

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

DATE OF MEETING: December 9, 2025
TO: Galiano Island Local Trust Committee
FROM: Kim Stockdill, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: District Lot 86 Rezoning Application – Staff Report
Location: District Lot 86 Galiano Island Cowichan District

RECOMMENDATIONS

1. That Galiano Island Local Trust Committee Bylaw No. 292, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2024” be read a second time.
2. That Galiano Island Local Trust Committee Bylaw No. 293, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2024”, be read a second time.

REPORT SUMMARY

The purpose of this staff report is to provide the Galiano Island Local Trust Committee (LTC) updates in regards to the rezoning application GL-RZ-2021.2 (Matheson-Bairstow).

BACKGROUND

A staff report was presented to the Galiano Island LTC on July 8, 2025. At this meeting the LTC passed the following resolutions:

GL-2025-045

that Galiano Island Local Trust Committee Bylaw No. 292, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2024” be read a first time.

CARRIED

GL-2025-046

that Galiano Island Local Trust Committee Bylaw No. 293, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2024”, be read a first time.

CARRIED

GL-2025-047

that Galiano Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw Nos. 292 and 293 are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GL-2025-048

that Galiano Island Local Trust Committee request covenants under Section 219 of the Land Title Act from the applicant for GL-RZ-2021.2 (Matheson-Bairstow) for sustainable forestry and development

control and designate the Chair of the Local Trust Committee to sign the covenant for the rezoning application prior to final adoption consideration.

CARRIED

GL-2025-049

that Galiano Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Bylaw Nos. 292 and 293 upon receipt of draft covenants and a groundwater assessment report.

CARRIED

ANALYSIS

Official Community Plan

Proposed bylaw No. 292 would amend the Galiano Island Official Community Plan (OCP) No. 108 by re-designating portions of the subject property from *Forest* to *Nature Protection, Park* and *Rural Residential*. In addition, a new policy will be added to the Rural Residential section.

First reading was given to proposed Bylaw No. 292 by the Galiano Island LTC on July 8, 2025

Land Use Bylaw

Proposed Bylaw No. 293 would amend the Galiano Island Land Use Bylaw (LUB) No. 108 by rezoning the property from the *Forest 1* zone to the following zones:

- *Forest 3*
- *Rural Residential (e)*
- *Nature Protection*
- *Park*

The proposed LUB bylaw also attaches a site plan delineating developable areas for the *Rural Residential (e)* and *Forest 3* zoned portions of the lot.

First reading was given to proposed Bylaw No. 293 by the Galiano Island LTC on July 8, 2025

Terms of Reference

As outlined in the Terms of Reference issued to the applicant in 2021, the applicants continue to work on or have provided the following to the LTC:

Items completed:

- An [updated site plan](#) outlining the developable areas - completed
- Septic Disposal Report – to confirm septic viability, and to provide a site plan showing the existing and proposed septic areas for those lots where zoning permits a residential use - completed
- [Baseline/Ecological Overview Report](#) – completed and to be reviewed by Islands Trust Biologist
- Sustainable Forestry Covenant – to register a Section 219 covenant on title for the proposed Forest 3 zoned portion of the lot. Covenant to be registered on title of parent parcel prior to bylaw adoption (completed by applicant, staff to review)
- Other Section 219 Covenants (completed by applicant, staff to review):
 - Development Control Covenant(s) – covenant(s) to include recommendations of the geotechnical assessment (if required), groundwater report, well monitoring conditions,

ecological overview report, Site Plan, land transfer information (road portion and west lot portion), restriction on use or occupancy of dwellings until land is successfully transferred, sale of RR1 lot to be donated to a non-profit affordable housing society, and subdivision clause (owner must subdivide in accordance to attached site plan)

- Covenant to be registered on title of parent parcel prior to bylaw adoption
- There may be two Development Control Covenants; one permanent covenant which stays on the property title for each lot in perpetuity, and another temporary covenant which may be discharged once all clauses in the covenant are satisfied

Items to be completed

The applicant has provided a [Groundwater Supply Evaluation Report](#) dated November 1, 1994, prepared by a registered professional hydrogeologist. The report evaluates the water quantity and quality for the four wells drilled on the subject property in 1993 by Red Williams Drilling Ltd. Each well was test-pumped for a minimum period of eight hours. During the pumping, observation readings were taken from adjacent wells.

The report concludes that groundwater from all four wells met the drinking water guidelines in effect at that time (1994). Three of the four wells showed slightly elevated levels of iron and manganese, which are common in groundwater and do not pose a health risk. One of the wells showed a higher level of non-coliform bacteria; therefore, it was recommended that water from this well undergo regular analysis to determine whether the levels persist.

With respect to well yields, the minimum supply of 500 lpgd (approximately 1,900 litres per day) is attainable for each of the four wells on the property.

As the results of the 1994 groundwater supply evaluation are now more than 30 years old, staff requested that the applicant provide an updated assessment to ensure the quality and quantity of each well continue to meet the Canadian Drinking Water Standards.

A letter prepared by Hy-Geo Consulting (registered professional hydrogeologist), dated October 9, 2025, has been submitted by the applicant. The letter states that the pump test completed on well number 60556 (located on the proposed Forest 3 lot) indicates the well is capable of producing 0.94 USgpm (5,124 L/day) on a sustainable basis, with insignificant interference effects on neighbouring wells in the region. This capacity exceeds the requirements of the Galiano Island Land Use Bylaw No. 127, *Standards for Potable Water Supply*. Monitoring of the water quality during the test showed no indication of seawater intrusion into the well.

The applicant is currently completing pump tests for the other two wells located on the property within the proposed Rural Residential lots. Water-quality information is also required for all three wells and will be forwarded to the Galiano Island LTC when received. Once this information is submitted, a public hearing can be scheduled.

CONSULTATION

Statutory Requirements

In accordance with regular statutory requirements, a public hearing is required for rezoning applications that require an amendment to the Official Community Plan (OCP). It is also standard practice to hold a Community Information Meeting (CIM) prior to the public hearing.

Staff recommend waiting until all required documents from the application, as outlined in the Terms of Reference (TOR), have been received before scheduling a public hearing for the bylaws. Once the documents have been received and reviewed by staff and the Local Trust Committee (LTC), staff will schedule a CIM and public hearing.

Referrals for both bylaws have been sent to First Nations and agencies. Responses from the referrals will be forwarded to the Galiano Island LTC when received. As part of the referrals, staff have reached out to the CRD fire department to comment on emergency access as a condition of bylaw adoption.

Rationale for Recommendation

Based on the foregoing, the recommendations on page 1 are supported as no amendments are anticipated for the proposed bylaws therefore second reading can be given. In addition, the applicant has provided all information as stated in the Terms of Reference with the exception of two pumping test which are scheduled early next year. Third reading of the bylaws may be considered after the public hearing is held.

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 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-2021.2 (Matheson-Bairstow) to the Galiano Advisory Planning Commission for the following purpose(s)
_____.

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-2021.2 (Matheson-Bairstow).

NEXT STEPS

Staff will continue to work with the applicant to provide the necessary documents in the Terms of Reference prior to scheduling a community information meeting and public hearing.

Submitted By:	Kim Stockdill, Island Planner	December 1, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	December 1, 2025

Attachments:

1. Proposed Bylaw No. 292
2. Proposed Bylaw No. 293

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 292

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

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

1. CITATION

This Bylaw may be cited for all purposes as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2024”.

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	8 TH	DAY OF	JULY	2025.
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 THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 292**

SCHEDULE 1

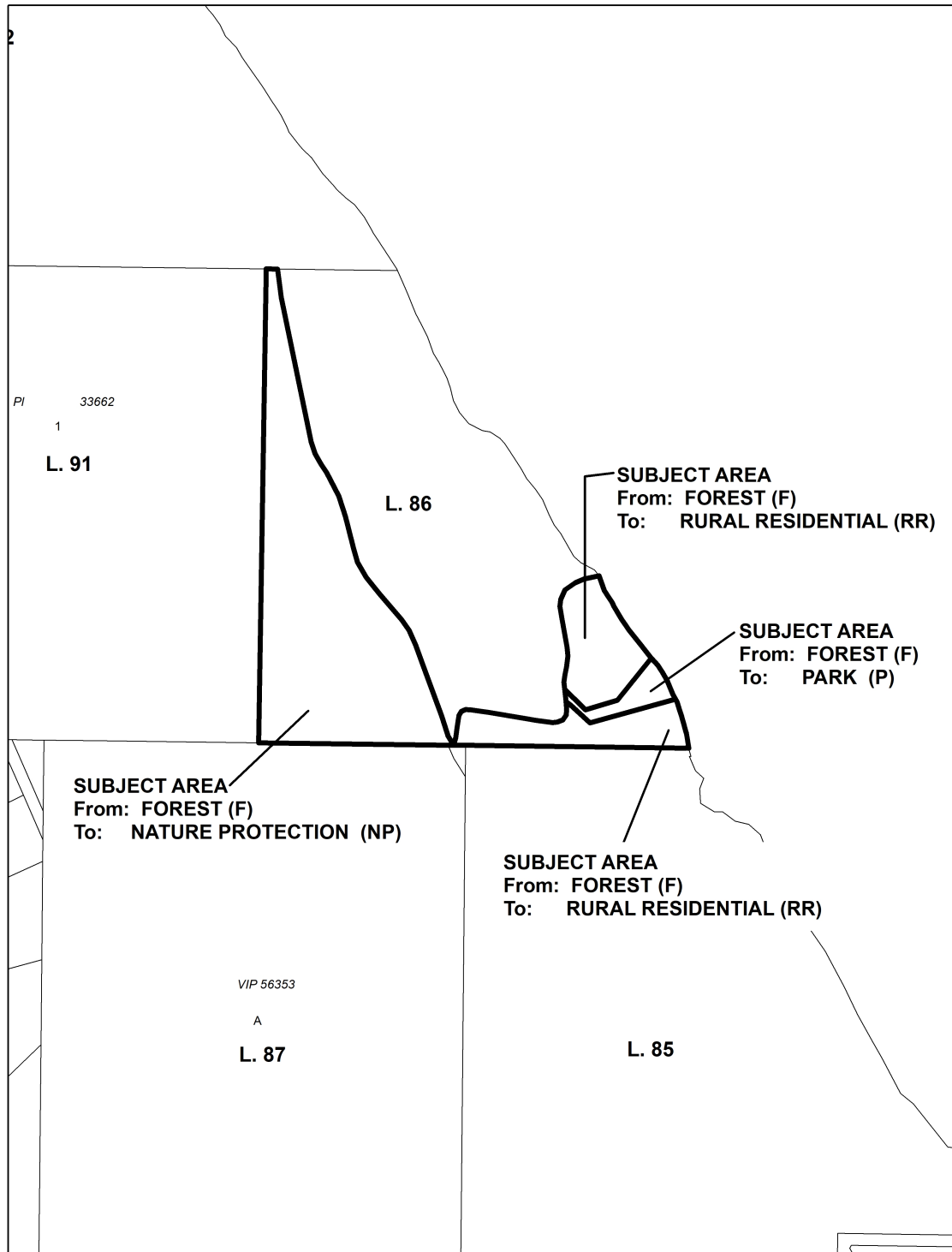
The Galiano Island Official Community Plan Bylaw No. 108, 1995, is amended as follows:

1. Schedule A, Section II, 1.4 Rural Residential is amended by inserting the following as a new Rural Residential policy, and by making such consequential numbering alterations to effect this change:

“For the properties described as District Lot 86, Galiano Island, Cowichan District, zoning shall establish a minimum average parcel area of 38 hectares, with a minimum average subdivision parcel area as low as 2 hectares (5 acres) on the Rural Residential designated portion of the lands and 20 hectares (49 acres) on the Forest designated portion of the lands, applicable only if the landowner provides land to be transferred to the Province of British Columbia, Penelakut Tribe, the Capital Regional District or other transferees designated in the Land Use Bylaw amendment, to be used for conservation, ecosystem protection, public parkland, community forest, or trails. Approval of any such rezoning shall be subject to the following conditions:

- i) the area of land to be transferred shall include all of the land designated Nature Protection and Park;
- ii) incorporation of a siting plan into the Land Use Bylaw identifying the location and area of the residential home plate, including driveways, on each lot in the proposed subdivision, sited in a manner that avoids sensitive ecosystems and hazardous lands, and minimizes extension of services; and
- iii) the registration of a s. 219 covenant granted to the LTC which restricts the layout and area of the future lots to provide for the contiguous clustering of lots in a manner that protects the integrity of forest ecosystems, surface water and groundwater supplies and minimizes the impact of residential services such as roads.”

2. Schedule B (Land Use Designation) is amended for the lands legally described District Lot 86 Galiano Island, Cowichan District as depicted in the map below.



PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 293

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

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

1. Citation

This bylaw may be cited for all purposes as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2024”.

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

2.1 Section 5.4 – Rural Residential Zone, by adding the following new subsection:

“On the lands zoned RR(e), despite 5.4.9 and 5.4.10, zoning shall establish a minimum average parcel area of 38 hectares, with a minimum average subdivision parcel area as low as 2 hectares for the RR(e) zoned portions applicable once the landowner provides the portions of the land legally described as District Lot 86, Galiano Island, Cowichan District that are zoned Nature Protection (NP) and Park (P) to be transferred to the Province of British Columbia, the Capital Regional District, or Penelakut Tribe, for use for conservation, ecosystem protection, public parkland, community forest, or trails.”

2.2 Section 5.4 – Rural Residential Zone, by adding the following new subsection:

“On the lands zoned RR(e), in addition to the other regulations in Section 5.4, all buildings, structures and paved parking areas on each lot must be sited entirely within the area marked “Developable Area” designated on Plan 7 of Schedule D of this bylaw.”

2.3 Schedule “B” – Zoning Map, is amended by changing the zoning classification of Lot 86, Galiano Island, Cowichan District as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 127 as are required to effect this change.

2.4 Schedule “D”, is amended by adding ‘Plan No. 7’ as shown on Plan No. 2 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 127 as are required to effect this change, and by making such alterations to Schedule “B” to Bylaw No. 127 as are required to effect this change.

3. SEVERABILITY

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

READ A FIRST TIME THIS	8 TH	DAY OF	JULY	2025.
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. 293

Plan No. 1

