

File No.: GL-RZ-2023.2 (Larsen)

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 85 Rezoning Application – Staff Report
Location: District Lot 85 Galiano Island Cowichan District

RECOMMENDATIONS

1. That Galiano Island Local Trust Committee Bylaw No. 294, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2024” be read a second time.
2. That Galiano Island Local Trust Committee Bylaw No. 295, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2024”, be read a second time.
3. That the Galiano Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for the February 10, 2026 regular meeting for rezoning application GL-RZ-2023.2 and for rezoning application GL-RZ-2021.2, and that staff add a condition to the draft Section 219 development control covenant requiring pump tests to confirm the groundwater quality and quantity of all wells on future lots with a residential use prior to subdivision approval by the Ministry of Transportation and Transit’s Approving Officer.

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-2023.2 (Larsen) and to provide options to the Galiano Island LTC on proceeding to Public Hearing for proposed Bylaw Nos. 294 and 295.

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-2025-050

that Galiano Island Local Trust Committee Bylaw No. 294, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2024” be read a first time.

CARRIED

GL-2025-051

that Galiano Island Local Trust Committee Bylaw No. 295, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2024”, be read a first time.

CARRIED

GL-2025-052

that Galiano Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 294 and 295 are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GL-2025-053

that Galiano Island Local Trust Committee request covenants under Section 219 of the Land Title Act from the applicant for GL-RZ-2023.2 (Larsen) 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-2025-054

that Galiano Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Bylaw Nos. 294 and 295 upon receipt of draft covenants and an environmental baseline report.

CARRIED

ANALYSIS

Public Hearing

In accordance with statutory requirements, a public hearing is required for rezoning applications that involve 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 for proof of groundwater quantity and quality (a Groundwater Assessment as per the Terms of Reference) prior to proceeding to a public hearing. The rationale is to ensure the LTC has confirmation that sufficient water is available for the existing wells before advancing the application.

The applicant is willing to proceed to the public hearing and provide well pump tests for the existing wells as part of the subdivision application. In addition, the applicant has not yet drilled wells for proposed Lots D and E and the proposed Forest 3–zoned lot. Proof of sufficient groundwater is typically required during the rezoning stage to confirm adequate supply before proceeding to subdivision. The rationale is that if sufficient water cannot be demonstrated, lot lines and zoning boundaries may need to be amended. It is more practical to make these changes at the rezoning stage rather than during subdivision.

If the applicant chooses to proceed with the rezoning application and provide the required groundwater information at the subdivision stage, **the applicant assumes the risk of having to amend site plans or zoning boundaries should sufficient water not be demonstrated**. This would require amendments to the registered covenants and a new rezoning application to amend zoning and OCP designation boundaries.

As draft covenants and the baseline report have been received, staff will proceed with scheduling the CIM and public hearing for this application at the direction of the Galiano Island LTC. A draft motion can be found as Recommendation No. 3 for the LTC’s consideration. If the LTC does not pass resolution, the applicant will be required to provide pump tests for existing wells prior to moving forward to the public hearing.

The draft covenants will be circulated to the Galiano LTC prior to the public hearing and posted to the application webpage.

Terms of Reference

As outlined in the Terms of Reference issued to the applicant, the applicants have provided the following to the LTC:

- An [updated site plan](#) outlining the developable areas - completed
- Geotechnical Assessment – if ‘developable areas’ are located within Development Permit Area 7 – Moderate Steep Slope – staff to overlay DPA map with updated site plan
- 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. Report to be completed prior to scheduling of Public Hearing
- Baseline/Ecological Overview Report – to provide information regarding the ecological significance on the lands to be transferred.
- 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
- Other Section 219 Covenants:
 - 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 would be discharged if all clauses in the covenant are satisfied
 - Covenant would require pumping test to confirm quality and quantity of all wells on future lots where there is a residential use prior to subdivision approval by the Ministry of Transportation and Transit (MOTT) Approving Officer.
- [Groundwater Report](#) – prepared by McElhanney Ltd. Dated February 4, 2022 summary:
 - the likelihood that existing wells on proposed **Rural Residential Lots A, B, and C** are capable of supplying at least 2,275 L/ of potable water for each proposed residential structure while not adversely affecting the quantity or quality of water obtainable from any existing off-site well, stream, or surface water body currently in use as a source of potable water is considered **high**, provided raw groundwater obtained from wells with elevated microbial levels are adequately disinfected
 - the likelihood that additional groundwater supply wells can be completed within proposed **Rural Residential Lots D and E, and the proposed Forest [3] Lot** that are capable of supplying at least 2,275 L/day of potable water for each proposed residential structure while not adversely affecting the quantity or quality of water obtainable from the site’s adjacent existing wells is considered **high**, provided raw groundwater obtained from wells with elevated microbial levels are adequately disinfected
 - Island Trust staff comments: As recent pump tests were not conducted for the three existing wells, proof of groundwater quality and quantity will be required at the subdivision stage. A condition will be added to the draft development control covenant to require this.

Referrals

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. 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-2023.2 (Larsen) 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-2023.2 (Larsen).

NEXT STEPS

Staff will continue to work with the applicant to assist with the draft s.219 covenants and to schedule a CIM and public hearing at the direction of the Galiano Island LTC

Submitted By:	Kim Stockdill, Island Planner	December 4, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	December 4, 2025

Attachments:

- Proposed Bylaw No. 294
- Proposed Bylaw No. 295

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 294

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, 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. 294**

SCHEDULE 1

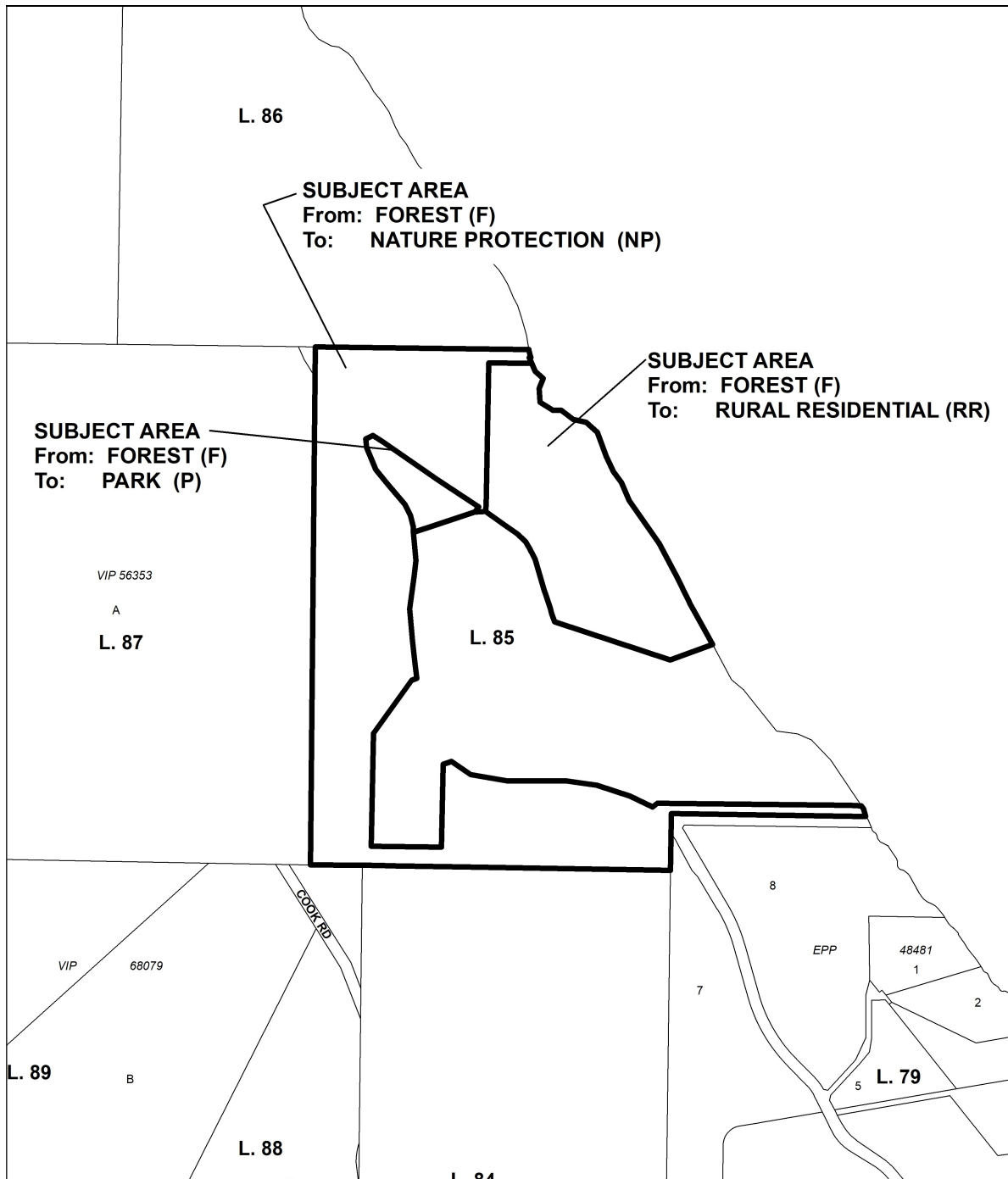
The Galiano Island Official Community Plan Bylaw No. 108, 1995, is amended as follows:

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 85, Galiano Island, Cowichan District, zoning shall establish a minimum average parcel area of 60 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 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, trails, and aggregate extraction. 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 85 Galiano Island, Cowichan District as depicted in the map below.



PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 295

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, 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(d), despite 5.4.9 and 5.4.10, zoning shall establish a minimum average parcel area of 60 hectares, with a minimum average subdivision lot area as low as 2 hectares for the RR(d) zoned portions applicable once the landowner provides the portions of the land legally described as District Lot 85, Galiano Island, Cowichan District that are zoned Nature Protection (NP), Forest Industrial (c) - (FI(c)), and Park (P) to be transferred to the Province of British Columbia, the Capital Regional District, or the Penelakut Tribe, for use for conservation, ecosystem protection, public parkland, community forest, trails, and aggregate extraction.”

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

“On the lands zoned RR(d), 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 6 of Schedule D of this bylaw.”

2.3 By adding the following new Section 9.6(D):

“9.6(D) Forest Industrial Zone C – FI(C)

The intent of the FI(C) zone is to permit limited industrial uses within a prescribed area of a forest lot.

Permitted Uses

9.6(D).1 In the Forest Industrial FI(C) zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.

9.6(D).1.1 timber production and harvesting

- 9.6(D).1.2 accessory forest uses including the sawmilling and planing of timber harvested on the same lot and the growing of seedlings in nurseries
- 9.6(C).1.3 aggregate extraction

Permitted Density

- 9.6(D).2 Lot coverage must not exceed 20% of any lot.

Permitted Height

- 9.6(D).3 No building or structure for a use permitted by this section may exceed 9 metres in height. Accessory buildings and structures must not exceed one storey and a height of 5 metres.

Minimum Setbacks

- 9.6(D).4 Buildings and structures must be sited
 - 9.6(D).4.1 at least 7.5 metres from a front or rear lot line;
 - 9.6(D).4.2 at least 6 metres from each interior side lot line, except where the lot line is common to a lot in a commercial or industrial zone, in which case the required distance is 3 metres; and
 - 9.6(D).4.3 at least 4.5 metres from any exterior side lot line.

Minimum Lot Size

- 9.6(D).5 No lot having an area less than 20 hectares may be created by subdivision.

Screening

- 9.6(D).6 Lots on which light industrial uses are carried on must be screened by a landscape screen not less than 2 metres in height and complying with the requirements of Part 15 of this bylaw."

- 2.4 Schedule "B" – Zoning Map, is amended by changing the zoning classification of Lot 85, 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.
- 2.5 Schedule "D", is amended by adding 'Plan No. 6' 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.
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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. 295

Plan No. 1

