



File No.: 6500-20
Land Use Bylaw Technical
Review Project

DATE OF MEETING: June 1, 2020
TO: Galiano Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Galiano Island Land Use Bylaw Technical Review Project

RECOMMENDATION

1. **That the Galiano Island Local Trust Committee:**
 - a) **Endorse the attached Land Use Bylaw Technical Review project charter and associated scope of work, timelines and budget**
 - b) **Direct staff to begin working on Land Use Bylaw Technical Review project deliverables**

REPORT SUMMARY

The purpose of this report is to introduce the Galiano Island Land Use Bylaw Technical Review project charter for Galiano Island Local Trust Committee (LTC) endorsement and to recommend an associated scope of work, timelines and budget.

The recommendations above are supported as:

- A technical review of the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) has been on the list of LTC projects since July 2014;
- Staff have already identified several technical amendments that could be considered during the project;
- The Southern Gulf Islands Groundwater Sustainability Review LTC priority project is nearing completion; and,
- Staff have some additional capacity due to the impacts of Covid-19 on other LTC priority projects, public meetings and land use application processes.

BACKGROUND

A technical review of the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) has been on the list of LTC projects since July 2014.

On April 28, 2020, two Resolutions without Meeting (RWMs) were passed by the LTC with respect to the LUB Technical Review project:

It was MOVED and SECONDED

1. THAT the Galiano Island Local Trust Committee add the Land Use Bylaw Amendments Project to the Galiano Island Local Trust Committee top priority projects list.
2. THAT the Galiano Island Local Trust Committee direct staff to begin work on the Land Use Bylaw Amendments Project including developing a project charter for Local Trust Committee endorsement.

Since 2014, a spreadsheet has been managed by staff that tracks proposed revisions and edits to the LUB. This spreadsheet would form the starting point of a review process. The scope of proposed work includes:

- Review bylaws for additional potential technical amendments
- Develop recommendations for consideration by LTC
- Draft bylaw amendments based on LTC direction
- Conduct public/stakeholder outreach on proposed amendments
- Finalize bylaw amendments and update bylaw documents

A draft project charter is included as attachment 1. A project budget of \$3,000 has been earmarked for 2020/21.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Any revisions to the LUB will be technical in nature and will not impact the LUB's consistency or alignment with the Islands Trust Policy Statement.

Official Community Plan

The project is focussed on LUB technical amendments. As such, no changes to the Galiano Island Official Community Plan No. 108, 1995 (OCP) will be considered unless they are consequential to LUB amendments.

Land Use Bylaw:

The project will review and consider technical amendments for all sections of the LUB and associated schedules. Changes that are beyond technical in nature will not be considered.

Bylaw Enforcement:

Bylaw enforcement regulations and policies are not considered in the LUB and thus are out of scope for this project.

Issues and Opportunities

Consultation

Consultation will be required with the public along with stakeholders that may be impacted. However, given the scope of the proposed changes will only be technical in nature, the impact of the changes should be relatively minor.

Statutory Requirements

In the first stage of the project (i.e. reviewing bylaws, documenting proposed revisions, and undertaking community consultation) there are no statutory requirements to consider.

If at a later stage the LTC resolves to undertake bylaw amendments, statutory notification requirements of the *Local Government Act* will need to be considered including appropriate agency and First Nation referrals, public hearing requirements and bylaw adoption procedures.

Rationale for Recommendation

The recommendations on page 1 are supported as:

- A technical review of the LUB has been on the list of LTC projects since July 2014;
- Staff have already identified several technical amendments that could be considered during the project;
- The Southern Gulf Islands Groundwater Sustainability Review LTC priority project is nearing completion; and,
- Staff have some additional capacity due to the impacts of Covid-19 on other LTC priority projects, public meetings and land use application processes.

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. Staff advise that the implications of this alternative are potential delays to commencing and completing the project. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee request that the staff provide further information regarding...

2. Request revisions to the draft project charter

The LTC may request revisions to the draft project charter prior to making a decision. Staff advise that the implications of this alternative are potential delays to commencing and completing the project. If selecting this alternative, the LTC should describe the specific revisions needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee request that the staff make the following revisions to the draft Galiano Island Land Use Bylaw Technical Review Project... (list revisions)

3. Reconsider conducting a technical review of the LUB as an LTC priority Project

The LTC may choose to focus on different priorities instead of a technical review of the LUB. If selecting this alternative, recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee not pursue a technical review of the Galiano Island Land Use Bylaw No. 127, 1999.

4. Receive for information

The LTC may receive the report for information.

NEXT STEPS

Next steps include:

- Finalize project charter and update project webpage
- Begin to review bylaws and associated schedules for technical amendments
- Present findings to LTC via a staff report prior to commencement of public and stakeholder consultation

Submitted By:	Brad Smith Island Planner	May 20, 2020
Concurrence:	Robert Kojima Regional Planning Manager	May 21, 2020

ATTACHMENTS

1. Project Charter

Land Use Bylaw Technical Review Project - Charter v1

Galiano Island LTC

Date: May 20, 2020

Purpose: *The purpose of this project is to conduct a technical review of the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) along with associated schedules and to propose technical amendments for LTC consideration based on this review.*

Background: A technical review of the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) has been on the list of LTC projects since July 2014. In April, 2020, LTC identified a technical review of the LUB as a top priority project and instructed staff to develop a project charter and associated workplan.

Objectives

- To ensure the LUB is current and up to date from a technical perspective
- To ensure the LUB is accurate, consistent and unambiguous from a technical perspective

In Scope

- Review of LUB for technical amendments including associated LUB schedules
- Providing recommendations to LTC
- Drafting of bylaw amendments
- Public and stakeholder engagement
- Bylaw referrals
- Bylaw amendment process

Out of Scope

- OCP amendments (other than consequential)
- LUB amendments beyond a technical nature
- Other regulatory or policy amendments

Workplan Overview

Deliverable/Milestone	Date
Review bylaws for additional potential technical amendments	Aug-Sep 2020
Develop recommendations for consideration by LTC	Oct 2020
Draft bylaw amendments based on LTC direction	Dec 2020
Conduct public consultation on proposed amendments	Jan-Mar 2021
First Reading	Apr 2021
Legislative process	Apr-Sep 2021

Project Team

Brad Smith	Project Manager
Maple Hung	Admin Assistance
Jas Chonk	Admin Assistance
Jackie O'Neil	GIS/Mapping Support
RPM Approval: Robert Kojima Date: May 20, 2020	LTC Endorsement: Resolution #: Date: xxx

Budget

Budget Sources:		
Fiscal	Item	Cost (\$)
	Consultation	500
	Legal Review/Contingency	1,000
	Public Hearing	1,500
	Total	\$3,000