Galiano Island Local Trust Committee
Special Meeting Agenda

Date: May 6, 2023
Time: 12:30 pm
Location: Lions Park Society
992 Burrill Road, Galiano Island, BC

Pages

1. CALL TO ORDER

2. APPROVAL OF AGENDA

3. COMMUNITY INFORMATION MEETING

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

4. PUBLIC HEARING

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

5. BUSINESS

5.1 GL-RZ-2014.1 (Crystal Mountain) - Proposed Bylaws 256 and 257 - Post Public Hearing Staff Report (Attached) 2 - 4

6. ADJOURNMENT

STAFF REPORT

File No.: GL-RZ-2014.1 (Crystal Mountain)

DATE OF MEETING:	May 6, 2023
TO:	Galiano Island Local Trust Committee
FROM:	Brad Smith, Island Planner Victoria Office
SUBJECT:	GL-RZ-2014.1 (Crystal Mountain) – Bylaw No. 256 and 257 – Post Public Hearing

RECOMMENDATION

1. That the Galiano Island Local Trust Committee proposed Bylaw No. 256, cited as *"*Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2016*",* be read a second time.
2. That the Galiano Island Local Trust Committee proposed Bylaw No. 257 cited as *"*Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2016*",* be read a second time.
3. That the Galiano Island Local Trust Committee proposed Bylaw No. 256, cited as *"*Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2016*",* be read a third time.
4. That the Galiano Island Local Trust Committee proposed Bylaw No. 257 cited as *"*Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2016*",* be read a third time.
5. That the Galiano Island Local Trust Committee proposed Bylaws No. 256 and 257 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.
6. That the Galiano Island Local Trust Committee proposed Bylaw No. 256 be forwarded to the Minister of Municipal Affairs for approval.

REPORT SUMMARY

The intent of proposed Bylaws No. 256 and 257 is to amend the Galiano Island Land Use Bylaw No. 108, 1995 (LUB) and the Galiano Island Official Community Plan No. 108, 1995 (OCP) to re-designate and rezone District Lot 90, Lot 9 and District Lot 88 & 89 Lot A, North Galiano Island, to allow for the development of a spiritual education retreat facility. Lot 9 (20.5 hectares) is currently zoned Rural 2 (R2) and Lot A (4.0 hectares) is zoned Forest 1 (F1).

The recommendations above are supported as:

- Significant effort has been invested in the application proposal to date and all issues have been addressed to the satisfaction of staff;
- All statutory requirements have been completed including the required notification and holding of a public hearing consistent with the *Local Government Act*;
- All Islands Trust bylaw amendments require the approval of the Executive Committee of the Islands Trust prior to the consideration of adoption; and,
- All Islands Trust OCP amendments require the approval of the Minister of Municipal Affairs prior to the consideration of adoption.

BACKGROUND

The Galiano Island Local Trust Committee (LTC) is considering Bylaws No. 256 and 257 that would amend the OCP and LUB to re-designate and rezone District Lot 90, Lot 9 and District Lot 88 & 89 Lot A, North Galiano Island, to allow for the development of a spiritual education retreat facility. Lot 9 (20.5 hectares) is currently zoned Rural 2 (R2) and Lot A (4.0 hectares) is zoned Forest 1 (F1).

Proposed Bylaws No. 256 and No. 257 were given first reading on September 7, 2021. Proposed Bylaw No. 257 was subsequently amended on July 4, 2022

A public hearing is scheduled for May 6, 2023. A public hearing is a quasi-judicial process within and following which specific procedures must be followed.

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Second and Third Reading.
2. Forwarding of the bylaw to Executive Committee for approval.
3. Forwarding of the bylaw to the Minister's office for approval (OCP amendment bylaws only).
4. Reconsideration and adoption.

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

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

If the Executive Committee and Minister approve the bylaws, the next step for the LTC would be to consider adoption of the bylaws. If the application proceeds to this point, staff would likely recommend that final adoption of the bylaws be subject to water license approval, which is still pending a decision by the province.

ALTERNATIVES

1. **Make amendments to the bylaw(s).**

   The LTC may amend the bylaw(s).

   Resolution:

   That Galiano Island Local Trust Committee proposed Bylaw No. 256, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2016" be amended as follows:

   _____

   That Galiano Island Local Trust Committee proposed Bylaw No. 257, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2016" be amended as follows: _____

2. **Receive for information**

   The LTC may receive the report for information.

3. **Proceed no further with the bylaw.**

   The LTC may decide to proceed no further with Bylaw No. 256 and 257.

   Resolution:

   That the Galiano Island Local Trust Committee proceed no further with Bylaw No. 256 and 257.

NEXT STEPS

Upon direction from LTC, staff will send proposed Bylaw No. 256 and 257 to the Islands Trust Executive Committee and Bylaw No. 256 to the Minister of Municipal Affairs for approval.

Submitted By:	Brad Smith, Island Planner Southern Team	April 26, 2023
Concurrence:	Robert Kojima, Regional Planning Manager	April 28, 2023

ATTACHMENTS

1. Proposed Bylaw No. 256
2. Proposed Bylaw No. 257