



DATE OF MEETING: July 11, 2023

TO: Galiano Island Local Trust Committee

FROM: Kim Stockdill, Island Planner  
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: 490 GARDNER RD - Rezoning Application

Applicant: Judy Hayes

Location: Lot 1, District Lots 1 and 3 and of Section 7, Galiano Island, Cowichan District, Plan 13005 Except All of District Lots 1 and 3 now included in Plan 50163

## RECOMMENDATION

1. That the Galiano Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 287, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2022” and Bylaw No. 288, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2022”.

## REPORT SUMMARY

The purpose of this report is to provide the Galiano Island Local Trust Committee (LTC) with a summary of the referrals received to date and to request direction to schedule a public hearing. The application as proposed would amend the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) and the Galiano Island Official Community Plan No. 108, 1995 (OCP) by rezoning and re-designating a portion of the subject property from Rural Residential (RR) to Agriculture (AG).

## BACKGROUND

The property owner is seeking to rezone and re-designate a portion of the 13.4 hectare (33.2 acre) subject property from Rural Residential (RR) to Agriculture (AG) to enable the subdivision of the property to create one additional residential lot (Figure 2). Proposed Bylaw No. 287 (OCP amending bylaw) and Bylaw No. 288 (LUB amending bylaw) are attached to the staff report (Attachment Nos. 2 and 3).

At the April 11, 2023 the Galiano LTC passed the following resolution:

### GL-2023.019

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

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**

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.

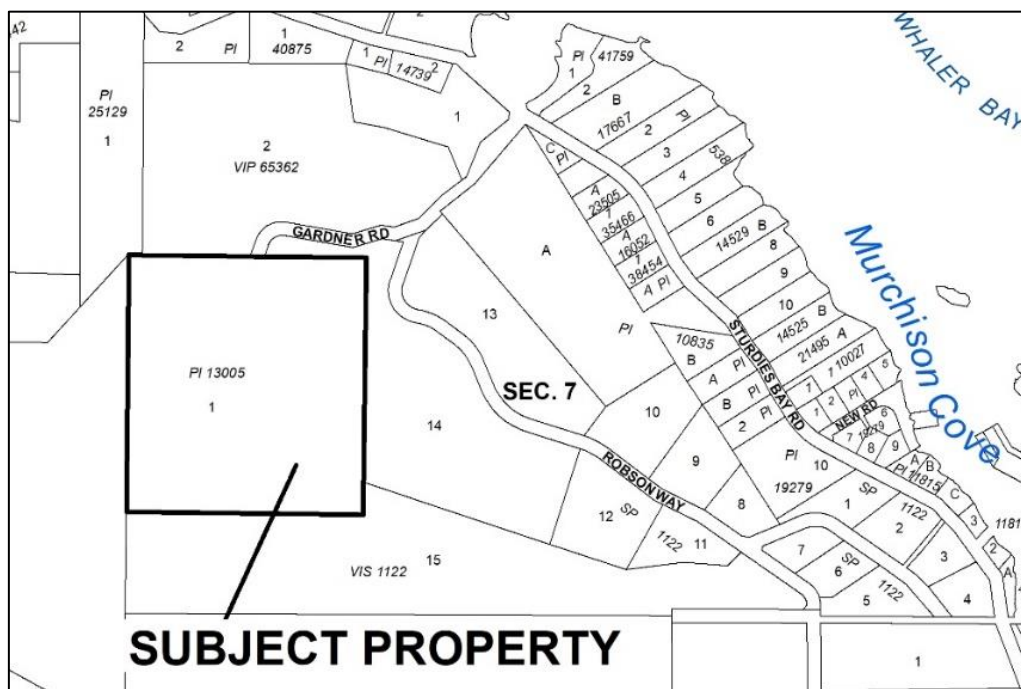
**CARRIED**

**GL-2023-022**

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**

**Figure 1. Location of Subject Property**



**ANALYSIS**

***Groundwater Assessment***

To date, the applicant is still working to provide a groundwater assessment, prepared by a professional hydrogeologist, demonstrating standards for potable water supply are met for the newly proposed rural residential (RR) zoned lot. The applicant notified staff that the pump tests will be completed in mid July therefore the groundwater assessment could be completed by end of summer. When the groundwater assessment is received by staff, it will be circulated to the LTC, sent to the Senior Freshwater Specialist for review, and will be posted to the Galiano LTC Applications webpage. If issues are identified with the groundwater assessment, staff will bring forward the assessment at a subsequent LTC meeting outlining the concerns with comments from the Islands Trust Senior Freshwater Specialist.

**Public Hearing**

In accordance with regular statutory requirements, a public hearing is required and it is normal practice to hold a Community Information Meeting prior to that. In this circumstance, staff recommends scheduling the community information meeting and Public Hearing at a subsequent regular LTC meeting after the groundwater assessment has been received and no issues have been identified.

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

The LTC has the discretion to amend the bylaw before or after the Public Hearing. A bylaw may be altered after the public 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.

**Statutory Requirements**

The following agencies and First Nations have been referred the draft bylaws for comment:

- Ministry of Transportation and Infrastructure
- Ministry of Agriculture
- Agricultural Land Commission
- Island Health
- CRD, Planning and Protective Services, Building Inspection
- Galiano Island Fire Rescue – South Department
- Mayne Island Local Trust Committee
- Thetis Island Local Trust Committee
- Salt Spring Island Local Trust Committee
- 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
- Coast Salish Peoples of Galiano

The follow is a summary of referral comments received to date:

Agency/First Nation	Summary of Referral Comments
Agricultural Land Commission	The ALC has no objection to the proposed bylaw amendments – as they do not directly affect the ALR.
North Galiano Volunteer Fire Department	Interests unaffected by the bylaws.
Island Health Authority	There are no comments or objections from Island Health regarding the proposed changes.
Salt Spring Island LTC	Interests unaffected by bylaws.
CRD	No comment – Integrated Water Services Interests unaffected – Regional Park Services No comment – Regional Strategic Planning

	No comment – Environmental Services
Mayne Island LTC	Interests unaffected by bylaws
Ts'uubaa-asatx Nation	This application is located within the Ts'uubaa-asatx Nation statement of intent area; it is the interest of the Ts'uubaa-asatx Nation to respectfully maintain our rights and access to the lands and resources throughout our territory. Ts'uubaa-asatx Nation does not have any comments to provide at this time regarding this application proceeding. Please note that this “no comment” response is specifically intended for this application and is without prejudice to all future consultation with our Nation regarding not only the renewal of this application but any other application or decision within the Ts'uubaa-asatx Nation traditional territory .
Tsawwassen First Nation	Tsawwassen First Nation (TFN) has no concerns regarding this file, at this time. However, when any physical works are considered for the rezoned area, TFN requests an opportunity to review all copies of interim and final environmental and archaeological reports before any new construction commences.
Musqueam Indian Band	We have no comments for this file.
Malahat Nation	Malahat Nation notes that the proposed activity falls outside of core Malahat traditional territory, and  as such we acknowledge and respect the local First Nation(s)' opportunity to act as primary  correspondents in this case. However, in the event they do not, or are unable to respond we reserve our  right to consultation and engagement, and continue to require disclosure on an ongoing basis regarding  this referral.

### Rationale for Recommendation

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

- Allow the application to proceed through the next steps of the rezoning process which will facilitate public and agency consultation
- No issues have been raised from the initial referral responses received to date
- The bylaw is consistent with the Islands Trust Policy Statement (ITPS) policies
- The application is reasonable as proposed and is consistent with OCP policies and LUB regulations
- The currently zoned RR portion of land which would be included in the revised AG zone is substantially the same as land which is currently in the AG zone
- The rezoning would address the issue of the existing house and driveway lying in the middle of two zones on the property

### 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. Deny the application

The LTC may deny the application.

Resolution:

*That the Galiano Island Local Trust Committee proceed no further with application GL-RZ-2022.2 (Hayes).*

## NEXT STEPS

After staff have received the Groundwater Assessment and no issues are identified within the assessment, schedule will move forward with scheduling a community information meeting and a public hearing.

Submitted By:	Kim Stockdill, Island Planner	June 29, 2023
Concurrence:	Robert Kojima, Regional Planning Manager	June 29, 2023

## ATTACHMENTS

1. Referral Responses – Bylaw Nos. 287 & 288
2. Proposed Bylaw No. 287
3. Proposed Bylaw No. 288

**From:** SouthInfo  
**Sent:** Thursday, April 27, 2023 8:58 PM  
**To:** Jas Chonk  
**Subject:** FW: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

**Sheree Rialp**

Planning Team Assistant  
Southern Planning Team  
Islands Trust

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**From:** ALC Referrals ALC:EX <[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)>  
**Sent:** Thursday, April 27, 2023 4:03 PM  
**To:** SouthInfo <[SouthInfo@islandstrust.bc.ca](mailto:SouthInfo@islandstrust.bc.ca)>  
**Subject:** RE: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

To whom it may concern,

The ALC has no objection to the proposed bylaw amendments – as they do not directly affect the ALR.

Regards



**Martin Collins,**  
Regional Planner | Agricultural Land Commission  
201 – 4940 Canada Way, Burnaby, BC, V5G 4K6  
T 604-953-6673 |  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

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**From:** Jas Chonk <[jchonk@islandstrust.bc.ca](mailto:jchonk@islandstrust.bc.ca)>  
**Sent:** Thursday, April 27, 2023 3:47 PM  
**To:** Burleson, Ron MUNI:EX <[Ron.Burleson@gov.bc.ca](mailto:Ron.Burleson@gov.bc.ca)>; ALC Referrals ALC:EX <[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)>; Dyer, Jennifer TRAN:EX <[Jennifer.Dyer@gov.bc.ca](mailto:Jennifer.Dyer@gov.bc.ca)>; Page, Owen TRAN:EX <[Owen.Page@gov.bc.ca](mailto:Owen.Page@gov.bc.ca)>; Aggie Chan <[AChan@crd.bc.ca](mailto:AChan@crd.bc.ca)>; 'jarnet@crd.bc.ca' <[jarnet@crd.bc.ca](mailto:jarnet@crd.bc.ca)>; 'Douglas.Watters@viha.ca' <[Douglas.Watters@viha.ca](mailto:Douglas.Watters@viha.ca)>; 'chief.ngvfd@gmail.com'

<[chief.ngvfd@gmail.com](mailto:chief.ngvfd@gmail.com)>; Nadine Mourao <[nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca)>; Rob Pingle <[rpingle@islandstrust.bc.ca](mailto:rpingle@islandstrust.bc.ca)>

Cc: Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>

Subject: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Dear Referral Coordinators,

The Galiano Island Local Trust Committee has asked that its Proposed Bylaws 287 and 288 (GL-RZ-2022.2 (Hayes) be referred to you for comment. The referral package prepared by Island Planner Kim Stockdill is attached.

**Purpose:** The purpose of **Bylaw 287** is to amend the Galiano Island Official Community Plan to re-designate a portion of the subject property (490 Gardner Road, Galiano Island) from **Rural Residential (RR) to Agriculture (AG)**. The purpose of **Bylaw 288** is to amend the Galiano Island Land Use Bylaw to re-zone the same portion of the subject property (490 Gardner Road, Galiano Island) from **Rural Residential (RR) to Agriculture (AG)**. **Bylaw Nos. 287 and 288** are associated with a rezoning application that, if approved, would facilitate a future subdivision application that would subdivide the current split-zoned property into two single-zoned properties.

Additional information, including staff reports and the current bylaws, is available at: <https://islandstrust.bc.ca/island-planning/galiano/current-applications/>

A reply is respectfully requested by **Monday, May 29, 2023**.

Should you have any questions, or require further information, please contact Island Planner Kim Stockdill at 250-405-5157 or [kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca) and she would be happy to answer any questions you may have.

Please direct referral responses to [southinfo@islandstrust.bc.ca](mailto:southinfo@islandstrust.bc.ca) or by mail to: Islands Trust, Victoria Head Office – 200-1627 Fort Street, Victoria BC V8R 1H8.

Thank you for your time and attention to this matter.

Sincerely,

**Jas Chonk**

Legislative Clerk

Islands Trust

200-1627 Fort Street | Victoria BC V8R 1H8

T 250-405-5164 | [islandstrust.bc.ca](http://islandstrust.bc.ca)

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



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

**From:** Chief NGVFD <chiefngvfd@gmail.com>  
**Sent:** Thursday, April 27, 2023 4:02 PM  
**To:** Jas Chonk  
**Subject:** Re: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

North Galiano Volunteer Fire Department's interests are unaffected by the bylaws.

Karen Harris (she/her/hers),  
Fire Chief,  
North Galiano Volunteer Fire Department,  
19400 Porlier Pass Road, Galiano Island BC V0N 1P0  
250-539-5453; 250-539-0204  
[chief.ngvfd@gmail.com](mailto:chief.ngvfd@gmail.com)

On Thu, 27 Apr 2023 at 15:47, Jas Chonk <[jchonk@islandstrust.bc.ca](mailto:jchonk@islandstrust.bc.ca)> wrote:

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

*I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKÉĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwəθən, səlilwətal, SEMYOME, shíshálh, Skwəxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', STÁUTW, Stz'uminus, la?əmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLEEP, WSIKEM, Xeláltxw, Xwémalhkwx, Xwsepsum, and x<sup>w</sup>məθk<sup>w</sup>əy'əm First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.*

**From:** Jiang, Simon <Simon.Jiang@islandhealth.ca>  
**Sent:** Friday, April 28, 2023 10:46 AM  
**To:** SouthInfo  
**Cc:** Jas Chonk  
**Subject:** RE: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

Hello,

Thank you for your email and for the opportunity to comment on the proposed changes.

There are no comments or objections from Island Health regarding the proposed changes. If the changes go through and the applicant proceeds with the subdivision process, I would recommend for them to visit our website at: <https://www.islandhealth.ca/learn-about-health/environment/sewerage-subdivision>. This site should provide all of the relevant information for on-site sewerage systems and procedures for the subdivision process.

Please feel free to reach out if you have any concerns or require any additional information.

Kind regards,

**Simon Jiang** BSc, BTech, CPHI(C)  
Environmental Health Officer | **Island Health Authority**

email [simon.jiang@islandhealth.ca](mailto:simon.jiang@islandhealth.ca)  
address #201 – 771 Vernon Avenue, Victoria, BC

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**From:** Jas Chonk <[jchonk@islandstrust.bc.ca](mailto:jchonk@islandstrust.bc.ca)>  
**Sent:** Thursday, April 27, 2023 3:47 PM  
**To:** 'Ron.Burleson@gov.bc.ca' <[Ron.Burleson@gov.bc.ca](mailto:Ron.Burleson@gov.bc.ca)>; 'ALC.Referrals@gov.bc.ca' <[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)>; 'Dyer, Jennifer TRAN:EX' <[Jennifer.Dyer@gov.bc.ca](mailto:Jennifer.Dyer@gov.bc.ca)>; 'Owen.Page@gov.bc.ca' <[Owen.Page@gov.bc.ca](mailto:Owen.Page@gov.bc.ca)>; Aggie Chan <[AChan@crd.bc.ca](mailto:AChan@crd.bc.ca)>; 'jarnet@crd.bc.ca' <[jarnet@crd.bc.ca](mailto:jarnet@crd.bc.ca)>; Watters, Douglas <[Douglas.Watters@islandhealth.ca](mailto:Douglas.Watters@islandhealth.ca)>; 'chief.ngvfd@gmail.com' <[chief.ngvfd@gmail.com](mailto:chief.ngvfd@gmail.com)>; Nadine Mourao <[nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca)>; Rob Pingle <[rpingle@islandstrust.bc.ca](mailto:rpingle@islandstrust.bc.ca)>  
**Cc:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

Dear Referral Coordinators,

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**Purpose:** The purpose of **Bylaw 287** is to amend the Galiano Island Official Community Plan to re-

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Sincerely,

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200-1627 Fort Street | Victoria BC V8R 1H8

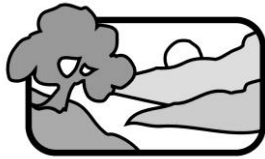
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Islands Trust

# BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street  
Victoria, B.C. 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.: 287 and 288 Date: April 27, 2023

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.

**PURPOSE OF BYLAW:**

The purpose of **Bylaw 287** is to amend the Galiano Island Official Community Plan to re-designate a portion of the subject property (490 Gardner Road, Galiano Island) from **Rural Residential (RR) to Agriculture (AG)**. The purpose of **Bylaw 288** is to amend the Galiano Island Land Use Bylaw to re-zone the same portion of the subject property (490 Gardner Road, Galiano Island) from **Rural Residential (RR) to Agriculture (AG)**. **Bylaw Nos. 287 and 288** are associated with a rezoning application that, if approved, would facilitate a future subdivision application that would subdivide the current split-zoned property into two single-zoned properties.

Professional reports and staff reports are available on the Galiano Island Current Applications webpage: <https://islandstrust.bc.ca/island-planning/galiano/current-applications/>

**GENERAL LOCATION:**

Galiano Island Local Trust Area

**OTHER INFORMATION:**

Additional information is available at: <https://islandstrust.bc.ca/island-planning/galiano/current-applications/>

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.

*Kim Stockdill*

(Signature)

Name: Kim Stockdill

Title: Island Planner

Contact Info Tel: 250-405-5189

Email: [kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)

**PLEASE TURN OVER →**

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

**Provincial Agencies**

Ministry of Municipal Affairs  
Ministry of Transportation and Infrastructure  
Agricultural Land Commission

**Regional Government**

CRD- Building Inspection  
Island Health

**Non-Agency Referrals**

Galiano Island Fire Rescue – South Department

**Adjacent Local Trust Committees and Municipalities**

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

**First Nations**

Coast Salish Peoples Society  
Cowichan Tribes  
Halalt First Nation  
Ts'uubaa-asatx Nation  
Lyackson First Nation  
Malahat First Nation  
Musqueam Indian Band  
Pauquachin First Nation  
Penelakut Tribe  
Semiahmoo First Nation  
Snuneymuxw 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)



(Signature)

18 May 2023

(Date)

287/288

(Bylaw Number)

Rob Pingle - Legislative Clerk

(Name and Title)

Salt Spring Island Local Trust Area

(Agency)

**From:** SouthInfo  
**Sent:** Tuesday, May 30, 2023 8:30 AM  
**To:** Jas Chonk; Kim Stockdill  
**Subject:** FW: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

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**From:** Aggie Chan <[ACHan@crd.bc.ca](mailto:ACHan@crd.bc.ca)>  
**Sent:** Monday, May 29, 2023 4:15 PM  
**To:** SouthInfo <[SouthInfo@islandstrust.bc.ca](mailto:SouthInfo@islandstrust.bc.ca)>  
**Subject:** RE: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

Good afternoon,

Please note the following comment from CRD:

No comment – Integrated Water Services  
Interests unaffected – Regional Park Services  
No comment – Regional Strategic Planning  
No comment – Environmental Services

Regards,

**Aggie Chan**

Senior Administrative Secretary | Real Estate Services  
T: 250.360.3176

[Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [www.crd.bc.ca](http://www.crd.bc.ca)



Capital Regional District  
625 Fisgard Street  
Victoria, BC V8W 1R7

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# 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)



(Signature)

May 29, 2023

(Date)

287/288

(Bylaw Number)

Jas Chonk, Legislative Clerk

(Name and Title)

Mayne Island Local Trust Committee

(Agency)



**From:** Kim Stockdill  
**Sent:** Monday, June 5, 2023 8:28 AM  
**To:** Jas Chonk  
**Subject:** FW: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

---

**From:** SouthInfo <[SouthInfo@islandstrust.bc.ca](mailto:SouthInfo@islandstrust.bc.ca)>  
**Sent:** Thursday, June 1, 2023 1:24 PM  
**To:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>  
**Subject:** FW: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

---

**From:** ALC Referrals ALC:EX <[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)>  
**Sent:** Thursday, June 1, 2023 12:59 PM  
**To:** SouthInfo <[SouthInfo@islandstrust.bc.ca](mailto:SouthInfo@islandstrust.bc.ca)>  
**Subject:** RE: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

Hello Kim,

Thank you for the referral. As the subject area appears to be outside of the ALR and is proposed for an 'agricultural' designation which would retain its compatibility with adjacent ALR lands, the ALC's interests are unaffected by the proposed bylaw amendments.

Regards,



**Mike Bandy** | Regional Planner  
Agricultural Land Commission  
201 – 4940 Canada Way, Burnaby, BC, V5G 4K6  
T: 236.468.3276  
[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca) | [www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

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**From:** Jas Chonk <[jchonk@islandstrust.bc.ca](mailto:jchonk@islandstrust.bc.ca)>  
**Sent:** Friday, April 28, 2023 9:39 AM  
**To:** Burleson, Ron MUNI:EX <[Ron.Burleson@gov.bc.ca](mailto:Ron.Burleson@gov.bc.ca)>; ALC Referrals ALC:EX <[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)>; Dyer, Jennifer TRAN:EX <[Jennifer.Dyer@gov.bc.ca](mailto:Jennifer.Dyer@gov.bc.ca)>; Page, Owen TRAN:EX <[Owen.Page@gov.bc.ca](mailto:Owen.Page@gov.bc.ca)>; 'Aggie Chan' <[AChan@crd.bc.ca](mailto:AChan@crd.bc.ca)>; 'jarnet@crd.bc.ca' <[jarnet@crd.bc.ca](mailto:jarnet@crd.bc.ca)>; 'Douglas.Watters@viha.ca' <[Douglas.Watters@viha.ca](mailto:Douglas.Watters@viha.ca)>; 'chief.ngvfd@gmail.com' <[chief.ngvfd@gmail.com](mailto:chief.ngvfd@gmail.com)>; Nadine Mourao <[nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca)>; Rob Pingle

<[rpingle@islandstrust.bc.ca](mailto:rpingle@islandstrust.bc.ca)>

Cc: Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>

Subject: RE: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Sorry all, I forget to add the attachment.

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**From:** Jas Chonk

**Sent:** Thursday, April 27, 2023 3:47 PM

**To:** 'Ron.Burleson@gov.bc.ca' <[Ron.Burleson@gov.bc.ca](mailto:Ron.Burleson@gov.bc.ca)>; 'ALC.Referrals@gov.bc.ca' <[ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)>; 'Dyer, Jennifer TRAN:EX' <[Jennifer.Dyer@gov.bc.ca](mailto:Jennifer.Dyer@gov.bc.ca)>; 'Owen.Page@gov.bc.ca' <[Owen.Page@gov.bc.ca](mailto:Owen.Page@gov.bc.ca)>; Aggie Chan <[AChan@crd.bc.ca](mailto:AChan@crd.bc.ca)>; 'jarnet@crd.bc.ca' <[jarnet@crd.bc.ca](mailto:jarnet@crd.bc.ca)>; 'Douglas.Watters@viha.ca' <[Douglas.Watters@viha.ca](mailto:Douglas.Watters@viha.ca)>; 'chief.ngvfd@gmail.com' <[chief.ngvfd@gmail.com](mailto:chief.ngvfd@gmail.com)>; Nadine Mourao <[nmourao@islandstrust.bc.ca](mailto:nmourao@islandstrust.bc.ca)>; Rob Pingle <[rpingle@islandstrust.bc.ca](mailto:rpingle@islandstrust.bc.ca)>

**Cc:** Kim Stockdill <[kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca)>

**Subject:** Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

Dear Referral Coordinators,

The Galiano Island Local Trust Committee has asked that its Proposed Bylaws 287 and 288 (GL-RZ-2022.2 (Hayes) be referred to you for comment. The referral package prepared by Island Planner Kim Stockdill is attached.

**Purpose:** The purpose of **Bylaw 287** is to amend the Galiano Island Official Community Plan to re-designate a portion of the subject property (490 Gardner Road, Galiano Island) from **Rural Residential (RR) to Agriculture (AG)**. The purpose of **Bylaw 288** is to amend the Galiano Island Land Use Bylaw to re-zone the same portion of the subject property (490 Gardner Road, Galiano Island) from **Rural Residential (RR) to Agriculture (AG)**. **Bylaw Nos. 287 and 288** are associated with a rezoning application that, if approved, would facilitate a future subdivision application that would subdivide the current split-zoned property into two single-zoned properties.

Additional information, including staff reports and the current bylaws, is available at: <https://islandstrust.bc.ca/island-planning/galiano/current-applications/>

A reply is respectfully requested by **Monday, May 29, 2023**.

Should you have any questions, or require further information, please contact Island Planner Kim Stockdill at 250-405-5157 or [kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca) and she would be happy to answer any questions you may have.

Please direct referral responses to [southinfo@islandstrust.bc.ca](mailto:southinfo@islandstrust.bc.ca) or by mail to: Islands Trust, Victoria Head Office – 200-1627 Fort Street, Victoria BC V8R 1H8.

Thank you for your time and attention to this matter.

Sincerely,

**Jas Chonk**

Legislative Clerk

Islands Trust

200-1627 Fort Street | Victoria BC V8R 1H8

T 250-405-5164 | [islandstrust.bc.ca](http://islandstrust.bc.ca)

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



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

*I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKÉĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEŁ, Qualicum, scəwəθən, səliwətəʔ, SEMYOME, shísháłh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', S7ÁUTW, Stz'uminus, ʔaʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLEŁP, WSIKEM, Xeláłtxw, Xwémalhkwu, Xwsepsum, and x<sup>m</sup>məθk<sup>w</sup>əyəm First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.*

**From:** no-reply-ts-fn@knowledgekeeper.ca  
**Sent:** Friday, April 28, 2023 12:48 PM  
**To:** Jas Chonk  
**Subject:** Decision regarding consultation: GL-BLs-287-288 - Galiano Island Bylaws 287 and 288  
**Attachments:** consultation-response-11272-gl-bls-287-288-20230428-1247.pdf

To whom it may concern,

Please see the attached PDF concerning: Galiano Island Bylaws 287 and 288



# Ts'uubaa-asatx Nation

---

**Project Name:**

Galiano Island Bylaws 287 and 288

**FN Consultation ID:**

GL-BLs-287-288

**Consulting Org Contact:**

Jas Chonk

**Consulting Organization:**

[Islands Trust](#)

**Date Received:**

Friday, April 28, 2023

Ts'uubaa-asatx Nation  
313B Deer Lake Road  
Lake Cowichan, British Columbia  
V0R 2G0  
Phone: 250-749-3301  
Fax: 250-749-4286

April 28, 2023

Islands Trust  
Attn: Jas Chonk

Au Si'em:

Ts'uubaa-asatx Nation is in receipt of the referral for: Galiano Island Bylaws 287 and 288

This application is located within the Ts'uubaa-asatx Nation statement of intent area; it is the interest of the Ts'uubaa-asatx Nation to respectfully maintain our rights and access to the lands and resources throughout our territory.

Ts'uubaa-asatx Nation does not have any comments to provide at this time regarding this application proceeding. Please note that this "no comment" response is specifically intended for this application and is without prejudice to all future consultation with our Nation regarding not only the renewal of this application but any other application or decision within the Ts'uubaa-asatx Nation traditional territory.

Furthermore, we may choose in the future to address the issues of Aboriginal rights and/or title infringement and compensation through the treaty process, the courts or other dispute resolution processes. We also reserve the right to raise objections if any cultural use, archaeological sites or environmental impacts are identified when the above development is being carried out or if we discover impacts on our rights or interest that we had not foreseen.

Should you require any further information, please do not hesitate to contact our office.

Uy shkweyul'tst ,  
Monty Horton

Hul'q'umi'num language terms:

Au Si'em: a term denoting high respect.

Uy shkweyul'tst: Have a good day.

---

**From:** TFN Referrals <referrals@tsawwassenfirstnation.com>  
**Sent:** Wednesday, May 17, 2023 1:18 PM  
**To:** Jas Chonk  
**Cc:** Robin Buss  
**Subject:** Re: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response  
**Attachments:** GL-BLs-287-288\_FN-Bylaw referral-PKG.pdf

Hi Jas,

Thank you for your email.

Tsawwassen First Nation (TFN) has no concerns regarding this file, at this time. However, when any physical works are considered for the rezoned area, TFN requests an opportunity to review all copies of interim and final environmental and archaeological reports before any new construction commences.

hay čx<sup>w</sup> qə  
Thank you

**Amelia Cooper**, B.A., Cert.  
**Referrals Analyst**  
**Treaty Rights and Title Department**  
**Tsawwassen First Nation**  
1926 Tsawwassen Drive, Tsawwassen, BC V4M 4G4  
C 604-619-6930



---

**From:** Jas Chonk <[jchonk@islandstrust.bc.ca](mailto:jchonk@islandstrust.bc.ca)>  
**Sent:** Thursday, April 27, 2023 9:50 PM  
**To:** TFN Referrals <[referrals@tsawwassenfirstnation.com](mailto:referrals@tsawwassenfirstnation.com)>  
**Subject:** Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

Dear Tsawwassen First Nation Referral Coordinator,

The Galiano Island Local Trust Committee has asked that its Proposed Bylaws 287 and 288 be referred to you for comment. The referral package prepared by Island Planner Kim Stockdill is attached.

**Purpose:** The purpose of **Bylaw No. 287** is to amend the Galiano Island Official Community Plan to re-designate a portion of the subject property (490 Gardner Road, Galiano Island) from **Rural Residential (RR) to Agriculture (AG)**. The purpose of **Bylaw No. 288** is to amend the Galiano Island Land Use Bylaw to re-zone the same portion of the subject property (490 Gardner Road, Galiano Island) from **Rural**

**Residential (RR) to Agriculture (AG). Bylaw Nos. 287 and 288** are associated with a rezoning application that, if approved, would facilitate a future subdivision application that would subdivide the current split-zoned property into two single-zoned properties.

Additional information, including staff reports and the current bylaws, is available at: <https://islandstrust.bc.ca/island-planning/galiano/current-applications/>

A reply is respectfully requested by **Monday, June 26, 2023**.

Should you have any questions, or require further information, please contact Island Planner Kim Stockdill at 250-405-5157 or [kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca) and she would be happy to answer any questions you may have.

Please direct referral responses to [southinfo@islandstrust.bc.ca](mailto:southinfo@islandstrust.bc.ca) or by mail to: Islands Trust, Victoria Head Office – 200-1627 Fort Street, Victoria BC V8R 1H8.

Thank you for your time and attention to this matter.

Sincerely,

**Jas Chonk**

Legislative Clerk

Islands Trust

200-1627 Fort Street | Victoria BC V8R 1H8

T 250-405-5164 | [islandstrust.bc.ca](https://islandstrust.bc.ca)

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



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

*I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKÉĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEŁ, Qualicum, scəwəθən, səliwətaʔ, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', S7ÁUTW, Stz'uminus, ʔaʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLEŁP, WSIKEM, Xeláitxw, Xwémalhkww, Xwsepsum, and xʷməθkʷəy̓əm First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.*



**From:** Rayyan Hussain <rhussain@musqueam.bc.ca>  
**Sent:** Friday, June 23, 2023 1:48 PM  
**To:** Jas Chonk  
**Cc:** Sherry Da; Emory Wells  
**Subject:** RE: Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

Hello Jas,

Thank you for reaching out to Musqueam Indian Band Intergovernmental Affairs. We have no comments for this file .

hay čx<sup>w</sup> q̄ə,

**Rayyan Hussain (he/him)**  
*Projects Analyst*

Musqueam Indian Band  
x<sup>w</sup>məθk<sup>w</sup>əȳəm  
6735 Salish Drive, Vancouver BC

---

**From:** Jas Chonk <[jchonk@islandstrust.bc.ca](mailto:jchonk@islandstrust.bc.ca)>  
**Sent:** Thursday, April 27, 2023 2:41 PM  
**To:** Musqueam Referrals <[referrals@musqueam.bc.ca](mailto:referrals@musqueam.bc.ca)>  
**Subject:** Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral - For Response

Dear Musqueam Indian Band Referral Coordinator,

The Galiano Island Local Trust Committee has asked that its Proposed Bylaws 287 and 288 be referred to you for comment. The referral package prepared by Island Planner Kim Stockdill is attached.

**Purpose:** The purpose of **Bylaw No. 287** is to amend the Galiano Island Official Community Plan to re-designate a portion of the subject property (490 Gardner Road, Galiano Island) from **Rural Residential (RR) to Agriculture (AG)**. The purpose of **Bylaw No. 288** is to amend the Galiano Island Land Use Bylaw to re-zone the same portion of the subject property (490 Gardner Road, Galiano Island) from **Rural Residential (RR) to Agriculture (AG)**. **Bylaw Nos. 287 and 288** are associated with a rezoning application that, if approved, would facilitate a future subdivision application that would subdivide the current split-zoned property into two single-zoned properties.

Additional information, including staff reports and the current bylaws, is available at: <https://islandstrust.bc.ca/island-planning/galiano/current-applications/>

A reply is respectfully requested by **Monday, June 26, 2023**.

Should you have any questions, or require further information, please contact Island Planner Kim Stockdill at 250-405-5157 or [kstockdill@islandstrust.bc.ca](mailto:kstockdill@islandstrust.bc.ca) and she would be happy to answer any questions you may have.

Please direct referral responses to [southinfo@islandstrust.bc.ca](mailto:southinfo@islandstrust.bc.ca) or by mail to: Islands Trust, Victoria Head Office – 200-1627 Fort Street, Victoria BC V8R 1H8.

Thank you for your time and attention to this matter.

Sincerely,

**Jas Chonk**

Legislative Clerk

Islands Trust

200-1627 Fort Street | Victoria BC V8R 1H8

T 250-405-5164 | [islandstrust.bc.ca](http://islandstrust.bc.ca)

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

*I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOKÉĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwáθən, səilwətaʔ, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', SÁÁUTW, Stz'uminus, ʔaʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLÉLP, WSIKEM, Xeláltxw, Xwémalhkwu, Xwsepsum, and xʷməθkʷəy̓əm First Nations. Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.*

**From:** SouthInfo  
**Sent:** Tuesday, June 27, 2023 8:41 AM  
**To:** Kim Stockdill; Jas Chonk  
**Subject:** FW: Malahat Nation Response to Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral  
**Attachments:** R23055 Response.pdf

---

**From:** Kate Richey <[kate.richey@malahatnation.com](mailto:kate.richey@malahatnation.com)>  
**Sent:** Monday, June 26, 2023 11:49 AM  
**To:** SouthInfo <[SouthInfo@islandstrust.bc.ca](mailto:SouthInfo@islandstrust.bc.ca)>  
**Subject:** Malahat Nation Response to Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral

Hello,

Please see Malahat Nation's response attached.

Regards,  
Kate



**Kate Richey**  
Referrals Coordinator  
**Malahat Nation**  
110 Thunder Road | Mill Bay, BC | V0R 2P4  
Cel: (250) 208-5554 | Tel: (250) 743-3231  
[www.malahatnation.com](http://www.malahatnation.com)

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**Malahat Nation**

110 Thunder Road | Mill Bay, BC | V0R 2P4

Tel: (250) 743-3231 | Fax: (250) 743-3251

info@malahatnation.com | www.malahatnation.com

**Malahat**

June 26<sup>th</sup> 2023

Islands Trust  
Victoria Head Office  
200-1627 Fort Street, Victoria BC

**Malahat Referral No: R23055**

*Via email: southinfo@islandstrust.bc.ca*

**RE: Malahat Nation Response to Galiano Island Local Trust Committee Proposed Bylaws 287 and 288 Referral**

Dear Island Trust,

Thank you for your consultation request for the proposed Bylaws 287 and 288 Referral dated May 27<sup>th</sup> 2023, located in Malahat Nation's traditional territory.

Malahat Nation notes that the proposed activity falls outside of core Malahat traditional territory, and as such we acknowledge and respect the local First Nation(s)' opportunity to act as primary correspondents in this case. However, in the event they do not, or are unable to respond we reserve our right to consultation and engagement, and continue to require disclosure on an ongoing basis regarding this referral.

Thank you for your time and consideration.

Sincerely,

Kate Richey  
Referrals Coordinator  
Malahat Nation

# PROPOSED

## GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 287

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### 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. 2, 2022”.

#### 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	11 <sup>TH</sup>	DAY OF	APRIL	2023.
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 MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

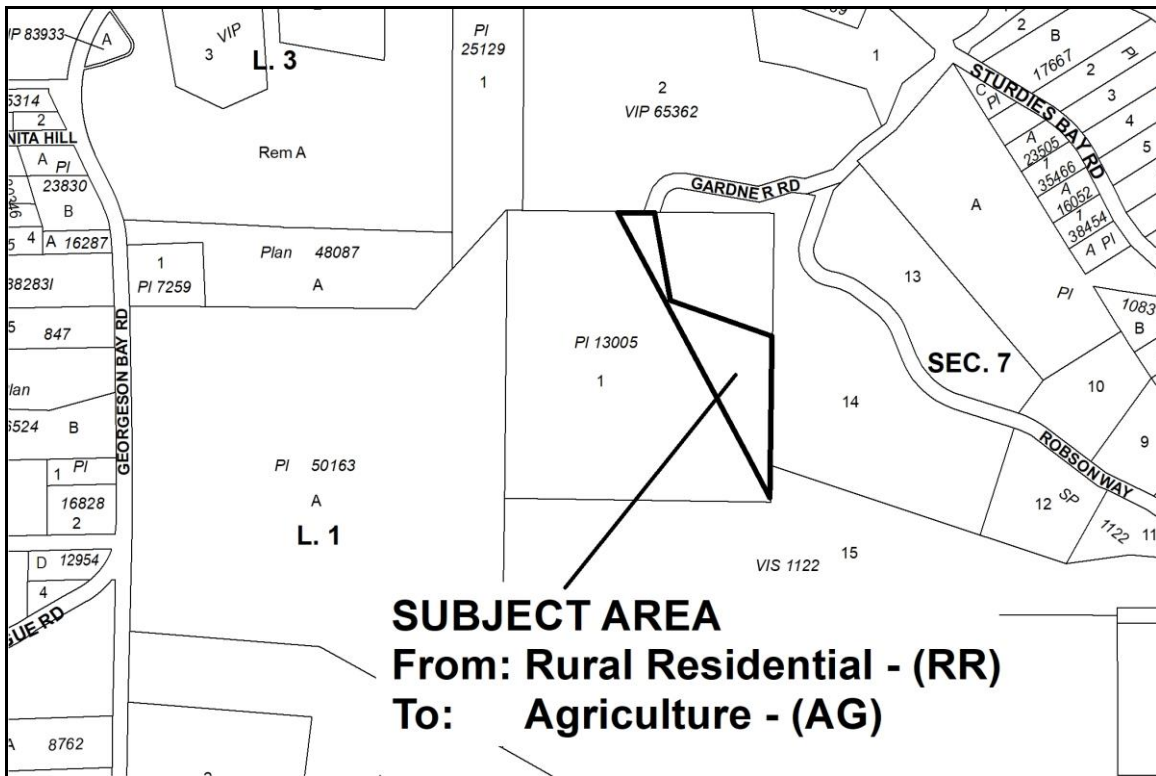
\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY

GALIANO ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 287

SCHEDULE 1

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



# PROPOSED

## GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 288

---

### 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. 2, 2022”.

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 Schedule “1” – Zoning Map, is amended by changing the zoning classification of a portion of Lot 1, District Lots 1 and 3 and of Section 7, Galiano Island, Cowichan District, Plan 13005 except all of District Lots 1 and 3 now included in Plan 50163 from Rural Residential (RR) to Agriculture (AG), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “1” 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	11 <sup>TH</sup>	DAY OF	APRIL	2023.
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. 288

Plan No. 1

