC Archaeological Branch for further information regarding the registered archaeological site. • All archaeological and cultural heritage is protected under the <i>Heritage Conservation Act</i> and areas of archaeological potential may contain undocumented archaeological sites which would be automatically protected under the <i>Heritage Conservation Act</i> (including all intact or disturbed sites) and require a permit from the BC Archaeology Branch. Further information regarding permits: https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits. • In the event that archaeological features or materials are found, either intact or disturbed on the subject property, stop work immediately and contact the BC Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.
Climate Change Adaptation and Mitigation	
Shoreline Classification	Cliff
Shoreline Data in TAPIS	N/A

ATTACHMENT 2 – MAPS, PLANS, ORTHO-PHOTOS

2.1 SUBJECT PROPERTY MAP



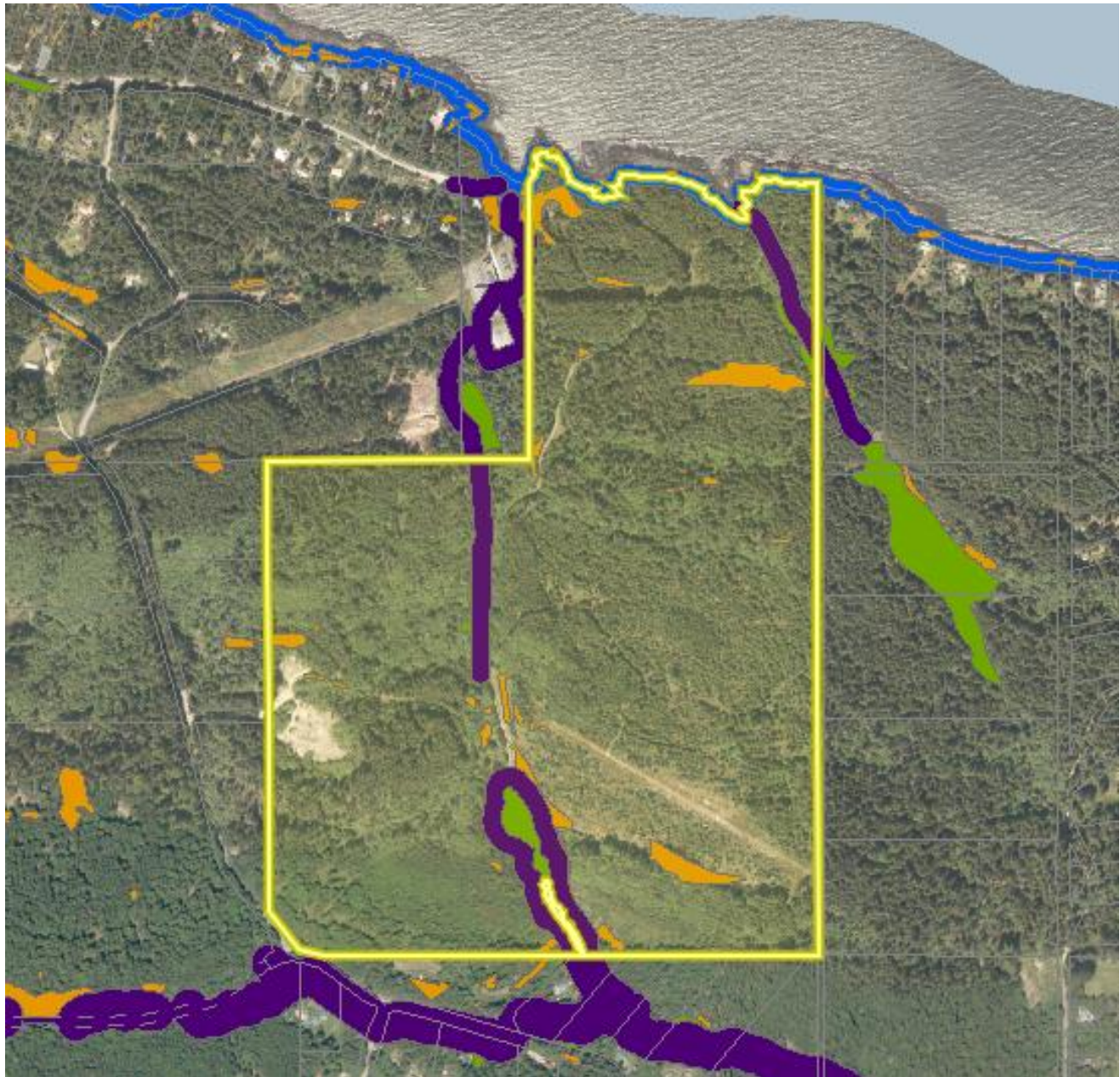
2.2 ZONING AND ORTHO



Islands Trust



2.4 DEVELOPMENT PERMIT AREAS



- DPA 1 – Riparian Areas
- DPA 5 - Sensitive Ecosystems
- DPA 7 - Steep Slope Moderate Hazard
- DPA 2 - Shoreline & Marine

2.5 SENSITIVE ECOSYSTEM MAPPING



Wetland

Riparian

2.6 10 METRE CONTOURS



2.7 SITE VISIT PHOTOS



STRATA LOT 1 DWELLING (ONLY DWELLING WITH POWER AND WATER)



BUILDING (WITH NO POWER OR WATER)

2.7 SITE VISIT PHOTOS, CONT...



VIEW TO STRATA LOT 2 (WELL HEAD TO THE LEFT)



DRIVEWAY ACCESS TO BUILDINGS

2.7 SITE VISIT PHOTOS, CONT...



VIEW TO EAST



TWO WATER TANKS FOR FIRE EMERGENCIES

2.7 SITE VISIT PHOTOS, CONT...



PROPOSED 'FOREST INDUSTRIAL' ZONED AREA



SAWMILL

Application Description for DL 14 rezoning from F1 to F3/FI

Galiano Island

Contact: Tahirih Rockafella

Existing uses of the land and buildings on the subject property:

Currently, there are 5 buildings on Lot 14 which is zoned F1 (Forest1).

-Two of the structures are 650 sq. ft. and are either empty or used for storage; they are not plumbed in, do not have electricity, no facilities, and have no windows or flooring (just earthen floor) etc.

-One of the structures is 650 sq. ft. and has electricity but is not plumbed in and does not have any facilities.

-One structure is 650 sq. ft. and is equipped as a cottage (power, water, facilities).

-One structure is used as an 'office' at the mill site. The structure is approx. 300 sq. ft. and has no power, water, or facilities.

Proposed uses of the land and buildings on the subject property:

The applicant is proposing 2 hectares of land (previously clearcut about 25 years ago by the previous owner, with no regeneration given the sawmilling activities that have taken place) be rezoned to FI (Forest Industrial) to allow for limited light industrial uses:

- a) contractor yard and workshop
- b) sawmilling, planing and manufacturing of wood products
- c) sale of building materials and supplies manufactured on the lot
- d) gravel processing and storage
- e) one self-contained accessory dwelling unit for the owner or operator of a principle use

The remaining approx. 85 hectares will be rezoned to F3 (Forest3) with a sustainable forestry covenant. As stated in the LUB, "dwellings accessory to timber production and harvesting uses and home occupations, on lots having an area of 20 hectares and more and highway access" are permitted, therefore the applicant is proposing to approve the 4 dwelling sites that currently exist (to limit further ecosystem damage), however without subdivision, as the applicant believes maintaining large parcels of land is in the best interest in preserving the integrity of Galiano's forest lots. The applicant will also be proposing further restrictions in a sect. 219 covenant regarding dwelling size restrictions and prohibiting subdivision of the lot in the future.

Proposed timing of the development or commencement of use:

Currently, the only light industrial activity that is taking place is sawmilling, which is permitted in the F1 zone. No additional activity would take place until the land was fully rezoned. This applies to the structures as well; no improvements or building would take place until permitted.

Existing uses of the land and buildings on adjacent properties:

*See attached Map

Across the street (to the NW) is an F1 lot that is currently being considered for rezoning to F3. To the north is a small, seasonal residential property. Below that is the Hydro Station. To the east is Crown Land.

Describe the reasons in support of the bylaw amendment(s).

DL 14 was purchased by Lony Rockafella in 2017. At that time, about half the property had been recently clearcut (in early 2000s) and the remainder had been cut about forty years earlier. A sawmill was in operation near the entrance (Haulback Rd.) which has eliminated any regeneration or restoration possibilities, as is evidenced by satellite imagery.

The intent is to rezone the degraded area to FI (Forest Industrial), therefore increasing the availability of approved light industrial zoning on Galiano, while also implementing a restrictive sustainable forestry covenant on the remaining land (F3) to ensure the forest has the opportunity to regenerate in a healthy and supported manner, in keeping with the Islands Trust policies and mandate.

Attachments:

I have attached a Forest Cover Report commissioned by Lony in 2017 after he purchased the property, as it may be of interest.

File No.: GL-6500-20 DL 64, 68, 72,
87

DATE OF MEETING: June 20, 2023
TO: Galiano Island Local Trust Committee
FROM: Kim Stockdill, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: DL 64, 68, 72, and 87 – Adoption of proposed Bylaw Nos. 231 and 232

RECOMMENDATIONS

1. That the Galiano Island Local Trust Committee proposed Bylaw No. 231, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 14, 2011.” be adopted.
2. That the Galiano Island Local Trust Committee proposed Bylaw No. 232, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 3, 2011” be adopted.

REPORT SUMMARY

The purpose of this report is to provide the Galiano Island Local Trust Committee (LTC) with proposed Bylaw Nos. 231 and 232 for consideration of adoption.

The recommendations above are supported as:

- All statutory requirements have been completed for the bylaws including the required notification and holding of a public hearing consistent with the *Local Government Act*;
- Proposed Bylaw No. 231 has been reviewed and approved by the Islands Trust Executive Committee and the Minister of Municipal Affairs; and,
- Proposed Bylaw No. 232 has been reviewed and approved by the Islands Trust Executive Committee.

BACKGROUND

The Galiano Island LTC is considering approval of proposed Bylaw Nos. 231 and No. 232 that would amend the the Galiano Island Official Community Plan Bylaw No. 108 (OCP) and the Galiano Island Land Use Bylaw No. 127 (LUB) by rezoning portions of District Lots (DL) 68, 72 and all of DL 64 and 87 to the Nature Protection (NP) zone. DLs 68, 72 and 87 are owned by the provincial Crown and are currently designated Forest and zoned Forest 1 (F1). The Galiano Conservancy has recently acquired District Lot 64 and it is currently designated Rural and zoned Rural 2 (R2).

The project is now in the final step of this process, with proposed Bylaw Nos. 231 and 232 having received Executive Committee (EC) approval, and Bylaw No. 231 received approval from the Minister. The next step is for the LTC to consider fourth reading of the bylaws (adoption).

Bylaw Nos. 231 and 232 are attached. Additional project information, including previous staff reports and results of public engagement is located here: <https://islandstrust.bc.ca/island-planning/galiano/projects/>

Bylaw Approval Steps

Proposed Bylaw No. 231 and No. 232 were given first reading as amended on April 4, 2022.

Proposed Bylaw No. 231 and No. 232 were given second reading as amended on July 4, 2022.

A Community Information Meeting (CIM) and Public Hearing for proposed Bylaw Nos. 231 and 232 was held on September 6, 2022.

Proposed Bylaw Nos. 231 and 232 were given third reading on third reading on September 6, 2022, following the Public Hearing.

Islands Trust Executive Committee approved proposed Bylaw Nos. 231 and 232 on October 5, 2022.

The Minister of Municipal Affairs approved proposed Bylaw No. 231 on May 4, 2023.

ALTERNATIVES

1. Receive for information

The LTC may receive the report for information.

2. Proceed no further

The LTC may decide to proceed no further with the project.

NEXT STEPS

If the LTC chooses to proceed, the amending bylaws will be consolidated into the base bylaws.

Submitted By:	Kim Stockdill, Island Planner	May 10, 2023
Concurrence:	Robert Kojima, Regional Planning Manager	May 10, 2023

ATTACHMENTS

- 1. Bylaw No. 231
- 2. Bylaw No. 232

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 231

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

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

1. CITATION

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

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS 4TH DAY OF APRIL , 2022.

READ A SECOND TIME THIS 4TH DAY OF JULY , 2022.

PUBLIC HEARING HELD THIS 6TH DAY OF SEPTEMBER , 2022.

READ A THIRD TIME THIS 6TH DAY OF SEPTEMBER , 2022.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
5TH DAY OF OCTOBER , 2022.

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS
4TH DAY OF MAY , 2023.

ADOPTED THIS DAY OF , 20__.

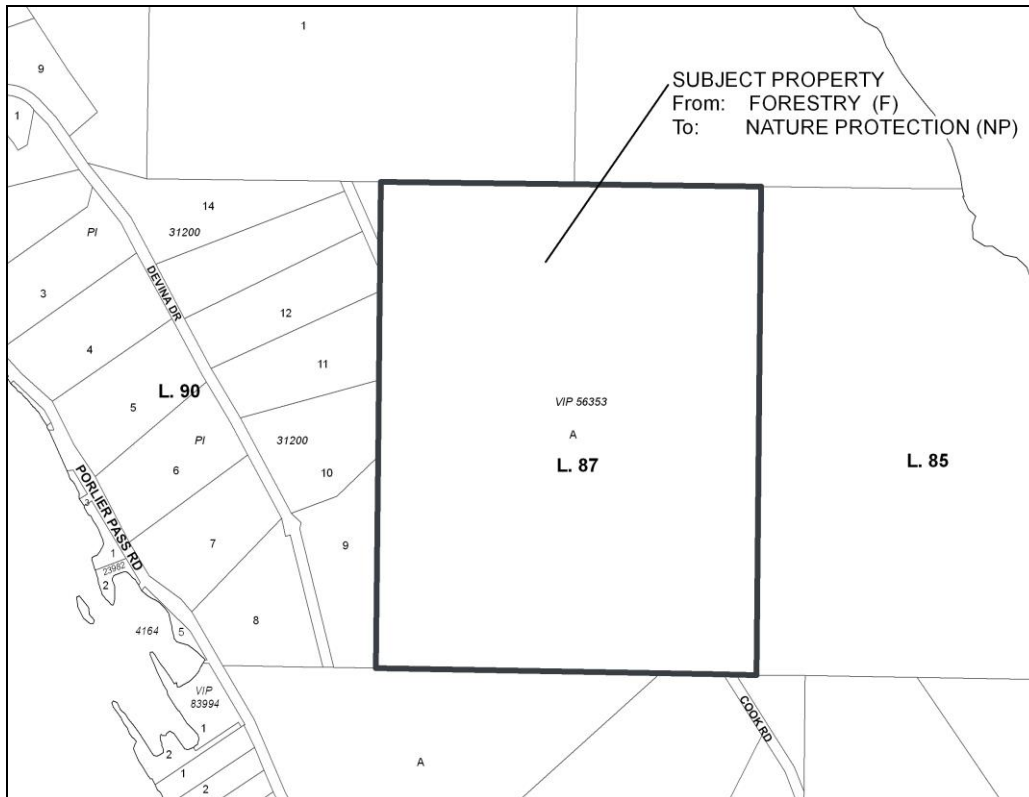
CHAIR

SECRETARY

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

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

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



-
- SUBJECT PROPERTIES**
From: FORESTRY (F)
To: NATURE PROTECTION (NP)

- SUBJECT AREA**
From: RURAL - (R)
To: NATURE PROTECTION - (NP)
-
- The map displays a coastal area with several land parcels. A thick black line runs diagonally from the top right towards the bottom center, separating the 'SUBJECT AREA' from the rest of the map. To the left of this line, there are several parcels labeled with numbers: 27, 28, 29, 30, and 31. Roads shown include 'CELEBRATE LANE' and 'BODEGA BEACH DR'. To the right of the thick black line, there is a parcel labeled '1' with 'VIP' and '89337' nearby. A road labeled 'VINEYARD WAY' runs along the bottom left. The map also shows a coastline with a small bay area. In the bottom left corner, there is a small label 'DD821091'.

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 232

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

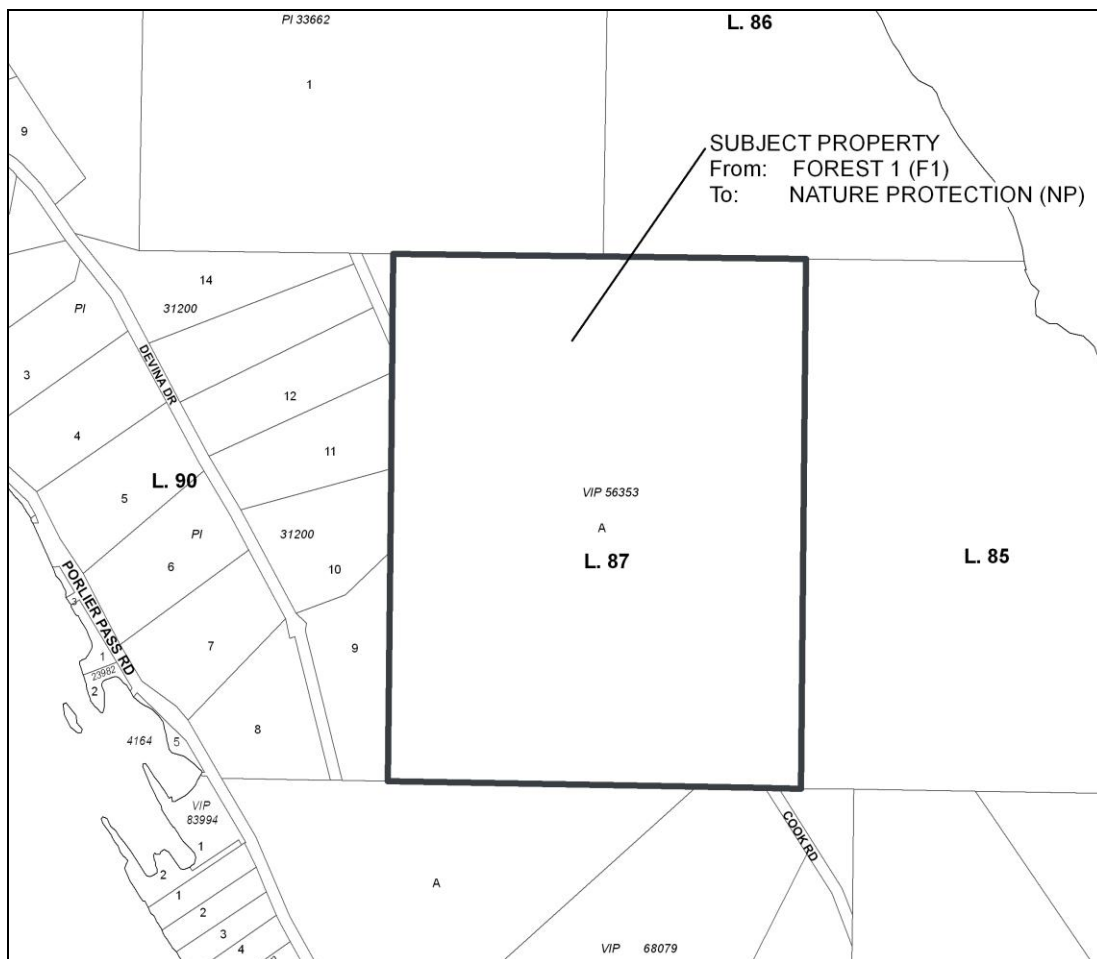
The Galiano Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Galiano Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

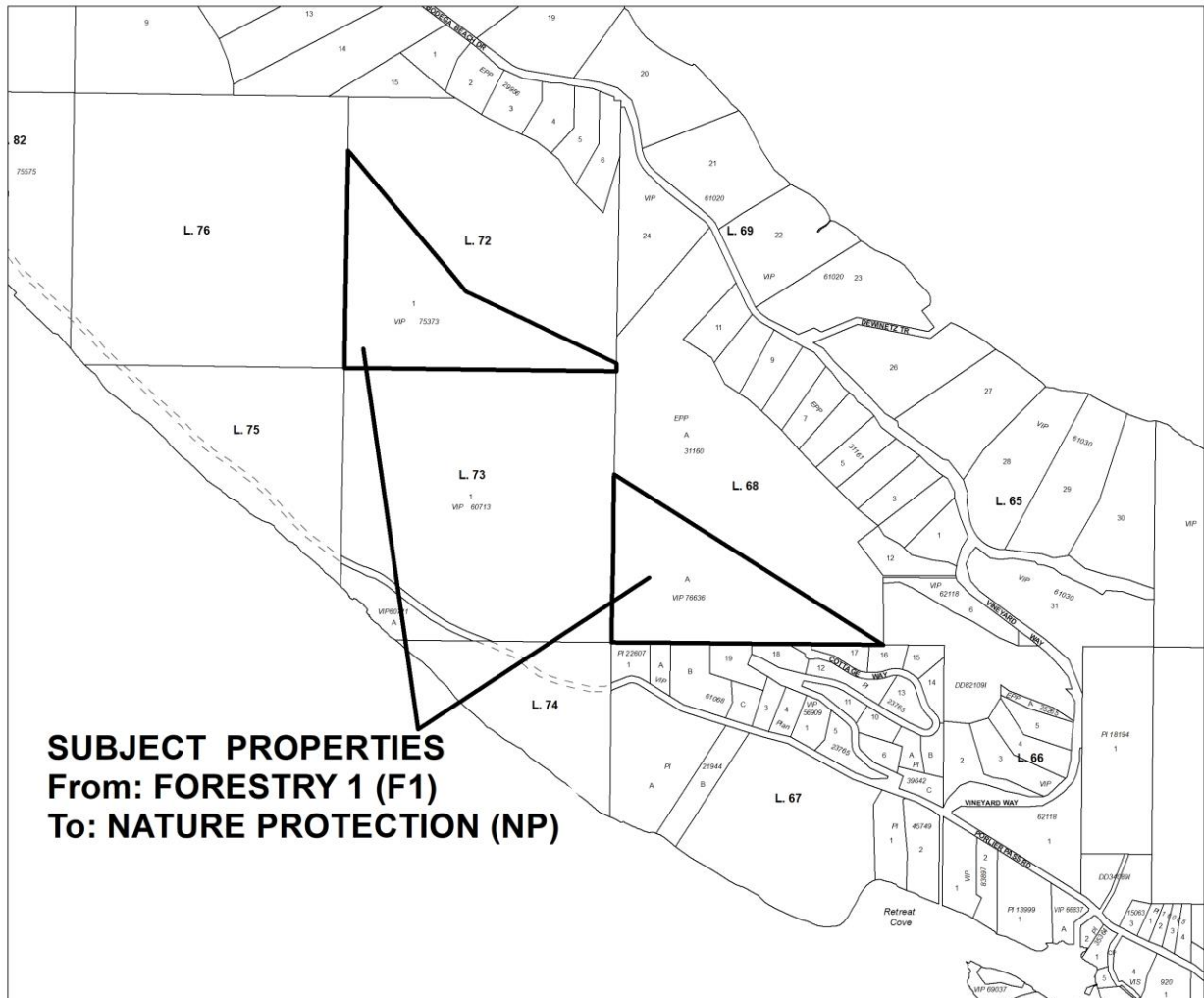
This bylaw may be cited for all purposes as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 3, 2011”.

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

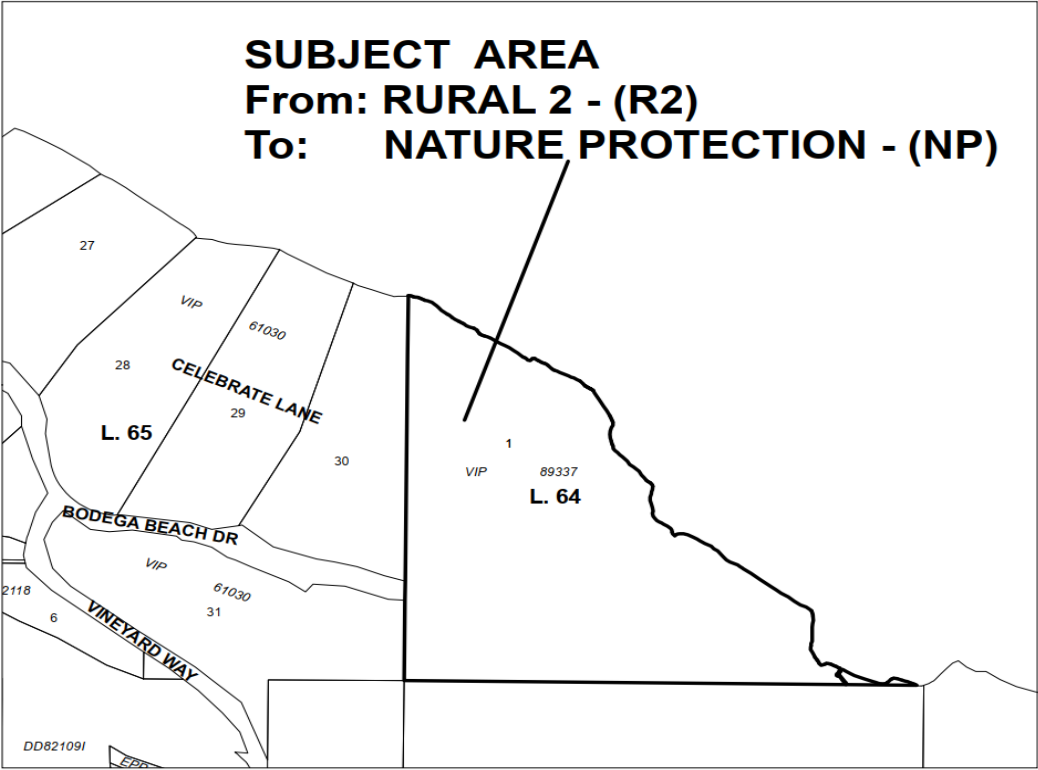
- 2.1 Lot A, Plan VIP56353, District Lot 87, Galiano Island, Cowichan District, except part in Plan VIP61539 from the Forest 1 (F1) zone to the Nature Protection (NP) zone, in accordance with the map below.



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



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



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	4 TH	DAY OF	APRIL	, 2022.
READ A SECOND TIME THIS	4 TH	DAY OF	JULY	, 2022.
PUBLIC HEARING HELD THIS	6 TH	DAY OF	SEPTEMBER	, 2022.
READ A THIRD TIME THIS	6 TH	DAY OF	SEPTEMBER	, 2022.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	5 TH	DAY OF	OCTOBER	2022.
ADOPTED THIS		DAY OF		20__

CHAIR

SECRETARY

Active Projects Report

Galiano Island

1. *Groundwater Sustainability*

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

Responsible

Kim Stockdill

Dates

Rec'd: 02-Apr-2019
Target: 30-Sep-2023

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

Consideration of adoption following Ministerial approval

Responsible

Kim Stockdill

Dates

Rec'd: 06-Dec-2021
Target: 31-Mar-2023

Future Projects Report

Galiano Island

1. *Parking Issues*

Responsible

Date Received

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

23-Jul-2012

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

2. *Light Industrial Zoning*

Responsible

Date Received

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

18-Nov-2013

3. *Coastal Douglas-Fir Protection*

Responsible

Date Received

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

04-Feb-2019

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

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

4. *Cannabis Retail and production*

Responsible

Date Received

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

05-Mar-2019

Future Projects Report

Galiano Island

5. *Emergency Access Planning*

Responsible

Date Received

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

02-Apr-2019

6. *Review of Road Network Plan*

Responsible

Date Received

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

02-Mar-2020

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

Responsible

Date Received

01-Jun-2021

8. *Wise Island bylaw review*

Responsible

Date Received

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

06-Sep-2022

9. *Shoreline model protection bylaw*

Responsible

Date Received

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

06-Sep-2022



Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
GL-ALR-2023.1	Cupples, Linda	16-Feb-2023	771 GEORGESON BAY RD: Application for subdivision in the Agricultural Land Reserve.

Planner: Charly Caproff

Planning Status

Status Date: 26-May-2023

Added to agenda items folder.

Status Date: 21-Apr-2023

Draft sent to RPM for review. Slated for June 20 LTC meeting

Status Date: 24-Mar-2023

Planner Charly Caproff assigned.

Development Permit

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

Planner: Kim Stockdill

Planning Status

Status Date: 31-Jan-2023

Further information required from applicant before application can proceed.

Status Date: 19-Dec-2022

File re-assigned to Kim Stockdill

Status Date: 10-Nov-2022

Updated Survey (Glen Mitchell) by end of November



Applications

Development Permit

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

Planner: Kim Stockdill

Planning Status

Status Date: 06-Jun-2023

Application on hold - waiting for further information from applicant. KS

Status Date: 01-Mar-2023

Environmental Assessment received.

Status Date: 31-Jan-2023

Application on hold until Environmental Assessment is received. KS

File Number	Applicant Name	Date Received	Purpose
GL-DP-2023.3	Hunterston Homes LTD	27-Mar-2023	18680 PORLIER PASS RD: Application for a DP for development in a shoreline [marine] DPA.

Planner: Charly Caproff

Planning Status

Status Date: 06-Apr-2023

Planner Charly Caproff assigned.

Status Date: 28-Mar-2023

File created in EDM.

Status Date: 28-Mar-2023

Reached out to applicant for fee.



Applications

Development Variance Permit

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

Planner: Kim Stockdill

Planning Status

Status Date: 06-Jun-2023

Application on hold - waiting for further information from applicant. KS

Status Date: 31-Mar-2023

DVP Staff Report to be placed on June 20th LTC agenda. Update: application removed from agenda due to error in draft permit and further information required from applicant.

Status Date: 01-Mar-2023

Environmental assessment received.

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

Planner: Kim Stockdill

Planning Status

Status Date: 21-Apr-2023

Met with Ryzuk and RPBio. Application may require a rezoning application. Application on hold.

Status Date: 31-Jan-2023

Further information required by applicant before application can proceed.

Status Date: 19-Dec-2022

File re-assigned to Kim Stockdill



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2023.2	Hunterston Homes LTD	27-Mar-2023	18680 PORLIER PASS RD: Application for a variance for siting of two buildings in a setback.

Planner: Charly Caproff

Planning Status

Status Date: 06-Apr-2023

Planner Charly Caproff assigned.

Status Date: 28-Mar-2023

File created in EDM.

Status Date: 28-Mar-2023

Requested Subject Property Map + Mailing List from GIS

Rezoning

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

Planner: Brad Smith

Planning Status

Status Date: 06-May-2023

Staff to engage with Penelakut

Status Date: 04-Apr-2023

Public hearing scheduled for May 6, 2023

Status Date: 31-Jan-2023

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



Applications

Rezoning

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

Planner: Kim Stockdill

Planning Status

Status Date: 12-Jan-2023

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

Status Date: 28-Oct-2021

Applicant working on DAI TOR items

Status Date: 31-Aug-2021

Planner to contact applicant for status update

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2021.2	McElhanney Ltd.	16-Aug-2021	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: Kim Stockdill

Planning Status

Status Date: 25-Apr-2023

Applicants working on updated site plan and proposal, as well as info on land dedication.

Status Date: 28-Oct-2022

Application status changed to 'abeyance' pending new proposal from applicants

Status Date: 20-Sep-2022

Staff memo deferred to Sept 27, 2022 LTC meeting



Applications

Rezoning

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

Planner: Kim Stockdill

Planning Status

Status Date: 12-May-2023

Contact applicant. Applicant is still waiting for pump test to be completed.

Status Date: 31-Mar-2023

Draft Bylaw Nos. 287 and 288 placed on April 11th LTC agenda for consideration.

Status Date: 19-Dec-2022

Applicant sent Terms of Reference consistent with DAI bylaw

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2023.1	Rockafella, Tahirih	28-Mar-2023	HAULBACK RD: Application for rezoning to amend the LUB to permit limited light industrial uses.

Planner: Kim Stockdill

Planning Status

Status Date: 11-Apr-2023

Planner Kim Stockdill assigned.

Status Date: 28-Mar-2023

File created in EDM.



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2023.2	McElhanney Ltd.	26-Apr-2023	DL 85 - 5500 BODEGA BEACH DR: Application for rezoning to amend the OCP and LUB to permit Forest One (F1) zoning of the property.

Planner: Kim Stockdill

Planning Status

Status Date: 13-Jun-2023

Preliminary staff report on July agenda.

Status Date: 26-Apr-2023

File created in EDM.

Status Date: 26-Apr-2023

Applicant emailed to say cheque for fee will be coming in the mail.

Subdivision

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

Planner: Kim Stockdill

Planning Status

Status Date: 30-Jan-2023

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

Status Date: 18-May-2021

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

Status Date: 19-Feb-2021

Applicant working on referral report items



Applications

Subdivision

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

Planner: Charly Caproff

Planning Status

Status Date: 28-Mar-2023

MOTI confirmed that they will be sending us an updated PLRS letter as conditions have been fulfilled. Asked applicant to confirm most recent site plan and when a DP application will be submitted to IT.

Status Date: 19-Dec-2022

File re-assigned to Charly Caproff

Status Date: 23-Jun-2022

Applicant hiring environmental professional for required DP application.

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2023.1	Taylor, Jared	31-Mar-2023	172 BURRILL RD: Referral of a subdivision application for 1 new lot.

Planner: Bruce Belcher

Planning Status

Status Date: 24-May-2023

Referral Response sent to MoTI

Status Date: 20-Apr-2023

Planner Bruce Belcher assigned.

Status Date: 03-Apr-2023

File created in EDM.

Islands Trust
LTC EXP SUMMARY REPORT F2024
Invoices posted to Month ending April 2023

625 Galiano	Invoices posted to Month ending April 2023	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-625	LTC "Trustee Expenses"	284.00	0.00	284.00
LTC Local				
65200-625	LTC - Local Exp - LTC Meeting Expenses	1,723.00	388.45	1,334.55
65210-625	LTC - Local Exp - APC Meeting Expenses	333.00	0.00	333.00
65220-625	LTC - Local Exp - Communications	250.00	248.42	1.58
65230-625	LTC - Local Exp - Special Projects	279.00	0.00	279.00
TOTAL LTC Local Expense		<u>2,585.00</u>	<u>636.87</u>	<u>1,948.13</u>
Projects				
73001-625-4114	Galiano Groundwater Strategy Implementation	5,000.00	0.00	5,000.00
TOTAL Project Expenses		<u>5,000.00</u>	<u>0.00</u>	<u>5,000.00</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
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
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		



REQUEST FOR DECISION

To: Galiano Island Local Trust Committee **For the Meeting of:** June 20, 2023
From: Jas Chonk, Legislative Clerk **Date Prepared:** May 12, 2023
SUBJECT: Freedom of Information and Protection of Privacy Bylaw

RECOMMENDATION:

1. That Galiano Island Local Trust Committee Bylaw No. 290, cited as "Galiano Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 290, 2023", be adopted.

DIRECTOR OF LEGISLATIVE SERVICES COMMENTS: The proposed Freedom of Information and Protection of Privacy bylaw is in line with current legislation and Schedule of Fees.

1 PURPOSE:

To adopt the new Freedom of Information and Protection of Privacy bylaw and model bylaw to bring them in line with updated legislation.

2 BACKGROUND:

On May 3, 2023, the Executive Committee passed the resolution as recommended:

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 290, cited as "Galiano Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 290, 2023" in accordance with Section 27 of the Islands Trust Act.

This allows the Local Trust Committee to adopt the new Freedom of information and Protection of Privacy Bylaw that was given first, second and third readings at the April 11, 2023 Galiano Island Local Trust Committee meeting.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Minimal staff time to update material on the website.

FINANCIAL:

Fees incurred can be charged current amounts for actual costs and reflect charges for various media formats, including digital records.

POLICY: N/A

IMPLEMENTATION/COMMUNICATIONS:

Staff would update the Islands Trust website with the new bylaws.

FIRST NATIONS:

There is no impact on First Nations on the adoption of the new Freedom of Information and Protection of Privacy bylaw and model bylaw.

OTHER:

There are no other implications of the recommendation.

4 RELEVANT POLICY(S): N/A

5 ATTACHMENT(S):

1. Galiano Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 290, 2023

Alternative:

1. That this report be referred back to staff for additional information.

Submitted By:	Jas Chonk, Legislative Clerk	May 12, 2023
Concurrence:	David Marlor, Director of Legislative Services	May 23, 2023

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW NO. 290

A Bylaw to designate the head of the Galiano Island Local Trust Committee for the purposes of, and to set fees under, the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended.

GIVEN THAT:

- A. Section 77(a) of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended (the "Act"), gives the Galiano Island Local Trust Committee the authority to designate a person as the head of the Galiano Island Local Trust Committee for the purposes of the Act, and
- B. Section 77(c) of the Act gives the Galiano Island Local Trust Committee the authority to set any fees the Galiano Island Local Trust Committee requires to be paid under section 75 of the Act,

THE GALIANO ISLAND LOCAL TRUST COMMITTEE ENACTS AS FOLLOWS:

Citation

- 1. This bylaw may be cited as "Galiano Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 290, 2023".

Definitions and Interpretation

- 2. In this Bylaw:

"Act"	means the <i>Freedom of Information and Protection of Privacy Act</i> , RSBC 1996, Chapter 165, as amended.
"Commercial Applicant"	means a person who makes a request for access to a record to obtain information for use in connection with a trade, business, profession or other venture for profit.
"Head"	means the person designated under Section 3 of this Bylaw as the head of the of the Galiano Island Local Trust Committee for the purposes of the Act.
"Request"	means a request for information under Section 5 of the Act.
"Records"	includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records.

Designation of Head

3. The person from time to time appointed to the position of Secretary of the Islands Trust is designated as the Head of the Galiano Island Local Trust Committee for the purposes of the Act.
4. The person from time to time appointed to the position of Deputy Secretary of the Islands Trust and the person from time to time appointed to the position of Deputy Treasurer of the Islands Trust, each are authorized to perform any duty or exercise any function of the Head who is designated under Section 3.

Policies and Procedures

5. The Heads authorized to perform the duties of the Head shall operate in accordance with the Act and the Freedom of Information and Protection of Privacy policies, guidelines, and procedures, as set by the Islands Trust Council from time to time.

Fees

6. The fees that are payable by applicants under the Act are those set out in Schedule A to this bylaw.

Interpretation

7. Any word or expression used in this bylaw that is not defined in this bylaw has the meaning given to it in the Act on the date of final adoption of this bylaw.

Repeal

8. "Galiano Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 104, 1994", is hereby repealed and replaced by this bylaw.

READ A FIRST TIME THIS 11TH DAY OF APRIL 2023.

READ A SECOND TIME THIS 11TH DAY OF APRIL 2023.

READ A THIRD TIME THIS 11TH DAY OF APRIL 2023.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS 3RD DAY OF MAY 2023.

ADOPTED THIS _____ DAY OF _____ 20____

CHAIR

SECRETARY

**Galiano Island Local Trust Committee
Freedom of Information and Protection of Privacy
Bylaw No. 290 - Schedule 'A'**

Schedule of Maximum Fees

Item	Description of Services		Fees
1	(a)	Application Fee	\$10.00 (non-refundable)
	(b)	An applicant's request for his/her own personal information is not subject to any fees.	
2	For applicants other than commercial applicants:		
	(a)	for locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours
	(b)	for producing a record manually	\$7.50 per ¼ hour
	(c)	for producing a record from a machine readable record from a server or computer	\$7.50 per ¼ hour for developing a computer program to produce the record
	(d)	for preparing a record for disclosure and handling a record	\$7.50 per ¼ hour
	(e)	for shipping copies	actual costs of shipping method chosen by applicant
	(f)	for copying records	
		(i) floppy disks	\$2 per disk
		(ii) CDs and DVDs, recordable or rewritable	\$4 per disk
		(iii) computer tapes	\$40 per tape, up to 2 400 feet
		(iv) microfiche	\$3 per fiche
		(v) microfilm duplication	\$25 per roll for 16mm microfilm \$40 per roll for 35mm microfilm
		(vi) microfiche or microfilm to paper duplication	\$0.50 per page (8.5" x 11")
		(vii) photographs, colour or black and white	\$5 to produce a negative \$12 each for 16" x 20" photograph \$9 each for 11" x 14" photograph \$4 each for 8" x 10" photograph \$3 each for 5" x 7" photograph
		(viii) photographic print of textual, graphic or cartographic record, black and white	\$12.50 each (8" x 10")
		(ix) dot matrix, ink jet, laser print or photocopy, black and white	\$0.25 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
		(x) dot matrix, ink jet, laser print or photocopy, colour	\$1.65 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
		(xi) scanned electronic copy of a paper record	\$0.10 per page
		(xii) photomechanical reproduction of 105 mm cartographic record/plan	\$3 each
		(xiii) slide duplication	\$0.95 each
		(xiv) audio cassette tape (90 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
		(xv) video cassette recorder (VHS) tape (120 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
3	For commercial applicants for each service listed in Item 2		the actual cost to the public body of providing that service



File No.:

4050-03

DATE OF MEETING: June 20, 2023

TO: Galiano Island Local Trust Committee

FROM: Warren Dingman, Bylaw Compliance & Enforcement Manager, Local Planning Services

SUBJECT: Bylaw Enforcement Notification Bylaw Amendments

RECOMMENDATION

1. That Galiano Island Local Trust Committee Bylaw 289, cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 228, 2011, Amendment No. 1, 2023”, be read a first time.
2. That Galiano Island Local Trust Committee Bylaw 289, cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 228, 2011, Amendment No. 1, 2023”, be read a second time.
3. That Galiano Island Local Trust Committee Bylaw 289, cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 228, 2011, Amendment No. 1, 2023”, be read a third time.
4. That the Galiano Island Local Trust Committee Bylaw 289, cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2011, Amendment No. 1, 2023”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

This report recommends that Galiano Island Local Trust Committee amend Galiano Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 288, 2011 (BEN) so that recent changes to the Galiano Island Land Use Bylaw (LUB) are included and so that various housekeeping amendments can be made.

Rationale for Adoption

The BEN Bylaw was last updated in April of 2019. Since that time various amendments have been made to the LUB requiring that BEN bylaw Schedule A to be updated, and corrections were required for discounted penalty amounts that were entered in error. There was also a request by the Local Trust Committee in March that the BEN bylaw include a contravention and penalty to deal with the issue of free ranging farm animals. The LUB does require that farm animals be confined to their owner’s property but that contravention had been previously omitted.

Submitted By:	Warren Dingman Bylaw Compliance & Enforcement Manager	June 9, 2023
Concurrence:	Narissa Chadwick Acting - Regional Planning Manager	June 12, 2023

ATTACHMENT

1. GL-LTC-BEN-Amendment-Bylaw-289

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 289

A BYLAW TO AMEND THE GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW ENFORCEMENT NOTIFICATION BYLAW, NO. 228, 2011

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

1. CITATION

This Bylaw may be cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 228, 2011, Amendment No. 1, 2023.”

2. Galiano Island Local Trust Committee Bylaw cited as “Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 228, 2011” is hereby amended as follows:

- (a) By removing Schedule A – Galiano Island Land Use Bylaw No. 127, 1999 Contraventions and Penalties and substituting the attached: Schedule A – Galiano Island Land Use Bylaw No. 127, 1999 Contraventions and Penalties.

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__

SECRETARY

CHAIR

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 1999
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.1.1	Non-Permitted Use Of Conduits/Poles/Towers In Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
2.1.2	Non-Permitted Bicycling And Equestrian Trails In Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
2.1.3	Non-Permitted Accessory Use/Building/Structure Or Non-Permitted Agricultural And Horticultural Use Or Farm Animals not confined to owners' property	\$350.00	\$262.50	\$525.00	Yes	100%
2.1.4	Non-Permitted Sawmilling In Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
2.2	Non-Permitted Use Of Accessory Building/Structure As Home Occupation Prior To Primary Building/Structure Constructed And Occupied	\$200.00	\$150.00	\$300.00	Yes	100%
2.3.1	Non-Permitted Use Of Accessory Building/Structure, Other Than Cottage, For Human Habitation	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.2	Non-Permitted Use Of Land/Building/Structure For Mobile Home Parks/Manufactured Home Parks/Commercial Campgrounds	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.3	Non-Permitted Use Of Land/Building/Structure For Commercial Aquaculture	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.4	Non-Permitted Use Of Land/Building/Structure For Airports Other Than Float Plane Bases	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.5	Non-Permitted Use Of Boat Launching Ramp/Marina/Dock For Launching Personal Watercraft	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.6	Non-Permitted Use Of Land/Building/Structure For Helipads	\$350.00	\$262.50	\$525.00	Yes	100%
2.3.7	Non-Permitted Use Of Land/Building/Structure For Private Golf Courses/Marinas	\$350.00	\$262.50	\$525.00	Yes	100%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 1999
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.3.8	Non-Permitted Use Of Land/Building/Structure For Waste Disposal On Land/Marine Areas	\$500.00	\$375.00	\$750.00	Yes	100%
2.4	Wrecking/Storage Of Derelict Automobiles/Used Or Discarded Machinery/Equipment.	\$200.00	\$150.00	\$300.00	Yes	100%
2.5	Exceed Height Restriction For Accessory Building/Structure	\$350.00	\$262.50	\$525.00	Yes	100%
2.6	Accessory Building/Structure Exceeds One Story	\$350.00	\$262.50	\$525.00	Yes	100%
2.8	Fence exceeds permitted height.	\$350.00	\$262.50	\$525.00	Yes	100%
2.9	Exceed Floor Area Restriction For Cottage	\$350.00	\$262.50	\$525.00	Yes	100%
2.12	Non-Permitted residential design of forestry use building or structure.	\$350.00	\$262.50	\$525.00	Yes	100%
2.14	Non-Permitted Siting Of Building/Structure In Set Back From Sea/Lake/Swamp/Watercourse.	\$350.00	\$262.50	\$525.00	Yes	100%
2.15	Non-Permitted Siting Of Sewage Absorption Field In Set Back From Sea/Lake/Swamp/Watercourse/Well.	\$350.00	\$262.50	\$525.00	Yes	100%
2.16	Non-Permitted Siting Of Building/Structure For Farm Animals In Set Back From Sea/Lake/Swamp/Watercourse/Well	\$350.00	\$262.50	\$525.00	Yes	100%
2.17	Non-Permitted Siting Of Building/Structure Used For Human Habitation/Occupancy In Agriculture Zone	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.1	Non-Permitted Secondary Suite	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.2	Non-Permitted Secondary Suite/Cottage	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.3	Secondary Suite Too Large	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.4	Secondary Suite Not Located In Principal Dwelling	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.5	Secondary Suit Without Separate Entrance	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.6	Secondary Suite Without Adequate Rainwater Storage	\$350.00	\$262.50	\$525.00	Yes	100%
2.28.8.1	Non Resident Employee In Suite Home Occupation	\$350.00	\$262.50	\$525.00	Yes	100%

Schedule A
GALIANO ISLAND LAND USE BYLAW NO. 127, 1999
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.28.9	No Parking Provided For Secondary Suite	\$350.00	\$262.50	\$525.00	Yes	100%
3.2	Home Occupation On Premise Not Being Occupied As Dwelling	\$200.00	\$150.00	\$300.00	Yes	100%
3.3	Home Occupation Not Conducted Entirely Within Operator's Dwelling Unit Or Accessory Building/Structure	\$200.00	\$150.00	\$300.00	Yes	100%
3.3	Non-Permitted Exterior Storage Of Materials/Products/Equipment	\$200.00	\$150.00	\$300.00	Yes	100%
3.4	Not Retaining Residential Appearance Due To Home Occupation	\$200.00	\$150.00	\$300.00	Yes	100%
3.5	Non-Permitted Home Occupation Sign/ Lighting	\$200.00	\$150.00	\$300.00	Yes	100%
3.6	More Than Three Persons Employed In Home Occupation Or No Employee Residing Permanently	\$200.00	\$150.00	\$300.00	Yes	100%
3.7	Non-Permitted Home Occupation Activity	\$200.00	\$150.00	\$300.00	Yes	100%
3.8	Non-Permitted Home Occupation	\$200.00	\$150.00	\$300.00	Yes	100%
3.9	Home Occupation Producing Waste/Noise/Vibration/Glare/Fumes/Odours/Illumination/Electrical Interference Detectable Off Lot Or Home Occupation Consumes Excessive Groundwater	\$200.00	\$150.00	\$300.00	Yes	100%
3.10	Exceed Maximum Number Bedrooms In B&B	\$200.00	\$150.00	\$300.00	Yes	100%
3.12	Vehicle/Equipment for Home Occupation in Setback Unscreened.	250.00	\$187.00	\$300.00	Yes	100%
3.13.1	More Than One STVR in Use	\$350.00	\$262.50	\$525.00	Yes	100%
3.13.2	Too Many Bedrooms/Beds in STVR/B&B	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.1	Non-Permitted Use In Village Residential 1 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.1.2	More Than One Dwelling On Lot In Village Residential 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.3	Non-Permitted Cottage In Village Residential 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.4	Exceed Lot Coverage Restriction In Village Residential 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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GALIANO ISLAND LAND USE BYLAW NO. 127, 1999
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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.1.5	Exceed Height Restriction For Building/Structure In Village Residential 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.6	Encroachment Of Building/Structure Into Setback In Village Residential 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.7	Encroachment Of Building/Structure For Animals Into Setback In Village Residential 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.1	Non-Permitted Use In Village Residential 2 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.2	More Than One Dwelling On Lot In Village Residential 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.3	Non-Permitted Cottage In Village Residential 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.4	Exceed Lot Coverage Restriction In Village Residential 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.5	Exceed Height Restriction For Building/Structure In Village Residential 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.6	Encroachment Of Building/Structure Into Setback In Village Residential 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.7	Encroachment Of Building/Structure For Animals In Village Residential 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
5.3.1	Non-Permitted Use In Small Lot Residential Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.3.2	Non-Permitted Cottage On Lot 1, District Lot 83 In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.3.3	Non-Permitted Use On District Lot 145 In Small Lot Residential Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.3.4	Non-Permitted Additional Dwelling In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.3.5	Non-Permitted Cottage On Lots Smaller Than 0.4 Hectares In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.3.6	Exceed Lot Coverage Restriction In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.3.7	Exceed Height Restriction For Building/Structure In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.3.8	Encroachment Of Building/Structure Into Setback In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.3.10	Encroachment Of Building/Structure For Farm Animals Into Setback In Small Lot Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.1	Non-Permitted Use In Rural Residential Zone	\$500.00	\$350.00	\$750.00	Yes	100%
5.4.2	Non-Permitted Additional Dwelling In Rural Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.3	Non-Permitted Cottage In Rural Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.4	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.5	Exceed Height Restriction For Building/Structure In Rural Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.6	Encroachment Of Building/Structure Into Setback In Rural Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.7	Encroachment Of Building/Structure For Farm Animals Into Setback In Rural Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.13	Building/ Structure/Paved Area Outside Developable Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.15	Building/Structure/Paved Area Outside Designated Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.4.17	Building/ Structure/Paved Area Outside Developable Area	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.1	Non Permitted Use in Rural 2 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.5.2	Non-Permitted Additional Dwelling In Rural 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.3	Non-Permitted Cottage In Rural 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.5.4	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.5	Exceed Height Restriction For Building/Structure In Rural 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.6	Encroachment Of Building/Structure Into Setback In Rural 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.7	Encroachment Of Building/Structure For Farm Animals Into Setback In Rural 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.5.8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.1	Non-Permitted Use In Rural 3 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.6.2	Non-Permitted Additional Dwelling In Rural 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.3	Non-Permitted Cottage In Rural 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.4	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.5	Exceed Height Restriction For Building/Structure In Rural 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.6	Encroachment Of Building/Structure Into Setback In Rural 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.7	Encroachment Of Building/Structure/Use Permitted Under Article 5.6.1 Into Setback In Rural 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.8	Encroachment Of Building/Structure For Animals Into Setback In Rural 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
5.6.9	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.1	Non-Permitted Use In Agriculture Zone	\$500.00	\$375.00	\$750.00	Yes	100%
6.1.2	Non-Permitted Additional Dwelling In Agriculture Zone	\$500.00	\$375.00	\$750.00	Yes	100%
6.1.4	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.5	Exceed Height Restriction For Building/Structure In Agriculture Zone	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.6	Encroachment Of Building/Structure Into Setback In Agriculture Zone	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.7	Encroachment Of Non-Residential Building/Structure Into Setback In Agriculture Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
6.1.10	Agri-tourist Accommodation Not Accessory To Working Farm	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.11	Agri-Tourist Accommodation Not In AG Zone and ALR.	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.12	Agri-tourist Accommodation Not Situated In Dwelling or Cottage	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.13	Agri-tourist Accommodation With Unpermitted Restaurant/Commercial Or Retail Sales And Services	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.14	Agri-tourist Operation Exceed Maximum Guests/Bedrooms	\$500.00	\$375.00	\$750.00	Yes	100%
7.1.1	Non-Permitted Use In Forest 1 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
7.1.2	Non-Permitted Building/Structure Or Permitted Building/Structure Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Forest 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.1.3	Exceed Height Restriction For Building/Structure In Forest 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.1.4	Encroachment Of Building/Structure Into Setback In Forest 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.1.5	Encroachment Of Building/Structure Into Setback Of Lot Line That Does Not Abut Highway In Forest 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.1	Non-Permitted Use In Forest 2 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
7.2.2	Non-Permitted Additional Dwelling Accessory To Timber Production And Harvesting In Forest 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.3	Non-Permitted Building/Structure Or Permitted Building/Structure Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Forest 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.4	Exceed Height Restriction For Building/Structure In Forest 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.5	Encroachment Of Building/Structure Into Setback In Forest 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.6	Encroachment Of Building/Structure Into Setback In Forest 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.7	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.1	Non-Permitted Use In Forest 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
7.3.2	Non-Permitted Building/Structure Or Permitted Building/Structure Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Forest 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.3	Non-Permitted Additional Dwelling Or Dwelling/Accessory Building/Structure Exceed Maximum Floor/Lot Area In Forest 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.4	Exceed Height Restriction For Building/Structure In Forest 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.5	Encroachment Of Building/Structure Into Setback In Forest 3 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.6	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
7.4.1	Non-Permitted Use In Heritage Forest Zone	\$500.00	\$375.00	\$750.00	Yes	100%
7.4.2	Building/Structure For Timber Production Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Heritage Forest Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.4.3	Permitted Building/Structure For Forestry Research Uses Exceed Maximum Floor/Lot Area In Heritage Forest Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.4.4	Exceed Height Restriction For Building/Structure In Heritage Forest Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.4.5	Encroachment Of Building/Structure Into Setback In Heritage Forest Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.4.6	Encroachment Of Building/Structure Into Setback From Lot Line That Does Not Abut A Highway In Heritage Forest Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.5.1	Non-Permitted Use In Forest Land Reserve Zone	\$500.00	\$375.00	\$750.00	Yes	100%
7.5.2	Building/Structure Exceeds Maximum Floor Area Or Inadequate Landscape Screen In Forest Land Reserve Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.5.3	Dwelling Does Not Have Highway Access In Forest Land Reserve Zone	\$500.00	\$375.00	\$750.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
7.5.4	Exceed Height Restriction For Building/Structure In Forest Land Reserve Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.5.5	Encroachment Of Building/Structure Into Setback In Forest Land Reserve Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.5.6	Encroachment Of Building/Structure Into Setback From Lot Line That Does Not Abut Highway In Forest Land Reserve Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.5.7	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
8.1.1	Non-Permitted Use In Senior Citizen Residential Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.1.2	Exceed Density In Senior Citizen Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.1.3	Exceed Lot Coverage In Senior Citizen Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.1.4	Exceed Height Restriction For Building/Structure In Senior Citizen Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.1.5	Encroachment Of Building/Structure Into Setback In Senior Citizen Residential Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.1.6	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
8.2.1	Non-Permitted Use In Community Facility Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.2.2	Fail To Meet Site Specific Usage Regulations In Community Facility Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.2.3	Exceed Density Restriction Of Affordable And Special Needs Housing In Community Facility Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.2.4	Exceed Lot Coverage Restriction On Lot 2 In Community Facility Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.2.5	Exceed Height Restriction For Building/Structure In Community Facility Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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8.2.6	Encroachment Of Building/Structure Into Setback In Community Facility Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.2.7	Fail To Meet Site Specific Setback Regulations In Community Facility Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.3.1	Non-Permitted Use In Emergency And Health Services Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.3.2	Exceed Height Restriction For Building/Structure In Emergency And Health Services Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.3.3	Encroachment Of Building/Structure Into Setback In Emergency And Health Services Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.3.4	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
8.4.1	Non-Permitted Use In Utility Service Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.4.2	Exceed Height Restriction For Building/Structure In Utility Service Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.4.3	Encroachment Of Building/Structure Into Setback In Utility Service Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.4.4	Inadequate Landscape Screen For Storage Areas In Utility Service Zone	\$200.00	\$150.00	\$300.00	Yes	100%
8.5.1	Non-Permitted Use In Environmental Education and Nature Protection Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.5.2	Non-Permitted Building/Structure In Environmental Education and Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.5.2.2	Excess Tent Platforms/Pavilions/Fire Pit Areas	\$350.00	\$262.50	\$525.00	Yes	100%
8.5.2.3	Campsites and Tent Platforms Outside Designated Area/ Exceed Combined Total	\$350	\$262.50	\$525.00	Yes	100%
8.5.3.1	Permanent Structures Exceed 2,250 SQ Metres In Environmental Education and Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.5.3.2	Total Lot Coverage Exceeded In Environmental Education and Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
8.5.3.4	More Than One Dwelling In Environmental Education and Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.5.4	Exceed Height Restriction For Building/Structure In Environmental Education and Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.5.5.1	Encroachment Of Building/Structure Into Setback In Environmental Education and Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.5.5.2	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.1	Non-Permitted Use in Community Housing 1 Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.6.2	Exceed Density in Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.3	Exceed Maximum Floor Area of Dwelling in Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.4	Exceed Maximum Number of Accessory Buildings and/or Maximum Floor Area of Accessory Buildings in Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.5	Exceed Maximum Number of Communal Accessory Buildings and/or Maximum Floor Area of Communal Accessory Buildings in Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.6	Exceed Height Restriction for Building/Structure in Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.7	Encroachment of Building/Structure in Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.6.8	Encroachment of Building/Structure Used for Human Habitation into Agriculture Zone Setback	\$350.00	\$262.50	\$525.00	Yes	100%
8.7.1	Non-Permitted Use in Community Housing 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.7.2	Exceed Density in Community Housing 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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8.7.3	Exceed Maximum Floor Area of Dwelling in Community Housing 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.7.4	More than one communal/services building per lot	\$350.00	\$262.50	\$525.00	Yes	100%
8.7.5	Exceed maximum floor area of communal/services building	\$350.00	\$262.50	\$525.00	Yes	100%
8.7.6	Exceed maximum lot coverage in Community Housing 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.7.7	Exceed maximum permitted height in Community Housing 2 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
8.7.8	Encroachment of building/structure into setback	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.1	Non-Permitted Use In Retail Commercial Zone	\$500.00	\$350.00	\$750.00	Yes	100%
9.1.2	Fail To Meet Site Specific Usage Regulations In Retail Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.3	Exceed Lot Coverage Restriction In Retail Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.4	More Than One Dwelling On Lot In Retail Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.5	Exceed Height Restriction For Building/Structure In Retail Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.6	Encroachment Of Building/Structure/Unenclosed Accessory Storage Areas Into Setback In Retail Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.7	Encroachment Of Building/Structure Used For Farm Animals Into Setback In Retail Commercial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.10	Fail To Meet Site Specific Vegetation Regulations In Retail Commercial Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.1.11	Inadequate Landscape Screen For Unenclosed Storage Areas In Retail Commercial Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.1.12	Fail To Provide Compliant Area For Unloading Of Goods From Commercial Vehicles In Retail Commercial Zone	\$200.00	\$150.00	\$300.00	Yes	100%

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9.2.1	Non-Permitted Use In Visitor Accommodation (Inn) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.2.2	Accommodation Facility Exceeds Maximum Rooms/ Does Not Contain Accommodation/Restaurant And Dwelling In Single Building In Inn Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.3	Accommodation Facility In Lot A District Lot 26 In Visitor Accommodation (Inn) Zone Does Not Meet Site Specific Regulations	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.5	More Than One Inn On Lot In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.6	Exceed Maximum Lot Coverage In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.7.1	Exceed Floor Space Ratio Restriction In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.7.2	Exceed Maximum Floor Area Restriction For Visitor Accommodation Rooms In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.7.3	Exceed Maximum Floor Area Restriction For Accessory Retail Sales In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.8	Exceed Maximum Height Restriction For Building/Structure In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.9	Encroachment Of Building/Structure Into Setback In Visitor Accommodation (Inn) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.10	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.12	Inadequate Landscape Screen For Unenclosed Storage Areas In Visitor Accommodation (Inn) Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.3.1	Non-Permitted Use In Visitor Accommodation (Resort) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.3.3	More Than One Resort On Lot In Visitor Accommodation (Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3.4	Exceed Maximum Lot Coverage Restriction In Visitor Accommodation (Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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9.3.5	Exceed Maximum Height Restriction Of Building/Structure In Visitor Accommodation (Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3.6	Encroachment Of Building/Structure Into Setback In Visitor Accommodation (Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3.7	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.3.9	Inadequate Landscape Screen For Unenclosed Storage Areas In Visitor Accommodation (Resort) Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.3(A).1	Non-Permitted Use In Visitor Accommodation (Rural Resort) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.3(A).2	More Than One Resort On Lot In Visitor Accommodation (Rural Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).3	Exceed Total Floor Area For Buildings/Structures In Visitor Accommodation (Rural Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).4	Exceed Maximum Floor Area Restriction For Accessory Buildings Other Than Barn In Visitor Accommodation (Rural Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).5	Exceed Maximum Height Restriction Of Building/Structure In Visitor Accommodation (Rural Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).6	Encroachment Of Building/Structure Except Fence/Pumphouse Into Setback In Visitor Accommodation (Rural Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).7	Encroachment Of Building/Structure For Animals Into Setback In Visitor Accommodation (Rural Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(A).10	Inadequate Landscape Screen For Unenclosed Storage Areas In Visitor Accommodation (Rural Resort) Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.3(B).1	Non-Permitted Use In Galiano Inn (Comprehensive Resort) Zone	\$500.00	\$375.00	\$750.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
9.3(B).3	More Than One Comprehensive Resort On Lot In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).4	Exceed Maximum Lot Coverage Restriction Of Building/Structure In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).5	Exceed Maximum Lot Coverage Restriction Of Asphalt And Concrete Paving In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).6	Visitor Accommodation Sleeping Rooms Exceed Maximum Total Combined Floor Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).7	Visitor Accommodation Units Exceed Maximum Total Combined Floor Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).8	More Than One Restaurant Or Restaurant Exceeds Maximum Seating Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).9	More Than One Retail Area Or Retail Area Exceeds Maximum Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).10	More Than One Dwelling For Owner/Operator Or Dwelling Exceeds Maximum Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).11	More Than One Laundry Area Or Laundry Area Exceeds Maximum Area Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).12	Non-licenced Lounge Or More Than One Licenced Lounge Or Lounge Exceeds Maximum Seating Restriction In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
9.3(B).13	Exceed Maximum Height Restriction Of Building/Structure In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).14	Encroachment Of Buildings/Structures/Tanks/Sheds/Replacement Parking Sites Into Setback In Galiano Inn (Comprehensive Resort) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).15	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.3(B).17	Inadequate Landscape Screen In Galiano Inn (Comprehensive Resort) Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.4.1	Non-Permitted Use In Public House Commercial Land Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.4.2	Exceed Maximum Lot Coverage Restriction In Public House Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.4.3	More Than One Accessory Dwelling On Permitted Lot In Public House Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.4.4	Floor Area For Serving Customers/ Seating Capacity Exceeds Maximum Restriction In Public House Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.4.5	Exceed Maximum Height Restriction For Building/Structure In Public House Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.4.6	Encroachment Of Building/Structure/Unenclosed Storage Areas Into Setback In Public House Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.4.7	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.4.9	Inadequate Landscape Screen For Unenclosed Storage Areas In Public House Commercial Land Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.4.10	Fail To Provide Compliant Area For Unloading Of Goods From Commercial Vehicles In Public House Commercial Land Zone	\$200.00	\$150.00	\$300.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
9.5.1	Non-Permitted Use In Commercial Private Film School Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.5.2	More Than One Commercial Private Film School Or School Exceeds Total Floor Area Restriction In Commercial Private Film School Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.3	Overnight Accommodation Of Students/Staff Exceed Maximum Restriction In Commercial Private Film School Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.4	More Than One Accessory Dwelling On Permitted Lot In Commercial Private Film School Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.5	Exceed Maximum Lot Coverage Restriction In Commercial Private Film School Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.6	Exceed Maximum Height Restriction For Building/Structure In Commercial Private Film School Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.7	Encroachment Of Building/Structure/Unenclosed Accessory Storage Area Into Setback In Commercial Private Film School Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.8	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.5.10	Inadequate Landscape Screen For Unenclosed Storage Areas In Commercial Private Film School Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.6.1	Non-Permitted Use In Light Industrial Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.6.2	Exceed Maximum Lot Coverage Restriction In Light Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6.3	More Than One Dwelling On Lot In Light Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6.4	Exceed Maximum Height Restriction For Building/Structure In Light Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6.5	Encroachment Of Building/Structure Into Setback In Light Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
9.6.6	Encroachment Of Building/Structure For Animals Into Setback In Light Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6.8	Inadequate Landscape Screen In Light Industrial Zone	\$200.00	\$150.00	\$300.00	Yes	100%
9.6(A).1	Non-Permitted Use In Forest Industrial Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.6(A).2	Exceed Maximum Lot Coverage Restriction In Forest Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6(A).3	More Than One Dwelling On Lot In Forest Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6(A).4	Exceed Maximum Height Restriction For Building/Structure In Forest Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6(A).5	Encroachment Of Building/Structure Into Setback In Forest Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6(A).6	Encroachment Of Building/Structure For Animals Into Setback In Forest Industrial Zone	\$350.00	\$262.50	\$525.00	Yes	100%
9.6(A).7	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
9.6(A).9	Inadequate Landscape Screen On Lots On Which Light Industrial Uses Are Conducted In Forest Industrial Zone	\$200.00	\$150.00	\$300.00	Yes	100%
10.1.1	Non-Permitted Use in Public Recreation Zone	\$500.00	\$375.00	\$750.00	Yes	100%
10.1.2	Exceed Accessory Dwellings Number	\$350.00	\$262.50	\$525.00	Yes	100%
10.1.3	Exceed Maximum Height	\$350.00	\$262.50	\$525.00	Yes	100%
10.1.4	Encroachment of Buildings/Structures Into Setback In Public Recreation Zone	\$350.00	\$262.50	\$525.00	Yes	100%
10.1.5	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%
11.1.1	Non-Permitted Use In Nature Protection Zone	\$500.00	\$375.00	\$750.00	Yes	100%
11.1.2	Non-Permitted Building/Structure In Nature Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.1.1	Non-Permitted Use In Marine Protection Zone	\$500.00	\$375.00	\$750.00	Yes	100%
12.1.2	Non-Permitted Building/Structure Or Residential Use Of A Watercraft In Marine Protection Zone	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
12.2.1	Non-Permitted Use In Marine Zone	\$500.00	\$375.00	\$750.00	Yes	100%
12.2.2	Private Float/Walkway Exceed Length Permitted In Marine Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.2.3	Non-Permitted Commercial/Industrial Activity In Connection With Use Of Docks/Floats/Wharves Or Non-Permitted Residential Use Of A Watercraft In Marine Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.2.4	Non-Permitted Siting Of Docks/Floats/Wharves In Marine Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.3.1	Non-Permitted Use In Marine Service Zone	\$500.00	\$375.00	\$750.00	Yes	100%
12.3.2	Non-Permitted Siting Of Structures In Marine Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.4.1	Non-Permitted Use In Marine Commercial Water Zone	\$500.00	\$375.00	\$750.00	Yes	100%
12.4.2	Exceed Maximum Height Restriction For Building/Structure In Marine Commercial Water Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.4.3	Non-Permitted Siting Of Building/Structure In Marine Commercial Water Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.4.4	Non-Permitted Residential Use Of Watercraft In Marine Commercial Water Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.5.1	Non-Permitted Use In Marine Commercial Land Zone	\$500.00	\$375.00	\$750.00	Yes	100%
12.5.2	More Than One Dwelling On Lot In Marine Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.5.3	Exceed Maximum Lot Coverage Area Restriction In Marine Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.5.4	Exceed Maximum Height Restriction Of Building/Structure In Marine Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.5.5	Encroachment Of Building/Structure/Unenclosed Storage Area From Setback In Marine Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.5.6	Buildings/Structures Used For Human Habitation In Setback From AG Zone.	\$350.00	\$262.50	\$525.00	Yes	100%

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Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
12.5.8	Inadequate Landscape Screen For Unenclosed Storage Areas In Marine Commercial Land Zone	\$350.00	\$262.50	\$525.00	Yes	100%
12.6.1	Movement Of Float Planes Other Than Taxiing Or Water Area Used For Recreational/Transportation Activities Involving Personal Watercraft In Montague Harbour	\$350.00	\$262.50	\$525.00	Yes	100%
13.23	Inadequate Rainwater Storage In Water Management Area/Community Housing 1 Zone	\$350.00	\$262.50	\$525.00	Yes	100%
14.1	Fail To Provide Minimum Parking Spaces As Per Table 2: Off Street Parking Standards	\$200.00	\$150.00	\$300.00	Yes	100%
14.5	Non-Permitted Siting/Setback Of Parking Space	\$200.00	\$150.00	\$300.00	Yes	100%
14.6	Fail To Provide Sufficient Manoeuvring Area For Parking Space	\$200.00	\$150.00	\$300.00	Yes	100%
14.7	Parking Space Does Not Meet Size Requirements	\$200.00	\$150.00	\$300.00	Yes	100%
14.8	Fail To Provide Minimum Bicycle Parking	\$200.00	\$150.00	\$300.00	Yes	100%
15.1	Parking Areas Improperly Screened	\$200.00	\$150.00	\$300.00	Yes	100%
16.1	Non-Permitted Commercial Sign	\$200.00	\$150.00	\$300.00	Yes	100%
16.4	Sign Not On Lot Of Referred Use	\$200.00	\$150.00	\$300.00	Yes	100%
16.5	Non-Permitted/Too Large Sign	\$200.00	\$150.00	\$300.00	Yes	100%
16.6.1	Sign Projecting Over Highway/Public Property	\$200.00	\$150.00	\$300.00	Yes	100%
16.6.2	Sign Flashing Or Blinking	\$200.00	\$150.00	\$300.00	Yes	100%
16.6.3	Sign Making Noise To Attract Attention	\$200.00	\$150.00	\$300.00	Yes	100%
16.6.4	Sign With Misdirected Flood Light	\$200.00	\$150.00	\$300.00	Yes	100%
16.6.5	Sign Advertising Discontinued Business/Service/Activity	\$200.00	\$150.00	\$300.00	Yes	100%