



Islands Trust

# BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street  
Victoria, BC V8R 1H8  
Ph: (250) 405-5151  
Fax: (250) 405-5155  
information@islandstrust.bc.ca  
www.islandstrust.bc.ca

Island: Galiano Island Local Trust Area Bylaw No.: 256 and 257 Date: April 23, 2021

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

**APPLICANTS NAME / ADDRESS:**

GL-RZ-2014.1 (Crystal Mountain Society)

**PURPOSE OF BYLAW:**

The purpose of these bylaws is to amend the land use designation and associated zoning for a 6.14 hectare portion of the two subject properties to allow for a **Spiritual Education** land use. The subject properties are currently designated Rural (Lot 9) and Forestry (Lot A) and would be re-designated as Spiritual Education; with the remainder of the two subject parcels to be re-designated as Nature Protection. The zoning for the 6.14 hectare portion of two subject properties that are currently zoned Rural 2 (Lot 9) and Forest1 (DL 88 & 89 Lot A) in the LUB would be re-zoned to **Spiritual Education 1**.

Professional reports and staff reports are available on the Galiano Island application webpage:  
<http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/current-application-documents/>

**GENERAL LOCATION:**

Galiano Island Local Trust Area

**LEGAL DESCRIPTION:**

District Lot (DL) Lot 90 Lot 9 and DL 88 & 89 Lot A, North Galiano Island

**SIZE OF PROPERTY AFFECTED:**

24.6 hectares

**ALR STATUS:**

N/A

**OFFICIAL COMMUNITY PLAN DESIGNATION:**

Forestry

**OTHER INFORMATION:**

Additional information, including the current bylaws, is available at: [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

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.

*BSmith*

Name: Brad Smith

(Signature)

Title: Island Planner  
Contact Info: Tel: 250-405-5194  
Email: [bsmith@islandstrust.bc.ca](mailto:bsmith@islandstrust.bc.ca)

PLEASE TURN OVER →

**This referral has been sent to the following agencies:**

**Provincial Agencies**

Ministry of Municipal Affairs  
Ministry of Forest, Lands & Natural Resource Operations  
- Water Protection  
Ministry of Transportation & Infrastructure

**Non-Agency Referrals**

Galiano Island Trails Society

**Regional Agencies**

Capital Regional District – Building Inspection  
Capital Regional District – Integrated Water Services  
Island Health  
Galiano Island Fire Rescue – North Department

**Adjacent Local Trust Committees and Municipalities**

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

**First Nations**

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

# 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

Galiano Island Local Trust Area

\_\_\_\_\_  
(Island)

256 and 257

\_\_\_\_\_  
(Bylaw Number)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name and Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Agency)

**DRAFT**

**GALIANO ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 256**

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

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WHEREAS the Galiano Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Galiano Island Local Trust Area, pursuant to the *Islands Trust Act*;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Galiano Island Local Trust Committee the same power and authority of a Regional District under Part 14, except sections 558 to 570 and 507 to 508, of the *Local Government Act*;

AND WHEREAS the Galiano Island Local Trust Committee wishes to amend the Galiano Island Official Community Plan Bylaw No. 108, 1995;

AND WHEREAS the Galiano Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Galiano Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2016”.

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS DAY OF , 20\_\_

PUBLIC HEARING HELD THIS DAY OF , 20\_\_

READ A SECOND TIME THIS DAY OF , 20\_\_

READ A THIRD TIME THIS DAY OF , 20\_\_

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS DAY OF , 20\_\_

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS DAY OF , 20\_\_

ADOPTED THIS DAY OF , 20\_\_

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SECRETARY

CHAIRPERSON

**GALIANO ISLAND LOCAL TRUST COMMITTEE**  
**BYLAW NO. 256**  
**SCHEDULE 1**

A. Bylaw No. 108, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995” is amended as follows:

1. A new subsection 4.4 is inserted as follows in Section II (Community Facilities and Utilities), after Subsection 4.3 (Health and Wellness Facilities) and preceding Subsection 5 (Economic Activity).

“4.4 Spiritual Education

Spiritual Education Objective

The objective of this subsection is:

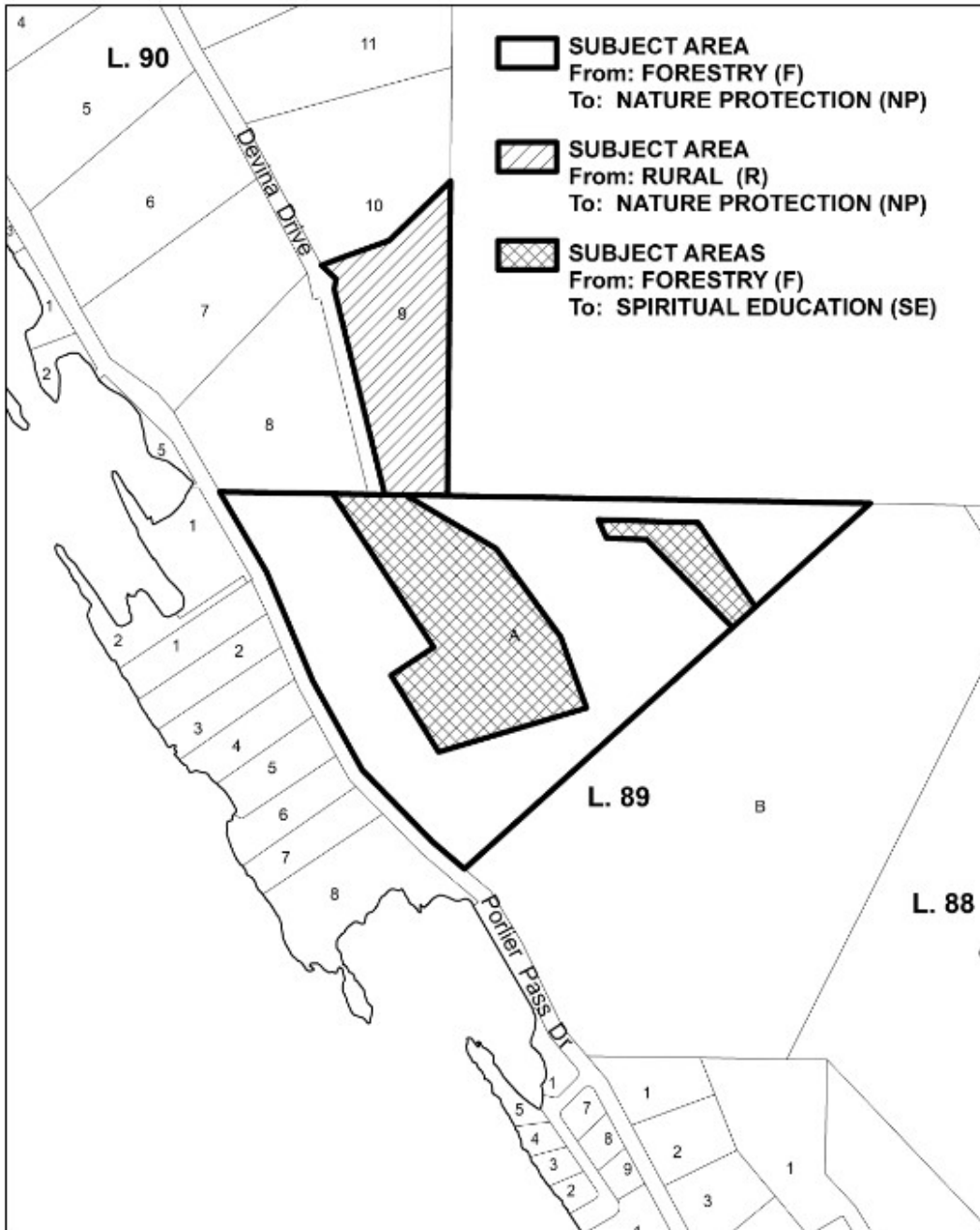
- 1) to allow for spiritual education facilities that enhance the knowledge and wellbeing of residents and visitors and that do not adversely affect the natural environment.

Spiritual Education Policies

- a. The principal use shall be spiritual education including spiritual education retreat use.
  - b. Zoning for any spiritual education use, including a spiritual education retreat, shall be considered on a site-specific basis.
  - c. Zoning for spiritual education retreat use:
    - i) shall not support, provide, or permit any commercial tourism-oriented use, including nature related tourism or visitor accommodation.
    - ii) shall restrict the number of buildings and structures and maximum floor area to minimize their impact on sensitive ecosystems.
2. Schedule B (Land Use Designations) is amended for the lands legally described as Lot 9, District Lot 90, Galiano Island, Cowichan District, Plan 31200 and Lot A, District Lots 88 and 89, Galiano Island, Cowichan District, Plan VIP68079 as depicted in Plan 1 below.

**GALIANO ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 256**

**PLAN 1**



# DRAFT

## GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 257

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### A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW 127, 1999

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The Galiano Island Local Trust Committee, being the 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 127, 1999, Amendment No. 1, 2016”.

2. Galiano Island Land Use Bylaw 127, 1999, is amended as follows:

2.1 Part 4 (Creation and Extension of Zones) Section 4.1 is amended by:

- 1) inserting a new zone in Column 1 named “Crystal Mountain Spiritual Education Retreat” directly below ‘Community Housing 1’ and directly above ‘Utility Service’
- 2) Inserting a new zone abbreviation in Column 2 named “(SE1)” directly below ‘(CH1)’ and directly above ‘(U)’

2.2 The following is inserted after section 8.6, as a new Section 8.7:

“8.7 Crystal Mountain Spiritual Education Retreat (SE1) Zone

Permitted Uses

8.6.1 The following uses and no others are permitted in the SE1 Zone:

- 8.6.1.1 contemplative, spiritual or meditative education retreat uses
- 8.6.1.2 contemplative, spiritual or meditative educational activities and facilities with accessory overnight accommodation and camping
- 8.6.1.3 accessory dwelling unit for a person or persons acting as a caretaker for the spiritual education retreat.

Permitted Density

8.6.2 The following buildings and structures and no others are permitted in Area A on Schedule D – Plan 6:

- 8.6.2.1 2 sleeping huts, each with a maximum floor area of 21 square metres;
- 8.6.2.2 17 sleeping huts, each with a maximum floor area of 15 square metres;
- 8.6.2.3 one meditation hall restricted to contemplative, spiritual or meditative education uses only with a maximum floor area of 125 square metres;



- 8.6.2.4 one dining/kitchen building with a maximum floor area of 125 square metres;
  - 8.6.2.5 one communal bathroom and laundry building with a maximum floor area of 70 square metres;
  - 8.6.2.6 one storage/workshop structure with a maximum floor area of 80 square metres;
  - 8.6.2.7 one office with a maximum floor area of 70 square metres;
  - 8.6.2.8 one accessory dwelling unit with a maximum floor area of 80 square metres, and
  - 8.6.2.9 six tent platforms, each with a maximum floor area of 14 square metres.
- 8.6.3 The following buildings and structures and no others are permitted in Area B on Schedule D – Plan 6:
- 8.6.3.1 three sleeping huts, each with a maximum floor area of 21 square metres;
  - 8.6.3.2 one communal kitchen/bathroom/laundry building with a maximum floor area of 36 square metres; and
  - 8.6.3.3 one storage building with a maximum floor area of 10 square metres.
- 8.6.4 Lot coverage must not exceed 1,479 square metres.

#### Permitted Height

- 8.6.5 The maximum height of an accessory dwelling unit is 9 metres.
- 8.6.6 The maximum height of a sleeping hut, or a building or structure other than an accessory dwelling unit, is 5 metres in height.

#### Minimum Setbacks

- 8.6.7 All buildings and structures must be sited
  - 8.6.7.1 at least 7.5 metres from front and rear lot lines; and
  - 8.6.7.2 at least 6.0 metres from interior and exterior side lot lines.

#### Minimum Lot Size

- 8.6.8 No lot having an area less than 6.1 hectares may be created by subdivision.

#### Parking

- 8.6.9 Despite Section 14.1, the minimum number of off-street parking spaces is as follows:
  - 8.6.9.1 1 parking space per 3 sleeping huts or tent platforms combined; and

8.6.9.2 2 parking spaces per accessory dwelling unit.”

- 2.2 Section 17 (Definitions) is amended by inserting the following as new definitions in alphabetical order and re-numbering subsequent subsections accordingly:

“spiritual education retreat” means a facility that provides contemplative, spiritual or meditative educational opportunities for retreat users who typically stay at the facility for a period of at least 3 days, but in no case for more than 6 months, and are accommodated in sleeping huts or tent platforms, but does not include, offer, or provide any form of commercial short term or temporary accommodation for the travelling public, or any restaurant or other forms of food service to the general public.

“sleeping hut” means a single-occupancy hut with a maximum floor area of 21 square metres for sleeping, shelter and the practice of contemplative, spiritual or meditative educational activities, but does not include a kitchen or any cooking or food preparation facilities, or any plumbing fixtures.

“tent platform” means a single-occupancy platform with a maximum floor area of 14 square metres for the erecting of a tent for sleeping, shelter and the practice of contemplative, spiritual or meditative educational activities, but does not include a kitchen or any cooking or food preparation facilities, or any plumbing fixtures, or any semi-permanent or permanent walls and roof coverings.

- 2.3 Schedule “A” – Zoning Map, is amended by changing the zoning classification of Lot 9, District Lot 90, Galiano Island, Cowichan District, Plan 31200 from Rural 2 (R2) to Nature Protection (NP), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “A” to Bylaw No. 127 as are required to effect this change.
- 2.4 Schedule “A” – Zoning Map, is amended by changing the zoning classification of Lot A, Districts Lots 88 and 89, Galiano Island, Plan VIP68079 from Forest 1 (F1) to Crystal Mountain Spiritual Education Retreat (SE1) and to Nature Protection (NP), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “A” to Bylaw No. 127 as are required to effect this change.
- 2.5 Schedule D is amended by inserting the plan attached to and forming part of this bylaw as Plan No. 2 as a new “Plan 6”.

3. SEVERABILITY

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

READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

PUBLIC HEARING HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

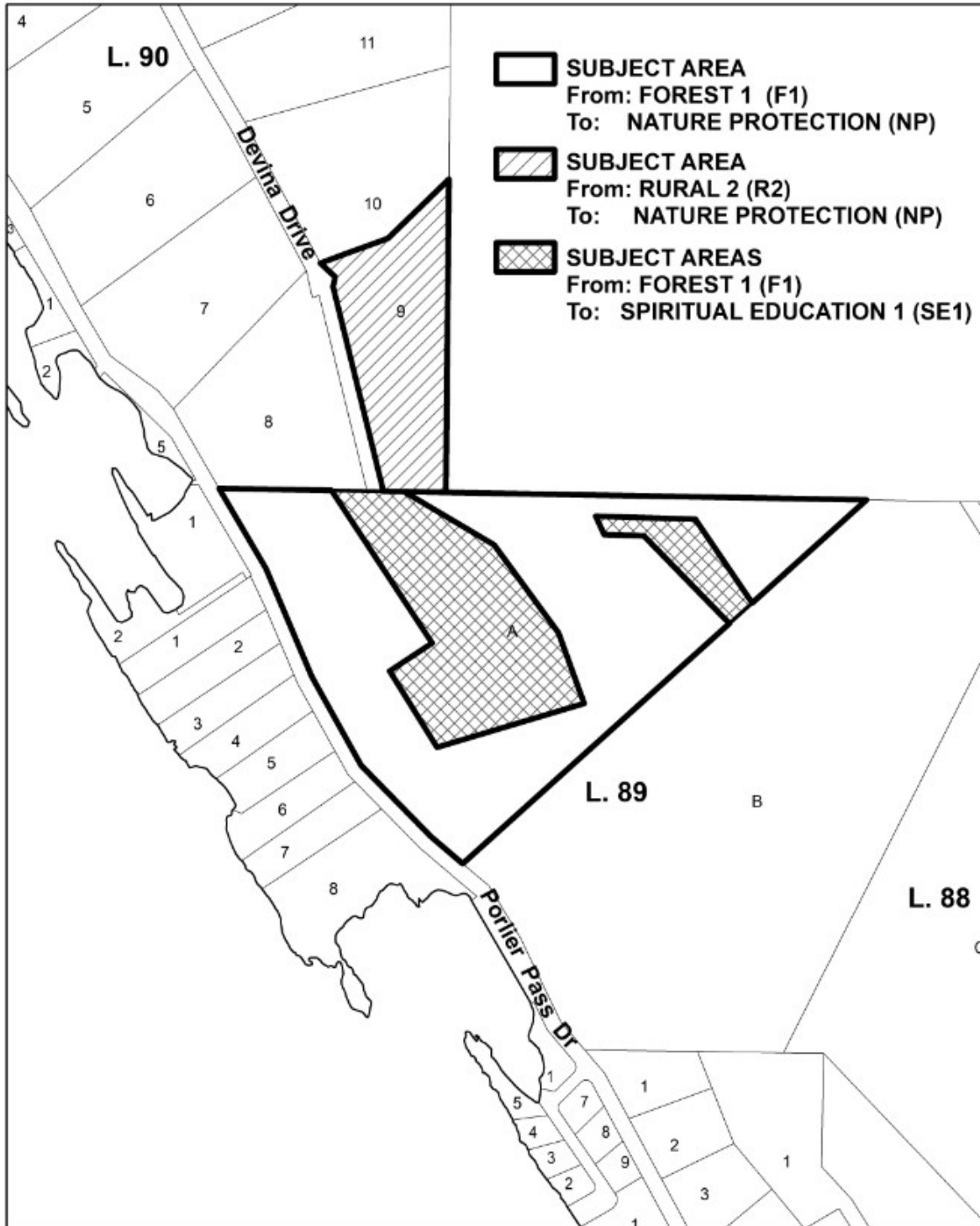
ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY

GALIANO ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 257

Plan No. 1



GALIANO ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 257

Plan No. 2

