

# **Galiano Island Advisory Planning Commission Referral Report in response to File No: Associated Islands Regulations Review Project – Draft Bylaw No. 300**

**Friday, May 29th, 2026**

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## **Overview**

Commissioners met for three meetings in May 2026 to discuss the referral question. One commissioner was absent for the first meeting and another for the third meeting. It should be noted that one commissioner resides on Wise Island and has been actively involved in developing the proposed bylaw. Since the discussion of this proposed bylaw relates to broader bylaw and policy recommendations affecting Wise Island and associated islands generally, or a “community of interest”, conflict of interest does not apply. Fellow commissioners appreciated the knowledge provided by this commissioner and the professionalism they displayed during the meetings.

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## **General Comments**

- While most commissioners, with one exception, were generally in favour of the proposed bylaw, all commissioners noted a shared concern for environmental impacts and a commitment to preserve and protect the island.
  - Commissioners expressed disappointment about the lack of information they received related to the environmental impacts of permitting the designated uses within the 7.5 metre setback from the sea, which could affect sensitive marine riparian areas.
  - One commissioner was strongly opposed to the proposed bylaw noting that it would affect a large number of shoreline properties on many water-access-only islands in the absence of an environmental review.
  - That commissioner recommended that an environmental impact assessment be provided to the Local Trust Committee to assess the impact of the proposal.
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## **Discussion re: Geographical Scope of the Bylaw**

- Commissioners were divided about the inclusion of Phillimore Point in the proposed bylaw, but most commissioners supported inclusion of all boat-access-only associated islands.
  - It was noted that Phillimore Point is not an island, that it has a good community dock and that it has the future potential for road access, although the current access is by rough private road. Arguments for inclusion noted that Phillimore Point does not have access to hydroelectricity and does not have easy emergency access by land.
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## **Recommendation 1**

Commissioners recommend there be a clear definition of the proposed structures permitted in the 7.5 square meter setback.

### Rationale:

- To evaluate the acceptance of allowing anything in the 7.5 m. setback the bylaw needs clear and concise definitions and descriptions of the elements.
  - For example, there must be a clear definition of the word platform (which would be allowed) to differentiate it from a deck (which would not be allowed) such as: *A flat wooden structure extending up to 1.5 m for loading and unloading materials on a water-access-only property.*
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## Recommendation 2

Commissioners recommend the LTC engage in a more fulsome consultation process with First Nations about the proposed bylaw and its impact on the foreshore and waters.

### Rationale:

- Concern was expressed about the inadequate consultation with First Nations, as it appears the Islands Trust is continuing to rely on the standard 30-day referral process for seeking First Nations input.
  - The Trust should not assume that no response from a referral to First Nations means consent or that they are not concerned about the issues in the proposal. For instance, a commissioner noted that the three responses received from First Nations indicated that while this matter is not in their local area, they consider this issue to be either Level 2 or Level 3 - both high consultation matters as it represents marine fishing and harvesting areas.
  - A suggestion was made that the LTC arrange a face-to-face meeting with relevant First Nations to review the proposal and seek input.
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## Recommendation 3

Commissioners suggested the following amendment to the 2.14A.1 regarding solar panels:

2.14A.1 One solar panel array for the purpose of supplying power to the lot on which the structure is located, provided the island does not have access to BC Hydro service and all other alternative locations on the property have been explored and deemed to be unworkable. The array must not exceed 4 metres in height and a total solar array surface of up to 10 m<sup>2</sup>. (See dissenting commissioner note below regarding size.)

### Rationale:

- Commissioners recognized that solar panels are a green alternative to fossil fueled power, but also expressed concern about the sensitive foreshore habitat. Therefore, commissioners recommend that solar panels within the 7.5 m setback **should be discouraged when other viable locations are available – and only be permitted where lots do not have access to hydroelectricity.**
- Commissioners also recognized that solar panels are necessary for residents who reside on boat-access-only properties that **do not** have access to hydroelectricity. Therefore, commissioners recommended allowing solar panels within the 7.5 m setback in those circumstances with the added caveat of **when all other alternative locations on the property have been explored and deemed to be unworkable.**

- Furthermore, most commissioners suggest allowing “a solar array of up to 10 m<sup>2</sup>” within the 7.5 m setback for properties that do not have access to hydroelectricity because it was suggested to commissioners that this would generate enough power for an average household.
- One commissioner strongly disagreed with increasing the size of the solar array from 5 m<sup>2</sup> to 10 m<sup>2</sup>. However, that commissioner would support the installation of solar panels of 5 m<sup>2</sup> on Wise Island only and only if it can be clearly demonstrated by the landowner that there is no other suitable location.
- In order to protect the sensitive foreshore habitat, commissioners suggest disallowing residents of boat-access-only lots that are connected to BC Hydro from installing solar panels within the 7.5 m setback. Should they have no other viable location, those residents could apply for a variance. In support of this recommendation, one commissioner expressed the opinion that a blanket allowance of solar panels within the 7.5 m setback for boat-access-only properties, as is stated in the current proposal, could set a precedent for a similar allowance elsewhere.

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## Recommendation 4

Commissioners recommend the following additional amendments to the list of structures proposed to be exempted from the current required setback of 7.5 metres from the natural boundary of the sea:

- 2.14A.2 A set of stairs to access the foreshore with a width less than 1.5 metres.
- 2.14A.3 A walkway, a set of stairs or a ramp accessory to a permitted private dock in the Marine Zone and a set of stairs to access the foreshore with a width less than 1.5 metres.
- 2.14A.4 Anchor pads or abutments up to 1.5 metres in width for the purpose of securing a permitted private or community dock or wharf to the upland lot.
- 2.15A.5 Existing wooden structures up to 30 m<sup>2</sup>.

### Rationale:

- Allowing “a set of stairs” or “a walkway” restricts interference with the sensitive foreshore to only one set of stairs or one walkway.
- Allowing existing wooden structures of up to 30 m<sup>2</sup> will discourage the destruction of small existing structures which could be more detrimental to the environment than allowing them to remain.
- One commissioner noted that any new wooden platforms or alterations to existing wooden platforms would have to go through the DPA 2 process.

Respectfully submitted by:

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