Executive Committee
Agenda

Date: Wednesday, July 29, 2026

Time: 9:15 a.m.

Location: Electronic Meeting, and a physical location to view the livestream of the meeting:

Islands Trust Victoria Office

#200 - 1627 Fort Street

Victoria, BC V8R 1H8

7.1 Bowen Island Municipality – Land Use Bylaw Amendment Bylaw No. 722 - Request for Decision 25 - 36

THAT the Islands Trust Executive Committee advise Bowen Island Municipality that Bylaw No. 722, cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 722, 2026" is not contrary to or at variance with the Islands Trust Policy Statement.

7.2 Denman Island Local Trust Committee Bylaw No. 265 - Request for Decision 37 - 43

THAT the Islands Trust Executive Committee approve Denman Island Local Trust Committee Bylaw No. 265, cited as "Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019, Amendment No. 1, 2026" in accordance with Section 27 of the *Islands Trust Act.*

7.3 Thetis Island Local Trust Committee - Proposed Bylaw No. 118 – Public Notification Bylaw - Request for Decision 44 - 50

THAT the Islands Trust Executive Committee approve Thetis Island Local Trust Committee Bylaw No. 118, cited as "Thetis Island Local Trust Committee Public Notification Bylaw No. 118, 2026" in accordance with Section 27 of the *Islands Trust Act.*

8. TRUST COUNCIL MEETING PREPARATION

8.1 Executive

8.1.1 Implications of the Provincial Infrastructure Projects Act - Briefing 51 - 52

8.1.2 Draft September Islands Trust Council 3-Day Schedule 53 - 54

8.2 Trust Area Services

8.3 Planning Services

8.3.1 Letter of Understanding Between Salt Spring Island Local Trust Committee and Capital Regional District – Salt Spring Local Community Commission - Request for Decision 55 - 61

For review and consideration of forwarding to the September Islands Trust Council Quarterly Meeting agenda.

8.4 Financial and Employee Services

8.5 Legislative and Information Services

9. COMMITTEE OF THE WHOLE MEETING PREPARATION

None.

9.1 Executive

9.2 Trust Area Services

9.3 Planning Services

9.4 Financial and Employee Services

9.5 Legislative and Information Services

10. EXECUTIVE COMMITTEE PROJECTS

10.1 Trust Council Initiated

10.1.1 Executive

10.1.1.1 Executive Committee 2027/28 Budget Requests - Request for Decision 62 - 67

THAT Executive Committee forward its 2027/28 operating budget requests to Financial Planning Committee for inclusion in the draft 2027/28 budget:

1. $170,000 for Islands Trust Council Meetings
2. $40,000 for Islands Trust Council Training and Conferences
3. $6,000 for Islands Trust Council Travel for Training
4. $1,000 for Islands Trust Council Chair Travel
5. $8,000 for Executive Committee Meeting Expense
6. $35,000 for Executive Committee on local trust committee costs
7. $1,500 for Executive Committee Training and Conferences
8. $1,000 for Executive Committee Travel for Training
9. $33,000 for UBCM/AVICC Conventions

10.1.2 Trust Area Services

10.1.3 Planning Services

10.1.4 Financial and Employee Services

10.1.5 Legislative and Information Services

10.2 Executive Committee Initiated

10.2.1 Executive

10.2.1.1 Estimated Resourcing for First Nations Relationship Building - Briefing 68 - 72

10.2.2 Trust Area Services

10.2.3 Planning Services

10.2.4 Financial and Employee Services

10.2.5 Legislative and Information Services

11. NEW BUSINESS

11.1 Executive/Trust Council

11.2 Trust Area Services

11.3 Planning Services

11.4 Financial and Employee Services

11.5 Legislative and Information Services

12. CORRESPONDENCE (for information unless raised for action)

12.1 2026-07-10 - J Margison - July 8 Executive Committee Meeting and Bylaw Approval 73 - 74

12.2 2026-07-14 S Brands - Land Transfers 75 - 78

The writer has requested a written response from both of the Islands Trust Conservancy Board and the Executive Committee.

12.3 2026-07-19 H Miller - Follow-up to my Letter of 27 June 2026 79 - 195

13. WORK PROGRAM

13.1 Review and amendment of current work program 196 - 199

14. NEXT MEETING

The next meeting of the Executive Committee will be held electronically on Wednesday, August 26 at 9:15 a.m.

15. CLOSED MEETING

THAT the meeting be closed to the public subject to Section 90(1) (i) of the Community Charter in order to consider matters related to the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and that staff attend the meeting.

16. ADJOURNMENT

Executive Committee
Minutes of a Regular Meeting

Date:	**Wednesday, July 8, 2026**
Location:	**Electronic Meeting**
Members Present:	Laura Patrick, Chair, Salt Spring Island Local Trust Area Tobi Elliott, Vice-Chair, Gabriola Island Local Trust Area David Maude, Vice-Chair, Mayne Island Local Trust Area Timothy Peterson, Vice-Chair, Lasqueti Island Local Trust Area
Staff Present:	Rueben Bronee, Chief Administrative Officer Stefan Cermak, Director, Planning Services Derek Cockburn, Acting Director, Financial and Employee Services Clare Frater, Director, Trust Area Services David Marlor, Director, Legislative and Information Services Joe Elliott, Senior Indigenous Relations Advisor Alexandra Trifonidis, Executive Coordinator
Guests and Members of the public present:	No guests or members of the public were present.

1. CALL TO ORDER

The meeting was called to order at 9:15 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Patrick acknowledged that the land and waters of the Trust Area have been home to Indigenous Peoples since time immemorial and spoke about the events held on Salt Spring Island on National Indigenous Peoples Day.

3. APPROVAL OF AGENDA

3.1 Introduction of New Items

The following additions to the agenda were presented for consideration:

- Item 5.1 draft Executive Committee Meeting Minutes of June 16, 2026
- Item 12.3 correspondence 2026-07-03 R Laplante - Request for consideration of the CAO's final report (agenda addendum)
- Item 12.4 correspondence 2026-07-07 C de Menyhart - Letter for the Agenda July 8, 2026 Meeting

3.2 Approval of Agenda

By general consent the agenda and addendum were approved, as amended.

3.2.1 Agenda Context Notes - None

4. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING

Chair Patrick reported that at the last in-camera meeting the Executive Committee adopted the June 3, 2026 in-camera meeting minutes.

5. ADOPTION OF MINUTES

5.1 Draft Executive Committee Meeting Minutes of June 16, 2026

By general consent the Executive Committee meeting minutes of June 16, 2026 were adopted as presented.

6. FOLLOW UP ACTION LIST AND UPDATES

Trustees and staff were introduced.

6.1 Follow Up Action List/Director/CAO Updates

The Committee reviewed the follow up action list, and Directors provided their area reports.

6.2 Local Trust Committee Chair Updates and Reports on Local Advocacy Topics

Local Trust Committee Chairs provided updates on recently attended and upcoming local trust committee meetings, as well as current local advocacy topics.

6.3 Islands Trust Conservancy Liaison Update

The Islands Trust Conservancy liaison mentioned the upcoming joint meeting with the Executive Committee on July 28th.

7. BYLAWS FOR APPROVAL CONSIDERATION

7.1 Bowen Island Municipality – Land Use Bylaw Amendment Bylaw No. 721 - Request for Decision

The Director of Trust Area Services presented the item.

EC-2026-071
It was MOVED and SECONDED,
that Executive Committee advise Bowen Island Municipality that Bylaw No. 721, cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 721, 2026" is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

7.2 Galiano Island LTC LUB Bylaw No. 297 - Request For Decision

The Director of Planning Services introduced the item, spoke to the purpose of the Bylaw, and noted that staff and the Galiano Island Local Trust Committee find it is not contrary or at variance to the Islands Trust Policy Statement.

A question was raised regarding the purpose of the covenant. Staff confirmed it is to restrict uses and comply with water regulations, riparian area regulations, and noted it is a robust covenant.

EC-2026-072
It was MOVED and SECONDED,
that the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 297, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 3, 2024" in accordance with Section 27 of the *Islands Trust Act*.

Discussion ensued on the following:

- Receiving and reading correspondence addressed to the Executive Committee;
- Correspondence item 12.1 and the concerns raised from neighbouring properties regarding activities in their residential neighbourhood; and
- Historical information and the process of Bylaws No. 296 and 297.

CARRIED

8. TRUST COUNCIL MEETING PREPARATION

8.1 Roundtable Review of June 16-18 Islands Trust Quarterly Meeting – Discussion

A roundtable discussion was conducted, and the following comments were noted:

- Trustees joined and left the meeting frequently over the three-day period, which made it difficult for staff to track attendance, particularly during vote counts.
- The format of electronic meetings was discussed.
- The agenda materials were well presented, and the overall agenda was well received and considered manageable.
- Staff's hard work was acknowledged and appreciated.
- The presentation on the British Columbia Coastal Marine Strategy was well received and appreciated.
- The Committee of the Whole section was considered effective.
- If fully electronic meetings become more common, the possibility of changing the meeting format from three days to one to one and a half days, held more frequently, was suggested.
- The post-meeting trustee survey results were consistent with previous surveys. The results indicated that a small number of respondents were dissatisfied with the meeting due to attendance and voting issues.
- A need for procedural changes and requirements to support accurate voting was identified.
- It was suggested that attendees participate from locations with reliable Wi-Fi connectivity whenever possible.
- The electronic meeting format was appreciated for providing opportunities to build relationships with other First Nations through welcomes and opening ceremonies, rather than being limited to site-specific locations.

- The financial impacts of electronic meetings were noted to be lower than those of in-person meetings.
- A question was raised regarding potential support for trustees to improve Wi-Fi connectivity, including coordinated bulk purchasing and the possibility of rebates or reimbursement for related costs.
- Several rural challenges were identified as barriers to trustees carrying out their responsibilities, including limited cell phone reception, unstable Wi-Fi connectivity, and power outages.
- It was suggested that a briefing or handout be developed to provide tips for establishing an effective home office for the new Council.
- The Chair's annotated agenda was identified as a valuable resource that assisted with facilitating the meeting.

8.1.1 Islands Trust Council Meeting Attendance - Discussion

Staff and Committee members discussed attendance at the June meeting, and the following items were noted:

- Prior to the meeting, staff distributed guidance outlining best practices for attending meetings virtually.
- Processes and the importance of trustees informing staff of their attendance, including arrivals and departures throughout the meeting and the challenges for staff to record such.
- The expectation that trustees actively participate while in attendance at meetings.
- Meeting minutes and trustee attendance. It was noted that attendance fluctuated throughout the meeting, with between 15 and 20 trustees present at any given time. Although 25 trustees participated over the course of the meeting, not all were in attendance simultaneously.
- Communicating observations regarding attendance at the June meeting, along with expectations for the September meeting.
- The use of the Chair's annotated agenda to support meeting procedures in the way of scripting.
- It was noted that achieving quorum for in-person meetings on Thursdays during Islands Trust Council meetings has generally been challenging and is not an issue exclusive to electronic meetings.
- Trustee remuneration for attending meetings.

8.1.2 Islands Trust Council Voting and Abstentions - Discussion

Staff and Committee members discussed voting procedures and abstentions at the June meeting, and the following items were noted:

- Under local government procedures, abstentions are not permitted, and a trustee who does not vote is deemed to have voted in favour of the motion.
- The use of roll call votes to confirm trustee attendance during voting was discussed.

- Potential updates to the Meeting Procedures Bylaw were discussed.
- Concerns were expressed regarding the potential erosion of confidence in decisions made through the current voting process.
- The use of the eScribe electronic voting module was discussed.

The Committee recessed for break at 10:45 a.m. and reconvened at 10:55 a.m.

8.2 Executive

8.2.1 June Islands Trust Council Follow Up Action List

The Chief Administrative Officer commented on Activity 8 on page 61 and noted that the item was 50% complete following recent initial staff-to-staff discussions.

Received for information.

8.2.2 June Islands Trust Council Highlights

The Committee reviewed the Highlights document and the following changes were recommended:

- Add Islands Trust Council's request to write a letter to the Minister of Water, Land and Resource Stewardship advocating that the British Columbia Coastal Marine Strategy be enshrined into law;
- Move the First Nations Referral Work Plan section to the Islands Trust Draft Indigenous Relations Action Plan 2026-2028 section; and
- Replace the words "its first ever" with "the" in the Islands Trust Draft Indigenous Relations Action Plan 2026-2028 section.

By general consent item 8.2.2 was approved, as amended.

8.3 Trust Area Services - None
8.4 Planning Services - None
8.5 Financial and Employee Services - None
8.6 Legislative and Information Services - None

9. COMMITTEE OF THE WHOLE MEETING PREPARATION

9.1 Executive

9.1.1 July 22 Committee of the Whole Meeting – Discussion

The Chief Administrative Officer presented the item and noted that staff had not had sufficient time to prepare a draft agenda for the Committee's review. It was further noted that the proposed agenda content was outlined in Item 9.2.1.

The Committee addressed Item 9.2.1 concurrently, and the following items were discussed:

- Ongoing engagement with some Indigenous Governing Bodies and the timing of the work.
- Expected levels of meeting attendance, specifically the challenges associated with achieving quorum.
- The possibility of Executive Committee recommending that the Committee cancel the meeting.
- The importance of continuing work to advance the Policy Statement project through to the end of the current term.
- The timing of the project and the potential risks associated with direct staff-to-staff work that may not align with the outcomes of engagement with First Nations.
- The value of Committee of the Whole discussing the Ministry of Housing and Municipal Affair's referral response, related discussions, and next steps.
    - iterative approach to developing recommendations for amending the draft Policy Statement's content.
- The value of feedback and guidance to staff throughout the process.
- Providing the material to the public to answer questions.

Staff clarified that the materials presented were examples of how information would be provided in future updates and did not represent the complete body of information. The purpose of the material was to demonstrate progress on the project and to obtain feedback on the proposed approach, content, and method of presenting information, rather than to support decision-making at this time.

EC-2026-073
It was MOVED and SECONDED,
that Executive Committee request staff conduct a resolution without meeting to Trust Council to cancel the July 22, 2026 Committee of the Whole meeting.

DEFEATED

9.2 Trust Area Services

9.2.1 Policy Statement Amendment Project: Next Steps (with Reordered Tables)

The Committee discussed item 9.2.1 at item 9.1.1.

9.3 Planning Services - None
9.4 Financial and Employee Services - None
9.5 Legislative and Information Services - None

10. EXECUTIVE COMMITTEE PROJECTS - None

11. NEW BUSINESS

11.1 Executive/Trust Council - None
11.2 Trust Area Services - None

11.3 Planning Services

11.3.1 Hornby LTC request to EC for endorsement of Major Project - TUP (STVR) Processing Approach, Related Upcoming Budget Request for Staffing Support - Request For Decision

The Director of Planning Services presented the item and noted that the Hornby Island Local Trust Committee preferred Option 2. It was further noted that staff were advising the Executive Committee that they had no concerns at this stage.

Chair Patrick indicated that she was not opposed to Hornby Island moving forward with the project. She spoke to previous discussions on the matter, collaboration with the Comox Valley, and proposed next steps.

Discussion ensued on the following:

- The Comox Valley Regional District had received requests to explore the implementation of business licensing.
- Public concern on Hornby Island is high.
- A substantial amount of funding was at stake for the community.

A question was raised replacing the language comments with concerns in the first recommendation. Staff clarified the intent is more or less the same and is focused on the oversight that Executive Committee provides.

EC-2026-074
It was MOVED and SECONDED,
that Executive Committee advise Hornby Island Local Trust Committee that it has considered administrative capacity, financial resourcing and regulatory requirements, and implementation processes associated with Proposed Bylaw Nos. 176 and 177, and that it has no concerns at this time.

A comment was made that additional independent information on the regulatory and management options currently available would be helpful to both the Local Trust Committee and the Regional District of Nanaimo.

<u>CARRIED</u>

EC-2026-075
It was MOVED and SECONDED,
that Executive Committee advise Hornby Island Local Trust Committee that it has no concerns on submitting a business case based on the option 2 for budget consideration.

<u>CARRIED</u>

EC-2026-076
It was MOVED and SECONDED,

that the Executive Committee recommend to the Hornby Island Local Trust Committee, as part of developing its 2027/28 budget and business case to evaluate other options that could reduce financial and resource requirements, that the Local Trust Committee work collaboratively with the Comox Valley Regional District to commission an independent study examining the benefits and impacts of short-term rentals on Hornby Island; and

that the study provide an objective, evidence-based assessment of the effects of short-term rentals on, including but not limited to housing availability and affordability, the local economy, tourism, neighbourhood character, infrastructure, community well-being, and other issues specifically related to Hornby Island, such as, ferry capacity, solid waste management, freshwater, and emergency response; and

that the study identify and evaluate the full range of regulatory and management tools available to both the Comox Valley Regional District and the Hornby Island Local Trust Committee, including business licensing, land use regulations, enforcement mechanisms, and other policy options, to support informed decision-making by both authorities.

CARRIED

EC-2026-077
It was MOVED and SECONDED,
that should the Hornby Island Local Trust Committee undertake a study that the Executive Committee request staff to explore opportunities for grant funding and other external financial support that may be available to the Hornby Island Local Trust Committee and/or the Comox Valley Regional District to help expedite an independent study, with the objective of completing the work in time to inform the 2027/28 budget and any resources required to implement the preferred management approach.

CARRIED

11.4 Financial and Employee Services - None
11.5 Legislative and Information Services - None

12. CORRESPONDENCE (for information unless raised for action)

12.1 2026-06-22 J Margison - Letter of Concern re Public Input Galiano

Received for information.

12.2 2026-06-27 H. Miller - Letter of concern re: Bowen Island cidery rezoning and EC motion

A question was raised regarding the Executive Committee's responsibility to address a follow-up action item that had not been acted upon arising from a 2021 resolution. Staff clarified that it was too late to address the matter at this time and recommended strengthening processes to help ensure that follow-up actions are not missed in the future.

Received for information.

12.3 2026-07-03 R Laplante - Request for consideration of the CAO's final report

The Chief Administrative Officer spoke to the correspondence and clarified he has not provided a report as it states in the correspondence. Staff will follow up with the writer to clarify any confusion.

Received for information.

12.4 2026-07-07 C de Menyhart - Letter for the Agenda July 8, 2026 Meeting

Received for information.

13. WORK PROGRAM

13.1 Review and amendment of current work program

Received for information.

14. NEXT MEETING

The next two scheduled meetings of the Executive Committee are a liaison meeting hosted by the Islands Trust Conservancy on Tuesday, July 28, at 1:00 p.m., and a regular business meeting to be held electronically on Wednesday, July 29, at 9:15 a.m.

15. CLOSED MEETING

EC-2026-078
It was MOVED and SECONDED,
that the meeting be closed to the public subject to Sections 90(1)(i) of the Community Charter in order to consider matters related to the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose and that staff attend the meeting.

CARRIED

The meeting was closed to the public at 12:14 p.m. and reopened at 12:28 p.m.

16. ADJOURNMENT

By general consent the meeting adjourned at 12:28 p.m.

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Laura Patrick, Chair

CERTIFIED CORRECT:

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Alexandra Trifonidis, Executive Coordinator and Recorder

Minutes are not official until adopted at a subsequent meeting.

Print Date: July 24, 2026

Follow Up Action Report

Executive Committee

Chief Administrative Officer

Progress	Activity		Responsibility	Dates	Status
75%	1	Explore future education/workshop sessions on decision-making to benefit trustees. **Deferred to next council term per decision of EC Feb 25, 2026.**	Rueben Bronee	Meeting: 24-May-2023 Target: 13-Mar-2026	In Progress
81%	2	Staff to prepare a high-level, order-of-magnitude cost estimate for co-developing protocol agreements and for conducting meaningful engagement with all the First Nations with rights and territorial interests in the Trust Area for the significant projects (e.g., Trust Policy Statement and LTC OCP/LUB update projects), to clarify the fiscal implications and to support discussions with senior government regarding funding mechanisms necessary for implementation.	Clare Frater David Marlor Derek Cockburn Rueben Bronee Stefan Cermak	Meeting: 25-Feb-2026 Target: 26-Aug-2026	In Progress

Islands Trust

Follow Up Action Report

Executive Committee

Director Legislative Services and Information Services

Progress	Activity	Responsibility	Dates	Status
0%	**1** Investigate options for policies or policy updates for formal opportunities for First Nations presentations and engagement at Trust Council meetings. **DEFFERED: Not yet started. Trust Council December 2025 resolution to not start new work this term.**	David Marlor	Meeting: 07-Oct-2021 Target: 03-Jun-2026	In Progress
75%	**2** Staff to develop policy regarding s. 8 (2) (h.1) (iii) and (iv) of the Islands Trust Act. This request responded to changes to the Islands Trust Act to give Trust Council new discretionary powers relating to supporting and give financial assistance to others to (iii)engage in activities to gain knowledge about the unique amenities and environment of the trust area and to increase public awareness, understanding and appreciation of the unique amenities and environment; (iv)preserve and protect the unique amenities and environment of the trust area. Executive Committee has discussed there may be an opportunity to concurrently review the secretariat services, and grants in aid policies with the intention of identifying administrative efficiencies.	David Marlor	Meeting: 12-Apr-2022 Target: 16-Jun-2026	In Progress
25%	**3** Implement the Executive Committee approved 'The Role of the Trust' webinar project charter. **Will be delivered through the Candidate Information Session in August 2026.**	Clare Frater David Marlor	Meeting: 05-Jun-2024 Target: 17-Oct-2026	In Progress
50%	**4** Staff to prepare a primer on principles of the meeting assembly based on the guidelines from the training session May 19, 2022 along with clarification on points of order.	David Marlor	Meeting: 15-Jan-2025 Target: 08-Sep-2026	In Progress

Follow Up Action Report

Executive Committee

Director Legislative Services and Information Services

Progress	Activity		Responsibility	Dates	Status
0%	**5**	Staff to draft options for an updated version of Policy 6.12.2 UBCM/AVICC MEMBERSHIP AND RESOLUTIONS. **This will be undertaken as part of the Governance Committee on-going project to review and update TC policies.**	David Marlor	Meeting: 17-Jun-2025 Target: 09-Sep-2026	In Progress
75%	**6**	Staff will review the Resolution Without Meetings (RWMs) policy further and report back with findings and recommendations. **Being undertaken and will go to GC and then to EC and TC. Expected to TC in September 2026.**	David Marlor	Meeting: 02-Jul-2025 Target: 09-Sep-2026	In Progress
100%	**7**	Staff to amend the Islands Trust Council Meeting Procedures Bylaw No.101 to reflect the fact that the Islands Trust is unable to proceed with its first Trust Council meeting of a new term until Bowen Island Municipality formally appoints two Bowen Island Municipality Councilors as Islands Trust Trustees, which occurs in the first couple weeks of November. **On June 2026 Trust Council agenda.**	David Marlor	Meeting: 29-Oct-2025 Target: 02-Jun-2026	Completed
81%	**8**	Staff to prepare a high-level, order-of-magnitude cost estimate for co-developing protocol agreements and for conducting meaningful engagement with all the First Nations with rights and territorial interests in the Trust Area for the significant projects (e.g., Trust Policy Statement and LTC OCP/LUB update projects), to clarify the fiscal implications and to support discussions with senior government regarding funding mechanisms necessary for implementation.	Clare Frater David Marlor Derek Cockburn Rueben Bronee Stefan Cermak	Meeting: 25-Feb-2026 Target: 26-Aug-2026	In Progress
0%	**9**	Staff to undertake work to ensure that local trust committee agendas conform to Islands Trust Council Meeting Procedures Bylaw No. 101.	David Marlor	Meeting: 06-May-2026 Target: 15-Dec-2026	In Progress

Islands Trust

Follow Up Action Report

Executive Committee

Director of Planning Services

Progress		Activity	Responsibility	Dates	Status
81%	1	Staff to prepare a high-level, order-of-magnitude cost estimate for co-developing protocol agreements and for conducting meaningful engagement with all the First Nations with rights and territorial interests in the Trust Area for the significant projects (e.g., Trust Policy Statement and LTC OCP/LUB update projects), to clarify the fiscal implications and to support discussions with senior government regarding funding mechanisms necessary for implementation.	Clare Frater David Marlor Derek Cockburn Rueben Bronee Stefan Cermak	Meeting: 25-Feb-2026 Target: 26-Aug-2026	In Progress
100%	2	Staff to inform relevant planning staff that the Islands Trust Executive Committee approved Galiano Island Local Trust Committee Bylaw No. 297, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 3, 2024" in accordance with Section 27 of the Islands Trust Act.	Stefan Cermak	Meeting: 08-Jul-2026 Target: 10-Jul-2026	Completed

Executive Committee

Director of Planning Services

Progress	Activity	Responsibility	Dates	Status
100%	**3** Staff to inform relevant Northern Office planning staff that EC passed the recommended resolutions with one change of the word "comments" to "concerns": 1. That the Executive Committee advise the Hornby Island Local Trust Committee that is has considered administrative capacity, financial resourcing and regulatory requirements, and implementation processes associated with Proposed Bylaw Nos. 176 and 177, and that it has no comments concerns at this time. 2. That the Executive Committee advise the Hornby Island Local Trust Committee that it has no comments concerns on submitting a business case based on the option 2 for budget consideration. And, that the Executive Committee recommend to the Hornby Island Local Trust Committee, as part of developing its 2027/28 budget and business case to evaluate other options that could reduce financial and resource requirements, that the LTC work collaboratively with the Comox Valley Regional District to commission an independent study examining the benefits and impacts of short-term rentals on Hornby Island; and that the study provide an objective, evidence-based assessment of the effects of short-term rentals on, including but not limited to housing availability and affordability, the local economy, tourism, neighbourhood character, infrastructure, community well-being, and other issues specifically related to Hornby Island, such as, ferry capacity, solid waste management, freshwater, and emergency response; and that the study identify and evaluate the full range of regulatory and management tools available to both the Comox Valley Regional District and the Hornby Island Local Trust Committee, including	Stefan Cermak	Meeting: 08-Jul-2026 Target: 10-Jul-2026	Completed

Executive Committee

Director of Planning Services

Progress	Activity	Responsibility	Dates	Status
	business licensing, land use regulations, enforcement mechanisms, and other policy options, to support informed decision-making by both authorities. that should the HOLTC undertake a study, that the Executive Committee request staff to explore opportunities for grant funding and other external financial support that may be available to the Hornby Island Local Trust Committee and/or the Comox Valley Regional District to help expedite an independent study, with the objective of completing the work in time to inform the 2027/28 budget and any resources required to implement the preferred management approach.			

Director, Financial and Employee Services

Progress	Activity	Responsibility	Dates	Status
51%	**1** Staff to add to a future EC agenda: Honoraria for Indigenous elders providing welcomes or presentations at local trust committee meetings.	Derek Cockburn	Meeting: 20-Dec-2023 Target: 25-Aug-2026	In Progress
81%	**2** Staff to prepare a high-level, order-of-magnitude cost estimate for co-developing protocol agreements and for conducting meaningful engagement with all the First Nations with rights and territorial interests in the Trust Area for the significant projects (e.g., Trust Policy Statement and LTC OCP/LUB update projects), to clarify the fiscal implications and to support discussions with senior government regarding funding mechanisms necessary for implementation.	Clare Frater David Marlor Derek Cockburn Rueben Bronee Stefan Cermak	Meeting: 25-Feb-2026 Target: 26-Aug-2026	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress		Activity	Responsibility	Dates	Status
15%	**1**	Staff to develop a protocol agreement in cooperation with Snuneymuxw First Nation for Trust Council's consideration. **ON HOLD at request of Snuneymuxw First Nation.**	Clare Frater	Meeting: 05-Jun-2024 Target: 31-Mar-2027	In Progress
25%	**2**	Implement the Executive Committee approved 'The Role of the Trust' webinar project charter. **Will be delivered through the Candidate Information Session in August 2026.**	Clare Frater David Marlor	Meeting: 05-Jun-2024 Target: 17-Oct-2026	In Progress
10%	**3**	Staff to develop a protocol agreement in cooperation with Quw'utsun (Cowichan) Nations for Trust Council's consideration. **(ON HOLD)**	Clare Frater	Meeting: 24-Jul-2024 Target: 31-Mar-2027	In Progress
0%	**4**	Staff to put on a future Executive Committee meeting agenda for Executive Committee to consider: 'that the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) request that the Executive Committee consider a policy on engagement and communication with First nations in the Trust area, to be developed with Local Trust Committees, with respect to standing resolutions on Reconciliation and engagement with local First Nations. ' **This item is proposed as an action in the draft Indigenous Relations Action Plan. Should it remain in the approved Plan, staff recommend this item be removed.**	Clare Frater Joe Elliott	Meeting: 18-Jun-2024 Target: 31-Mar-2027	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress	Activity		Responsibility	Dates	Status
49%	5	Staff, with advice from Trustee Elliott, to draft a letter to Snuneymuxw First Nation to gauge their interest in a joint meeting and mention that there is an opportunity to jointly apply for up to a $20,000 Union of BC Municipality Community to Community Grant. In preparation for a potential grant application with Snuneymuxw First Nation staff to estimate associated costs, and report back to Executive Committee. **(ON HOLD)**	Clare Frater	Meeting: 18-Dec-2024 Target: 30-Sep-2026	In Progress
51%	6	Staff to cooperate with Tsartlip First Nation and Tseycum First Nation via the W_SÁNEC Leadership Council Society, to develop an agreement for Trust Council consideration.	Clare Frater Joe Elliott	Meeting: 14-May-2025 Target: 08-Sep-2026	In Progress
87%	7	Staff to develop a protocol agreement in cooperation with Tsawout First Nation for Trust Council's consideration.	Clare Frater Joe Elliott	Meeting: 14-May-2025 Target: 26-Aug-2026	In Progress
5%	8	Staff to prepare a report evaluating advocacy for the term and to provide background on the advocacy program for trustee orientation.	Clare Frater	Meeting: 04-Feb-2026 Target: 26-Aug-2026	In Progress
81%	9	Staff to prepare a high-level, order-of-magnitude cost estimate for co-developing protocol agreements and for conducting meaningful engagement with all the First Nations with rights and territorial interests in the Trust Area for the significant projects (e.g., Trust Policy Statement and LTC OCP/LUB update projects), to clarify the fiscal implications and to support discussions with senior government regarding funding mechanisms necessary for implementation.	Clare Frater David Marlor Derek Cockburn Rueben Bronee Stefan Cermak	Meeting: 25-Feb-2026 Target: 26-Aug-2026	In Progress

Islands Trust

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress		Activity	Responsibility	Dates	Status
100%	**10**	Staff to inform Bowen Island Municipality that the Executive Committee advise Bowen Island Municipality that Bylaw No. 721, cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 721, 2026" is not contrary to or at variance with the Islands Trust Policy Statement.	Clare Frater	Meeting: 08-Jul-2026 Target: 10-Jul-2026	Completed
100%	**11**	Staff to amend the June Islands Trust Council Highlights document as noted below and circulate: ·Add a section for requesting the Chair send a letter regarding enshrining the BC Coastal Marine Strategy into law ·Replace the words 'first ever' with 'updated' in the section about the Indigenous Relations Action Plan ·Add a note about the first nations referral workplan in the above section about the Indigenous Relations Action Plan	Clare Frater	Meeting: 08-Jul-2026 Target: 10-Jul-2026	Completed

Follow Up Action Report

Executive Committee

Senior Indigenous Relations Advisor

Progress	Activity	Responsibility	Dates	Status
0%	**1** Staff to put on a future Executive Committee meeting agenda for Executive Committee to consider: 'that the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) request that the Executive Committee consider a policy on engagement and communication with First nations in the Trust area, to be developed with Local Trust Committees, with respect to standing resolutions on Reconciliation and engagement with local First Nations. ' **This item is proposed as an action in the draft Indigenous Relations Action Plan. Should it remain in the approved Plan, staff recommend this item be removed.**	Clare Frater Joe Elliott	Meeting: 18-Jun-2024 Target: 31-Mar-2027	In Progress
51%	**2** Staff to cooperate with Tsartlip First Nation and Tseycum First Nation via the W_SÁNEC Leadership Council Society, to develop an agreement for Trust Council consideration.	Clare Frater Joe Elliott	Meeting: 14-May-2025 Target: 08-Sep-2026	In Progress
87%	**3** Staff to develop a protocol agreement in cooperation with Tsawout First Nation for Trust Council's consideration.	Clare Frater Joe Elliott	Meeting: 14-May-2025 Target: 26-Aug-2026	In Progress

REQUEST FOR DECISION

ISLAND MUNICIPALITY BYLAW SUBMISSION

File No.: BIM BL 722

DATE OF MEETING:	July 29, 2026
TO:	Islands Trust Executive Committee
FROM:	Trust Area Services
SUBJECT:	Bowen Island Municipality – Land Use Bylaw Amendment Bylaw No. 722

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee advise Bowen Island Municipality that Bylaw No. 722, cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 722, 2026" is not contrary to or at variance with the Islands Trust Policy Statement.**

IMPLICATIONS OF RECOMMENDATION

Organizational: None

Financial: None

Policy: None

Implementation/Communications: Communication to Bowen Island Municipality (BIM) regarding Executive Committee's decision by August 29, 2026.

Other: None

PURPOSE

The purpose of Bowen Island Municipality Bylaw No. 722 (Attachment 1) is to amend Bowen Island Municipality Land Use Bylaw (LUB) No. 57, 2002 to allow subdivision of a property without increasing the total density.

This bylaw has been forwarded to Executive Committee for comment under Section 15 of the Bowen Island Letters Patent.

BACKGROUND

The proposed bylaw will update the zoning within the Comprehensive Development 18 (CD 18) Zone, in the site-specific Area 2 to allow smaller minimum lot sizes which would enable the subdivision of the property into strata lots. The individual lots would allow for individual ownership of the 14 planned cottage units as opposed to the initial plans being for rental of the cottages on one undivided property.

Bowen Island staff reports related to this matter are available as follows:

First Reading Staff Report July 13, 2026 meeting:
https://bowenisland.civicweb.net/document/343470/
Referral Results Staff Report June 22, 2026 meeting:
https://bowenisland.civicweb.net/document/343038/
Project Introduction Staff Report March 23, 2026 meeting:
https://bowenisland.civicweb.net/document/339620/

Issues Relating to First Nation Interest

The BIM staff report does not indicate that any First Nations engagement has been undertaken. The Island Trust Policy Statement does not contain directive policies about engagement with First Nations.

Public Comments

As of the date of this Request for Decision (RFD), Islands Trust Staff have not received any public comments.

BIM completed a public notice prior to First Reading of the amending bylaw.

Staff Comments

The purpose of this RFD is to advise if the proposed bylaw may be contrary to or at variance with the Islands Trust Policy Statement Directives Policies Checklist (Attachment 2).

BIM staff have identified two relevant Islands Trust Council policies. BIM staff and Islands Trust staff comments follow:

5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans
BIM staff comments: The allowable use for this property is "cottage residential development", which clusters housing in a denser area than would otherwise be permitted under any other residential zoning designations in BIM's Land Use Bylaw. Further, the proposed amendments to Area 2 of the CD-18 zone will primarily reduce the minimum lot size, allowing the property to be subdivided into individual parcels for each cottage unit while not increasing the previously-approved density for the site. In this way the financial feasibility of the project will be supported by allowing individual tenure of the units as opposed to a common-ownership rental model that failed to attract investment, all while the density and use will remain the same.	
Islands Trust staff comments: The application does not involve an increase in total density and as identified in the BIM staff reports the total lot coverage would not be increased through the rezoning and subsequent subdivision of the property. The amending bylaw appears to be consistent with the subject policy.	

5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.
<u>BIM staff comments:</u> The allowable use for this property is "cottage residential development", which means a development providing supportive housing to individuals as defined through a Housing Agreement. The eligibility criteria within this agreement identifies people with disabilities or seniors as being the qualified occupants for the cottage units. In this way the municipality is addressing the community's need for housing and supports specifically for people with disabilities and health-related challenges.	
<u>Islands Trust staff comments:</u> The current stage of the proposal does not involve an increase in total density, the housing capacity has been allocated through previous zoning of the property. The amending bylaw appears consistent with the subject policy.	

Based on a review of the proposed Bylaw No. 722, the Bowen Island staff reports, and the Islands Trust Policy Statement Checklist, Islands Trust staff concludes that proposed Bylaw No. 722 is not contrary to or at variance with the Islands Trust Policy Statement.

KEY ISSUES/CONCEPTS

- Referral of Land Use Bylaw No. 721 under s.15 of the Letters Patent
- Written response to Bowen Islands Municipality required by August 29, 2026 (within 45 days of receipt of the referral on July 15, 2026)
- Comments from Executive Committee limited to whether or not Bylaw No. 722 is contrary to or at variance with the Islands Trust Policy Statement
- Staff does not consider Bylaw No. 722 to be contrary to or at variance with the Islands Trust Policy Statement

RELEVANT POLICY

- Islands Trust Policy 1.3.1 [Policy Statement Implementation]
- Bowen Island Municipality Letters Patent
- Islands Trust Council/Bowen Island Municipality Protocol Agreement, 2014

ALTERNATIVES

1. *THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 722, cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002,* ***Amendment Bylaw No. 722, 2026****" may be contrary to, or at variance with, the Islands Trust Policy Statement for the following reasons . . . [list reasons].*

Submitted By:	Bruce Belcher, Planner 2, Planning Services	July 21, 2026
Concurrence:	Stefan Cermak, Director, Planning Services	July 22, 2026

ATTACHMENTS

1. Bowen Island Municipality Bylaw No. 722
2. Bylaw No. 722 Directives Only Checklist

Attachment 1

Bowen Island Municipality
Bylaw No. 722, 2026

A Bylaw to amend Land Use Bylaw No 57. 2002

WHEREAS, "Bowen Island Land Use Bylaw No. 57, 2002" regulates the use of land, buildings, and structures within the Bowen Island Municipality.

AND WHEREAS, Council wishes to amend "Bowen Island Land Use Bylaw No. 57, 2002" to amend existing regulations under Section 4.38 pertaining to Area 2 of the Comprehensive Development 18 (CD-18) zone.

THEREFORE be it resolved that the Council for Bowen Island Municipality in open meeting assembled enacts as follows:

1.0 Citation

1.1 This bylaw may be cited for all purposes as "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 722, 2026".

1.2 Amendments

1.3 "Bowen Island Municipality Land Use Bylaw No. 57, 2002," is amended at Section 4.30.2(1) – Size, Siting and Density of Permitted Uses, Buildings and Structures by making the following changes:

(a) Amending the maximum lot coverage in Area 2 from "15%" to "25%";
(b) Amending the text "maximum total floor area of common accessory building" by replacing it with "maximum total floor area of common accessory amenity building";
(c) Amending the max floor area of all buildings on a lot excluding garages and accessory buildings in Area 2 from "2130" to "N/A";
(d) Adding the category "maximum garage area per residential lot (m2)" and adding "65" for Area 2;
(e) Amending the maximum size of floor area of detached dwellings in cottage residential development (m2) in Area 2 from "250" to "142";
(f) Amending the maximum number of detached dwellings on any lot in Area 2 from "14" to "1"; and
(g) Amending the minimum setback from front lot lines (metres) in Area 2 from "7.5" to "3".

1.4 "Bowen Island Municipality Land Use Bylaw No. 57, 2002," is amended at Section 4.30.3(1) – Subdivision and Servicing Requirements by making the following changes:

(a) Amending the text “maximum number of lots to be created by subdivision” by replacing it with “maximum number of lots to be created by subdivision excluding common property”, and replacing “1” with “15 residential 1 commercial” for Area 2;
(b) Amending the minimum lot area (hectares) in Area 2 from “3” to “0.057”;
(c) Adding a minimum lot area (m2) of “570” in Area 2.

READ A FIRST TIME this 13th day of July, 2026;

READ A SECOND TIME this ____ day of _______ , ______;

READ A THIRD TIME this ____ day of _______ , ______;

FINALLY ADOPTED this ____ day of _______ , ______;

_________________________	____________________________
Andrew Leonard Mayor	Sophie Idsinga Corporate Officer

Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: Bylaw No. 722, 2026 – File: 1620 Joan Audrey Lane RZ-2025-0186

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matter in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

✓ the bylaw is consistent with the policy from the Policy Statement, or

✗ **the bylaw is** inconsistent (contrary or at variance) **with a policy from the Policy Statement, or**

N/A the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	**Ecosystems**
N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	**Forest Ecosystems**
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	**Freshwater and Wetland Ecosystems and Riparian Zones**
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	**Coastal and Marine Ecosystems**
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	**Agricultural Land**
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws,

		address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	**4.1.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	**NO.**	**DIRECTIVE POLICY**
N/A	**4.1.7**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	**4.1.8**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	**4.1.9**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	**Forests**
N/A	**4.2.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	**4.2.7**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	**4.2.8**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	**Wildlife and Vegetation**
	4.4	**Freshwater Resources**
N/A	**4.4.2**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	**4.4.3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	**Coastal Areas and Marine Shorelands**
N/A	**4.5.8**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses
N/A	**4.5.9**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their

		local planning areas.
N/A	**4.5.10**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments
N/A	**4.5.11**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	**Soils and Other Resources**
N/A	**4.6.3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	**Aesthetic Qualities**
N/A	**5.1 3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	**Growth and Development**
N/A	**5.2.3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	**5.2.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	**5.2.5**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	**5.2.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

	5.3	**Transportation and Utilities**
N/A	**5.3.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	**5.3.5**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	**5.3.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	**5.3.7**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	**Disposal of Waste**
N/A	**5.4.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	**Recreation**
N/A	**5.5.3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	**5.5.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	**5.5.5**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	**5.5.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	**5.5.7**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	**Cultural and Natural Heritage**
N/A	**5.6.2**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.

N/A	**5.6.3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	**Economic Opportunities**
N/A	**5.7.2**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	**Health and Well-being**
✓	**5.8.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services

POLICY STATEMENT COMPLIANCE	
	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 3900-03; 4050-03

DATE OF MEETING: July 29, 2026

TO: Executive Committee

FROM: Warren Dingman, Bylaw Compliance & Enforcement Manager

DATE PREPARED: July 16, 2026

SUBJECT: Denman Island Local Trust Committee Bylaw No. 265

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Denman Island Local Trust Committee Bylaw No. 265, cited as "Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019, Amendment No. 1, 2026" in accordance with Section 27 of the *Islands Trust Act.***

DIRECTORS COMMENTS

Denman Island Local Trust Committee has referred Bylaw No. 265 to the Executive Committee for approval under Section 27 of the Islands Trust Act. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

1 PURPOSE

The purpose of this request for decision is to summarize the amendments to the Denman Island Bylaw Enforcement Notice Bylaw No. 232 contravention schedules and the request by the Denman Island Local Trust Committee for its approval by the Executive Committee.

2 BACKGROUND

The Denman Island Local Trust Committee (LTC) requested amendments to the Bylaw Enforcement Notification Bylaw (BEN) due to public concern about work in development permit areas without permits and the lack of enforcement for any work done without the necessary permits. The current amendment bylaw adds a $500 penalty for failing to obtain a permit for any development area.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL

The Denman Island Local Trust Committee will be the fifth LTC to amend its BEN bylaw to permit a penalty ($750) for failing to obtain a permit for work in a development permit area. Gambier, Hornby, Gabriola and North Pender adopted a $500 penalty for failing to obtain the necessary permit. While the penalty will not deal directly with the enforcement of development area guidelines, it will be a means to encourage property owners to obtain the necessary permits.

FINANCIAL

There are no direct financial increases or increases in staff resources associated with the current amendments to the BEN bylaw and there is the opportunity to diminish the need for legal action in development permit enforcement files with the ability to issue a penalty as a means to gain compliance.

4 RELEVANT POLICY(S)

Trust Council Policy 5.5.1, Bylaw Compliance & Enforcement.

ALTERNATIVE

1. **Determine that the bylaw is contrary to the Islands Trust Policy Statement:**

   THAT the Executive Committee request that staff advise Denman Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 265, cited as "Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019, Amendment No. 1, 2026", is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Denman Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Warren Dingman, Bylaw Compliance & Enforcement Manager	July 16, 2026
Concurrence:	Stefan Cermak, Director Local Planning Services	July 16, 2026

ATTACHMENTS

1. EC Submission Cover
2. EC Policy Checklist
3. Proposed Denman Island LTC Bylaw No. 265

Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Denman Island Local Trust Committee

Bylaw No.: DE-265

Bylaw Type: Notice Enforcement Bylaw

Date of resolution referring bylaw to Executive Committee: 23-Jun-2026

- [x] Bylaw Submission Checklist attached
- [ ] Policy Statement Checklist attached*
  * not required for administrative bylaws
- [x] Summary of Bylaw Intent Attached

Recieved by Islands Trust Secretary:

Signature: ______________________ Date: ______________
Secretary

Deadline for Executive Committee decision (one month after receipt by Secretary as determined pursuant to the Interpretation Act*): ______________

Date bylaw will appear on Executive Committee agenda: ______________

- *a month means "a period calculated from a day in one month to a day numberically corresponding to that day in the following month, less one day"*
- *In the calculation of time expressed as clear days, weeks, months or years, or as "at least" or "not less than" a number of days, weeks, months, or years, the first and last*

Distribution: Executive Committee ______________

Director, LPS ______________

Local Trust Committee ______________

Planner ______________

Planning Clerk ______________

Executive Committee

Policy Checklist

Checklist Key:

Consistent	The bylaw is consistent with the Islands Trust Policy Manual Chapter 2, Section 4, Subsection iv
Contrary	The bylaw is inconsistent (contrary or at variance) with the Islands Trust Policy Manual Chapter 2, Section 4, Subsection iv
Not-Applicable	The policy is not applicable with the Islands Trust Policy Manual Chapter 2, Section 4, Subsection iv .

Executive Committee Legislative Role Policy (2.4)

Consistent	i	Bylaw is consistent with the object of the Trust
Consistent	ii	Bylaw is not contrary to or at variance to the Islands Trust Policy Statement
Consistent	iii	Bylaw does not expose the Islands Trust to unreasonable expense in the administration or enforcement of the bylaw
Consistent	iv	Bylaw is not enacted without legal authority, including inconsistency with the relevant OCP (based on legal advice)

Checklist Key:

Requires Resources	Staff resources required to assist with administration.
No Resources Required	No staff resources required.

The Bylaw has been Examined Against Best Management Practices for Delivery of Local Planning Services as found in Section 5.9 of the Islands Trust Policy Manual

No Resources Required	B.5	Bylaw is consistent with the object of the Trust
No Resources Required	B10	Bylaw is not contrary to or at variance to the Islands Trust Policy Statement

Comments

Completed By: Nadine Mourao

Status

Date Resolution Referred to Exective Committee: 23-Jun-2026

Reading:

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 265

A BYLAW TO AMEND THE DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW ENFORCEMENT NOTIFICATION BYLAW NO. 232, 2019

The Denman Island Local Trust Committee, being the Local Trust Committee having jurisdiction on and in
respect of the Denman Island Local Trust Area, under the *Islands Trust Act*, in open meeting assembled, enacts as follows:

1. Denman Island Local Trust Committee Bylaw No. 232 cited as "Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019" is hereby amended as follows:

    a. By deleting Schedule A in its entirety and replacing it with a new Schedule A, Contraventions and Penalties, attached to and forming part of this bylaw.

2. This Bylaw may be cited as "Denman Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 232, 2019, Amendment No. 1, 2026.

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	23RD	DAY OF	JUNE	, 2026
READ A SECOND TIME THIS	23RD	DAY OF	JUNE	, 2026
READ A THIRD TIME THIS	23RD	DAY OF	JUNE	, 2026

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

		DAY OF		, 2026
ADOPTED THIS		DAY OF		, 2026

____________________________ CHAIRPERSON

____________________________ SECRETARY

PROPOSED

SCHEDULE A

DENMAN ISLAND LAND USE BYLAW NO. 186
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.1.2	Non-Permitted Use of Dwelling for Vacation Rental/Paying Guests	$500.00	$375.00	$750.00	Yes	100%
2.3.1	Building within setback of Cliff	$500.00	$375.00	$750.00	Yes	100%
2.3.2	Encroachment into Setback from Natural Boundary of Stream/Lake/Wetland	$500.00	$375.00	$750.00	Yes	100%
2.3.3	Encroachment into Setback from Natural Boundary of the Sea	$500.00	$375.00	$750.00	Yes	100%
2.3.4	Exceed Minimum Difference in Elevation of Building/Structure and Natural Boundary of the Sea	$500.00	$375.00	$750.00	Yes	100%
3.7 Table 1	Non-Permitted Use in Water Zone	$500.00	$375.00	$750.00	Yes	100%
3.7 Table 2	Non-Permitted Building/Structure in Water Zone	$500.00	$375.00	$750.00	Yes	100%
3.7 Table 5	Non-Permitted use of vehicles or machinery on the Foreshore	$500.00	$375.00	$750.00	No	N/A
4.1 – 4.7	Fail to obtain a development permit	$500.00	$375.00	$750.00	Yes	100%

Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: TH BL 118

3900-03: Public Notification Bylaw

DATE OF MEETING:	May 29, 2026
TO:	Islands Trust Executive Committee
FROM:	Nadine Mourao, Legislative Clerk
SUBJECT:	Thetis Island Local Trust Committee - Proposed Bylaw No. 118 – Public Notification Bylaw

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Thetis Island Local Trust Committee Bylaw No. 118, cited as "Thetis Island Local Trust Committee Public Notification Bylaw No. 118, 2026" in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

Thetis Island Local Trust Committee referred Bylaw No. 118 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational:

In addition to the default requirement of newspaper advertising, local trust committees are already posting notices on our website and email notification service. Adoption by local trust committees of a bylaw similar to the model would simplify our administrative processes and reduce costs.

Financial:

Adoption by local trust committees of a Public Notice Bylaw similar to the model will result in a reduction in costs generally as it will remove the need to advertise in print newspapers.

Policy:

There are no policy implications. Trust Council policy deems that Administrative bylaws are consistent with the Islands Trust Policy Statement.

Implementation and Communications:

Staff post the new bylaw on the Islands Trust website, and staff would be made aware of the new public notification process.

First Nations:

There are no First Nations relations implications.

Other:

There are no other implications.

PURPOSE

The purpose of bylaw is to provide the local trust committees with a draft bylaw for Public Notification that is based on the model approved by Trust Council.

BACKGROUND

The Community Charter establishes the requirements for publishing public notice where public notices are required by the *Local Government Act*. The Community Charter includes a default requirement, and an option to adopt an alternative means by bylaw.

The default public notification is by publication in two editions of a newspaper once each week for two consecutive weeks, unless another provision for a specific type of notice states otherwise. The newspaper has to circulate local area.

Section 94.2 of the *Community Charter* gives local governments, including local trust committees, the authority to adopt public notice bylaws. If a local trust committee adopts a Public Notice Bylaw, the local trust committee is required to publish notices by all the methods specified in that bylaw. Local trust committees that do not adopt a Public Notice Bylaw are required to continue to follow the default publication rules under Section 94.1 of the *Community Charter*.

When adopting a Public Notice Bylaw, the local trust committees are required to consider the principles of effective public notice (reliable, suitable, and accessible) described by the *Public Notice Regulation*.

Principles of Effective Public Notice

The Public Notice Regulation establishes the principles that must be considered before a public notice bylaw is adopted; these are:

- Reliable – the publication methods are dependable and trustworthy;
- Suitable – the publication methods work for the purpose for which the public notice is intended; and
- Accessible – the publication methods are easy to access and have broad reach.

In considering the adoption of a Public Notice Bylaw, local trust committees must consider and record, either by a resolution recorded in the minutes, or by preamble whereas clauses in the bylaw, that these principles have been considered.

Considering the three principles (reliable, suitable and accessible) possible methods to publish public notices that are available to local trust committees include:

- Online or print newspaper;
- Islands Trust website;
- Community website or newsletter;
- Islands Trust social media page, such as Facebook; and
- Direct email or mail out.

Each of the above meet the principles set out in the Public Notice Regulation. On-line print newspaper still has the problem of being published infrequently, or not circulated through the entire local trust area. Use of a community website or newsletter is outside the control of Islands Trust and each could be shut-down or modified without Islands Trust input; this could compromise the accessibility and reliability principles. Direct mail or a mail-out would reach all owners and residents; however, it could be expensive and time consuming to undertake.

The two best options with the lowest costs and that meet the principles outlined in the Public Notice Regulation are publishing on the Islands Trust website and publishing on an Islands Trust social media page. These are recommended, however, Trust Council recognizes that there may be other conditions on the islands that may warrant a different method.

At its June 2026 meeting, Trust Council adopted Policy 4.1.16 Model Public Notice Bylaw. This contains the format for such a bylaw and recommends the use of the Islands Trust website and a social media account to post the notices. As these are recommendations, and each local trust committee must consider the reliability, suitability and accessibility of the form of notice for their islands, variation on the recommendation may be considered.

Proposed Bylaw No. 118 now requires Executive Committee approval prior to adoption.

RELEVANT POLICY(S):

- Section 94 and Section 94.2 of the Community Charter
- Community Charter Public Notice Regulation
- Trust Council Policy 4.1.16 Model Public Notice Bylaw

ALTERNATIVE

1. **Determine that the bylaw is inconsistent with the Islands Trust Policy Statement:**

   THAT the Executive Committee request that staff advise Thetis Island Local Trust Committee in writing that the Executive Committee considers that Thetis Island Local Trust Committee Bylaw No. 118, cited as "Thetis Island Local Trust Committee Public Notification Bylaw No. 118, 2026" *is inconsistent or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Thetis Island Local Trust Committee on steps needed to address the specified issues.*

Submitted By:	Nadine Mourao, Legislative Clerk	July 9, 2026
Concurrence:	Stefan Cermak, Director Planning Services	July 10, 2026

ATTACHMENTS

1. EC Submission Cover
2. EC General Checklist
3. Proposed Thetis Island LTC Bylaw No. 118

ATTACHMENT 1

Islands Trust

Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Thetis Island Local Trust Committee

Bylaw No.: TH-118

Bylaw Type: Administration Bylaw

Date of resolution referring bylaw to Executive Committee: 20-Apr-2026

- [x] Bylaw Submission Checklist attached
- [ ] Policy Statement Checklist attached*
  * not required for administrative bylaws
- [x] Summary of Bylaw Intent Attached

Recieved by Islands Trust Secretary:

Signature: ______________________ Date: ______________
Secretary

Deadline for Executive Committee decision (one month after receipt by Secretary as determined pursuant to the Interpretation Act*): ______________

Date bylaw will appear on Executive Committee agenda: ______________

- *a month means "a period calculated from a day in one month to a day numberically corresponding to that day in the following month, less one day"*
- *In the calculation of time expressed as clear days, weeks, months or years, or as "at least" or "not less than" a number of days, weeks, months, or years, the first and last*

Distribution:
Executive Committee ______________
Director, LPS ______________
Local Trust Committee ______________
Planner ______________
Planning Clerk ______________

ATTACHMENT 2

Print Date: July 9, 2026

Bylaw: TH-118

Executive Committee

Policy Checklist

Checklist Key:

Consistent	The bylaw is consistent with the Islands Trust Policy Manual Chapter 2, Section 4, Subsection iv
Contrary	The bylaw is inconsistent (contrary or at variance) with the Islands Trust Policy Manual Chapter 2, Section 4, Subsection iv
Not-Applicable	The policy is not applicable with the Islands Trust Policy Manual Chapter 2, Section 4, Subsection iv .

Executive Committee Legislative Role Policy (2.4)

Consistent	i	Bylaw is consistent with the object of the Trust
Consistent	ii	Bylaw is not contrary to or at variance to the Islands Trust Policy Statement
Consistent	iii	Bylaw does not expose the Islands Trust to unreasonable expense in the administration or enforcement of the bylaw
Consistent	iv	Bylaw is not enacted without legal authority, including inconsistency with the relevant OCP (based on legal advice)

Checklist Key:

Requires Resources	Staff resources required to assist with administration.
No Resources Required	No staff resources required.

The Bylaw has been Examined Against Best Management Practices for Delivery of Local Planning Services as found in Section 5.9 of the Islands Trust Policy Manual

No Resources Required	B.5	Bylaw is consistent with the object of the Trust
No Resources Required	B10	Bylaw is not contrary to or at variance to the Islands Trust Policy Statement

Comments

Completed By: Nadine Mourao

Status

Date Resolution Referred to Exective Committee: 20-Apr-2026

Reading: 20-Apr-2026

Third Reading

PROPOSED

ATTACHMENT 3

THETIS ISLAND LOCAL TRUST COMMITTEE
PUBLIC NOTIFICATION BYLAW
BYLAW NO. 118

A Bylaw to provide for an alternative means of publishing a public notice.

WHEREAS pursuant to section 94.2 of the Community Charter, the Thetis Island Local Trust Committee may adopt a Bylaw to provide an alternative means of publishing a public notice;

AND WHEREAS, pursuant to section 94.2(3) of the Community Charter and section 2 of the Public Notice Regulation, B.C. Reg. 52/2022, the Thetis Island Local Trust Committee considers the means of publication set by this Bylaw to be reliable, suitable for providing notices, and accessible;

NOW THEREFORE, the Thetis Island Local Trust Committee in open meeting assembled, enacts as follows:

1. This bylaw may be cited as "Thetis Island Local Trust Committee Public Notification Bylaw No. 118, 2026".

2. The means of publication for public notice requirements under the Community Charter, Local Government Act, or any other enactment may be given by the following methods:

   (i) electronically by posting the notice on the Islands Trust website; and

   (ii) electronically by posting the notice on Islands Trust's social media platform.

READ A FIRST TIME THIS	3rd	DAY OF	FEBRUARY	, 2026
READ A SECOND TIME THIS	3rd	DAY OF	FEBRUARY	, 2026
READ A THIRD TIME THIS	20th	DAY OF	APRIL	, 2026
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	__	DAY OF_____		, 202__
ADOPTED THIS	__	DAY OF	_____	, 202_

____
Chairpenson

____
Secretary

BRIEFING

To:	**Executive Committee**	**For the Meeting of:**	July 29, 2026
From:	**Executive Office**	**Date Prepared:**	July 15, 2026
SUBJECT:	**Implications of the Provincial Infrastructure Projects Act**		

PURPOSE:

To provide a preliminary response to Trust Council's interest in the implications of the provincial Infrastructure Projects Act (IPA) for Islands Trust and the Trust Area.

BACKGROUND:

At its June 2026 meeting, Trust Council passed the following resolution:

> **TC-2026-095**
>
> That Islands Trust Council requests staff to engage the Province about the Infrastructure Projects Act to clarify the implications in the Trust Area and intentions to respect the provincial Islands Trust mandate.

The IPA is legislation intended to allow the province to designate certain infrastructure projects for expedited approval and delivery that are considered "provincially significant or critical public infrastructure." These can include projects delivered by the Province or projects delivered by local governments, First Nations, Crown agencies, or private proponents. The IPA received royal assent, however it is not yet fully in force pending development of supporting regulations by the Province.

The legislation includes provisions for designated projects to be placed at the front of the line for permit reviews, and to access an expedited environmental assessment process. The expedited environment assessment process is designed to complete an assessment within 20 months, compared to the normal process timeline of as much as five years. One of the key proposed changes to achieve this shorter timeline is to reduce the mandatory four 30-day comment periods to two:

- A 14-day comment period at the start of the expedited assessment in process planning to identify key issues and gather public feedback on potential community impacts of the proposed project's design, location and activities.
- A 30-day period near the end of the expedited assessment when the Province has received the application from the proponent and is assessing the potential project impacts, to gather additional input from the public on the potential effects and proposed mitigation measures.

There are two key sections of the legislation that are most directly relevant to Islands Trust:

- Division 2 enables a "specified authority" to ask the Province to exempt or modify certain provincially legislated land-use planning requirements for a designated project. This effectively allows local governments to ask the province to temporarily waive provincial land use planning rules, such as official community plan updates, to avoid delays on designated projects supported by the local government.

- Division 3 requires a local government to enter into a process with a proponent of a provincially designated project to resolve/remove any of its bylaws or policies that might be a constraint on a designated project. But if an agreement cannot be reached between the parties, then the Province would have the ability to impose a solution.

Neither of these divisions of the IPA are yet in force. However, provincial staff advise that in both cases it is the Province’s intention that Local Trust Committees (LTC) would participate in the prescribed processes in a manner similar to local government boards and councils.

Provincial staff advise that Division 3 will establish a structured process between a project proponent and an approval authority (such as an LTC) before provincial intervention is considered. The process would begin with consultation between the project proponent and the LTC to identify and attempt to resolve a perceived constraint. Where appropriate, a facilitator may also be appointed to assist the parties.

If the Minister of Infrastructure concludes that an implementation agreement is unlikely to be reached, the IPA provides authority for a replacement measure to be imposed. However, the Minister would be required to consult with the LTC before any ministerial order is considered. Once brought into force, provincial staff advise the Province's intention is that Division 3 be used as an agreement-seeking process, with replacement measures used only as a last resort.

Finally, provincial staff advise the IPA does not automatically remove local planning authority or broadly displace local decision-making processes.

FOLLOW-UP: Executive Committee may request staff to provide further information or analysis, or forward this briefing to the next meeting of Trust Council.

Prepared By: Rueben Bronee, CAO, July 15, 2026

Islands Trust Council Quarterly Meeting Schedule

Islands Trust

Date & Time: 1:00 PM, Wednesday, September 9 through 12:30 PM, Friday, September 11, 2026

Location: Electronic Videoconferencing (Zoom) - A physical location to view the livestream of the meeting: Islands Trust Victoria Office #200-1627 Fort Street, Victoria, B.C., V8R 1H8

WEDNESDAY

Time	DAY 1 - Session Highlights	Agenda Item
10:00 AM	**Executive Committee Meeting - Electronic Meeting**	Please visit the event web page for the agenda.
	Islands Trust Council Meeting Begins at 1:00 PM	
1:00 PM	**Welcome and Introductions** • Call to Order and Territorial Welcome • Approval of Agenda	TBD
1:25 PM	**General Business Arising** • Islands Trust Council Committee Work Programs and Chair Updates • Correspondence	TBD
2:15 PM	**Executive Office** • Implications of the Provincial Infrastructure Projects Act - BRF • Islands Trust Corporate Planning Process - RFD	TBD
	BREAK 3:30 - 3:45 PM	
3:45 PM	**Executive Office (Continued)** • Islands Trust Council Committee Structure Changes - RFD	TBD
4:30 PM	**Delegations and Public Comment Period**	TBD
	ADJOURN - ~ 5:00 PM	

Islands Trust Council Quarterly Meeting Schedule
9-11, September, 2026

Islands Trust

THURSDAY

Time	DAY 2 - Session Highlights	Agenda Item
9:00 AM	**Closed Meeting** • Public are welcome to attend all sessions excluding the Closed Meeting.	TBD
	BREAK 10:00 - 10:15 AM	
10:15 AM	**Financial and Employee Services** • Statement of Financial Information (SOFI) - RFD • Q1 Variance Analysis - RFD • Policy 6.5.3 Procurement - RFD • New Policy Honorarium - RFD • New Policy Protocol Gifts - RFD	TBD
	LUNCH 12:00 - 12:30 PM	
12:30 PM	**Legislative and Information Services** • Local Trust Committees' Meeting Procedure Bylaw No. 197 Amendments - RFD	TBD
1:00 PM	**Trust Area Services** • Policy Statement Amendment Project Update - BRF • Policy Statement Amendment Agency Response Table - BRF • 2022-2026 Advocacy Background and Summary - BRF	TBD
	BREAK 2:30 - 2:45 PM	
2:45 PM	**Trust Area Services (Continued)** • Strategic Priorities Survey Results - RFD • Policy 2.1.17 Grants to Others - RFD	TBD
	ADJOURN - ~ 5:00 PM	

FRIDAY

Time	DAY 3 - Session Highlights	Agenda Item
9:00 AM	**Planning Services** • Salt Spring Island Local Trust Committee & Capital Regional District Local Community Commission Letter of Understanding - RFD • Monitoring Progress on Ecosystem Protection in Land Use Planning - Initiative 3.2.4 Update - RFD	TBD
	BREAK 10:30 - 10:45 AM	
10:45 AM	**Trustee Roundtable**	TBD
12:15 PM	**New Business, Disposition of Delegations, Meeting Wrap Up** • Islands Trust Council Follow Up Action List	TBD
	ADJOURN - ~ 12:30 PM	

REQUEST FOR DECISION

To:	Islands Trust Council	**For the Meeting of:**	September 9, 2026
From:	Salt Spring Island Local Trust Committee	**Date Prepared:**	July 16, 2026

SUBJECT: **Letter of Understanding between Salt Spring Island Local Trust Committee and Capital Regional District – Salt Spring Local Community Commission**

RECOMMENDATION:

1. That Islands Trust Council approve the Proposed Letter of Understanding between the Salt Spring Island Local Trust Committee and the Capital Regional District Salt Spring Island Local Community Commission and authorize the Chief Administrative Officer to sign on the Islands Trust behalf.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The proposed Letter of Understanding aligns with Islands Trust Council Policy 2.1.4 and reflects staff's recommendations regarding legacy agreements and scope of cooperation.

---

1 PURPOSE:

To seek Islands Trust Council approval of the Letter of Understanding Agreement (LOU) between the Salt Spring Island Local Trust Committee (SS LTC) and the Capital Regional District Salt Spring Island Local Community Commission (CRD-LCC).

2 BACKGROUND:

On March 25, 2025, the SS LTC resolved to review Islands Trust Council Bylaw No. 63 and develop a protocol agreement with the CRD Board. CRD staff subsequently drafted an LOU to supplement the existing 1999 Protocol Agreement, focusing specifically on the relationship between the SS LTC and the newly established CRD-LCC.

On July 9, 2026, the SS LTC reviewed and endorsed the revised LOU and directed staff to prepare this RFD for Islands Trust Council consideration.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

The LOU provides a clear administrative framework for cooperation, information-sharing, and coordinated planning between the SS LTC and CRD-LCC. It does not create binding obligations and does not alter existing authorities.

FINANCIAL:

No financial implications are anticipated. The LOU does not commit either party to expenditures or service delivery changes.

POLICY:
The process aligns with [Islands Trust Council Policy 2.1.4], which requires LOUs to be endorsed by the relevant local trust committee, approved by Islands Trust Council, and signed by the CAO. Although early drafting occurred outside the standard sequence, the SS LTC has now completed the required steps to bring the LOU forward for Islands Trust Council approval.

IMPLEMENTATION/COMMUNICATIONS:
Following Islands Trust Council approval, the CAO will execute the LOU. The CRD Board will undertake its own endorsement and signing process. Regular liaison meetings between the SS LTC, CRD-LCC, and staff will support implementation.

FIRST NATIONS:
No direct implications identified. The LOU concerns inter-agency coordination within existing jurisdictions and does not alter statutory authorities.

OTHER:
The LOU clarifies the status of legacy agreements and provides a contemporary framework for cooperation on planning, servicing, and administrative matters.

4 RELEVANT POLICY(S):

- Islands Trust Council Policy 2.1.4 – Agreements
- Capital Regional District Board / Local Trust Committee Protocol Agreement (1999)

5 ATTACHMENT(S):

1. Draft Letter of Understanding

RESPONSE OPTIONS

Recommendation:
Approve the proposed LOU and authorize the CAO to sign.

Alternative:
Request further revisions to the draft LOU or defer consideration to a future meeting.

Prepared By: Stefan Cermak, Director, Planning Services

Reviewed By/Date: Reuben Bronee, Chief Administrative Officer / July 17, 2026

LETTER OF UNDERSTANDING

This Letter of Understanding ("LOU") date for reference _______________ is

BETWEEN:

SALT SPRING ISLAND LOCAL TRUST COMMITTEE

AND:

SALT SPRING ISLAND LOCAL COMMUNITY COMMISSION representing the CAPITAL REGIONAL DISTRICT

(collectively referred to as the "**Parties**")

WHEREAS:

1. The Islands Trust Council, and each of its Trust Committees (the "**Trust Committees**"), and the Capital Regional District Board (the "**Regional Board**") entered into the Capital Regional District Board/Local Trust Committee Protocol Agreement dated July 20, 1999 (the "**Protocol Agreement**");

2. The Protocol Agreement sets out respective areas of responsibility and principles, processes and conditions for the coordination of activities of the Regional Board, the Islands Trust Council and the Trust Committees within local trust areas including, inter alia, the Salt Spring Island local trust area;

3. The Salt Spring Island Local Trust Committee (the "**SSI Trust Committee**") is a party to the Protocol Agreement and has authority to act within the Salt Spring Island local trust area;

4. The Salt Spring Island Local Community Commission (the "**SSI LCC**") is a local community commission that was established by the Regional Board to oversee and exercise powers and duties in the Salt Spring Island electoral area as set out by Regional Board bylaws for certain Salt Spring Island services;

5. The SSI LCC has replaced the Salt Spring Island Parks and Recreation Commission ("PARC")

6. The Salt Spring Island local trust area and the Salt Spring Island electoral area overlap;

7. Section 2.3 of the Protocol Agreement sets out the intent of the Islands Trust Council, the Trust Committees, and the Regional Board to formalize the parties' cooperation on specific matters by way of letters of understanding; and

8. The SSI Trust Committee, as a party to the Protocol Agreement and the SSI LCC, as a community commission created by the Regional Board pursuant to the *Local Government Act* that exercises powers and duties in the Salt Spring Island electoral area, wish to formalize their cooperation on matters that fall under the Protocol Agreement and that only pertain to the relationship between the SSI LCC and the SSI Trust Committee;

NOW THEREFORE, the Parties express their mutual intention and understanding as follows:

1.0 LEGAL EFFECT AND INTENT

1.1 While this LOU is not intended to, and will not, create a binding legal agreement and does not create any binding obligations on either of the Parties, the Parties wish to confirm their intent to work together in accordance with the Principles listed in section 2.0 of this LOU and to cooperate as set out in section 3.0 of this LOU.

2.0 PRINCIPLES

The SSI Trust Committee and the SSI LCC wish to follow the following principles regarding their interagency relations:

2.1 Recognition of and respect for each other's jurisdictions and capabilities with a commitment to promoting a spirit of partnership through joint, policy, program and communication initiatives;

2.2 Coordination of planning, servicing and growth management activities that is responsive to the needs of the Salt Spring Island local trust area and the Salt Spring Island electoral area;

2.3 Respect for the preservation and protection object and land use planning authority of the SSI Trust Committee and the servicing function of the SSI LCC;

2.4 Cooperation through sharing of information and notification of significant initiatives that may impact the other Party and through regular liaison; and

2.5 Recognition that activities in one jurisdiction may impact the other jurisdiction and that participation and cooperation in planning for these activities will benefit both parties.

3.0 COOPERATION

3.1 The Parties will cooperate with respect to the implementation, coordination and administration of each Party's legislative authority that may impact the other Party.

3.2 The Parties will cooperate in jointly coordinating where appropriate the following activities:

(a) community planning;

(b) parkland acquisition, which may be way of agreements between the Parties;

(c) master plans;

(d) servicing arrangements; and

(e) administrative arrangements;

3.3 It is the Intent of the Parties to formalize their cooperation by way of further letters of understanding as required for specific matters.

4.0 COMMUNICATIONS

4.1 The Parties will schedule regular meetings of the SSI LCC Commissioners, the SSI Trust Committee and appropriate staff to review the implementation of this letter of understanding and others pertaining to specific matters**.**

4.2 The Parties acknowledge that neither Party is obligated to convey information to the other Party that is protected from disclosure under the *Freedom of Information and Protection of Privacy Act*, any other legislation protecting information from disclosure, or that is subject to solicitor-client privilege.

5.0 GENERAL TERMS

5.1 Nothing in this LOU will be interpreted as prejudicing or impairing either party in the exercise of any statutory legislative powers under the *Local Government Act*, the *Community Charter*, the *Islands Trust Act*, or any other enactment.

5.2 This LOU may be amended by agreement in writing between the Parties.

5.3 Any Party to this LOU may terminate this LOU at any time by delivering three months' written notice to the other Party.

5.4 Information and notification pertinent to this LOU shall be delivered to:

(a) Salt Spring Island Local Trust Committee

ADDRESS

(b) Salt Spring Island Local Community Commission

ADDRESS

5.5 Officials of each Party who shall be responsible for the notices and the administration of this LOU are:

(a) Salt Spring Island Local Trust Committee

POSITION/TITLE

(b) Salt Spring Island Local Community Commission

POSITION/TITLE

5.6 The Parties will work together and use good faith endeavours to achieve the objectives and follow the principles described in this LOU.

5.7 This LOU may be executed in counterpart.

The Parties have executed this LOU as of the dates set out below.

The Salt Spring Island Local Trust Committee executed this LOU on the ___ day of ______, 2025.

SALT SPRING ISLAND LOCAL TRUST COMMITTEE by its authorized signatories:

____
Name:

____
Name:

The Salt Spring Island Local Community Commission executed this LOU on the ___ day of ______, 2025.

SALT SPRING ISLAND LOCAL COMMUNITY COMMISSION by its authorized signatories:

____
Name:

)

Name:

Islands Trust

REQUEST FOR DECISION

To:	Executive Committee	**For the Meeting of:**	July 29, 2026
From:	Executive Office	**Date Prepared:**	July 22, 2026
SUBJECT:	Executive Committee 2027/28 Budget Requests		

RECOMMENDATION:

That Executive Committee forward its 2027/28 operating budget requests to Financial Planning Committee for inclusion in the draft 2027/28 budget:

1. **$170,000 for Islands Trust Council Meetings**
2. **$40,000 for Islands Trust Council Training and Conferences**
3. **$6,000 for Islands Trust Council Travel for Training**
4. **$1,000 for Islands Trust Council Chair Travel**
5. **$8,000 for Executive Committee Meeting Expense**
6. **$35,000 for Executive Committee on local trust committee costs**
7. **$1,500 for Executive Committee Training and Conferences**
8. **$1,000 for Executive Committee Travel for Training**
9. **$33,000 for UBCM/AVICC Conventions**

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The proposed budget amounts for fiscal 2027/28 outlined below reflect an attempt to balance fiscal responsibility with the anticipated needs of an incoming new Islands Trust Council and Executive Committee. There is some unavoidable uncertainty in some budget items because they depend heavily on which trustees are elected to Executive Committee. Once that is determined at the first meeting of the new Islands Trust Council, staff can identify any potential amendments for Council's first consideration of a draft budget in December.

1 **PURPOSE:** To seek Executive Committee (EC) decision on its 2027/28 operating budget requests.

2 **BACKGROUND:**

Executive Committee is responsible for advancing budget requests for their areas of oversight, as part of the annual budget cycle. The proposals outlined here are for the Executive Committee and Islands Trust Council operating budget lines only. The committee also has oversight of Islands Trust Council program and project budgets, and requests for those budget lines will be presented at the next Executive Committee meeting for consideration.

OPERATING BUDGETS

Potential funding request	Approved 2026/27 Budget	Proposed 2027/28 Budget	Notes
1. Islands Trust Council Meetings	$101,250	$170,000	Assumes four in-person Trust Council meetings, two in the gulf islands and two on Vancouver Island, with full in-person attendance. The amount also includes a 3% CPI adjustment for inflation. Budget year 2026/27 figures represent three in-person meetings, which accounts for the significant difference from previous year spending. Prior year actual spending: FY2024: $127,245 FY2025: $127,906 FY2026: $120,794
2. Islands Trust Council Training and Conferences	$19,000	$40,000	This program is guided by Trust Council Policy 6.12.1 Trustee Training/Conference Attendance. See also, Trust Council Policy 7.2.3 Trustee Travel. The proposed 2027/28 budget contemplates potential ongoing investment in training for newly elected trustees, such as anti-racism and cultural safety training for all trustees, and attendance for multiple trustees at the Local Government Leadership Academy. An updated Continuous Learning Plan for Council will be prepared for the March 2027 meeting. Prior year actual spending: FY2024: $10,757 FY2025: $569 FY2026: $8,096

3. Trust Council Travel for Training	$4,000	$6,000	This program is guided by [Trust Council Policy 7.2.3 Trustee Travel](). The proposed 2027/28 budget is increased to align with the potential activities outlined in the Trust Council Training and Conferences budget. Prior year actual spending: FY2024: $6,021 FY2025: $381 FY2026: $662
4. Trust Council Chair Travel	$1,000	$1,000	This was a new item added in 2026/27 to support Chair travel to meet with staff as needed, outside of regular EC and TC business for which travel is funded elsewhere.
5. Executive Committee Meeting Expense	$3,500	$8,000	Assumes four in-person meetings. Based on recent in-person meetings costs plus an increase to account for inflation. It is also recommended that priority be given to an in-person meeting in early 2027 between EC and Bowen Island Municipality Council. The previous year budget was reduced from an initial request of $6,500, with EC moving to virtual meetings to reduce costs. Prior year actual spending: FY2024: $4,096 FY2025: $7,300 FY2026: $4,354
6. EC on LTC (Travel Cost for LTC Chairs to attend in person meetings)	$31,000	$35,000	For fiscal year 2027/28, the election of a new EC may significantly impact costs depending on the necessary amount of travel. Proposed amount is based on 2026/27 1st quarter actuals plus 3% CPI. Prior year actual spending: FY2024: $25,965 FY2025: $27,334 FY2026: $21,500

7. Executive Committee Training and Conferences	$1,500	$1,500	This item is guided by Trust Council Policy 6.12.1 Trustee Training/Conference Attendance. See also Trust Council Policy 7.2.3 Trustee Travel The proposed 2027/28 is unchanged from the current year, retaining a modest amount to support new EC members. Prior year actual spending: FY2024: $8,404 (includes AVICC/UBCM) FY2025: $5,681 (includes AVICC/UBCM) FY2026: $0 (does not include AVICC/UBCM)
8. Executive Committee Travel for Training	$1,000	$1,000	Prior year actual spending: FY2024: $9,776 (includes AVICC/UBCM) FY2025: $11,398 (includes AVICC/UBCM) FY2026: $0 (does not include AVICC/UBCM)
9. UBCM/AVICC Conventions	$8,000	$33,000	Attendance at UBCM and AVICC is guided by Trust Council Policy 6.12.2 UBCM/AVICC Membership and Resolutions The 2026/27 budget was lower to reflect AVICC being held in Victoria (which did not require staff travel expenses) and cancelling attendance at the 2026 UBCM. The 2027/28 amount is based on AVICC being held in Nanaimo and UBCM being held in Whistler, with attendance by all four members of EC and two staff. It also includes funding for a potential Trust-sponsored breakfast for Trust Area local government officials and MLAs. See attachment 1 for details on this calculation. FY2026: $8,546

IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL: Approval of these budget requests will support work associated with the named programs.

FINANCIAL: If approved as part of the 2027/28 budget and financial plan, these funds will be secured for the coming fiscal year.

POLICY:

IMPLEMENTATION/COMMUNICATIONS: Staff will forward EC's budget request to Financial Planning Committee for inclusion in the draft 2027/28 budget.

FIRST NATIONS RELATIONS: Funding associated with reconciliation initiatives will advance relationships with First Nations if spent as planned.

OTHER: None.

3 **RELEVANT POLICY:** Islands Trust Council Policy 6.3.1 Budget Process

4 **ATTACHMENT(S):**

Attachment 1: UBCM/AVICC Estimated Costs for 2027/28

RESPONSE OPTIONS

Recommendation: That Executive Committee forward its 2027/28 budget requests to Financial Planning Committee for inclusion in the draft 2027/28 budget:

1. **$170,000 for Islands Trust Council Meetings**
2. **$40,000 for Islands Trust Council Training and Conferences**
3. **$6,000 for Islands Trust Council Travel for Training**
4. **$1,000 for Islands Trust Council Chair Travel**
5. **$8,000 for Executive Committee Meeting Expense**
6. **$35,000 for Executive Committee on local trust committee costs**
7. **$1,500 for Executive Committee Training and Conferences**
8. **$1,000 for Executive Committee Travel for Training**
9. **$33,000 for UBCM/AVICC Conventions**

Alternative: Executive Committee may amend the amounts proposed in the resolution for consideration by FPC.

Prepared By: CAO/July 22, 2026

Attachment 1: UBCM/AVICC Estimated Costs for 2027/28

AVICC: April 16-18, 2027
Location: Vancouver Island Conference Centre, Nanaimo
(4 Trustees and 2 Staff)

Expense Type	# of Attendees	# of Hotel Nights	Cost Per Unit	Total
Accommodation (incl parking)	6	3	$225/night	$4.050
Registration	6		$500	$3,000
Travel Costs (km, ferries, per diems where applicable)	6			$1,600
Total				**$8,650***

(*Estimated per registrant total cost: $1,442, although individual travel costs will vary)

UBCM: September 20-24, 2027
Location: Whistler Conference Centre
(4 Trustees and 2 Staff)

Expense Type	# of Attendees	# of Hotel Nights	Cost Per Unit	Total
Accommodation (incl parking)	6	5	$350/night	$10,500
Registration	6		$900	$5,400
Travel Costs (flights where viable and/or km, ferries, parking, plus per diems)	6			$4,000
Total				**$19,900***

(*Estimated per person total cost: $3,317, although individual travel costs will vary)

UBCM: September 20 or 21, 2027
Islands Trust Hosted Breakfast
Location: Hilton Whistler Resort & Spa

Expense Type	# of Attendees		Cost Per Unit	Total
Meeting Room Rental			$600	$600
Full Breakfast	35		$48.00	$1,680
AV Rental			$900	$900
Hotel Event Staff			$425	$425
Hotel Service Charge (22%)				$502
Total				**$4,107**

Total 2026 Preliminary Budget: $32,657

BRIEFING

To:	**Executive Committee**	**For the Meeting of:**	July 29, 2026
From:	**Executive Office**	**Date Prepared:**	July 15, 2026
SUBJECT:	**Estimated resourcing for First Nations relationship building**		

PURPOSE:

To address Executive Committee's request for a high-level cost estimate of the full scope of building meaningful relationships with First Nations in the Trust Area.

BACKGROUND:

At its February 5, 2026 meeting, Executive Committee passed the following resolution:

> EC-2026-031
> That Executive Committee request staff to prepare a high-level, order-of-magnitude cost estimate for co-developing protocol agreements and for conducting meaningful engagement with all the First Nations with rights and territorial interests in the Trust Area for the significant projects (e.g., Trust Policy Statement and LTC OCP/LUB update projects), to clarify the fiscal implications and to support discussions with senior government regarding funding mechanisms necessary for implementation.

Attachment 1 sets out the estimate for costs in a single fiscal year including:

- Continuation of all existing budgeted funds to support Indigenous relations staffing and activities.
- Potential funding increases and net new funding to support more effective relationship building at a level that is realistic and that would meaningfully advance agreements, projects and engagement, including implementation of the Indigenous Relations Action Plan.

In total, the estimate totals $2.08 million on an annual basis. This total represents an increase of $757,000 (46%) over existing budgeted resources for the 2026-27 fiscal year.

The included costs could reasonably be assumed to be ongoing year-over-year costs of supporting effective engagement with First Nations in the Trust Area. The included amounts for capacity funding are notional pending finalization of a proposed new Trust Council policy on capacity funding.

Future major new projects initiated by Council or unanticipated changes in policy could potentially require additional funding above and beyond this estimate. Similarly, not included in this estimate are potential longer-term resourcing needs that may result from steps such as implementation of agreements, or proposed projects such as creation of the Indigenous Advisory Council. These costs cannot be reasonably estimated at this time because the potential scope of impact is not yet known.

It is important to note this estimate is not informed by any input from First Nations themselves for the purposes of this exercise. This is, as requested, a high-level order-of-magnitude estimate. It is not intended to represent planned expenditures for next fiscal, although it does include some items that may be included for consideration in next year's budget to support activities under the Indigenous Relations Action Plan. But any such funding requests would require appropriate business cases supported by more detailed analysis as part of the normal budget process and will be subject to the approval of Trust Council.

Executive Committee indicated the primary goal of the order-of-magnitude cost estimate is to support discussions with senior levels of government. A thorough advocacy strategy should be developed before any action is taken to initiate such discussions. Staff also recommend that any approach to the Province should be supported by a more in-depth review of costing and potential long-term resourcing that is informed by meaningful input from First Nations. Proceeding without input from First Nations may have the unintended consequence of undermining relationship development.

ATTACHMENTS

1. Indigenous Relations Resourcing High-Level Estimate

Prepared By: Rueben Bronee, CAO, July 20, 2026

Attachment 1: Indigenous Relations Resourcing High-Level Estimate

OPERATING BUDGETS			
Funding Category	**Current/Increased/ New Funding**	**Estimated Funding**	**Notes**
Currently funded Indigenous relations staff	Current	$320,440	Salary and benefits for 2.5 FTEs whose primary role is dedicated to Indigenous relations work.
Indigenous Relations Administrative Assistant	New	$75,000	This is for a proposed new administrative position that would allow more effective monitoring of and responsiveness to engagement activities. The current lack of dedicated administrative support has proven to be an issue in relationship building.
General Staff Calculation	Current	$615,000	This is an estimate of an average of 10% of staff time that touches Indigenous relations for all current staff except office administrative assistants, Bylaw Compliance and Enforcement staff, and Information Services staff.
Capacity Funding – General	Increased	$160,000	Based on a model that would allocate an average of $5,000 per Nation to support relationship building not related to major projects (working group meetings, referral fees etc.), plus a $25,000 contingency. Current year general capacity funding is $50,000, making the proposed amount a $110,000 increase.
Capacity Funding – Projects	Increased	$540,000	Based on an approach of Trust Council budgeting $5,000 per First Nation per project, assuming: • 6 OCPs • 3 ITC management plans • Average of 12 nations to be engaged per project

			Current year project specific funding is $288,000, including the ITC Five-Year Plan and the Policy Statement Amendment project. The proposed amount represents a $252,000 increase from current year,
Legal Costs	New	$60,000	Dedicated funding for legal advice to support agreements and policy development. Previously these costs have been paid from the Trust Council general legal budget. Recently a UBCM C2C grant helped with Tsawout agreement legal costs.
Protocol Costs	Current	$30,000	This would target funding currently allocated for the Indigenous Relations Action Plan to support honoraria, Trust Area wide and LTC relationship building events, related travel etc.
Staff Training	New	$25,000	There is no currently funded budget for organization-wide training. Some applicable training is available through the BC Public Service Agency, but this funding will allow for more targeted and directly relevant training for all staff.
Trustee Training	Increased	$20,000	Targeted funding for related training, including ongoing culture safety and anti-racism training for all trustees. The proposed $20,000 in targeted funding is over and above the current year budget for all trustee training of $20,000.
Contracted Services	New	$100,000	To engage external expertise and capacity for related policy work, communications, and projects such as establishing a new Indigenous advisory group for Trust Council.
Mapping and Data	New	$100,000	Ongoing program to secure relevant mapping and data resources, such as archaeological data.

History and Heritage Grants	Increased	$10,000	To restore funding for the existing grant program with an Indigenous focus, or establish a new focused program. Current funding is $0.
Public Education	New	$5,000	Targeted funding to support content focused on Indigenous relations, in addition to any regular funding for public education.
	Total	**$2,080,440**	

July 10, 2026

Dear Executive Committee

Re: July 8 Executive Committee Meeting and Bylaw Approval

On July 8, I listened to your disposition of the Galiano bylaw approval on the Palmberg application regarding a proposed rezoning from Rural 2 (R2) to site specific R2 Zoning on District Lot 15 and noted that it was approved with little discussion and no mention at all of the most important concerns.

Trustee Peterson stated in response to correspondence in the agenda package, that he believes that every member of this Executive Committee (EC) reads and considers all the correspondence. The attention given to this bylaw in the July 8 EC meeting clearly belies that.

That the Galiano LTC has been negligent in considering numerous impacts of this land use application goes without saying; that the EC has now failed to do so is a dereliction of your duty to offer "sober second thought" and uphold the essential mandate of the IT.

Only Vice-Chair Elliott questioned this Bylaw. She initially asked about the 219 covenant - what that allows, what was the discussion - what is the purpose? She also mentioned correspondence that raised questions about the process. She asked if sufficient consideration had been given to the impact on neighbouring properties and wanted to know if there were concerns raised by neighbours. While appreciative of her initial comments, I am sorry she did not pursue this line of inquiry and I assume that she also voted to approve.

Regarding the 219 covenant, Director Cermak responded that it is to restrict uses in order to comply with the Water Sustainability Act; that it requires metering and monitoring, mentions the riparian area, contains a "whole bunch of restrictions" on uses, and is a very "robust covenant".

What was never mentioned in Director Cermak's summary of this land use application AND was never mentioned by any members of the EC who according to Trustee Peterson, would have read all the correspondence, were the two most significant concerns:

1. This property, now approved for a wide range of commercial and industrial activities including water use intensive activities such as a cidery/winery is directly adjacent to a community water system serving 37 household. This system has experienced water issues in the past and is already in Stage 2 water restrictions early in the summer, even without this additional burden on the aquifer that these new land use activities will impose in the future. There has also been no determination that well interference will not occur between the water system's well and the Palmberg well as can often occur in a fragmented bedrock aquifer.

2. The "robust covenant" praised by Director Cermak specifically allows for up to 6 large events for over 100 people annually, permitting of course any number of events for 99 people or less. This was never mentioned by the Galiano LTC or Planner in any meetings I attended and was only identified and questioned at the recent June 9 Community Information Meeting (CIM) and Public Hearing (PH) when a few residents first saw the covenant in the LTC agenda package and Public Hearing binder, by which time it was too late to alert people in the community and our LTC brushed this concern off.

Besides the additional water use and waste production resulting from these public events, which were NOT accounted for in the Water Management Plan, did this not deserve even a mention by someone of what this might mean in the way of noise, traffic, parking, and potentially impaired drivers after cidery/winery events, all occurring in a quiet residential neighbourhood?

So surely you must understand how I and others in our community, hearing of the complete absence of any mention of these two concerns by the EC, feel even more convinced that public input by those who have actually spent time carefully looking at the implications of the proposed land use does not matter a whit to the EC. Dismiss such concerns if you will, but to not even address them amounts to deliberate public deception.

Director Cermak said that because an OCP amendment, Bylaw 296, preceded LUB Bylaw 297, concerns were heard then by the LTC. That is true.

But to imply these concerns were seriously considered is not accurate. Serious objections WERE raised at LTC meetings and in correspondence about Bylaw 296 that reworded the Rural 2 zoning description, wording that was required to permit this land use application to move ahead. I attempted to introduce this previous Bylaw 296 approval into the discussion at the CIM/PH for Bylaw 297 on June 9 and was not permitted to do so by the Chair as that was past history and not relevant to Bylaw 297.

The Bylaw 296 rewording was presented by the Planner as simply correcting an omission to the language in the OCP. I asked in an LTC meeting, what evidence there was for it being an omission and not in fact deliberate wording in order to ensure that agricultural activities are accessory to and not detrimental to the residential nature of this zone (also wording in the OCP for R 2)? The Planner's response was that Mr Kojima, her boss said so.

So for Director Cermak to assert that previous concerns to Bylaw 296 were received is correct but it is not correct to imply they were given any serious consideration at the time either by the Planner, the LTC or the EC who approved that OCP bylaw amendment without any reflection of those concerns.

I also take issue with Director Cermak's statement that the majority of the correspondence on this application is in favour. In terms of simply numbers of letters that is true, but surely it is important to look at how many were simply nearly identical, brief letters of approval, many written by people not residing in the neighbourhood and therefore not likely to be impacted in any way, and were no doubt recruited by the applicant. To have the other distinct and detailed letters of concern so easily dismissed in favour of a personal popularity poll for the applicant, a well-known member of the Galiano community, is a simplistic, misleading and deeply unfair analysis and approach to considering this application.

The Planner also stated that concerns were received prior to professional reports being submitted as if these reports addressed and resolved any concerns. The professional reports (minus a septic report) were only made available to the public in the June 9 LTC agenda package and public hearing binder for the CIM and PH, leaving little time for people to familiarize themselves with them.

The EC's approval of both Bylaw 296 and 297 confirms to me that as an EC, you are taking advantage of public ignorance, disinterest and disillusion with the process in order to ignore your founding mandate not to compromise the rural character and environmental integrity of these islands.

It is once again apparent that you have reduced the concept of 'public interest' to a mere procedural hurdle to be cleared rather than a guiding principle to be upheld. When local knowledge and evidence-based concerns are treated as obstacles to be circumvented rather than vital data to be assessed, you are effectively signalling to the community that your decision-making process is disconnected from the realities on the ground. A mandate meant to 'preserve and protect' cannot be fulfilled by ignoring the very people who stand to lose the most from your indifference.

I urge you to consider whether your current trajectory is serving the long-term stewardship of the Trust Area, or if you are simply presiding over the erosion of the public trust you were elected to protect. All the evidence indicates the latter and we will all suffer for it.

I intend to write to the Minister protesting this EC decision and the manner in which it was made.

Thank you for considering my views.

Jennifer Margison

[redacted] Galiano Island

c.c. Rueban Bronee, CAO, Islands Trust

Clare Frater, Director, Trust Area Services

Stefan Cermak, Director, Planning Services

From: Stewart Brands <[redacted]>
Sent: Tuesday, July 14, 2026 5:08 PM
To: Executive Admin <execadmin@islandstrust.bc.ca>
Subject: Fwd: Land Transfers

Hello,,

Please find the following "papers" directed to Trust management.

If the Executive committee takes time to read and assimilate the meanings intrinsic to the coherent logic presented and it is followed through with formal agreement to the extent of the result suggested then the person who accomplishes this or the person who outlined this process end shape would clearly deserve the Stewardship award that would at lest equal all of the awards given combined over the history of the Islands' Trust.

I know this to be, to a high probability, true because I have followed Trust development for 53 years while living on Galiano Island as a permanent resident since the creation of the Islands' Trust.

It is worthwhile to assimilate the key factors in the emails so as to assess the role of the Islands' Trust generally and specifically wrt the Statute mandate.

I am not a public speaker since my approach is for analytical research, scholarly deduction of wrt program quality, adherence to the Trust Statute and fiscal matters wrt gathering and use of Trust budgets.

I reach out to Trust directors of programs with intrinsic suggestions since their usefulness to the Trust priorities is of more duration than Trustees and often more profoundly inherent to the long view oof Trust management to which my researched ideas and conclusions apply.

Begin forwarded message:

From: Stewart Brands <[redacted]>

Subject: Fwd: Land Transfers

Date: July 14, 2026 at 4:46:03 PM PDT

To: execadmin@islandstrust.bc.ca

Begin forwarded message:

From: Stewart Brands <[redacted]>

Subject: Re: Land Transfers

Date: July 14, 2026 at 2:36:31 PM PDT

To: SouthInfo <SouthInfo@islandstrust.bc.ca>

HELLO EMILY,

As an adjunct to the favoured proposition of the email before this, in reference to land transfer for downsizing not being a process coherent with the Mandate Statute of Preserve and Protect Gulf Island natural ancient habitats, the following holds true. Given the accompanying reasons.

That is that the establishment to Protective Covenants on private lands by the owners should represent **no cost** for the owner.

Expressed in another way the Islands' Trust should and ought to cover all the costs of securing a Protective Covenant to any Gulf Island Landowner who wishes to protect his or her natural Gulf Island forested habitat including seaside habitats.

As it is now the land owner must shoulder those costs including survey and other fees not withstanding there are minor incentivizing factors.

Justifying this cost to the Trust is the following rationale.

The Islands' Trust for decades has been approving downsizing and creating more and smaller lots. I follows that more of the Islands' natural ancient habitats have been altered significantly away from what could safely be termed natural intact ancient synergistic habitat. Replacing these habitats are small 5 acre and less human us habitats including major ancient tree falling, septic field intrusions, home sites and forest free zones all on these downsized lots.

The number of the downsized lots has grown to many thousands in just 30 years. This is a process that is clearly opposite to the Preserve and Protect Mandated Statute and in favour of higher Planning Budgets accruing via land tax revenue. Higher income to the Planning budget and to the Planners is an incentive to downsize approval which is intrinsically directly opposite to the Preserve and Protect ancient forest Gulf Islands habitats and Mandate.

This wholesale violation of the Islands Trust Statute for profit is a clear violation of what the Islands Trust Government was established for and opposite to the intent of the Statute.

A partial remedy to this major inconsistency and incoherence with respect to the Islands' Trust Mandate of to Preserve and Protect the Gulf Islands' World Renowned unique forested habitats is the following and for the following detailed intrinsic reasons:

That the Protective Covenants for Forested Private Lands be made free for any private land owner forthwith. And paid for by the Planning Department Budget.

If the Islands' Trust has approved smaller lots in the past that are incoherent with the Preserve and Protect mandate, which any downsizing is included in that, then even the smallest lot would qualify for a Protective Covenant to ameliorate that decades Trent.

Having the Trust Planning budget cover the entire costs of establishing Protective Covenants is a way for the Trust to in part be coherent with the Preserve and Protect Statute and in this way move to a more moral consistent program to atone for the massive destruction of the natural habitats it approved of by creating thousands of downsized lots.

By comparison if a neighbour did physical damage to the neighbour's lot by logging trees on that neighbours lot then the neighbour could sue in courts for damages and win.

Likewise the cost of Protective Covenants to the Trust is a way to in fact pay damages to the Natural habitat for the thousands of acre harm the Islands Trust Planning department has cause for downsizing approvals and thereby atone for huge damages accrued by Planners over decades.

This reasoning and common sense logic is consistent, true and entirely coherent with the Islands' Trust Mandate. Moreover it is fiscally possible for the Planning Department since the profits accruing to it are enormous from downsizing and environmental harm to an increased tax base.

Justification for Free Protective covenants:

To further magnify the above statements the following relevant facts are true:

That the Islands Trust for decades have:

Provided to any landowner wishing to subdivide land (downsize lots):

1. Free Hall rental costs.
2. Free Planner's salaries for the time reviewing the dockets and presenting at meetings.
3. Free Trustee's salaries for reviewing the docket.
4. Free Minute Taker salaries.

5. Free Trust head in-office secretarial services salaries for preparing the documentations.
6. Free Trust Lawyer advice and confirmations.
7. Free, in some cases, outside expert professional adjudication.

In conclusion ,since the Islands' Trust Governing body has for decades given a free pass to all and every landowner, who wishes to alter the status of their lot , a free pass on ALL expenses related to those processes then it is time now for the Islands' Trust to act in coherence with the Preserve and Protect mandate and provide a Protective Covenant without costs of any kind to any landowner who wishes it.

Along with that it should be stressed that tree falling for any reason ,providing there is no danger to standing permanent human structures , be prohibited.

A natural habitat is just that. It is not humans' responsibility to remove all conceivable risks within a natural habitat habitats. The only way to do that is to remove the entire natural habitat. That is usually called a city and the Trust philosophy as it has being expressed is more coherent with that than a Preserve and Protect philosophy. Huge numbers of downsizing approvals make this conclusion incontestable.

This email should be forwarded to the Conservancy division of the Trust. Please advise me if this has been done and if not I will do it. I can see no reason why you could not forward it.

This further clarifies some details with respect to the reasoning as to why Protective Covenants should be free to any Trust landowner in the region.

If you or any Trust member can spot inconsistencies in the plan they are welcome to forward them to me for analysis and response.

The details described above are not trivial and are more intrinsic than an individual opinion. They are consistent with Statute Law and are intrinsic to Island Trust protocol, interpretation of the Mandate and coherent use of the enormous Planning Department fund.

Thanks for considering what I would term an important and critically timed analysis of Trust protocol and behaviour adjudication.

Regards, Stewart Brands

From: Heather Miller <[redacted]
Sent: Sunday, July 19, 2026 11:04 AM
To: Executive Admin
Cc: Judith Gedye; Sue Ellen Fast
Subject: Follow-up to my letter of 27 June 2026, rezoning RZ-2026-0014 (620 Laura Road) and EC-2021-001
Attachments: 270126 Riley_s - LUB Amendment Application FINAL_Redacted.pdf; RZ-2026-0014_APC_03_Cidery_Submission_Water-Aquifer-Groundwater-Watershed.pdf; RZ-2026-0014_APC_02_Cidery_OCP-Policy-Comparison-Table.pdf; 620-Laura-Road-cidery-RZ-2026-0014-aquifer-groundwater-watershed-wells-evidence.pdf; OCP Submission Round Two Public Consultation HMiller.pdf

Please redact my email address and any personal contact details before this correspondence is published in any meeting agenda or public record.
19 July 2026

Dear Chair Patrick and Members of the Executive Committee,

I am writing to follow up on my letter of 27 June 2026, which was on the Committee's agenda for its meeting of 8 July 2026 (item 12.2). That letter put three specific questions to the Committee. At the 8 July meeting the correspondence was received for information; while it was acknowledged in discussion that the 2021 response had not been provided, none of the three questions were addressed. So that there is no doubt about what is being asked, I put the same three questions to the Committee again below, clearly numbered, and would be grateful for a substantive reply to each.

The trajectory here is worth stating plainly: the cidery was first allowed under a Temporary Use Permit issued on 22 March 2021, renewed in December 2023, and is now the subject of a rezoning that would make it permanent. In parallel, the draft Official Community Plan, which the Trust is or will be engaged in reviewing, newly lists "agricultural processing" as a supported use in Rural Residential and leaves it undefined, where the current Plan does not use the term at all. The concern the Committee was first asked to consider in 2021 is therefore no longer confined to a single bylaw; the same treatment of "agriculture" now runs through the Land Use Bylaw, this rezoning, and the Official Community Plan under review, at the same time.

Before restating my three questions, I would draw the Committee's attention to two matters that make these questions more pressing rather than less.

First, the current rezoning application does not merely coincide with the 2021 removal of the vineyard definition. The applicants expressly rely on it. Their application, at page 17, describes that removal as a *"material change"* to the Land Use Bylaw, reasons that with the "Vineyard" definition repealed the only applicable definition is now "Agriculture", and concludes on that basis that the cidery *"fully meets the definition of a permitted Agricultural Use"*. The absence of that definition, and of the prohibition it carried, is therefore not incidental to the application; it is the footing on which it is built. That is precisely the change my mother and I asked the Committee to reconsider in 2021, and it is now doing active work in 2026.

Second, the Municipality has already set the public hearing aside. On 25 May 2026, by motion 26-217, Council directed that notice be given at first reading in place of a public hearing. A hearing on a zoning bylaw may be waived only where the bylaw is consistent with the Official Community Plan (Local Government Act, section 464(2)); yet that motion cited only the notice provision (section 467), consistency was not discussed, and no determination of consistency appears anywhere on the record. That consistency is exactly what my submissions dispute, because the OCP's water, groundwater and aquifer policies have never been engaged. With the public hearing set aside, the referral of the bylaw to the Islands Trust, which falls between first and second reading, becomes one of the few remaining points of external review. That elevates, rather than diminishes, the significance of the Trust's role, and is why I am seeking clarity on it now rather than later.

With that in mind, my three questions remain:

1. **On the 2021 concern.** My mother and I asked the Executive Committee to look again at EC-2021-001 and were told, twice, that a written response would follow, once in a recorded motion, and once by the Chair directly. No response arrived. If the Committee is able to provide a substantive response to that original concern now, even at this distance, I would be grateful to receive one.

2. **On records.** I would be grateful to know whether the Trust holds any records bearing on the vineyard or winery provisions in the Bowen Island Land Use Bylaw, their origin, or their removal.

3. **On the current OCP update.** I would welcome clarification of the nature of the Trust's involvement in the Official Community Plan update, in particular whether the Trust has been engaged before now, and how and in what capacity it will be engaged at the upcoming stages.

Finally, so that the Committee has the full picture before it if and when it considers this rezoning under its preserve-and-protect mandate, or engages with Bowen Island's draft OCP, I attach the applicants' rezoning application itself, together with the further submissions I have made on these matters.

What the Committee would review on referral is a site-specific Land Use Bylaw amendment: a rezoning of 620 Laura Road from RR2 to a new "RR2(a)" variation that adds "cidery" as a permitted principal use. On its face it inserts a single permitted use; in substance it rests on the treatment of "Agriculture" in the Land Use Bylaw following the 2021 removal of the "Vineyard" definition. My submissions set out, with sources, that the Official Community Plan's policies bearing on water, groundwater, aquifers and light-industrial use have not been cited or engaged at any stage of this file, through the temporary use permit, its renewal, or the rezoning, and that the one assessment ever required was removed in the same revised report that led to the public hearing being set aside. I provide these not to add to the Committee's burden, but to ensure that nothing material is absent from the record on which the Trust would be relying.

Attachments:

- The applicants' rezoning application, Riley's Cidery, Land Use Bylaw Amendment (Rezoning) Application, 620 Laura Road (RZ-2026-0014). The proposed guest-house / sleeping-unit use was subsequently withdrawn by the applicants' revised application of 25 May 2026, though the application package still contains it.
- Submission to the Advisory Planning Commission, Rezoning RZ-2026-0014, 620 Laura Road cidery (water, aquifer, groundwater and watershed)
- "What each report said about the Official Community Plan, 2021–2026", a comparison of the OCP policies cited across the temporary use permit and rezoning staff reports (submitted to the Advisory Planning Commission)
- "Aquifer, groundwater and watershed evidence: 620 Laura Road cidery rezoning (RZ-2026-0014)", documentary evidence record prepared for the Parks, Environment and Climate Action Advisory Committee, 7 July 2026
- Submission to the Official Community Plan Update (Round Two engagement), 19 June 2026, water and governance in the draft Official Community Plan

I would welcome the Committee's considered response.

Yours sincerely,

Heather Miller

A beautiful, local, living history.

From the Riley's to Rob and Christine to its next stewards.

An orchard with over 1,200 apple trees,
cultivated with care for over 30 years.

Picture: a cidery that produces award-winning ciders from the apples, a picnic area where the community gathers, and a guest house that hosts visitors for farm stay.

Small-scale agri-tourism that sustains the orchard long term.

It's not just an orchard, it's a living museum.

Executive Summary

Riley's orchard is a special place for Bowen, cultivated with care for over 30 years. It's a living museum with over 1,200 apple trees on 2.5 acres, considered one of the most ecologically-diverse orchards in North America.

The orchard and the cidery – established to use the apples and to generate income to maintain the orchard – have become a cherished community asset. It is a gathering place for local residents and visitors, hosting picnics, tastings tours, and special events. The unique farm-to-table operation helps people engage with the natural ecosystem, literally tasting the land through the cider as they meander through rows of apple trees.

Riley's also adds to a resilient local economy on Bowen. It's a small-scale operation integrating agriculture, cider production, and tourism. Its operation employs many islanders in hospitality and farming.

But the orchard's long-term viability needs support. Since 2021, the cidery has been operating under a temporary use permit (TUP-2021-007), renewed in 2023. However, this permit will expire on December 11, 2026. The long-term viability of the orchard requires active stewardship and financial support, which has been largely provided as part of ongoing cidery operations. Without a sustainable business plan, the orchard will most likely revert to a private garden. The inherent risk: a private garden is closed to community; a neglected orchard will decline and wither away.

The rezoning application requests Council to consider a zone variation to Residential Rural RR2 to formalize the land use permissions needed to ensure lasting stewardship of Riley's orchard, by allowing diversified, small-scale agri-tourism enterprises, while maintaining compatibility with rural residential context.

Table of Contents

In 1980s, the Rileys purchased a vacant 5-acre lot on Bowen Island. For over 30 years, they collected hundreds of unique heirloom apple varieties from around the world and planted them to cultivate the orchard on site today. In 2019, after learning alongside the Rileys, Rob and Christine purchased the property to carry on the orchard. They planted additional apples trees and established Riley's Cidery as a means to support the upkeep of the orchard.

ECOLOGICAL DIVERSITY: Today, Riley's Orchard is considered one of the most ecologically-diverse orchards in North America. On the property, the orchard has grown to about 2.5 acres with over 1,200 trees that produce almost 1,000 varieties of apples. A living library: each of these heirloom varieties has its own unique story.

COMMUNITY ASSET: For local residents and visitors, the orchard and its picnic area have become a place for social connection and celebration. It's a welcoming rendezvous for Mount Gardner hikers; and it's a quaint venue to host seasonal events. The unique farm-to-table operation helps people engage with the natural ecosystem, literally tasting the land through the cider as they meander through rows of apple trees.

LOCAL ECONOMY The orchard and the cidery — examples of respectful small-scale agri-tourism — generate measurable benefit for the island. The business employs several island residents and works with other local businesses. Riley's ciders have won international awards and highlights Bowen Island on the global stage.

In 2025, Rob and Christine listed the property for sale and looked for a buyer who would continue the stewardship of the orchard, rather than converting it to a private estate home. Mark (who used to live next door) asked Edward (who has expertise in land- and agriculture-based planning), to form a partnership to carry on the Riley's legacy. We (Mark and Edward) have entered into a purchase and sale agreement with Rob and Christine for the property. We are submitting this application as their agent.

Riley's orchard is a special living asset that adds to life on Bowen Island. We believe it's important to protect the orchard for the long term, so its ecological, community, and local economic values may be passed on from one generation to the next as living heritage.

The cidery's temporary use permit (TUP-2021-007), renewed in 2023, will expire on December 11, 2026.

WHEREAS: Riley's Cidery is a unique and beloved community asset on Bowen Island; that its successful operation (i.e. orchard, cidery, picnic area and community events) is inextricably linked to the property's location, physical attributes, lovingly-cultivated landscapes and heritage orchard; that its future success as a viable business is foundational to its long-term conservation; and that the "shuttering" of Riley's would not only have direct impact on the economic livelihood of several members of our community but also have wider social impacts in the loss of this unique community asset;

Through this application, we seek a more permanent status through a zone variation that adds two agri-tourism uses: cidery and guest house. We use this agri-tourism business as a means to support the vitality of the orchard long term. Our proposal maintains TUP's restrictions to ensure small-scale operations maintain compatibility within the rural residential zone.

Our Proposal: from TUP to RR2(a) Zone Variation

Operating in accordance with the TUP, Riley's has clearly demonstrated compatibility with the rural residential setting. Over its five-year history, other than 3 complaints made to Bylaw Services – specifically related to work done in the Development Permit area and resolved as of July 2, 2021 – there have been no further complaints.

During Council's TUP renewal discussion in 2021, some members expressed that a rezoning process could be more appropriate than a TUP renewal process. We make such a rezoning application now. Recognizing time is of the essence, we respectfully request that Council consider it prior to the approaching summer 2026 (peak) season, to give needed clarity about the future of the Riley's property to its owners (current and potential future) and employees.

PROPOSED ZONE VARIATION RR2(a): Similar to zone variations in Rural Residential (RR) zones that currently exist in Land Use Bylaw, we propose a narrowly-defined "RR2(a)" variation to permit two additional principal uses: "cidery" and "guest house for agritourism." These two small-scale agri-tourism uses provide critical means to ensure viability of the orchard with ***the stated goal: to operate the business in service of the orchard, so that the orchard's ecological values and community benefits may be passed on from one generation to the next.***

Zone Variation Comparison

Similar to zone variations in Rural Residential (RR) zones that currently exist in Land Use Bylaw, we propose a narrowly-defined “RR2(a)” variation to permit the following two uses (under principal uses):

1. ***Cidery*** (as defined in the TUP with the same restrictions, including no lounge area); and,
2. ***Guest House for Agri-tourism*** (based on the definition in Agricultural Land Reserve Use Regulations).

620 Laura Rd	Current RR2	Proposed RR2(a)
Lot size (m2)	20,340	20,340
Lot size (ac)	5.03	5.03
Lot size (ha, survey)	2.034	2.034
Zoning	RR2	RR2 (a)
OCP designation	R1, RS	R1, RS
Max lot cover (m2)	811.90	811.90
Max lot cover (sf)	8,736	8,736
Max primary dwell	1	1
Max accessory bldg	11	11
Principal uses		
Dwelling	Yes	Yes
Agriculture	Yes	Yes
Cidery	N/A	**Yes**
Guest House	N/A	**Yes**
Accessory use		
Bed and breakfast	Yes (no change)	Yes (no change)

CIDERY: For RR2(a) cidery use, we propose to incorporate the same definition and restrictions from TUP 2021-0017 as follows:

"CIDERY" means the use of buildings and structures for the production of cider, at a cidery facility licensed by the Liquor and Cannabis Regulation Branch, where at least 25% of the cider production comes from fruit grown on the same lot, or from another lot which is part of the same business. Imported British Columbia fruit used in the cidery shall be limited to no more than 75% of cider production. A cidery may include cidery tours, cider tasting, cider sales, a picnic area, and the sale of cidery promotional products.

Restrictions:

- No lounge area may be developed as part of the permit;
- The maximum floor area of retail space for the cidery use is 30 sq.m.;
- The maximum area of exterior patio space to be used as a picnic area is 120 sq. m.;
- The cidery use must provide 1 parking space for every 30 sq. m. of floor area; and,
- The maximum hours that the cidery may be open to the public are as follows: Monday-Sunday 11:00am - 7:00pm.

GUEST HOUSE: For RR2(a) guest house use, we propose to adapt the description for Agri-tourism and Agri-tourism from the Agricultural Land Reserve General Regulations (https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/30_2019#section12 accessed 17 December 2025), specifically:

> ***Agri-tourism Activity*** means an activity referred to in Sec 12 (ALR Regs) and includes a tour of the agricultural land, an educational activity or demonstration, a harvest festivals and other seasonal events held on the agricultural land for the purpose of promoting or marketing farm products produced on that agricultural land.
>
> ***Guest House for Agri-tourism*** means a Guest House as defined in BIM Land Use Bylaw, operated in relation to Agri-tourism Activity, except that the total guest bedrooms is limited to 10 and no additional dwelling unit for the owner-operator or staff and their family. For greater clarity, the maximum number of primary dwelling and accessory buildings on RR2 (a) lot remains the same as those on RR2 lot. (Note the number of 10 guest bedrooms is based on ALR Regs Sec 33).

Additionally, we note: the main house on the property currently serves as rental housing. The proposed guest house use – and sleeping unit allowance – is separate from the primary dwelling use to avoid displacement of existing rental housing stock.

ANALYSIS: Policy Alignment, Use Permission

A number of OCP polices and objectives emphasize support for small-scale, land-based agriculture, food security, cultural tourism and value-added production, including:

- **Agricultural Land Use Management** objectives promote the long-term protection and enhancement of agricultural lands and the support of small-scale, locally-appropriate agricultural activities, including the processing and direct marketing of products grown on the island. (Refer to OCP Section 3.7, Objectives 83, 86 and 89)

- **Economic Development; Island Arts and Culture; and Tourist Services and Accommodations** objectives call for a resilient local economy based on sustainable and environmentally-responsible, small-scale industries such as agriculture, food and beverage production, and tourism. (Refer to OCP Sections 10.2, 10.3 and 10.4, Objectives 172, 174, 176 and 177; 179; 183, 184 and 186.)

Restrictions to Maintain Rural Residential Character

1. The cidery use maintains the same set of restrictions in the TUP, including no lounge area.
2. While adding a lounge area would be a more typical path to increase profit, a guest house limited to agri-tourism is more appropriate for the neighbourhood.
3. Attaching the agri-tourism qualifier to guest house further limits the guest house use to its desired goal to support the orchard. This way, it does not set a new precedent where guest house become permitted on any RR2 property. It is limited to agri-tourism, as defined in ALR Regulations.
4. This RR2(a) proposal does NOT increase the number, size, or density of the buildings over than what is permitted in the "regular" RR2 zone. From the perspective of someone walking on the street, the person would see the same permitted buildings on a RR2(a) property as on a RR property. (Only the uses might be different, if this proposal is approved.)

CONCLUSION: Closing Thoughts ...and Consideration

The Riley's orchard is a special place for Bowen, cultivated with care for over 30 years. It adds to the island's ecological diversity, community living heritage, and local farm-based economy.

The long-term viability of the orchard needs active stewardship and financial support. Indeed, we recognize economic viability of Riley's as core to its land use security and living heritage conservation. To that end, we propose adding "Cidery" and "Guest House for Agri-tourism" uses and creating a RR2(a) zone variation.

As proposed, these permissions will not redefine RR2 property uses nor do they increase the number, size, or density of the buildings beyond what is already allowed within the existing RR2 zone. Instead, this rezoning application requests Council to consider a zone variation to Residential Rural RR2 to formalize the land use permissions needed to ensure lasting stewardship of Riley's orchard, by allowing small-scale agri-tourism enterprises, while maintaining compatibility with rural residential context.

Approving the zone variation means:

- Ongoing upkeep for the orchard's vitality to protect agro-ecological capacity of the land;
- Preservation of unique living heritage, natural and cultural assets, so it may be passed on to future generations;
- Continued operation of the cidery, complemented by a guest house;
- Lasting opportunity for community to engage with the orchard (rather than a private garden);
- Meaningful celebration of this unique place through seasonal events; and,
- Sustainable local economic growth based on farming and tourism.

We appreciate Staff and Council's consideration in this amendment application and look forward to the opportunity for further discussion.

Kind regards,

Mark Shieh and Edward Porter (Agents)

Rob Purdy and Christine Hardie (Owners)

BOWEN ISLAND Municipality

Planning Department - Bowen Island Municipality
981 Artisan Lane, Bowen Island, BC, V0N 1G2
Phone: 604-947-4255 ext. 6 Fax: 604-947-0193
Email: planning@bimbc.ca

LAND USE BYLAW AMENDMENT (REZONING) APPLICATION

Please review the Land Use Bylaw (Rezoning) Guide before filling out and submitting this application form. Email or deliver copies of this application form, plans and supporting documentation to the Planning Department and make your fee payable to Bowen Island Municipality.

SECTION 1: APPLICATION TYPE		FEE
X	Land Use Bylaw Amendment	$4000.00
☐	OCP Amendment in combination with a consistent application for a Land Use Bylaw Amendment	$4500.00

SECTION 1: PROPERTY OWNER(S) INFORMATION

List all owners on Certificate of Title - attach additional page(s) if more than 2 owners

Name	Rob Purdy	Name	Christine Hardie
Address		Address	
City		City	
Province		Province	
Postal Code		Postal Code	
Phone		Phone	
Email		Email	

SECTION 3: APPLICANT CONTACT INFORMATION to act as agent (if different than property owner)

Name: Edward Porter
Address: 207 - 55 E Cordova Street
City: Vancouver Postal Code: V3H0K3
Phone: 778-[redacted]
Email: [redacted]

SECTION 4: DESCRIPTION OF PROPERTY

Lot/Parcel LOT 1 Plan PLAN VAP22501 Block BLOCK D

District Lot/ Section DISTRICT LOT 492 Range n/a

Other Description GROUP 1, NEW WESTMINSTER LAND DISTRICT

Civic Address 620 LAURA RD

Jurisdiction & Folio Number 08 - 321 - 00028.100 (From property tax assessment/ Tax Notice)

Parcel Identifier (PID) 015-026-701 (From Certificate of Title)

SECTION 5: BYLAW AMENDMENT(S) REQUESTED

1. I/ we hereby apply to change the zoning of the above noted property on the Land Use Bylaw Map (Schedule B) within the Land Use Bylaw No. 57, 2002

From RR2 (current LUB designation)

To RR2(a) (proposed LUB designation)

Purpose (in brief): (more detail included in the proposal summary)

To ensure lasting stewardship of the heritage orchard through support for diversified, small-scale, agri-tourism enterprises while maintaining compatibility with the rural residential context.

See application package for details.

2. Proposed Amendment

To amend the Land Use Bylaw and adopt a narrowly-defined zone variation [RR2(a)] that: formalizes unique land use permissions (i.e. "cidery" and "guest house for agritourism" use permissions) while maintaining compatibility the rural residential context.

See application package for details.

SECTION 6: PROPERTY DETAILS

1. Property size (m² or ha) 19512.905 m2 (see Parcel Report on page 13)
2. Describe the current use(s) of the land and buildings on the property.

RR2 - residential and agriculture (orchards) with land based cidery/tasting room/picnic area.

(See page 4 for additional detail regarding current Temporary Use Permissions and restrictions)

3. Describe the proposed use(s) of the land and buildings and show on your site plan the location of any proposed buildings or structures.

An RR2(a) zone variation – in keeping with other RR2 variations currently existing within the Land Use Bylaw – can specifically accommodate and effectively regulate:

"Cidery" as a permitted principal use, subject to the current regulations as defined within the Temporary Use Permit; and,

"Guest house" as a permitted principal use, subject to further regulation to avoid and/or mitigate on- and off-site impacts.

SECTION 7: EXISTING AND PROPOSED SERVICES

Services	Currently Existing? Yes	No	Proposed
Road Access	X		
Well Water Supply	X		
Connection to Community Water Supply		X	
Onsite Sewage Disposal	X		
Connection to Snug Cove Sewer System		X	
Hydro*	X		
Telephone*	X		
Fibrotic*			

*Preferred installation is underground

SECTION 8: APPLICATION CHECKLIST		
Applicants are responsible for ensuring that all the required information listed below is included or addressed in their application. Staff will not begin processing incomplete applications		
X	Completed Application Form	Signed by all registered owners of the property & if applicable, the agent acting on the owner's behalf
X	Current Property Information	Includes: - Certificate of Title dated within the last 90 days prior to application submission - Copy of all building schemes, easements & covenants registered on Title **BIM can obtain copies for a fee*
X	Payment	Payment of the appropriate application fee
	Site Disclosure Statement	Contaminated Sites Regulation Form
X	Site Plan	See below for site plan requirements
X	Proposal Summary	Includes: - Justification and support letter
X	Technical Report or Studies	Copies of any reports or studies relevant to the application

SECTION 9: OWNER CONSENT & AUTHORIZATION

In order to process this application, the signature of all registered owners is required.
For additional owners, including Strata Corporations or Companies, please attach a separate sheet.

As the registered owner of the property, I/we hereby authorize this application.
I/ We hereby certify that the above information is true, to the best of my/ our knowledge.

Rob Purdy	Christine Hardie
Property Owner (Full Name, Please Print)	Property Owner (Full Name, Please Print)
26 January 2026	26 January 2026
Date	Date
[redacted]	[redacted]
Authorization Signature	Authorization Signature

SECTION 10: AGENT AUTHORIZATION & SIGNATURE

By signing the above, I/ We as the registered owners authorize the applicant listed in Section 3 to act as the agent to represent this application on the owners' behalf.

I/ We also agree to notify the Planning Department in the event the agent acting on behalf of the owner(s) changes at any time during the application process.

Edward Porter

Agent Name (Full Name, Please Print)

26 January 2026

Date

[redacted]

Agent Signature

Parcel Report

November 10, 2025
10:32 a.m.

Civic Address: '620 Laura Rd, Bowen Island, BC'

Legal Description: LOT 1 BLOCK D DISTRICT LOT 492 PLAN 22501

PID: 015026701

Lot size (sqm): 19512.905

Ownership: PRIVATE

Zoning: 'RR2'

OCP Designation: 'R1', 'RS'

DPAs: WASP

BOWEN ISLAND Municipality

620 Laura Road

Temporary Use Application

To Mayor, Council & Staff,

This property has been owned by John and Josephine Riley for over 30 years, they purchased a vacant lot in the 80s and have been steadily establishing the impressive gardens and orchards that are now present. They collected hundreds of unique heirloom apple varieties from around the world and the orchard is now considered to be one of the most diverse in North America. Over the past few years the property was transitioned from John & Josephine over to us. In October 2019 we purchased the property with the intention of continuing the upkeep of the orchards and gardens, and to build on the legacy that the Rileys had established. The plan for the property is to establish a small business that will employ several island residents, to protect the unique biodiversity on the property, and to share this unique property with island residents and visitors for the purpose of education and enjoyment.

In 2018 a new cider orchard was planted on the property. With the addition of this orchard there are now approximately 2.5 acres of orchards and about 1,200 apple trees on the property. We plan to produce cider from the fruit on the property, other orchards on Bowen Island, and some fruit will be sourced from the Similkameen Valley – BC's organic fruit growing region. Our methods are organic, and we plan to pursue organic certification, a process that takes three years to complete.

We have been issued a cider manufacturing license from the Liquor and Cannabis Regulation Branch (LCRB) and have a land based cidery sales agreement in place with the Liquor Distribution Branch. We are utilizing an existing building on site for our cider operations, we completed some minor work on this building in 2020 and were issued an occupancy permit from BIM upon completion.

We will be naming business "Riley's Cidery".

Thank you for considering our application.

Regards,

Rob Purdy & Christine Hardie

Appendix B: Interpretation of Agricultural Use

Subject: Interpretation of Agricultural Use – RR2 Zoning October 22, 2025

Dear Mr. Daniel Martin,

Thank you for your note and for clarifying staff's interpretation of the RR2 zoning and the provisions of our Temporary Use Permit.

We would like to provide several points and references that we believe demonstrate how our cidery now operates fully within the intent and wording of the Land Use Bylaw, and in direct alignment with the Bowen Island Official Community Plan (OCP) and relevant provincial agricultural frameworks. We are sharing this information in the spirit of collaboration and with respect for the planning process.

Alignment with Bowen Island's Official Community Plan (OCP)

Our operation is aligned with the Bowen Island Official Community Plan (OCP, Consolidated April 2023), which places a strong emphasis on supporting small-scale, land-based agriculture, food security, and value-added production.

- Section 3.7 – Agricultural Land Use Management promotes "the long-term protection and enhancement of agricultural lands and the support of small-scale, locally appropriate agricultural activities, including the processing and direct marketing of products grown on the island."
- Section 10.2 – Economic Development calls for "a resilient local economy based on sustainable and environmentally responsible small-scale industries such as agriculture, food and beverage production, and tourism."
- Section 1.1.4 – Relationship to Other Governments and Agencies acknowledges that the municipality's planning and land-use policies must operate in coordination with the BC Ministry of Agriculture and the Agricultural Land Commission, both of which define and regulate normal farm uses at the provincial level.

Our cidery embodies these objectives: it is a small-scale, land-based agricultural enterprise that produces cider using apples grown on our Bowen Island orchard and, as permitted under provincial standards, supplemental fruit from a leased BC orchard. Our property is classified as Farm by BC Assessment, confirming its recognition as an agricultural operation under provincial legislation.

In addition, our operation falls squarely within the intent and protections of the Farm Practices Protection (Right to Farm) Act, which safeguards farmers engaged in "normal farm practices" from unreasonable restrictions by local governments. The Act defines normal farm practices to include "the use of land, buildings or machinery for a farm operation," encompassing the processing, storage, and sale of farm products consistent with generally accepted agricultural practice. Our cidery's production and limited on-site tasting area clearly constitute such a normal farm practice—recognized under provincial policy as part of modern, value-added agriculture.

Material Change to the Land Use Bylaw

Since our Temporary Use Permit (TUP) was issued, there has been a material amendment to Bowen Island's Land Use Bylaw—specifically, the removal of the definition of "Vineyard."

That former definition created ambiguity around how fruit-based alcohol production (including cider) related to agricultural use. With that definition now repealed, the only relevant definition is "Agriculture", which allows "the processing and sale of products harvested, reared, or produced on that lot."

This change eliminates prior overlap and interpretive uncertainty between "Vineyard" and "Agriculture." As a result, our operation's alignment with the RR2 zoning is now clear:

- We grow and harvest apples on-site;
- We process those apples into cider on-site; and
- We sell and serve the resulting product on the same property as a directly ancillary activity.

Accordingly, under the current Land Use Bylaw, our cidery fully meets the definition of a permitted Agricultural Use.

Primary Agricultural Production and Farm Classification

Our property contains approximately 1,200 apple trees, and 100% of the fruit from those trees is used in our cider production. The property also holds Farm Classification under BC Assessment, confirming that its principal use is agricultural.

Leased Orchard as Part of a Single Farm Enterprise

In addition to our on-site orchard, we lease a small orchard in Cawston, BC. Provincial agricultural frameworks recognize that farm operations may span multiple parcels under common management and that such activities form a single "farm operation."

Under the Agricultural Land Reserve Use Regulation (BC Reg 30/2019), Part 1 provides that:

"Unless a contrary intention appears, a reference to a use of agricultural land includes all of the agricultural land on which a single farm operation is conducted, regardless of

(a)whether activities are conducted over one parcel or multiple parcels, or

(b)whether, in the case of multiple parcels, the parcels are adjacent."

This provision clearly supports the provincial concept of a farm unit, allowing agricultural production and processing across multiple properties that are owned or leased by the same operator.

Further, the Ministry of Agriculture's Guide for Bylaw Development in Farming Areas (2020) reiterates this approach, advising that zoning bylaws and definitions of agriculture should be interpreted and administered consistently with the provincial definition of "farm use," recognizing that a single farm operation can encompass multiple parcels. The Ministry provides a clear definition of agriculture which includes "a British Columbia licensed brewery, cidery, distillery, meadery or winery, provided that the use is in accordance with all conditions in the Agricultural Land Commission Act, as amended from time to time and all regulations or orders pursuant thereto;"

Our sourcing from a leased orchard therefore remains fully consistent with accepted provincial definitions of agricultural use and with the regulatory framework governing legitimate farm-based production in British Columbia.

Consistency with Provincial Licensing Framework

Our operation is licensed by the Liquor and Cannabis Regulation Branch (LCRB) as a Land-Based Cidery, a designation that requires agricultural production on land owned or leased by the producer. The LCRB explicitly recognizes multi-site agricultural operations and reinforces our standing as a legitimate, land-based producer.

Accessory Uses – Tasting and Picnic Area

The small tasting and picnic areas on the property are clearly subordinate to the principal agricultural use. Comparable provincial standards—specifically *ALR Use Regulation* s.13—identify tasting and consumption areas up to 125 m^2 indoors and 125 m^2 outdoors as valid ancillary farm uses. While our property lies outside the ALR, these thresholds provide a credible benchmark for small-scale, low-impact agricultural retail activity.

Existing Regulatory Oversight and Operational Compliance

Our property and business are already subject to extensive regulation and oversight by multiple agencies:

- Vancouver Coastal Health licenses and monitors our water system and enforces our food safety compliance. We conduct daily, monthly, and annual testing and remain in good standing with all requirements.
- Our wastewater system is provincially licensed and registered under the Sewerage System Regulation, with approved design and maintenance schedules.
- Our building is fully permitted under Bowen Island's Building Department and meets all applicable provisions of the BC Building Code.
- The property holds Farm Class under BC Assessment.

We have operated for five years without issue or complaint under this regulatory framework.

A rezoning is often described as a mechanism for thorough review of potential impacts, but in our case, these impacts are already being monitored and regulated through existing provincial and regional health, building, and environmental authorities. We therefore believe continued operation under RR2 zoning, within the definition of agricultural use, is consistent with both policy intent and public interest.

Willingness to Work Collaboratively

We appreciate that staff must apply bylaws carefully and consistently, and we want to express our full willingness to work with the Municipality on this matter.

We are not seeking special treatment—only that Bowen's interpretation of agricultural use align with established provincial norms and definitions for land-based farm operations.

If staff determine that further discussion or direction from Council is appropriate, we would fully support that process. Similarly, if Council feels that a text amendment is needed to clarify or modernize the definition of "Agriculture" in the Land Use Bylaw, we would be supportive of that approach as well.

Our goal is simply to ensure a clear, fair, and forward-looking interpretation that supports local agricultural producers in a manner consistent with both the OCP and provincial policy.

Kind regards,

Rob Purdy & Christine Hardie

Vancouver Coastal Health
Promoting wellness. Ensuring care.

HEALTH PROTECTION

PERMIT TO OPERATE

A Water Supply System

Purveyor: Rob Purdy and Christine Hardie
Facility Name: 620 Laura Road Water System

Conditions of Permit

1. Water system to supply a house, barn and the cidery as detailed in the Construction Permit VCH-21-345. Any changes require prior approval from the Health Authority;
2. The maximum system flow rate is 5 US GPM;
3. The minimum chlorine residual at the discharge of the potable water storage tank is 0.7 ppm;
4. The minimum UV dose at the UV reactor is 40 mJ/cm2;
5. The chlorine residual to be monitored daily and UV dose monitored continuously with weekly check;
6. Minimum bacteriological sampling frequency is two samples taken bi-weekly;
7. Review and update the Emergency Response Plan annually;
8. Treated water to be tested for Arsenic biannually for the first year, and annually thereafter; and
9. Source water to be sampled for physical and chemical parameters once every 5 years.

[redacted]

Drinking Water Officer

Effective Date
September 24, 2021
Revised Date

This permit must be displayed in a conspicuous place and is not transferable

Trip Generation

The proposed 'guest house for agritourism' use – limited to a maximum of 10 sleeping units – is not anticipated to generate additional traffic (beyond current levels associated with existing cidery and picnic area use permissions).

As the proposed RR2 (a) zone variation does not increase building density, floor area, hours of cidery operation beyond what is already permitted and regulated under the existing Temporary Use Permit (TUP-2021-007), and maintains all current operational restrictions, no material traffic impacts are anticipated and peak traffic conditions on Laura Road are expected to remain unchanged.

Guest house traffic trips are low-volume and typically off-peak.* As importantly, overnight stay permission is likely to reduce peak-period vehicle trips: in practice, guest house use will primarily convert existing day visitors to the cidery into overnight guests, potentially reducing repeat peak-hour return trips and spreading arrivals and departures outside commuter peak periods.

** Using "hotel" as a conservative rate – based on standard trip-generation references commonly used in Canadian practice (ITE Trip Generation Manual, Land Use Code 310 – Hotel) – indicates low peak-hour vehicle trip rates of approximately 0.53 trips per room in the AM peak hour and 0.60 trips per room in the PM peak hour, equating to roughly 5–6 peak-hour trips at full occupancy for a 10-unit facility.*

Parking

Visitor parking for Riley's is accommodated in accordance with Bowen Island Municipality's parking bylaw based on existing cidery regulations (parking ratios, capped retail area, no lounge). Guest house parking will be similarly subject to bylaw requirements. Parking is supplied with a combination of on-site spaces / parking within the public ROW.

It's not just an apple, it's a story.

It's not just a cidery, it's a living museum.

...we hope you'll come visit.

RILEY'S CIDERY

620 Laura Road

Bowen Island, BC

https://www.rileyscider.com

Aquifer, groundwater and watershed evidence: 620 Laura Road cidery rezoning (RZ-2026-0014), with private wells and the Grafton Lake watershed considered, Bowen Island BC

This is a documentary record of the watershed, aquifer and groundwater evidence concerning three linked rezoning applications on Bowen Island: 620 Laura Road (RZ-2026-0014, a cidery), 1355 Westside Road (OCP/RZ-2025-0113) and Lot 7 Adams Road (RZ-2025-0015). It draws together, from the Province's, MetroVancouver's and the Municipality's own mapping and the public planning record, the material set out below: where the three properties sit within the Grafton Lake watershed and the Watershed, Aquifer and Stream Protection Development Permit Area; the sensitive ecosystems mapped across the area; the density of wells drawing on the shared groundwater; the documented artesian conditions; and the gaps in the groundwater record on which these applications turn. Prepared by Heather Miller. June 29, 2026.

Contents

1. A note on scope.

Water defines this ground, and water does not respect a single boundary. Wells follow the waterways, and the waterways are themselves watersheds: to concentrate on one named system is to risk losing the others it is part of. This record gives attention to the Grafton Lake watershed, the largest and most widely recognised of the systems here, but that focus is a matter of where the record could be built, not the limit of what is affected.

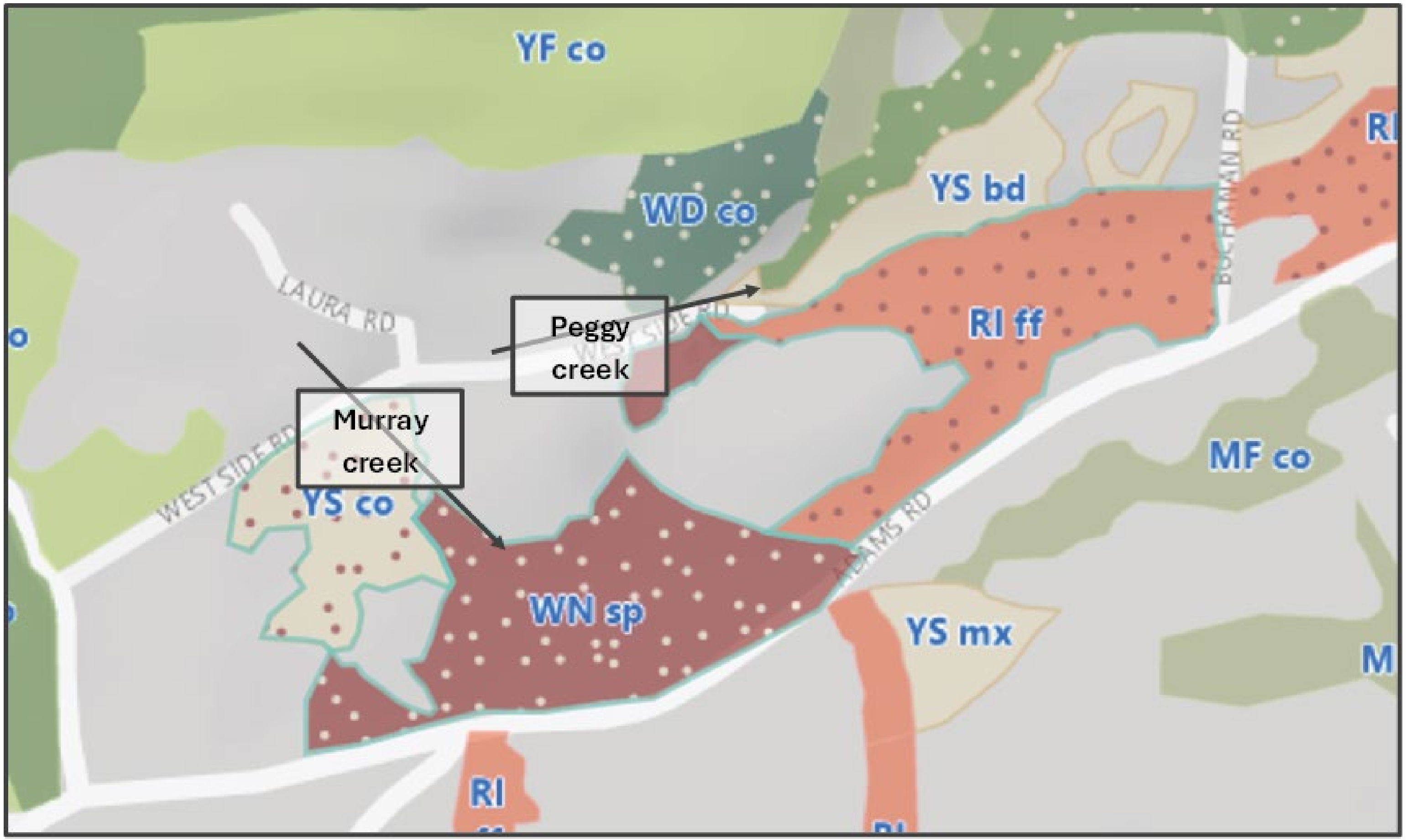
Murray Creek runs down to Lot 7 Adams Road, where it enters Bowen Brook; from there Bowen Brook runs toward Grafton Lake, while a second system runs the other way and is part of the Tunstall Bay and Explosives Creek watershed, ending at the ocean.

This is an area of unusually complex water intersections and interactions. It spans two watersheds, and the Province's mapping shows it falling across two aquifers: Aquifer 746, on the Grafton Lake side, which this record examines, and Aquifer 749. Alongside the private wells looked at in this report, there are also private domestic surface-water diversions along the waterway routes that this record does not examine.

The three properties sit in the centre of this water landscape, and their relationship to the water around them is correspondingly complex.

Aquifer 749, the second watershed, and the surface water diversions all lie beyond what this record sets out. They are named so that the focus on Grafton Lake, and on Aquifer 746, is not mistaken for the limit of what these applications may affect.

2. Sensitive ecosystems: the Metro Vancouver inventory



Sensitive Ecosystem Inventory (Metro Vancouver), which maps and classifies ecologically significant areas across the region, Bowen Island included, with the identified intent to inform official community plans (as with the one now in draft for Bowen Island), development permits and stream setbacks. Additional markers for creeks in immediate 620 Laura Road context added by submitter.

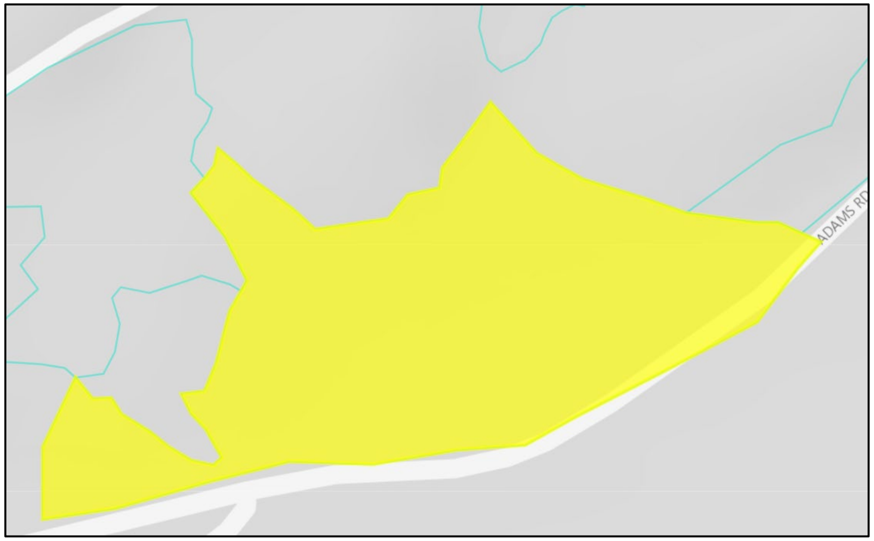
Figure 1

polygon 62735

Primary Ecosystem Class: Wetland	
SEI Polygon No.	62735
BGC Unit	CWHxm1
Ecosystem 1	100% Wetland, shallow water (SE)
Ecosystem 2	Null
Ecosystem 3	Null
Quality	C
Area, Ecosystem 1	5650.01
Area, Ecosystem 2	0
Area, Ecosystem 3	0
Total Area (sq. m)	5650.01
Change	Null

Figure 2

polygon 62124

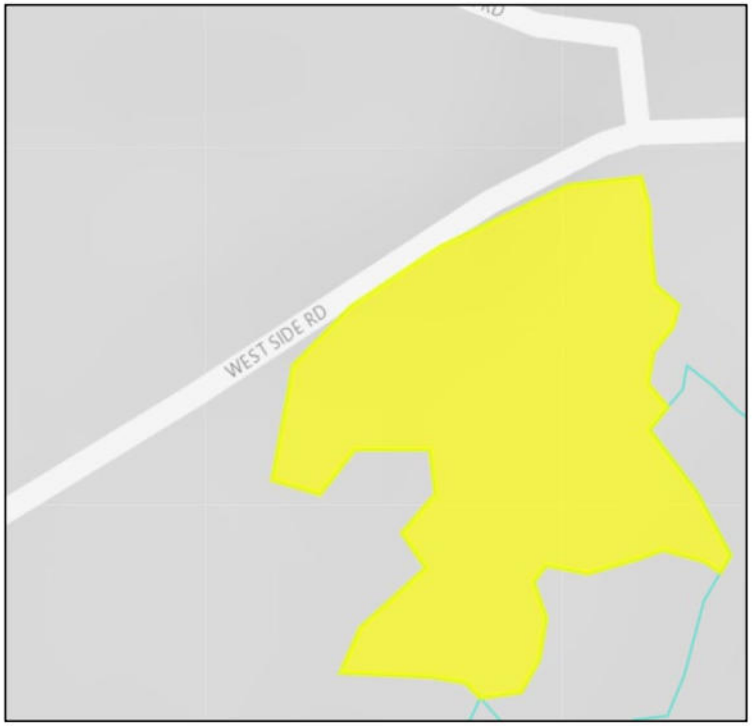


Primary Ecosystem Class: Wetland

SEI Polygon No.	62124
BGC Unit	CWHxm1
Ecosystem 1	80% Wetland, swamp (SE)
Ecosystem 2	20% Young Forest (small), mixed (non SE/ME)
Ecosystem 3	Null
Quality	C
Area, Ecosystem 1	55157.54
Area, Ecosystem 2	13789.38
Area, Ecosystem 3	0
Total Area (sq. m)	68946.92
Change	Null

Figure 3

polygon 62221



SEI Ecosystems (1)

Primary Ecosystem Class: Non SE/ME

SEI Polygon No.	62221
BGC Unit	CWHxm1
Ecosystem 1	70% Young Forest (small), coniferous (non SE/ME)
Ecosystem 2	30% Wetland, shallow water (SE)
Ecosystem 3	Null
Quality	D
Area, Ecosystem 1	20377.51
Area, Ecosystem 2	8733.22
Area, Ecosystem 3	0
Total Area (sq. m)	29110.73
Change	Null

Figure 4

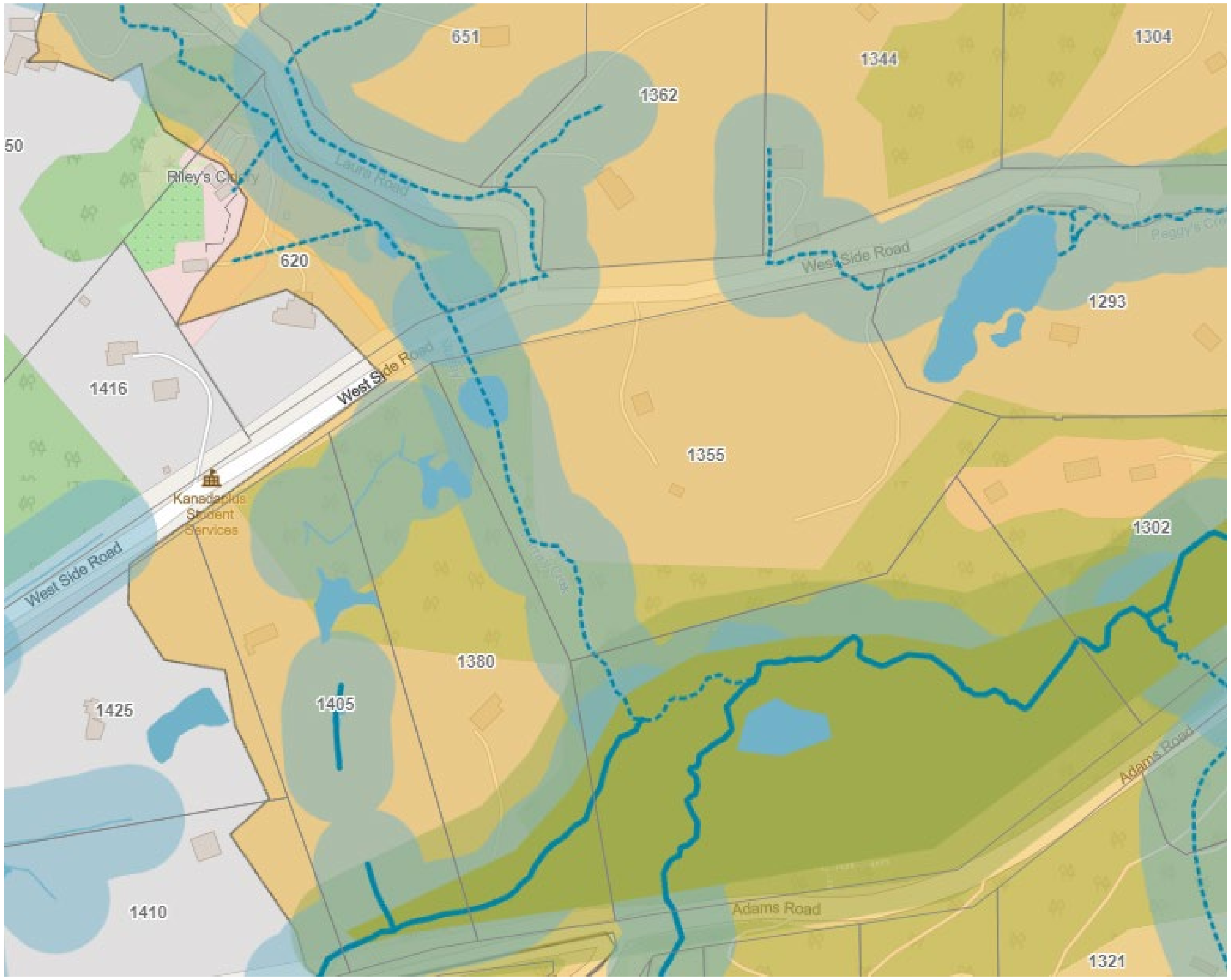
polygon 62288

Primary Ecosystem Class: Riparian

SEI Polygon No.	62288
BGC Unit	CWHxm1
Ecosystem 1	70% Riparian, fringe (SE)
Ecosystem 2	30% Wetland, swamp (SE)
Ecosystem 3	Null
Quality	C
Area, Ecosystem 1	44287.34
Area, Ecosystem 2	18980.29
Area, Ecosystem 3	0
Total Area (sq. m)	63267.63
Change	Null

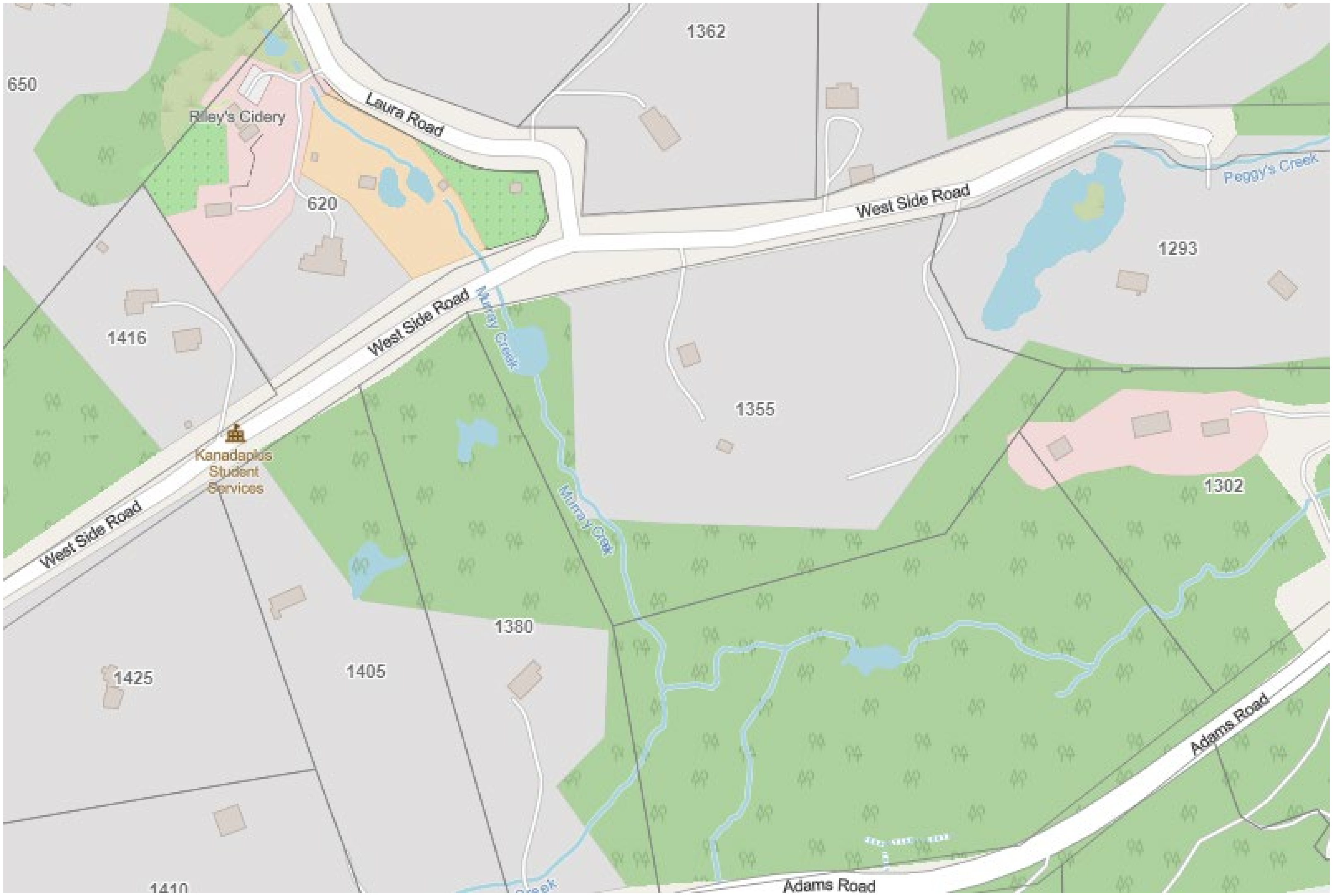
Figure 5

3. Bowen Island watershed, wetland and stream mapping



BowMap (Bowen Island Municipality), with the Watershed, Aquifer and Stream Protection (WASP) Development Permit Area overlay, designated under Official Community Plan Bylaw No. 282, 2010, with guidelines under Land Use Bylaw Amendment No. 301, 2011. The cidery (620 Laura Road), 1355 Westside Road and Lot 7 Adams Road all lie within this Development Permit Area, in the Grafton Lake watershed.

Figure 6



BowMap (Bowen Island Municipality), the same area showing watercourses, without the DPA overlay. Murray Creek runs from 620 Laura Road down to Lot 7 Adams Road, where it enters Bowen Brook. From that junction the systems divide: one toward Grafton Lake, the other toward Tunstall Bay. The area falls within two watersheds.

Figure 7

= wetland, with buffer in transparent tint. BowMap (Bowen Island Municipality), showing the wetlands currently identified as protected under the Watershed, Aquifer and Stream Protection Development Permit Area. The sensitive-ecosystem features in the Metro Vancouver inventory above are not all reflected here.

Figure 8

4. Watershed scrutiny: 620 Laura Road and its neighbours

All three linked applications lie within the same Grafton Lake watershed and within Bowen Island's Watershed, Aquifer and Stream Protection (WASP) Development Permit Area. The other watershed (Tunstall Bay/Explosives Creek) appears to have received no attention.

For the two neighbouring properties, the Island's own advisory committees and Council required or recommended hydrogeological, septic, water-supply and watershed assessment before the applications could proceed. For 620 Laura Road, upstream of both and generating effluent, none was required.

Property	Watershed and groundwater scrutiny on the record	Body and source
Lot 7 Adams Road (RZ-2025-0015)	APC: support reserved pending the outcome of hydrogeological testing; septic location and design effective to protect the Grafton Lake watershed; adequacy of water supply for domestic use and fire suppression; covenant protection of the watershed. PECAAC: support to await hydrogeological reporting and assurances that the groundwater recharge area, the wetlands and the Grafton Lake watershed would be protected.	APC, 9 Oct 2025 (adopted 13 Nov 2025). PECAAC, 4 Feb 2026.
1355 Westside Road (OCP/RZ-2025-0113)	PECAAC: riparian and stream protection by restrictive covenant or parkland dedication; larger SPEA buffer; measures to prevent waste disposal in the riparian area; environmental monitoring; 50% conservation under the Conservation Development Policy. APC: recommended deferral until the OCP is updated and the Grafton Lake Watershed Management Plan is complete. Council: deferred the application on that basis.	PECAAC, 4 Feb 2026. APC, 3 Feb 2026 (adopted). Council, 9 Mar 2026, motion 26-97.
620 Laura Road (RZ-2026-0014), the cidery	No hydrogeological, septic, water-supply or watershed assessment required, through either the temporary use permit or the rezoning.	No assessment on the record.

For the two neighbouring applications, two advisory committees and Council all treated groundwater, septic, water supply and the Grafton Lake watershed as matters requiring assessment before the application could advance. 620 Laura Road sits in the same watershed and the same Development Permit Area, immediately upstream, and has been asked for none of it.

The Advisory Planning Commission also stated the principle directly. In recommending deferral of the 1355 application, it asked that the Official Community Plan consider "whether there should be limits on the types or intensity of development allowed in watershed areas island-wide, not just on a case-by-case basis." That is that committee's position, that watershed development should not be judged property-by-property. That is the basis on which 620 Laura Road is nonetheless being assessed alone.

5. Well density and clustering patterns

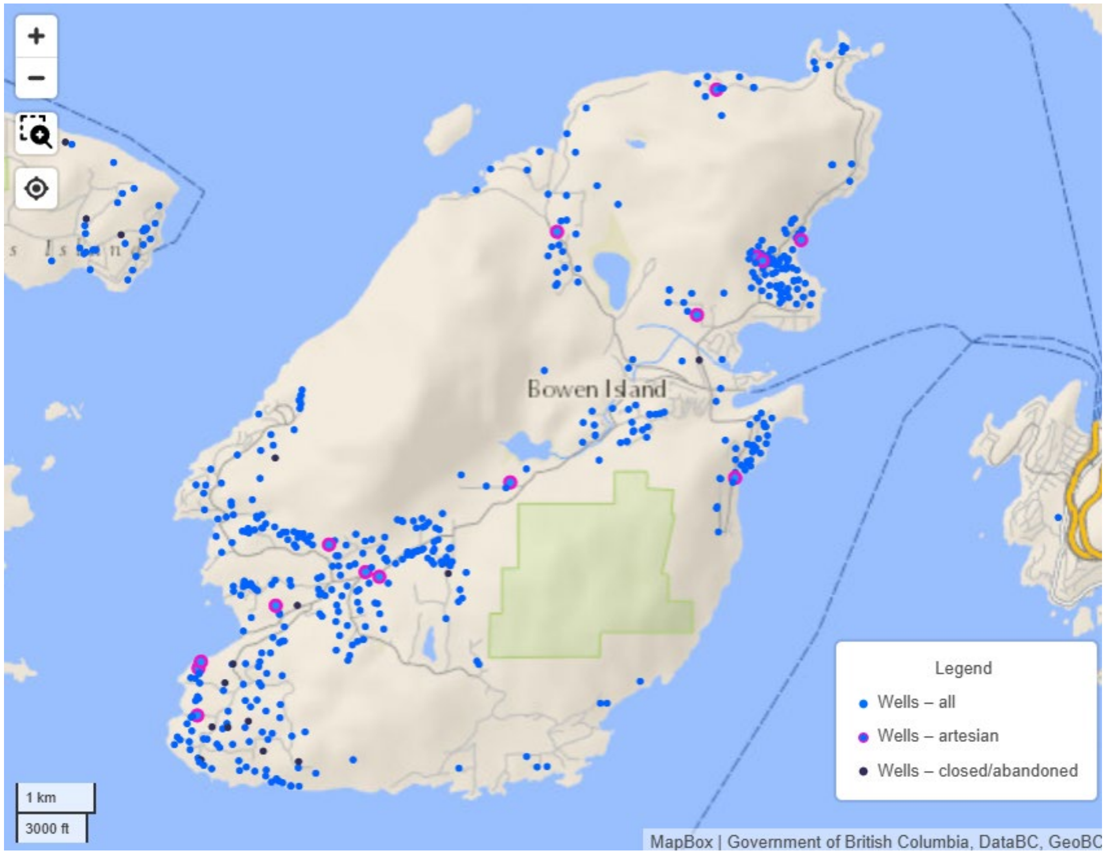


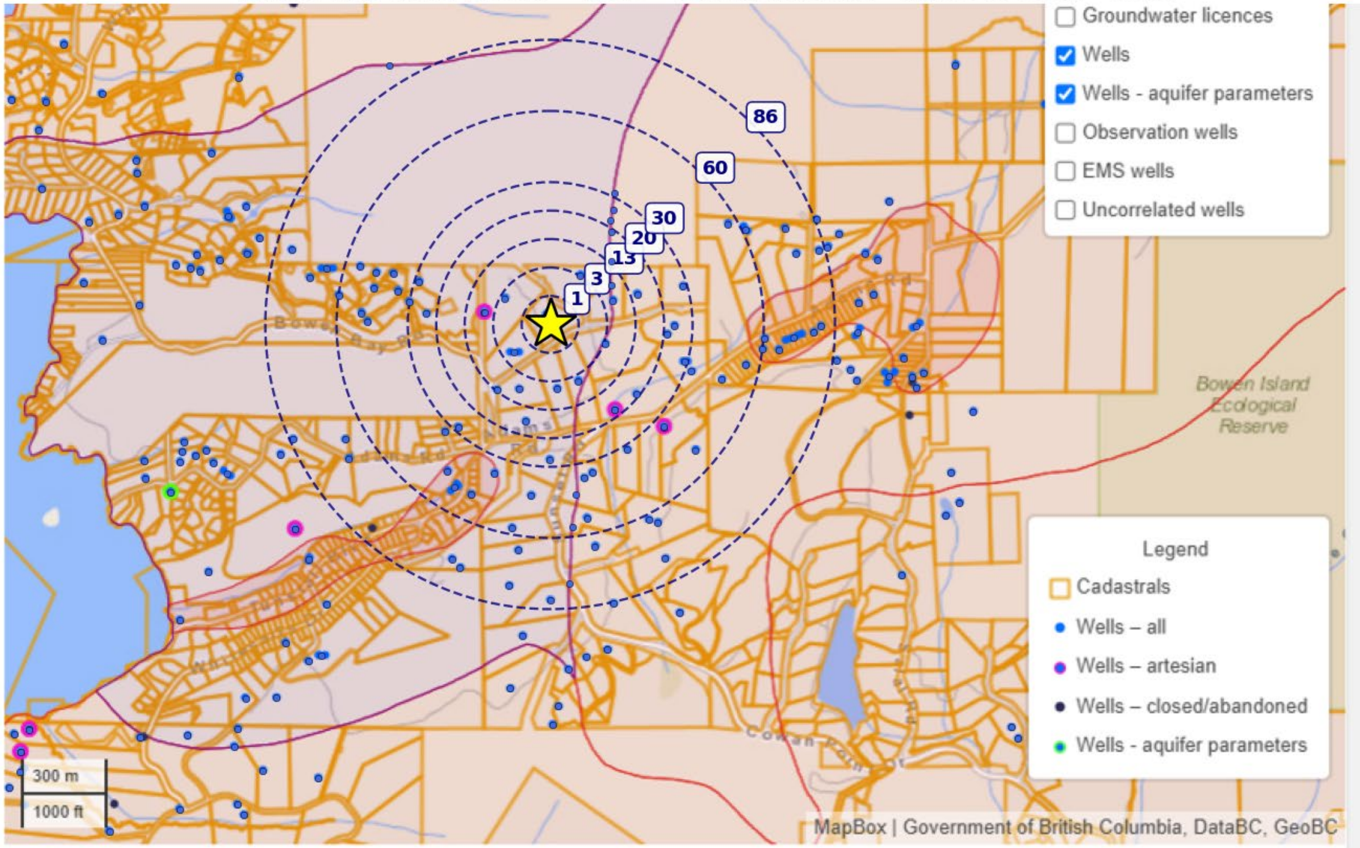
Figure 9

Every well on Bowen Island recorded in the Province's groundwater mapping (image is unedited GWELLS map).

Each blue dot is a well that draws on the island's groundwater; the magenta circled blue dots are documented artesian wells.

The pattern is not even. Wells cluster tightly wherever people live and the ground yields water, and the area around these three properties is one of the densest clusters on the island. The next pages zoom into that cluster: the same provincial well records, counted by distance from 620 Laura Road.

Active water wells within distance of the property (yellow star)
Dashed rings at 100–1000 m · labels = running well count · map scale 300 m = 53 px



GWELLS basemap (Province of British Columbia); distance rings and well-count analysis by the submitter. Map scale: 300 metres = 53 pixels

Figure 10

6. The case for assessment, never met

A use that generates effluent is being carried from a temporary permit into permanent zoning, on ground that carries nearly every flag that normally prompts a professional review. As far as the record shows, no environmental assessment and no hydrogeological assessment has ever been done, and certainly has never been proffered to Council or to the public. Not at the temporary-permit stage, not for the rezoning. This note does not set out to prove harm. It sets out to show why the absence of any assessment is the problem.

Flags

The Province's own mapping rates this aquifer's vulnerability as Moderate, on fractured crystalline bedrock: ground where contamination can move quickly along fractures, with little of the natural filtering that thick soil or sand provides. And the municipality's own mapping designates this ground a Watershed, Aquifer and Stream Protection area, a Development Permit Area established under the Official Community Plan to protect the watershed, the aquifer, and the streams within it.

Below the property sits a documented flowing artesian well, P.Eng-confirmed, where groundwater stands above ground level under its own pressure. It is a point where groundwater surfaces, below the effluent source. A second well, recorded on the provincial registry for the same lot, could not be located on the staff site visit; an old well that cannot be found cannot be confirmed to have been properly sealed, and an unsealed or abandoned well is itself a recognised route for surface contamination to reach an aquifer directly.

Sensitive ecosystems are mapped right here: wetland, swamp, riparian fringe, and shallow open water, in the Sensitive Ecosystem Inventory's own classes, strung along the creeks that drain the area. These are the ecosystems most readily harmed by effluent, because they are low-lying, water-fed, and depend on clean water passing through them.

A dense cluster of domestic wells draws drinking water from the same ground. Within 300 m of the property there are 13 wells; within 500 m, 30; within 1 km, 86. That is several times the density the aquifer's single published average implies. The property sits in the middle of that cluster, not at its edge.

What the record undercounts

Every provincial figure here undercounts what is actually present, always in the same direction.

The wells correlated to the aquifer, the basis for its density rating, are a fraction of the wells present. On this, the Province speaks for itself. In correspondence, the provincial groundwater team explained that correlation is a recent initiative tied to licensing under the Water Sustainability Act; that reviewing the more than 100,000 historical well records is slow and ongoing; that domestic wells, exempt from licensing, are typically correlated only during a broader aquifer mapping or remapping; and that Bowen's most recent mapping was done in 2006, before correlation began, which, in their words, would explain why so many of the island's wells are uncorrelated compared with more recently mapped areas. So the sparse, correlated count is an artefact of when Bowen was mapped, not of what is in the ground.

Registration compounds it: well registration was voluntary until 2016, so older wells need not appear in the database at all.

And springs enter the provincial record only when someone applies to divert one under a water licence, so a spring no one has licensed is a spring the map does not show. I know this directly. I lived at [redacted] Westside Road, between the cidery (620 Laura Road) and the Adams Road artesian well, and there were seasonal springs on the land. They are on no map.

What the Province has recorded is the product of three administrative processes (correlation, voluntary registration, and water-licence applications), not a survey of the wells, springs, and groundwater actually here. Each gap runs the same way: more water, more wells, more discharge than the published data shows, never less.

No assessment, at any stage

A temporary use permit is, by nature, provisional: it is time-limited, it must be renewed, and the use returns for review. That is its safeguard. A rezoning removes those guardrails. It fixes the use to the land permanently, with no requirement to come back, no renewal, no further check.

The permanent step now before you is therefore the one that most needs thorough assessment, not the least, because it is the one that cannot be revisited.

On this record there is no history or consideration of assessment from the initial TUP in 2021 to now, as rezoning is requested. These are not questions the permanent stage raises for the first time: they were live at the temporary stage too, and should have been addressed then. They were not. The assessment has been passed over at each stage: when the use was first permitted in 2021, when the permit was renewed in 2023, and now, as permanence is sought.

I do not need to prove that effluent will reach a particular well, spring, or wetland. Those are the very things informed hydrogeological assessments would examine, and the point of this note is that no such assessment has ever been done. Where I cannot be certain, it is because no one has checked.

So the question is simply this: before a permanent, effluent-generating use is locked into the zoning of ground the Province flags as vulnerable, with a documented artesian discharge below the property, mapped sensitive wetlands and riparian habitat, seasonal springs, and a dense cluster of drinking-water wells, why has no environmental or hydrogeological assessment ever been required, and should one not be required now?

7. Notes for consideration

These three properties, 620 Laura Road (RZ-2026-0014), 1355 Westside Road (OCP/RZ-2025-0113), and Lot 7 Adams Road (RZ-2025-0015), sit within a few hundred metres of one another on the same groundwater and watershed, and are the three linked applications.

Surface water from 620 Laura Road runs down Murray Creek into the wetland complex below 1355 Westside Road, a mapped sensitive ecosystem that recharges the aquifers supplying this part of the island. What is documented at one property bears on all three.

The Committee has been given a confident statement about this ground before. The Updated Environmental Report submitted with the 1355 Westside Road application cites the Province's records, 18 wells correlated to this aquifer and 98 uncorrelated wells within the mapped aquifer extent, and then states there are "no artesian wells." (Updated Environmental Report, 1355 Westside Road, application documents for OCP/RZ-2025-0113, Bowen Island Municipality, https://bowenisland.civicweb.net/document/331676/, accessed 28 June 2026; well figures therein attributed to Province of BC iMap, 2024.)

The same sentence shows the difficulty. It records that the great majority of wells in the aquifer, 98 of 116, are uncorrelated, meaning not yet reviewed; and then reads the correlated records as though they were a complete census, concluding there are no artesian wells. But a flowing artesian well is documented immediately next door, on Lot 7 Adams Road: confirmed by a Professional Engineer, with a static water level standing above ground surface, and uncorrelated to any aquifer, which is exactly why a count drawn from correlated records does not show it.

This is the correlation gap in practice: a confident negative was drawn from records the same sentence acknowledges are incomplete, and it passed into the information the Committee worked from. For Lot 7 Adams Road the Committee had itself sought assurance from qualified professionals that the groundwater recharge area, the wetlands and the Grafton Lake watershed would be protected, the same watershed in which all three properties sit, yet the artesian conditions next door were not identified. I note this not as a comment on any individual, but because this shared groundwater has now been considered more than once on information the provincial record cannot support. That is precisely why the combined, independent assessment sought in the accompanying submission is needed before any of the three applications proceeds.

A note on groundwater complexity, the linked applications, and the committee's own unfinished work.

The groundwater context for 620 Laura Road is genuinely complex. The aquifer is fractured crystalline bedrock, ground in which flow directions are hard to determine, and whether a well finds water depends on hitting a fracture. The surface gives little away: fractures can run in directions that contradict the lay of the land, so the way water moves below cannot be reliably read from the slope above it. Yield and location cannot be predicted from desktop data or neighbouring wells. I have deliberately not taken this up in depth for the present submission, but it underlies this application and, as set out below, the two neighbouring applications it is linked to.

The 1355 Westside Road reports and Council submissions show the complexity: qualified professionals disagreed over how to read the same well data. A documented flowing artesian well next door, at Adams Road, has groundwater standing above ground under its own pressure, the kind of local variation this ground produces. Even a proposed test well can mislead here: a well sited where groundwater surfaces locally may not represent the deeper bedrock aquifer any developments or uses would rely on. The point is that this ground is hard to read and site-specific, and it reinforces what this submission has shown throughout: a complex, sensitive, and vulnerable area, where the burden must be on establishing the facts before permanent decisions are made.

What the record engaged, and what it did not.

The artesian well is documented in the applicant's own well report for the Adams Road rezoning application, and that report was read closely: by the applicant, by staff, and by the Islands Trust groundwater specialist who worked directly from it. But it was engaged almost entirely as one question, whether the well could supply the proposed lots. That a well on this ground is a flowing artesian well, that groundwater here stands above the surface under confined pressure, was noted as a fact about supply and not taken up for what it also signals: a pressurised, hydraulically connected groundwater system, and a standing point of connection between what is below ground and what is above it. The significance of the artesian condition, as distinct from its yield, passes through the record unremarked.

The same lot carries a further point of connection. A second well is recorded on the provincial well registry for Lot 7 Adams Road, and was noted in the Committee's own consideration; the site visit of 8 September 2025 looked for it and could not locate it. Its condition is therefore unknown. I do not characterise it beyond what the record shows. I note it because it belongs with the other features this ground presents, the springs, the flowing artesian well, the creeks, as one more place where surface water and the subsurface meet, on a property where those connections are already dense and already, on this record, unexamined.

A note on the character of the wastewater, flagged here as work I am actively carrying out.

The complexity above concerns how this ground behaves; a separate question concerns what has been discharged into it. The effluent from a cidery is not domestic sewage. It is the process wastewater of a fermentation operation: a high-organic-load, low-pH stream, different in character from household wastewater. Yet for more than five years this operation has run with its wastewater handled through the framework for domestic sewage, the Sewerage System Regulation, and its actual character has never been examined. That character matters a great deal in a setting like this one, because organic loading acts on a receiving environment: it does not simply add to what is there, it can change the conditions under which other hazards behave.

This is a significant subject in its own right, and a larger one than this record can carry (see source notes below for some reference points). It reaches into how process effluent interacts with groundwater, with the wetland downstream, and with the other hazards already present in this catchment, and also into which regulatory regime, if any, is actually responsible for that interaction. I am developing it separately, and the records bearing on how the wastewater has been handled over the past five years are the subject of requests now in progress. I flag it here because a permanent decision is being asked on an operation whose most consequential environmental output has, in five years, never been assessed for what it is.

This is why the linked applications cannot be assessed in isolation. A supply opinion for one property that assumes domestic-only surroundings cannot account for a commercial, water-using operation among the three. Assessed separately, each leans on assumptions the others break.

The committee's own predecessor recognised the need. The 2019 ECAAC Work Plan set out to collect aquifer and groundwater data for sustainable water management. That work does not appear to have been completed, and the aquifer-data action is gone from the 2020 plan of that committee. The knowledge it would have produced is what these applications now turn on, and it is still missing.

8. Sources

All sources below are public records of the Province of British Columbia, Metro Vancouver, or Bowen Island Municipality. Throughout, this record also draws on the minutes, agendas and attached agenda items of Bowen Island Municipality Regular Council, Committee of the Whole, the Advisory Planning Commission, and the Parks, Environment and Climate Action Advisory Committee, from 2019 to the present; specific meetings are dated in the text where they are relied on.

• Metro Vancouver, Sensitive Ecosystem Inventory (SEI), gis.metrovancouver.org/mvmaps/SEI. Ecosystem-class composite map accessed 27 June 2026; individual SEI polygon panels (62221, 62124, 62288, 62735) accessed 28 June 2026.

• Province of British Columbia, Groundwater Wells and Aquifers (GWELLS) and iMapBC (DataBC, GeoBC). Aquifer 746 summary, well information, and the well-location and density maps, accessed 27 June 2026.

• Bowen Island Municipality, BowMap. Watershed, Aquifer and Stream Protection (WASP) Development Permit Area (Official Community Plan Bylaw No. 282, 2010; Land Use Bylaw Amendment No. 301, 2011), accessed 28 June 2026.

• Updated Environmental Report, 1355 Westside Road, application documents for OCP/RZ-2025-0113, Bowen Island Municipality, https://bowenisland.civicweb.net/document/331676/, accessed 28 June 2026 (well figures therein attributed to Province of BC iMap, 2024).

• 1355 Westside Road application page: Bowen Island Municipality, "Land Use Bylaw and Official Community Plan Amendment Application at 1355 West Side Road" (18 July 2025), https://bowenislandmunicipality.ca/2025/07/18/land-use-bylaw-and-official-community-plan-amendment-application-at-1355-west-side-road/, accessed 28 June 2026.

• Committee and Council records (Bowen Island Municipality): Advisory Planning Commission minutes, 9 October 2025 (adopted 13 November 2025) and 3 February 2026 (adopted); Parks, Environment and Climate Action Advisory Committee minutes, 4 February 2026; Regular Council minutes, 9 March 2026 (motion 26-97).

• Well report, Lot 7 Adams Road: EDS Pumps & Water Treatment Ltd., Pumping Test Evaluation for Well ID Plate No. 54701 (Well Tag No. 120532), Leo Montis Ventures (Marc Zubel, P.Eng., 25 April 2020), in the application documents for RZ-2025-0015.

Among the sources and real-world cases considered in forming my understanding of the character of cidery process wastewater:

• Sustainable Winegrowing British Columbia, Winery Process Wastewater Management Handbook: Best Practices and Technologies (February 2018).

• Greater Vancouver Sewerage and Drainage District (Metro Vancouver), Fermentation Operations Bylaw No. 294, 2015, and associated Fermentation Operations regulatory program, metrovancouver.org.

• BC Assessment, Light Industrial vs. Business and Other Property Classifications (fact sheet, last updated 15 February 2023), info.bcassessment.ca.

• New Hampshire Department of Environmental Services, Effects of Breweries, Distilleries and Wineries on a Publicly Owned Treatment Works (WEB-28, 2022).

• Urban Systems Ltd. (Mary Boulanger, P.Eng.), Snug Cove Wastewater Treatment Plant Capacity Review, prepared for Bowen Island Municipality, 16 October 2019.

• Proposed Brewery/Cidery Waste Management Practices (2001 County Road 3), with engineered three-tank on-site wastewater system.

• Marlborough, New Zealand (2016–2018): grape-marc leachate linked to contamination of neighbouring drinking-water bores (manganese, iron, arsenic) and a contaminated stream; RNZ and Stuff.co.nz (2018), NZ Geographic (2021).

• Washington State Department of Ecology, Winery General Permit (2019): introduced on the basis that the acidity and oxygen demand of winery wastewater are incompatible with on-site septic/drainfield function.

• California Central Valley Regional Water Quality Control Board: Cleanup and Abatement Order, Delicato Vineyards (2004); 2015 Waste Discharge Requirements order; California Winery General Permit (2021).

• Astoria, Oregon (2020–2022): fermentation operations straining municipal treatment, prompting an industrial pretreatment program; OPB (2022), Daily Astorian (2020).

• Burlington, Vermont (2018): partially-treated wastewater released into Lake Champlain, attributed in part to high-strength brewery and cidery waste; AP, Craft Brewing Business, Vermont Public.

9. List of figures

Submission to the Official Community Plan Update

Round Two Public Engagement: Draft Official Community Plan

Bowen Island Municipality / Nex̱ŵlélex̱ŵm

Submitted by: Heather Miller

Contact by email only: [redacted]

Delivery: electronic submission

Date: 19 June 2026

Re: Water and governance in the draft Official Community Plan

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A note before the detail

Thank you for the work you have put into drafting a new Official Community Plan, and into this round of engagement. As you move into the next stage, you will be reviewing and weighing a great deal of feedback. I realise this submission is longer and more detailed than many of the responses you are reading, and I am conscious you are volunteers giving your time to a large task. With that in mind, I have built it to be read in layers: a short summary of the key points comes first, then a fuller explanation of each, which you can dip into only where useful. I have also written separately to Council, because some of what I raise is really for them to act on rather than the Committee.

Some of you will know my name re the temporary-use-permit history with a neighbouring property. I mention it only because of where it led. Like many people, I had understood the Official Community Plan and Land Use Bylaw to protect households that depend on their own wells, and that was the framework I though existed when the TUP first came up. My experience is where I saw the distance between how that protection is meant to work and how it actually did, and it is what led me to look more closely at the protections themselves. That closer look is the subject of this submission: how the draft plan protects, or fails to protect, the water that well-dependent households across the island rely on.

My starting point is simple. Bowen's Official Community Plan and Land Use Bylaw are the shield that protects ordinary people's water. That is especially true for the households who depend on private wells, on individual surface-water diversions, or on small private water systems outside the municipal network, and who have no alternative supply other than the water they draw now. The protection of those groundwater and surface sources, and the land-use framing that supports it, is what this submission is most concerned with. This submission is offered for a Bowen that is more densely populated, and facing greater water stress, than ever before. Its concern is that the draft, in several places, quietly trades binding water and environmental protections for discretionary ones, at the very moment those protections matter most. And this is in a context where one of the very few resources the municipality offers to private well users is more than a decade old and already identified that: "Bowen Island Municipality has received reports of wells running dry in the community."

The issues surrounding water for well users are not merely hypothetical future threats; they represent an existing reality, a pressing concern in the present, and a challenge that is expected to intensify in the future.

The submission is organised around that concern. Part One addresses water, where the draft steps back at the moment it should be strengthening protection. Part Two looks at the question from the other direction: not what the draft says it wants, but what it would actually allow. It addresses several ways the draft, as written, opens the Rural Residential designation to things that would run against the plan's own goals: a new processing use left undefined, a blurred line between farming and commerce, weakened light-industry water protection, demoted temporary-use safeguards, and an inconsistent residency standard. Part Three asks only that the plan be settled on its own merits. Throughout, a current rezoning application is referred to briefly, as a worked example. That is not because this submission seeks to decide that application, which is a matter for its own process. It is because a live case is the clearest evidence that these policy gaps are real rather than hypothetical.

One question runs underneath several of the points that follow, so I raise it here at the start. The Committee was given a mandate by Council, and its Terms of Reference set real standards for the plan: compliance with provincial legislation, the Islands Trust object to preserve and protect, and others. Meeting standards like those depends on the Committee having been given the right information and advice to work from. In places, this submission suggests it may not have been. Whether the Committee was put in a position to meet its mandate is not a criticism of the Committee; it is a question about what it was given, and that is a question for Council, to whom I have written separately about it.

Key points at a glance

Each point is explained, with draft OCP section references, in the correspondingly numbered part below.

Part One. Water.

- **Repealed water law, and what it signals (section 1).** The draft's central water definition still cites the repealed Water Act, a decade after the Water Sustainability Act replaced it and first brought groundwater under provincial licensing. Beyond the compliance question (the Committee's Terms of Reference require the plan to comply with provincial legislation), carrying a decade-repealed statute into a 2025-26 plan signals water work not developed abreast of the law that matters most for a heavily groundwater-dependent island.
- **Groundwater commitments reduced (section 2).** References to groundwater roughly halve between the current OCP and the draft, and the active commitment to "regulate the use of groundwater" gives way to discretionary "may consider" language.
- **Protection moved to the Land Use Bylaw, and infill that doesn't see the aquifer (section 3).** The draft maps the sensitive areas, but leaves their protection to a development-permit area that was never brought into force, drops the wetland

protections the current OCP contains, and makes assessment a matter of discretion. And its priority for infill is tested only against piped servicing capacity, which does not ask whether the shared aquifer can take more draw.

- **Supporting studies leave groundwater out (section 4).** The baseline assesses the piped systems in detail but records that the private-well assessments "were not reviewed," and the current Grafton Lake watershed-plan RFP puts groundwater monitoring "beyond the scope." If the studies leave groundwater out, the plan itself has to carry its protection.
- **A water role assumed of VCH that VCH does not hold (section 5).** The information the Committee was given, and the municipality's own practice, treat Vancouver Coastal Health as the body looking after water and groundwater. VCH has said, privately and in public, that this is not its role. That leaves local land-use planning as the only real protection, and the draft does not carry it.

Part Two. Land use.

- **"Agricultural processing" elevated but undefined (section 6).** The draft newly lists "agricultural processing" as a Rural Residential use but never defines it.
- **Agriculture / commerce / tourism boundary undefined (section 7).** The draft supports on-site processing and sale, promotes a visitor economy, and co-locates orchards with tourist-oriented uses. It draws no defined line between agriculture and commercial or visitor activity.
- **Light industry weakened (section 8).** The "no deleterious effect" water protection that should apply to any industrial or light-industrial use is now confined to the Industrial designation (§3.2.14.2), so a light-industrial use on Rural Residential land is no longer plainly caught by it; and a repealed waste statute, the Waste Management Act (§3.2.14.4), is retained.
- **Temporary use permits demoted (section 9).** The TUP environmental safeguard is demoted from binding policy to discretionary narrative, and the power to require assessment information at the TUP stage is removed.
- **Residency / accessory-use standard (section 10).** An undefined commercial processing use sits outside the residency and artisan standards the rest of the designation applies.

Part Three. Use of the plan.

- **Settle the plan on its merits (section 11).** A number of applications are before Council and its committees while this work is underway. Some have been paused or deferred, significantly, often on water and septic concerns, to allow for the draft OCP and the Grafton Lake watershed report, while others have not. These are exactly the questions the draft OCP is the right place to settle, properly and for the long term, rather than addressing them piecemeal and differently from one application to the next.

A note on how I refer to things, to make a long document easier to follow. This submission runs longer than most, so I have tried to keep the references clear and consistent, and to set them out here in one place.

- When I say “the plan” or “the draft,” I mean the draft updated Official Community Plan now out for engagement. Where I mean the existing plan instead, I call it “the current OCP” (adopted in 2011, consolidated in 2023).
- The **Land Use Bylaw** is the draft OCP’s companion document: the zoning-and-rules document where many of the specific, operative land-use requirements actually sit. It is not a minor instrument, and where the draft moves a protection out of the OCP and into it, that matters. I never call either document simply “the bylaw,” because that word tends to suggest smaller, routine rules, and the Land Use Bylaw is a substantial instrument many residents may not know exists.
- For references, I use the section symbol for the draft plan’s own sections and policies, so “§2.2.85” means that part of the draft OCP. When I point to a part of this submission, I write it out, so “section 5” means the fifth point below.
- Where something reflects my own account rather than a document on the public record, I mark it [submitter’s account].

Throughout, I have tried to cite things so you can check them quickly rather than take my word for it, and to make the submission straightforward to read.

As I mentioned, my attention to these questions began with that earlier experience, and it has stayed with water and groundwater on the island ever since. That focused interest is what brought me to look closely at the draft plan, and it is the lens I have read it through. I am continuing to pursue these questions with Council directly and gathering related information as I go; much of that I will share with the community via Council submissions. Where this submission draws on that wider work, I have tried to say so.

The draft’s words on water are good; the work is making them bind

The draft’s intentions on water and the environment are the right ones and well expressed. Its Vision commits the community to living “in reciprocity with the lands and waters” and to “practices that protect land, water, and biodiversity.” A Guiding Principle is to “Protect, regenerate, and enhance” ecosystems and “guide growth with the least impact.” The accompanying Discussion Guide tells the community the draft treats “water as a central growth constraint” and promises “stronger watershed protection.” These are the right commitments for a more populated island under growing water stress.

The single concern running through this submission is that fine words are not, by themselves, protection. An Official Community Plan does its real work where it turns aspiration into binding requirement: a “must,” a mandatory assessment, a defined term, an adopted development-permit guideline, a clear threshold. That is what closes the gaps through which a use can slip past the intention. This points to a question worth asking of the whole plan, and it is really the test this submission applies: not only whether the draft states the right goals, which it does, but whether anything it permits would run counter to them. A plan can hold fine commitments and still leave the door open to their opposite. Much of what follows is the result of reading the draft that way, asking not what it hopes for but what it would allow. The draft, in places, does the reverse of what it intends. It leaves a key term undefined, softens “will require” to “may consider,” defers a protection to a bylaw never adopted, or relies on a body for a role it does not hold. Where that happens, the good words at the front of the plan are not carried through into anything that binds. That gap between stated value and operative mechanism is what each point below identifies, and asks the Committee to close while the plan can still be changed.

Part One. Water: the plan steps back where it should step forward

1. The draft carries a repealed water statute forward, and that is a signal worth heeding

Water is the area where this plan most needs to be current, and it is also one of the most layered areas of law it touches. Responsibility for water in British Columbia is spread across several statutes and several bodies: the Water Sustainability Act governs the diversion and use of surface water and groundwater and changes in and about a stream; the Forest and Range Practices Act is where a “community watershed” is actually defined and designated; the Drinking Water Protection Act, administered by the health authority, governs the safety of registered drinking-water systems; and the Environmental Management Act governs waste discharge. These pieces overlap, they have changed over time, and they are still developing. For an island where so many households depend on groundwater they draw themselves, this is not a settled or simple backdrop. It is one that deserves close, current attention.

The most important change in that landscape, in a generation, is the Water Sustainability Act. It came into force on 29 February 2016 and replaced the Water Act, which had stood, largely unaltered, since 1906. This was not a rename. It was the first time in the province’s history that groundwater was brought into the licensing regime alongside surface water: from that point, anyone diverting groundwater for anything beyond ordinary household use needed a licence, and roughly twenty thousand existing groundwater users had to be brought into the system. The Act recognised, in law, that groundwater is a shared resource that needs managing, not an unlimited private one. For Bowen, whose aquifers supply so many homes, that is the single most relevant development in provincial water law there has been.

Against that, the draft OCP, written now in 2025 and 2026, still frames its central water definition around the repealed Water Act. Its Schedule C glossary defines “Community Watershed” as the area upstream of the most downstream intake of a water-supply system whose users are “licensed under the Water Act for domestic purposes,” the identical wording carried over from the current OCP. A point worth pausing on: “community watershed” is not even a Water Act or Water Sustainability Act term in current provincial law; it is defined under the Forest and Range Practices Act and designated under the Government Actions Regulation. So the draft’s definition is not only anchored to a statute repealed nearly a decade ago; it could not be brought up to date by simply swapping “Water Act” for “Water Sustainability Act.” It needs reviewing against the body of current provincial law that actually applies, which is precisely the layered picture described above.

On its own, an out-of-date citation might be a minor thing to fix. What gives it weight is what it signals. If the water framework carried into a 2025-26 plan did not register that the foundational provincial water statute had been replaced more than a decade earlier, that suggests the water work the draft reflects was not developed abreast of the developments that matter most, in the area that matters most for this island. None of this is a failing of the Committee, who worked from the material they were given. But it is the Committee, while the plan is still open and in its hands, that is positioned to catch this and put it right, and that is the point of raising it now. The flawed input explains how the gap arose; it does not move the fix elsewhere. And it is not an isolated sign: the same quality appears later, in the assumption that Vancouver Coastal Health protects groundwater when it does not (section 5). Two symptoms, one underlying concern.

There is also a straightforward duty in play. The Committee's Terms of Reference require it to ensure the plan will "be in compliance with Provincial Legislation" (§1.1(a)), part of its mandate from Council. The difficulty is not that the water chapter under-recognises the Province's role; it is that, framed around a repealed Act, it does not recognise the Province's current groundwater jurisdiction at all, nor the licensing regime the wells on Bowen now fall under. That sits squarely against the compliance duty. So the Committee should confirm whether the glossary and the water policies have been reviewed against current provincial law, and update the definitions and referral language before adoption. As raised at the start of this submission, it should also establish what advice and information it was given on this question, and whether it was placed in a position to engage with it fully, as its mandate requires. This is the first instance of a question that recurs below: not whether the Committee did its work, but whether it was given what it needed to do it.

One point about timing matters here, because it bears on whether this is the right moment to raise it. The next phase, after this consultation window, is the drafting of the OCP into a bylaw for first reading, which includes a legal review. A legal review at that stage will likely catch the citation itself, that the draft names the repealed Water Act and, at section 8, the repealed Waste Management Act, and correct them to the Water Sustainability Act and the Environmental Management Act. But a legal review tests whether the plan is legally compliant. It does not ask the different, policy question: given that groundwater is now a licensed and regulated provincial resource, should the plan's groundwater policies be strengthened rather than carried forward in their current form? Fixing the citation is necessary, but it is not sufficient. The moment the reference is corrected, the plan reads as compliant, and the policy question can disappear unasked, because surfacing it is not what legal review is for.

There is a further point, and it is the one most easily missed. The inconsistency already sitting inside the draft, between the current legislation and the policies built on the superseded framework, does not appear, on the available record, to have been considered at any stage. The draft carries both the repealed-statute references and policies shaped around that older framing, and the question of whether those policies still hold once the current law is the reference point has not been asked. The Water Sustainability Act did not simply rename the Water Act; it changed what groundwater is in law. A later citation fix will not surface that question. The Committee is the body positioned to consider it, now, while the plan is open, rather than leaving a policy question to a legal step that will not reach it.

The same problem appears on the waste side. Draft §3.2.14.4 provides that "all industrial waste management discharge to land and water shall be authorized under the Waste Management Act." That statute was repealed and replaced by the Environmental Management Act in 2004. The current governing authorisation regime for discharging waste to the environment is the Environmental Management Act. That, for example is the framework most relevant to a manufacturing effluent that falls outside the Sewerage System Regulation, a related issue I have addressed elsewhere re agricultural processing as a mistaken identifier for light industrial manufacture. A 2025–26 draft that still cites the Waste Management Act is carrying forward a second repealed statute, and should be updated to the Environmental Management Act, and the policy considerations of that should be gathered in full.

2. The rewrite reduces the OCP's groundwater commitments

Groundwater is a resource that households downstream of land use decisions often depend on entirely, and it is the resource the Water Sustainability Act brought into provincial licensing in 2016. One would expect a 2025–26 rewrite to strengthen the OCP's groundwater commitments. It does the opposite.

On a straightforward count, references to groundwater are roughly halved between the current OCP and the draft. The count is only a starting point. The change in the kind of language is the substantive point.

The current OCP uses groundwater in operative, regulatory terms. It commits the Municipality to "regulating the use of groundwater," to the "protection of ground-water recharge areas," and to "ground-water supply, pollution and sediment control"; and it requires that a qualified professional advising on water supply have "experience in the field of ground-water supply." These are active commitments: things the plan directs the Municipality to do.

The draft's surviving references are markedly thinner, and the active regulatory language is gone. There is no equivalent of "regulating the use of groundwater" anywhere in the draft, and no qualified-professional groundwater-supply requirement of the kind the current plan contains. Several of those that remain are not water-governance commitments at all. They are a green-infrastructure aside about permeable surfaces (§2.1.11), a single descriptive sentence that the island "relies primarily on... groundwater" (§Part 4, Water Conservation DPA), and the light-industrial "no deleterious effect" line now confined to the Industrial designation

(§3.2.14.2, discussed in section 8). Others are the permissive “may consider… groundwater flow” clauses in the Rural Residential and Rural Residential Transition designations (§§3.2.5.1(d), 3.2.6.1(d), discussed in section 7).

The active verb in the current plan is regulate; the surviving verb in the draft is consider.

In fairness, the draft is not weaker on every front: it adds a policy to “develop protections for freshwater recharge areas” (§2.2.63), and references recharge more often than the current plan does. That improvement is worth keeping. But it does not offset the loss of the general groundwater-regulation commitment, because protecting recharge areas and regulating the use of (and impacts on) groundwater are different things. It is the latter, the use-and-impact commitment, that households need and that the draft drops.

The Committee is asked to restore an operative commitment to regulate the use of groundwater and to protect groundwater supply and quality, not merely to “consider” it, and to require qualified-professional assessment of groundwater impacts where a use may affect a groundwater source, keeping the draft’s recharge-area improvement alongside it.

3. Environmental protection is moved out of the OCP into the Land Use Bylaw, and made discretionary

The same shift from binding commitment to discretion appears, most consequentially, in how the draft handles environmentally sensitive areas and wetlands. It takes a particular form: protective content that the current OCP states as policy is, in the draft, either removed or moved into the Land Use Bylaw, and the assessments that were mandatory become discretionary. A word on the Land Use Bylaw, since it matters here and recurs through this submission: it is the detailed companion to the Official Community Plan, the zoning-and-rules document where many of the specific, operative land-use requirements actually sit. It is not a minor instrument, and where a protection is moved from the OCP into it, that move has real consequences, which this section sets out.

To be fair to the work done: the draft does identify and map these areas. Its Schedule B-1 Environmentally Sensitive Areas map shows wetland, freshwater, riparian, and forest ecosystems across the island, including the wetland and riparian features in the area of the live test site. The draft also speaks, in aspiration, of securing “ecological corridors” and protecting “wildlife habitat connectivity” (§§2.3.D, 2.2.6). The concern is therefore not that sensitive areas go unmapped, or that connectivity is unmentioned.

It is that the draft maps and protects the pieces, not the connected system, and the connectivity it does name is the wrong kind for the risk at issue. The submitter has mapped, in detail, the corridor running from the wetland through to Grafton Lake, as part of work on the Grafton Lake catchment. That mapping is drawn from the Metro Vancouver Sensitive Ecosystem Inventory (SEI), the same dataset the draft’s own ESA mapping draws on. It is a single connected hydrological feature, wetland to watercourse to lake, sitting over and recharging the aquifer beneath.

The draft maps its component ESA categories (wetland, riparian, freshwater) as separate colours on a map, and frames "connectivity" in terms of wildlife habitat, tree canopy, and parks. The rolled-over WASP bylaw, for its part, names Bowen Brook and Grafton Lake and protects a riparian strip along their banks. But a habitat-connectivity aspiration and a bank-side riparian strip are not protection of the corridor as a connected water-and-recharge system.

That system is the pathway by which water, and anything carried in it, actually moves from the wetland through the lake and simultaneously into the aquifer that supplies wells en-route. As the submitter's filed material on the live case puts it, a riparian strip says nothing about the aquifer, the wells, or the recharge function. Mapping every segment, and protecting each bank, can still leave the connected hydrological corridor unprotected, and that corridor is the thing that actually carries the risk. The Committee is asked to recognise and protect the wetland-to-lake hydrological corridor as a connected system, including its groundwater-recharge function, not only as separate mapped ecosystem categories or as a wildlife-habitat corridor.

Three specific wetland protections in the current OCP do not survive in the draft. The current plan provides for replacement wetlands "to mitigate lost wetland functions and values, where unavoidable adverse impacts occur" (current Policy 61), a no-net-loss mechanism. It works to discourage "the infilling of wetlands and the destruction of ground-water infiltration areas" (current Policy 64). And it requires that any development proposal affecting a fish-bearing watercourse complete "an environmental impact statement and definition of appropriate riparian setbacks by a Qualified Environmental Professional… approved by the Municipality."

Searching the draft for the replacement-wetland mechanism, the anti-infilling provision, and the mandatory environmental-impact-statement requirement returns none of them. The draft's wetland language is general, such as "incorporate natural assets, including… wetlands" (§2.2.22) and "discourage the disturbance of wetlands" (§2.2.27). It carries no replacement obligation, no infilling prohibition, and no automatic assessment requirement.

What protection remains is largely deferred. In the case of the Environmentally Sensitive DPA, it has never actually been in force. The draft keeps an Environmentally Sensitive Development Permit Area, but its entire operative content is a single line: "Guidelines for this DPA will be adopted as an amendment to the Land Use Bylaw." The plan's own baseline findings are candid about what that means in practice: McElhanney's Baseline Findings Report records that the Environmentally Sensitive DPA, with three others, was included in the current OCP but not adopted into the Land Use Bylaw after public-hearing opposition, and is "not currently in effect."

It recommends that the Steering Committee "discuss the necessity" of these DPAs. So - the wetland and riparian features the map identifies sit within a development-permit area whose protective guidelines have never been switched on. The draft's "will be adopted" wording perpetuates exactly that gap. The same deferral runs across the board: all nine of the draft's Development Permit Areas, including the Watershed, Aquifer and Stream Protection DPA, state that their guidelines have been, or will be, adopted in the Land Use Bylaw.

The treatment of the one development-permit area that does expressly protect groundwater illustrates the same problem from the other side. The municipality's most-used DPA is the

Watershed, Aquifer and Streamside Protection DPA (WASP, Bylaw 301, 2011); aquifer protection is one of its three named purposes. Unlike the deferred Environmentally Sensitive DPA, its guidelines are real and operative. They require that disturbance to “groundwater recharge areas” be avoided or mitigated, and that a qualified professional’s report address wells, recharge areas, and whether development would introduce material “into existing surface water or groundwater.” So WASP does substantive groundwater work. This is not a case of empty wording.

That is precisely why two features of it matter when the draft proposes to carry it forward essentially unchanged. First, WASP itself defines “Community Watershed” by reference to an intake “licensed under the Water Act,” the same repealed statute discussed in section 1. The pre-WSA framing is therefore embedded in the operative Land Use Bylaw, not only the OCP glossary. Second, WASP exempts from its development-permit requirement the creating or expanding of a vegetable garden or “orchard regardless of size,” and farming on agriculturally designated land, and, separately, agricultural use consistent with “normal farm practice” under the Right to Farm Act. The orchard exemption is qualified: it applies provided water resources are not adversely affected. But it is the classification of an operation as agricultural that determines whether the exemption is reached at all. This is the same classification move identified in sections 6 and 7: an “agricultural” or “orchard” label can remove an activity from the very DPA that protects the aquifer.

The baseline findings recommend retaining WASP, noting it is the most applied-for of the municipality's development permits. But that is a measure of how often the permit is used (100 of 137 over five years), not a review of whether its Water Act framing and agricultural exemptions still hold up against the Water Sustainability Act and current groundwater conditions. The Committee is asked to treat the carry-over of WASP as an opportunity. It should update the Water Act reference to the Water Sustainability Act, and examine whether the agricultural and orchard exemptions should apply where a commercial processing operation sits in a drinking-water catchment. It should not roll the DPA forward unexamined on the strength of how often it is used.

The “frequently administered” point in fact cuts the other way. It does more than counsel review: it tells the Committee exactly where the significant issues are. The baseline’s own framing identifies WASP as by far the most-used development-permit area on the island, at 100 of 137 permits over five years. So the defects now identified in it are not buried in a seldom-touched corner of the bylaws. They sit in the single instrument through which development most often meets water protection in actual practice. Its Water Act framing and its agricultural and orchard exemptions are therefore not dormant wording. They are being applied, repeatedly, in live decisions, on the ground most affected.

Read together, the usage data and these specific defects point directly to where the high-stakes problems lie. The most-applied water-protection instrument on the island carries an outdated statutory anchor, and an exemption that lets exactly the kind of operation now before Council escape its scrutiny. That is precisely the thing a plan setting water policy for a generation should take most seriously, rather than wave through on the strength of how often it is used. The more heavily a DPA is administered, the more its embedded assumptions matter. They are a pointer to matters of profound significance in the real world.

There is a larger tension worth naming here, because it runs through several of the points in this submission. WASP shows that the municipality already possesses a genuine aquifer-protection lens: the bylaw defines “aquifer,” protects “groundwater recharge areas,” requires assessment of wells and recharge terrain, and guards against introducing material “into existing surface water or groundwater.” That lens is real.

But in the draft it sits siloed inside the one development-permit area inherited from 2011. Every time the word “aquifer” appears in the draft, it is as the name of that DPA. The draft’s own new content, its Vision, its water policies, its infill and growth framework, and its designation rules, is built on a surface-watershed and piped-servicing logic and does not carry the aquifer lens through. The groundwater thinking is present in the plan only because it was carried over in a bolt-on bylaw, not because the rewrite integrated it. Much of what this submission asks for is, in substance, that the aquifer-protection lens WASP already contains be integrated across the plan: into how growth and infill are tested (section 3), how “agricultural processing” is defined and bounded (sections 6 and 7), how the studies scope their work (section 4), and how the OCP engages current groundwater law (section 1). The municipality does not need to invent this lens; it needs to stop quarantining the one it has.

This matters against the Islands Trust mandate specifically. The Islands Trust Policy Statement requires member municipalities to address, in their OCP and bylaws, the identification and protection of environmentally sensitive areas (§3.1.3) and “means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones” (§3.3.2). A draft that maps wetlands and riparian zones but leaves their protection to a development-permit area that has never been adopted, while dropping the operative wetland policies the current OCP carried, raises a fair question whether it adequately addresses that Policy Statement requirement.

This is not merely relocation. The Official Community Plan is the instrument that goes to a public hearing and, as the submitter’s filed material notes under section 15 of the Islands Trust Act, must be submitted to the Islands Trust Executive Committee for approval, and must not be at variance with the Islands Trust Policy Statement on environmentally sensitive areas and water resources. The Land Use Bylaw is amended by Council by ordinary bylaw. Moving the substance of environmental protection from the OCP into the Land Use Bylaw therefore moves it out of the more closely scrutinised, Trust-supervised instrument, into the one Council controls directly. And where the guidelines are not yet written, a public hearing on this draft OCP cannot even see the protections it is being asked to endorse.

The same softening shows up in what actually sets an assessment going. Where the current OCP says a watercourse proposal “will require” an environmental impact statement, the draft says only that the Municipality “may require” an impact assessment “where potential environmental impacts are anticipated” (§2.2.32), and that a water report from a qualified professional “may be required” (§2.3.5). So the assessment is no longer automatic. Nothing about a wetland, a watercourse, or a drinking-water catchment sets it going on its own; someone first has to decide that impacts are “anticipated” before it happens.

A concrete illustration shows why this matters for growth, not only for individual sites. The draft prioritises "infill... over sprawl" (§2.2.K) and "residential infill and higher-density development along main roads and transit routes," qualified only "subject to servicing and infrastructure capacity" (§2.3.1). To be fair, the draft is not silent on water supply generally. It carries forward a requirement that an undeveloped lot not on a community water system prove an "annual sustaining yield" of potable water before a building permit or rezoning (§2.1.6, echoing current Policy 293), and it allows an impact assessment to be required on rezoning (§2.3.2). But those tests are keyed to an individual proposal proving its own supply is adequate, not to its effect on the shared aquifer or on neighbouring wells.

There is a sharper loss nearby. The current OCP, at Policy 294, requires that any use needing more water than a single home, and not on a community water system, obtain a report from a qualified groundwater professional showing the supply can be sustained "without detrimental effects upon adjacent water systems." That is mandatory, and it is the one test that looks beyond a proposal's own supply to its effect on neighbouring wells. In the draft, that same professional water report becomes something the Municipality "may require" (§2.3.5), discretionary rather than required. So the protection that most directly shields neighbouring wells from a larger, water-intensive use is downgraded from a requirement to a possibility.

"Servicing and infrastructure capacity", in the ordinary piped-utility sense, does not capture the cumulative draw on a shared aquifer in an area of high well density where households have no alternative source. Parts of Bowen are exactly that: clusters of properties drawing from the same connected aquifer, with no municipal supply to fall back on. And very many of them are subject to Rural Residential zoning.

An infill priority that sees servicing capacity but not aquifer carrying-capacity could direct added density into precisely those pockets without the cumulative groundwater question ever being asked. This is not a hypothetical pressure. The Province now requires municipalities to allow more small-scale multi-unit housing on lots that used to be limited to a single home, and to plan for twenty years of growth, and the municipality is already working through what that means here. That density has to go somewhere, and once the plan permits it, development that fits the plan proceeds with less public scrutiny than before, because the Province has also removed the public hearing for development that conforms to the OCP. All the more reason the plan itself, now, should make sure added density is not steered into high-well-density areas on a test that does not see the aquifer.

A current example shows how tangled this gets, and the tangle is the point. The paused rezoning for multi-unit housing at 1355 Westside Road was explicitly not a subdivision, and it would draw its water from groundwater and handle its waste through on-site septic. Follow where the draft's terms would actually take it. The lot-based water-supply tests just described are written for lots not on a community water system, but a development of this size would itself create a water supply system under the Drinking Water Protection Act, so it routes instead to Vancouver Coastal Health, which, in its own response on this very file, said it "does not regulate or confirm adequate quantity of ground or surface water." The septic side, with a combined peak flow above the regulatory threshold, falls to be referred onward from VCH to the Ministry of Environment. So the proposal moves from the OCP's lot-level tests, which do not quite fit it, to a health authority that says water quantity is not its job, to a provincial ministry that handles the waste authorisation, and at no point in that chain does anyone squarely ask what the development means for the shared aquifer and the wells around it.

If that sequence is hard to follow, that is rather the point. These are real, complicated problems, and the draft's framework does not have a clear, thought-through home for them. A plan built on the assumption that water is "looked after" somewhere in that chain has not confronted how, for a groundwater-dependent island facing exactly this kind of development, the cumulative question still falls through the middle.

The current OCP at least addressed siting at the level of growth pattern. Policy 53 directed that development be clustered "in the least environmentally sensitive areas." Even that is framed around the surface watershed rather than the aquifer beneath it, and the draft's infill-where-serviceable approach does not plainly carry forward even that surface-level protection. The deeper gap is the same throughout: the aquifer, the resource these households actually depend on, is not what either the old siting rule or the new servicing test is measuring. (Some of these areas also carry protective covenants and reflect earlier subdivision-pattern decisions that the submitter addresses separately; the relevant point here is simply that infill should not be directed into them without the aquifer question being asked.) The Committee is asked to make aquifer carrying-capacity in well-dependent areas an explicit consideration in the infill and density policies, so that intensification is not directed into high-well-density areas on a "servicing capacity" test that does not see the aquifer.

This connects directly to the referral gaps identified later in this submission. The draft not only makes environmental assessment discretionary and defers its content to the Land Use Bylaw. It also provides no mechanism referring development that affects a drinking-water source to Vancouver Coastal Health (section 5) or to the provincial groundwater regulator (section 4). The protections are deferred downward into an as-yet-unwritten part of the Land Use Bylaw and referred outward to no one, leaving municipal discretion as the only check.

The Committee is asked to retain the wetland replacement, anti-infilling, and mandatory environmental-impact-statement provisions as binding OCP policy; to keep core environmental development-permit guidelines within the OCP rather than deferring them entirely to the Land Use Bylaw; and to make environmental and water-supply assessment required rather than discretionary for development of any kind that may affect a wetland, watercourse, or drinking-water source, not only at subdivision.

.4. The supporting studies leave groundwater out of scope

The OCP’s Baseline Findings Report includes an Infrastructure Review Technical Memorandum prepared by the plan’s lead consultant, McElhanney (February 2025). It is the memorandum’s own words, not an inference, that establish the gap.

For the areas not served by the municipal or Cowan Point systems, that is, private wells, small water systems and individual surface water diversions, the memorandum records that Vancouver Coastal Health "completed assessments of private systems," but that "the VCH assessment were not reviewed" in preparing the report. It makes a parallel admission for the municipal systems: water "treatment assessments were not reviewed" either. So the baseline rests on the statement that VCH assessments exist, without the consultant having examined them. What those assessments actually consist of, or whether they bear on groundwater quantity and aquifer health at all, is therefore not established, which connects to the limits of VCH's role set out in section 5. The result is that assessments of exactly the private-water and treatment systems most exposed to the catchment and processing questions were set aside unexamined.

The consequence is that the infrastructure evidence base underpinning the draft OCP was assembled without the private-water, VCH, and water-treatment picture. A water-and-infrastructure baseline that sets aside the assessments of private systems and treatment is an incomplete foundation for policies that will govern those very systems for a generation.

Underlying the gap is how the memorandum scopes “infrastructure” in the first place. Its detailed water assessment, a system-by-system table of condition, capacity, and constraints, covers the seven municipal utility systems and the private Cowan Point utility. Each piped system is examined individually; the municipal groundwater system at Tunstall Bay is even assessed closely enough to record wells in an “operationally unsustainable” condition. The private wells and surface sources that serve the rest of the island, a substantial share of its properties, receive a single sentence: that such homes “utilize private wells and surface water,” followed by the note that the VCH assessments of them were not reviewed. The exact proportion of island properties on private wells is not itself established in the baseline, which is part of the point: the well-dependent share is treated as the residual “areas not serviced” rather than as infrastructure to be assessed. “Infrastructure,” in the baseline’s working definition, means the engineered, municipal, piped systems.

This scoping choice has a direct policy consequence, and it connects to the infill concern in section 3. If “infrastructure” means pipes, then a growth test of “infill subject to servicing and infrastructure capacity” structurally cannot see the well-dependent areas. They have no piped “infrastructure capacity” to measure, so the cumulative groundwater question simply falls outside the frame. The households most exposed to water risk are, by the baseline’s own definition, the ones it does not count. The Committee is asked to ensure the OCP treats private wells, groundwater, and the aquifers they draw on as part of the island’s water infrastructure, assessed and weighed in growth and capacity decisions, rather than as the unexamined space between the piped systems.

The same pattern appears in the municipality’s current flagship water work. Addendum #1 to the Request for Proposals for the Grafton Lake Watershed Management Plan (BIM-RFP-2025-02, October 2025) answers a bidder who asked whether the work would include a groundwater study for potential contamination of the groundwater that feeds the lake. The answer is that “groundwater monitoring is beyond the scope of this study,” while in the same answer the proponent is told to review the Islands Trust groundwater recharge potential mapping to identify sensitive areas needing protection. So groundwater is named as something to protect, and in the same breath left out of what the study will actually measure. The same answer also states there are no monitoring wells within the watershed. That is not quite the full picture, as there is a provincial observation well monitoring Aquifer 746, the bedrock aquifer in the Grafton Lake watershed. The wider question of what groundwater monitoring exists, and what it shows, is a larger topic than this submission, and one I will be addressing separately with Council.

The infrastructure baseline, which was meant to inform this plan, set the private-well and groundwater assessments aside, as the start of this section described. And the municipality's separate Grafton Lake watershed work, its current flagship water study, puts groundwater monitoring beyond its scope. Groundwater is the common thing missing from both. That is one more reason the OCP itself, rather than these studies, has to carry groundwater protection.

The Committee is asked to confirm, on the record, what advice it received about this gap, and whether the infrastructure baseline will be completed to take in the private-water, VCH, and treatment assessments before the draft proceeds to first reading.

5. Is the plan assuming a water role for VCH that VCH does not hold?

Before setting this out, I should be clear about what I can and cannot see. I am reasoning here from what is on the public record: the draft itself, the baseline the Committee was given, and what VCH said to Council. I cannot see what advice the Committee received, or how VCH's role in the plan came to be where it is. That is why I put this as a question rather than a conclusion.

The draft itself says very little about Vancouver Coastal Health and water. It names VCH four times. Three of those are about assisted-living facilities, healthcare-worker retention, and seniors' services (draft §§2.3.19, 2.6.26, 2.6.27), which are health-services matters, not water. Only one reference touches water at all.

That single water reference, §2.2.85, asks the municipality to "encourage" VCH to monitor and control "any indirect flow of runoff or effluent at sites used for garbage handling operations" That is, refuse-handling sites such as a transfer station, recycling depot, or landfill. It is narrow and confined to waste sites. It says nothing about drinking water, wells, aquifers, or water systems. The phrase "drinking water" appears only twice in the whole draft, and neither instance gives VCH a role.

So if the draft itself does not give VCH a water-protection role, where does the idea that VCH looks after water come from? It comes from how the question has been framed for the Committee, and from the municipality's own practice of treating a referral to VCH as the answer to all water questions. In the rezoning now before Council for the cidery at 620 Laura Road, I have set out in my own submission that the municipality has relied on having referred the proposal to VCH as if that referral met the OCP's own standards for water use and supply, the standards that ask a use to prove it will not harm the water source. That reliance is questionable on its face, because VCH's role does not reach those standards, so a referral to VCH cannot satisfy them. And VCH itself does not treat its role as the end of the line: in the modular-home application at 1355 Westside Road, VCH referred the septic question onward to the Ministry of Environment once the system's scale took it past what VCH handles. A body that passes the question on is not a body that holds it. With a number of rezonings, permits, and variances now before Council and its committees, whether a referral to VCH is being treated as meeting water-supply and source-protection standards it cannot actually reach is a fair question to ask, and a legitimate area for the review this submission asks for.

This assumption, that VCH is the body protecting groundwater, does not match what VCH actually does. VCH looks after registered drinking-water systems under the Drinking Water Protection Act: systems with permits, multiple connections, and regular monitoring. That covers the safety of the water coming out of a tap in such a system. It does not cover:

- how much groundwater is taken, or the effect of that on the aquifer and on neighbouring wells;
- the provincial licensing of larger groundwater users under the Water Sustainability Act, which the Province handles, not VCH;
- the effect of a processing or industrial operation on a shared aquifer; or
- where process wastewater goes, and whether it reaches groundwater.

VCH has said this itself. When I raised water-use and aquifer concerns, VCH's Environmental Health Officer told me, in substance, that water use was the Province's responsibility and not VCH's, and no assessment by anyone followed. [submitter's account, from correspondence with VCH's Environmental Health Officer]

VCH said much the same in public, in this plan's own context. At the Council meeting of 26 February 2024, with a VCH delegation present, a councillor noted the OCP process was about to begin and asked what role VCH might play in "water protection and possibly permitting and regulations from the municipal side." VCH offered a general willingness to review official community plans and to "provide input on really anything," and gave examples like active transportation and healthier communities, rather than the water role the question asked about. Invited to describe a water role for the coming OCP, VCH did not claim one.

This is where section 4 and this section meet. The materials the Committee worked from did not assess the groundwater and private-water picture. For the many properties on private wells and surface sources, the baseline gave two sentences: that these homes use wells and surface water, and that VCH had assessed them but those assessments were not reviewed. Set beside the detailed, system-by-system treatment of the piped municipal systems, the well-dependent properties and the aquifer they draw on came down to a single pointer to VCH. So the idea that VCH covers this ground is not something the Committee invented, and it is not a criticism of the Committee. It is what the framing handed to them produced: a pointer to VCH in place of an assessment. Meanwhile the bodies that do hold the relevant roles, the Province for groundwater licensing under the Water Sustainability Act and for waste discharge under the Environmental Management Act, are not engaged in the draft at all.

The same assumption shows up in what the municipality actually puts in front of well-dependent residents. Its public page for private-well users offers a small, mixed set of material: a municipal information sheet that still speaks of the Water Sustainability Act as something that "will come into effect" in 2016, written before the Act it describes; a Vancouver Coastal Health letter that is, by its own terms, addressed to "water suppliers" operating a "water supply system" serving more than one dwelling; and a 2005 local water booklet that itself notes the vulnerability of the island's aquifers and the value of groundwater observation wells. None of this is necessarily wrong in itself. The point is that the responsibilities here are layered, and the page does not explain them.

A household's position depends on its situation: a shared well serving more than one connection can fall under VCH's drinking-water-system role; a single private well does not, and the resource itself, the aquifer and the right to draw from it, is the Province's responsibility under the Water Sustainability Act, with contamination a matter for the Ministry of Environment. A resident trying to work out who to turn to finds none of that set out clearly or currently. For a community where so many households depend on their own wells, that is not an adequate standard of provision, and it is the same gap the draft leaves rather than closes. It is worth adding that the need for groundwater observation wells on Bowen was being flagged locally as far back as that 2005 booklet. A provincial observation well now monitors the bedrock aquifer in the Grafton Lake watershed, yet the current watershed-plan RFP stated there were none (section 4), one more sign of how unevenly this knowledge is held and carried forward.

The practical consequence is simple. If water and groundwater questions are passed to VCH, and VCH does not deal with them, then passing them to VCH protects no one. The only thing that can actually protect people who depend on groundwater, from the effect of a land use in their recharge area, is local land-use planning: the OCP, its development-permit areas, and the conditions it puts on particular uses. That is the protection the Islands Trust mandate exists to provide. A plan that keeps water governance thin, assumes a VCH role that VCH does not perform, and makes catchment protection discretionary (section 7) leaves these residents without the one protection they actually have. The Committee is asked to (a) describe VCH's water role accurately, as the authority for registered drinking-water and small water systems under the Drinking Water Protection Act, and no more; and (b) recognise in the plan that protecting groundwater and aquifers is a job for local land-use planning and the Province, and to make the OCP's own tools carry that protection rather than leaning on VCH.

Stepping back from the individual points, one thread runs through all of Part One. The draft frames its central water definition around a statute repealed a decade ago (section 1). The studies meant to inform it leave groundwater out of scope (section 4). The framing the Committee was given, and the municipality's own practice, treat Vancouver Coastal Health as protecting groundwater, a role it does not hold (this section). And the everyday material the municipality gives to well-dependent residents is partly pre-2016 and nowhere clearly explained. These are not unrelated lapses. Together they suggest the municipality's understanding of groundwater, across its plan, its studies, and its public information, is fragmented and out of date, in a community where very many residents rely on groundwater sources. That is the underlying concern this Part is really about. The specific fixes asked for in each section matter; but the larger ask is that the plan be the place where this is finally pulled together into something current and coherent, because the plan is the instrument with the standing to do it.

Part Two. Land use: an undefined use entering the Rural Residential designation

6. "Agricultural processing" is elevated but left undefined

The draft OCP adds **agricultural processing** as a supported main use in the Rural Residential (RR) designation (draft §3.2.5, "Main Uses"; and the land-use designation table in Part 3, which states that agriculture and commercial uses are supported in RR "in the form of hobby farms, home-based businesses, and agricultural processing").

This is a new addition. The current (2011, consolidated April 2023) OCP does not use the term "agricultural processing" anywhere, and its Rural Residential Land Use Management section (current §3.4.3) does not list it as a use. The draft therefore elevates a use category that the existing plan does not contain.

Three features of the draft make this consequential for water:

- **The term is undefined. "**Agricultural processing" is listed as a permitted RR use but is not defined anywhere in the draft. It does not appear in the Schedule C glossary, and no policy qualifies its scale, intensity, effluent characteristics, or relationship to a commercial operation. The draft's own designations table is explicit that, in Rural Residential, "Agriculture and Commercial uses are supported," with agricultural processing named as one of the forms they take.

  In other words, the commercial character is not something I am reading into the use; the draft's own table puts it there, listing "Agriculture and Commercial uses" together in a residential designation. And because the use is undefined, nothing bounds it. There is no stated limit on its size, its scale, its intensity, or the number of visitors it might draw. An undefined commercial use, sitting in a residential designation and tied to nothing that would cap it, is in effect an open-ended one: it can be as large, as intensive, and as visitor-oriented as a given application makes it.

  Set against the other Rural Residential uses, which are residential, small-scale (hobby farms), or expressly secondary (home-based business), agricultural processing stands out as the one open-ended use. Other land-use categories in the draft are given boundaries, through their own designations, scale limits, or defined terms; agricultural processing is elevated as a Rural Residential use with none of these, carrying whatever content a later application gives it.
- **Water protection in RR is discretionary, not required.** Draft §3.2.5.1(d) provides that land-use regulations for RR lands "may consider" environmental values, water quality and quantity, and groundwater flow and recharge. "May consider" is permissive. It does

not require that a processing use within a drinking-water catchment be assessed for its effect on that catchment.

- **The DPA exemptions sit outside the OCP's control.** The draft's Watershed, Aquifer and Stream Protection Development Permit Area (draft Part 4) states that its guidelines, and therefore its exemptions, "have been adopted within the Land Use Bylaw." The operative bylaw (WASP, Bylaw 301, 2011) exempts from the development-permit requirement an "orchard regardless of size" and "farming in agriculturally designated lands," and, separately, agricultural use consistent with "normal farm practice." The result is that classifying an activity as "agriculture" or "agricultural processing" can remove it from the very development-permit scrutiny the DPA exists to provide. The draft would carry that same gap forward into policy.

Put together, the draft elevates an undefined processing use in a residential-rural designation, makes protection of the aquifer and its catchment for that use discretionary, and leaves the exemption that lets an "agricultural" label bypass the Watershed, Aquifer and Stream Protection DPA in a bylaw the OCP does not here revisit. The reasonable question for the Committee is whether the OCP should entrench this elevation at the policy level while the term remains undefined, or whether "agricultural processing" in Rural Residential should be defined and expressly subordinated to aquifer and catchment protection before the draft proceeds.

There is something telling in the timing. The draft introduces "agricultural processing" as a new Rural Residential use and treats it as settled and unproblematic, defining nothing and bounding nothing. Yet at the same time, this very classification is live and disputed in a current rezoning, and in related applications. A use the plan treats as simple is, in practice, anything but. And it does not sit alone: the draft leans in the same untroubled way on "agriculture" and "normal farm practice" as though these were clean, settled categories, when in fact they rest on a complex provincial framework, the Agricultural Land Reserve, the farm-class assessment rules, and the "normal farm practice" standard, that the draft does not engage with and that bears directly on what an "agricultural" label can carry.

The current rezoning shows how live this is. Whether the operation is "agriculture" at all is genuinely contested on the rezoning record. The applicants argue in their own correspondence that the operation is already a permitted agricultural use, implying no rezoning is needed, while simultaneously inviting Council to amend the Land Use Bylaw's definition of "agriculture." Yet a rezoning is in fact proceeding, which itself implies the use is not currently permitted. At the same time, BC Assessment classifies the property across three classes including light industrial, treating cider production as manufacturing, and the farm-class regulation treats cider not as an agricultural product but as a "manufactured derivative."

That mismatch is the signal: these are not settled matters to be written into the plan as though they were, and they should not be left to resolve themselves one application at a time. They are exactly the kind of questions the draft OCP process is the right place to work through, in full and with proper attention to where they lead, before they are locked into the plan as fixed.

A word on the Agricultural Land Reserve, because it sits underneath much of this. The ALR is an immensely complex regime, and I do not attempt to address it in full here. But it is another version of the same pattern this submission keeps identifying: a complex framework the municipality tends to treat as a simple answer that closes off further inquiry. The point can be made with the municipality's own documents, several of which came before Council together on 23 January 2023.

On one hand, the municipality knows ALR status is not the end of its authority. A December 2022 staff report on the Bowen Cider House lounge-area application records that, although cidery use is not permitted under the Land Use Bylaw, the use is a designated farm use on ALR land, and then adds that "permitted farm uses on ALR land may not be prohibited but may be restricted or subject to local government conditions, thresholds, and/or other requirements." That is the municipality stating, plainly, that it retains the power to set conditions and thresholds on ALR farm uses. The same is true of provincial law: material before the same Council meeting recorded that, under the Environmental Management Act, any discharge of leachate or contact stormwater to the environment requires a permit, and that under the Water Sustainability Act, water used for industrial purposes must be licensed, with composting and truck-washing both listed as industrial water uses and any non-domestic water use requiring a licence. These apply regardless of ALR status; they are a floor, not a ceiling.

On the other hand, in practice ALR status is too often treated as the answer that ends the inquiry. When neighbours raised environmental concerns about a proposed abattoir, the Environment and Climate Action Advisory Committee was advised, in its minutes of 8 June 2023, that "as the location was on ALR land, the applicant was within his rights to operate" it "without" the committee's approval, and the matter went no further. The gap between what the municipality acknowledges it can do, set conditions, thresholds, and requirements, and what it does in practice, defer to ALR status as though it removed the question, is exactly the gap the OCP should close.

The confusion runs deeper still, because these categories, ALR status, "normal farm practice," designated farm uses, and the provincial licensing that applies regardless, are complicated and they bleed into one another. They get conflated in practice, with whichever label seems to close off the question reached for first. The reflex even attaches where it does not belong: the cidery rezoning currently before Council, at 620 Laura Road, is not on ALR land at all, yet the "it's agricultural" framing still follows it. These are not simple matters, and they interact in ways that need to be thoroughly assessed and understood, not assumed. A draft OCP that elevates "agricultural processing" to a settled Rural Residential use without doing that work would license a great deal while understanding very little of what it was permitting. ALR designation is not a substitute for the water, catchment, and land-use scrutiny the plan is responsible for, and the strongest response is to define and bound the term, and to work through how these frameworks actually fit together, before the plan enshrines it.

7. The boundary between agriculture, commerce, and tourism is undefined

A related gap compounds the problem. The draft pairs the new, undefined “agricultural processing” use with both an on-site-sales agenda and a substantial visitor-economy agenda. But it never defines where agriculture ends and tourist-oriented commercial activity begins. To be clear about what the draft does and does not say: it does not use the word “agritourism” anywhere, and neither does the current OCP. The concern is not a labelled policy. It is an undefined boundary.

The components sit side by side in the draft. On the agricultural side, §2.6.70 supports “the creation, harvest, process, and sale of locally produced agricultural products to businesses,” permits roadside farm-gate sales, and supports farmers’ outlets or a public market. That is on-site processing and sale, not merely cultivation. On the tourism side, the draft contains a dedicated visitor-economy chapter (“Sustainable and Regenerative Visitorship,” §2.4) and tourist-oriented and Retreat Commercial designations. And in at least one designation the two are expressly co-located. The Grafton Lake Comprehensive Development Area (CDA-3) lists “an agricultural commons and orchard” together, in the same description, with “limited tourist-oriented commercial uses and retreat centre development.”

Individually, each of these may be reasonable. The difficulty is the absence of any defining line between them. Nothing in the draft defines “agricultural processing,” caps visitor-serving activity at an agricultural operation, or states where a farm operation that also sells, hosts, and draws visitors stops being “agriculture” and becomes tourist-oriented commercial use. The result is an open category through which a visitor-destination commercial business can present itself as agriculture.

An OCP that supports on-site processing and sale, promotes a visitor economy, and co-locates orchards with tourist-oriented commercial uses, all without defining the boundary, makes it straightforward for an operation to be nominally agricultural and substantively a tourism-commercial business. The Committee is asked to define “agricultural processing” and the threshold at which agricultural operations with visitor-serving or commercial components are treated as commercial/tourist uses for planning purposes, so that the agricultural label cannot be used to carry commercial and visitor activity into the Rural Residential designation unexamined.

8. The rewrite weakens how the OCP treats light industry

The classification point above matters all the more because the draft simultaneously weakens the OCP's grip on light industry, the category into which fermentation-based production, such as a cidery, falls on the actual-use test. Three changes between the current and draft OCPs run in the same direction.

First, and most importantly, the key water-and-waste protection changes what it attaches to. In the current OCP, Policy 205 reads: "Industrial and light industrial uses will prove adequate water supply and waste disposal capability to ensure that there is no deleterious effect on surface and ground-water supplies." That obligation is written as a duty on the uses themselves, "industrial and light industrial uses," so it follows the activity wherever it occurs, including a light-industrial use on Rural Residential land. The draft keeps the same "no deleterious effect" wording almost word for word, but moves it into §3.2.14.2, inside the Industrial (ID) designation, and rephrases it as "Businesses shall prove..."

So a duty that used to attach to a kind of use now attaches to a kind of land. On its plain reading it applies to businesses on industrially designated land, the land carried in the Industrial (ID) designation and, in the Land Use Bylaw, the Industrial Medium (IM) and Industrial Commercial (IC) zones. A light-industrial use sitting on Rural Residential land, as a cidery or other fermentation operation does, is no longer plainly caught by it. That is a real narrowing: the protection has moved from following the activity to following the zoning.

Second, the draft drops a control the current OCP has. The current OCP has a dedicated Light Industrial Development Permit Area (§11.4.9), which sets rules for what light-industrial buildings and sites should look like and how they fit their surroundings. The draft's list of development-permit areas leaves it out. So the draft has less control over the appearance and siting of light-industrial development than the current plan, not more.

Third, the draft retains a repealed waste statute (developed further in section 1): §3.2.14.4 still requires industrial waste discharge to be authorized under the Waste Management Act, replaced by the Environmental Management Act in 2004.

The combined effect is that the draft narrows the obligation that would require a light-industrial use to prove it will not harm groundwater, tying it to industrial land rather than to the use itself; removes the permit area that controlled light-industrial development; and points to the wrong waste statute. At the same time, in the Rural Residential designation, it newly invites "agricultural processing" that, on the evidence, operates as light industry, precisely the kind of use that, on Rural Residential land, now falls outside the protection. The Committee is asked to restore a general obligation, attaching to any industrial or light-industrial use wherever it occurs rather than to industrial land alone, that the use prove it will cause no deleterious effect on surface or groundwater, and to reinstate development-permit control over the form and character of light-industrial development equivalent to the current Light Industrial Development Permit Area.

9. The temporary-use-permit safeguards are demoted from binding policy to discretion

The draft retains temporary use permits, but materially weakens the standard governing them. A temporary use permit is, by design, the lighter-touch route into a use: time-limited and conditional rather than permanent. The safeguards attached to it therefore matter, because weakening them lowers the bar at exactly the stage meant to test whether a use belongs at all. On Bowen this is not abstract. A current operation has run under a TUP for five years without the water and groundwater assessment the OCP contemplates, a live illustration of what a weak TUP standard allows to go unexamined.

In the current OCP, the temporary-use-permit safeguard is a numbered, binding policy. Policy 238 provides that the Municipality may consider issuing a temporary use permit "provided the use will not create an unacceptable negative impact upon the natural environment or the character of the neighbourhood." Under the Local Government Act a zoning bylaw and its decisions must be consistent with the OCP, so a numbered policy of this kind operates as a binding constraint, not a suggestion. The current OCP also contains Policy 240, which expressly empowers the Municipality to require development-approval information, that is, assessments, for any temporary-use-permit application.

The draft removes both as numbered policies. The temporary-use-permit provision is reduced to a narrative paragraph that is no longer numbered or expressed as binding policy, and it newly inserts the words that the Municipality “may, at its discretion,” consider issuing such permits. The environmental safeguard that was a binding condition becomes a matter of municipal discretion. Policy 240, the power to require assessment information at the temporary-use-permit stage, disappears from the draft altogether. What remains is only the discretionary paragraph and the narrow waterfront-industrial carve-out.

This is not an abstract drafting change. The temporary-use-permit route is exactly how an unassessed commercial use can establish itself on the land without the scrutiny a rezoning would invite. The dropped Policy 240 is precisely the tool that could have required hydrological or water-supply assessment information before such a permit issued. Demoting the environmental test to discretion, and removing the assessment-information power, makes the next temporary-use-permit even easier to grant without the information the situation requires. The Committee is asked to retain the temporary-use-permit environmental standard as a binding policy (not a discretionary narrative), and to reinstate an express power to require development-approval/assessment information for temporary-use-permit applications, equivalent to current Policy 240.

10. A consistent residency / accessory-use standard

Bowen’s planning framework has historically held accessory commercial activity to a residency-based, self-supporting, artisan standard, with commercial use tied to people who live on the property. The draft preserves this orientation: its glossary defines “Artisan Commercial” as small-scale, largely hand-made production emphasising local, sustainable sourcing, and RR “home-based business” is expressly framed as secondary to residential use (draft §3.2.5).

This connects to a larger and still-unsettled question the draft does not confront: what it means for an area to be residential at all. The Rural Residential designation increasingly admits uses that need not be tied to anyone actually living on the land, of which an undefined, non-resident "agricultural processing" operation is one example. That tension, between a residential neighbourhood and commercial activity run by people who do not live there, has surfaced before in the municipality's own decisions, and the draft would carry it forward unresolved. The ask is consistency: if RR is to support agricultural processing, the draft should state whether that use is held to the same residency and scale standards as other accessory commercial activity, rather than leaving an undefined commercial use outside a standard the rest of the designation applies.

Part Three. How the plan should be used

11. The OCP should be settled on its own merits

A general principle underlies this submission. An Official Community Plan should be settled on its own merits and for the long term. That does not mean live applications are irrelevant to it, quite the opposite: where a current application surfaces a genuine gap, as this update shows can happen, the right response is to let that lesson feed back into building better policy, not to leave the gap unexamined. What does not make sense is for the same questions to be worked through and decided in two processes at once, a live application and the plan that is meant to govern it, when the OCP is the place those questions should properly be settled. I recognise this can be hard on anyone who has an application in front of the municipality right now, waiting on decisions that settling the plan properly may slow. But the real task here is bigger than any one application: it is getting this right for the whole community, for a generation or more.

This connects to a live procedural question. The lawful basis for waiving a public hearing on a rezoning is that the bylaw is consistent with the Official Community Plan. But whether this application is consistent with the OCP is contested, both in my own submission on the rezoning and by the fact that the OCP is being rewritten on the very policies in question at the same time. To settle the draft now in terms that resolve that consistency in the application's favour would be to supply, through the OCP process, the compliance the waiver of a public hearing depends on, while the question is still open. A procedural letter raising this was filed with Council on 15 June 2026, asking, among other things, that the basis for waiving a public hearing be set out given that consistency with the OCP is contested. [submitter's account]

The submission does not ask the OCP to take a position on any application. It asks that the draft's water and land-use policies be settled on their merits, for the future generation they will govern.

12. Requested changes to the draft

In summary, before the draft proceeds to a first-reading bylaw, the submitter asks the Steering Committee to:

1. Define “agricultural processing” in the Schedule C glossary, including its scale, and expressly subordinate it to catchment and groundwater protection where it occurs within a Water Resources Protection Area.
2. Define the threshold at which an agricultural operation with visitor-serving or commercial components (sales, hosting, tasting, visitor draw) is treated as a commercial or tourist-oriented use for planning purposes, so the agricultural label cannot carry commercial and visitor activity into Rural Residential unexamined.
3. Convert the discretionary “may consider” water-protection language in §3.2.5.1(d) into a requirement that processing uses in drinking-water catchments be assessed for their effect on water quality and quantity.
4. Confirm the relationship between the Watershed, Aquifer and Stream Protection DPA and the Land Use Bylaw exemptions, and ensure that an “agriculture” or “agricultural processing” label cannot remove a use from that DPA’s scrutiny where it sits over an aquifer or its recharge area, not only a surface catchment.
5. Restore an operative commitment to regulate the use of groundwater and to protect groundwater supply and quality, not merely to “consider” it, and require qualified-professional assessment of groundwater impacts where a use may affect a groundwater source, while retaining the draft’s new freshwater-recharge-area protection (§2.2.63).

6. Retain the wetland replacement (no-net-loss), anti-infilling, and mandatory environmental-impact-statement / Qualified-Environmental-Professional provisions as binding OCP policy; keep core environmental development-permit guidelines within the OCP rather than deferring them entirely to the Land Use Bylaw; and make environmental and water-supply assessment automatic and required, rather than discretionary, where a development may affect a wetland, watercourse, or drinking-water source.
7. Restore a general obligation, not confined to the Industrial designation, that any industrial or light-industrial use, wherever it occurs, prove adequate water supply and waste-disposal capability with no deleterious effect on surface or groundwater; and reinstate development-permit control over the form and character of light-industrial development equivalent to the current Light Industrial Development Permit Area (§11.4.9).
8. Ensure the Environmentally Sensitive Development Permit Area is actually brought into effect (its guidelines adopted) rather than left as a mapped-but-unenforced designation, so that the wetland and riparian features the draft maps are genuinely protected, consistent with Islands Trust Policy Statement §§3.1.3 and 3.3.2.
9. On carrying forward the Watershed, Aquifer and Streamside Protection DPA, review and strengthen its aquifer-protection guidelines against the Water Sustainability Act and current groundwater science, rather than rolling it over on the strength of how frequently it is administered.
10. Make aquifer carrying-capacity in well-dependent areas an explicit consideration in the infill and density policies, so intensification is not directed into high-well-density areas with no alternative supply on a “servicing capacity” test that does not assess the shared aquifer.
11. Restore a general obligation, not confined to the Industrial designation, that any industrial or light-industrial use, wherever it occurs, prove adequate water supply and waste-disposal capability with no deleterious effect on surface or groundwater. Reinstate form-and-character control over light-industrial development equivalent to the current Light Industrial Development Permit Area.
12. Retain the temporary-use-permit environmental standard (no unacceptable negative impact on the natural environment or neighbourhood) as a binding policy rather than a discretionary narrative, and reinstate an express power to require development-approval/assessment information for temporary-use-permit applications, equivalent to current Policy 240.
13. Update the glossary and water policies from the repealed Water Act to the Water Sustainability Act, and the industrial-waste authorisation reference from the repealed Waste Management Act (§3.2.14.4) to the Environmental Management Act, and review the referral and jurisdiction language so it reflects provincial groundwater licensing.
14. State Vancouver Coastal Health’s drinking-water role accurately, as the authority for registered drinking-water and small water systems under the Drinking Water Protection Act, and recognise in policy that groundwater and aquifer protection are matters for

local land-use planning and the Province, so that the OCP's own tools, not deferral to VCH, carry that protection.

15. Confirm on the record what the infrastructure baseline did and did not review with respect to private water systems and groundwater, complete that baseline before first reading, and ensure the OCP treats private wells, groundwater, and aquifers as part of the island's water infrastructure, assessed and weighed in growth and capacity decisions, rather than as the unexamined space between the piped systems.
16. State whether agricultural processing in Rural Residential is held to the same residency and accessory-use standard as other accessory commercial activity.
17. Decline to let the timing of this update be used to supply OCP-compliance for any live rezoning; settle the water and land-use policies on their merits, independent of that file.

A closing word on how to read this

I am conscious that several of the points above open questions I have not fully worked through here, and that deserve further reflection rather than a settled answer. Two are worth naming. The carry-over of the Watershed, Aquifer and Stream Protection bylaw is one: the more closely I looked at it, the more it seemed that the bylaw being rolled over may in fact protect water better, through its own structure and framing, than the draft's own new policies do. That is worth examining in its own right, because it suggests the plan's strongest groundwater protection is something it inherited rather than something the rewrite built. The boundary between residential character, what it means for an area to be residential, and the commercial or processing uses the draft would admit, is another question I have only begun to open here. I raise these as matters needing more thought, not as finished conclusions, and I may return to some of them as the plan develops.

The current OCP dates from 2011. The plan that emerges from this update will frame land use and water decisions on Bowen Island for potentially a generation. Water is a critical issue in that update. The records and questions above bear directly on the integrity of the information underpinning the draft, and the public interest in getting these policies right before they are settled is correspondingly high. Thank you for considering this submission.

What each report said about the Official Community Plan, 2021 to 2026

For each staff report on the 620 Laura Road cidery, 2021 to 2026: the OCP policies the report cited, whether any concerned water, groundwater, aquifers or light industry, the report's own statement of environmental concern, and whether a water or septic assessment was required. All quotations are from the reports themselves. The middle column reads "None" down its full length, ie no policies on water, groundwater, aquifer or light industry were considered or addressed.

Report (date)	OCP policies the report cited	Any policy on water, groundwater, aquifer or light industry?	The report's own statement of environmental concern	Water / septic assessment required?
Temporary Use Permit (introduced 22 Feb 2021; issued 22 Mar 2021)	Objectives 80, 83, 86; Policy 209; Policy 235; the Rural R1 designation. All agriculture-support or TUP-issuance policies. (The Feb report itself notes "'Winery' is a defined term (but is not permitted in any zone)" and "the building constructed has an area for manufacturing cidery.")	**None**	The 22 March decision report, in full: "No direct ecological/climate impacts are expected."	**None**
TUP renewal (11 Dec 2023)	Policy 235; Objectives 80, 83, 86. All agriculture-support or TUP-issuance policies.	**None**	The Watershed, Aquifer, Streamside Protection area named only to be set aside: "No work within the DPA is proposed as part of this TUP." (Also records three 2021 bylaw complaints re work near Murray Creek, "resolved by July 2, 2021.")	**None**
Rezoning report (13 Apr 2026)	Objectives 80, 82, 86, 88; the Conservation Development Policy. All agriculture-support.	**None**	"This property includes a portion of Murray Creek along the eastern border... portions of the riparian area be protected through a restrictive covenant."	**Required, on Vancouver Coastal Health's recommendation, not the planner's own analysis.** VCH's comments led staff to recommend requiring a "professional hydrogeologist" assessment of water demand and quality, and a ROWP "Letter of Assurance" that the use "will not have a negative impact on the onsite wastewater system." Staff also "recommend not waiving the Public Hearing."
Revised rezoning (25 May 2026)	No OCP policy applied to the proposal. The Conservation Development Policy is cited once, for the covenant.	**None**	The same Murray Creek riparian-covenant sentence. (Places Murray Creek "along the eastern border"; the Municipality's own mapping shows it running through the site.)	**Removed.** Neither the hydrogeologist assessment nor the septic assurance survives. This is the report that introduces the no-public-hearing route.

Second-column numbers are as each report cited them at the time; some have since been renumbered in the current OCP.

What follows are some considerations regarding what this tabulated information reveals.

Two things the table shows.

First, across five years and four reports, not one cites a single OCP policy on water, groundwater, aquifers or industrial use. Every policy cited is an agriculture-support or TUP-issuance policy. Second, the one time a water and septic assessment was required, in the 13 April 2026 report, it came not from the planner's reading of the OCP but from Vancouver Coastal Health, the body Policy 68 names to control effluent so it does not pollute fresh water, and it was removed six weeks later, in the same revised report that introduced the route removing the public hearing.

Where the reports came near the water, they narrowed it to the stream

Twice the reports engage an instrument that protects water, and each time they reduce it to one feature, the Murray Creek riparian strip. Both instruments reach a good deal further than that.

The Watershed, Aquifer and Stream Protection Development Permit Area is, as its title says, a three-part protection: watershed, aquifer, and stream. Under Bylaw No. 301 (2011) it carries two distinct assessment regimes. One is the stream and riparian piece, which follows the Riparian Areas Regulation and concerns fish habitat and streamside setbacks. The other is the Water Resources piece, the aquifer half, which calls for the location of all wells and water intakes, an assessment of groundwater recharge areas, and an impact statement on the maintenance of water supplies, and provides that disturbance to the recharge areas of wells be avoided and that the protection area extend to a 30-metre radius around an existing well. In the 2023 renewal the area is named only to be set aside, on the ground that "No work within the DPA is proposed." Only the stream and riparian half is taken up at all, and even Murray Creek itself is not accurately shown: the site maps do not depict the creek, and the reports place it "along the eastern border" when the Municipality's own mapping shows it running through the site. The aquifer half, the half named in the bylaw's own title, and the half that would have examined the groundwater the neighbours draw from, is never engaged. The bylaw's agricultural exemption is what removes it: an "orchard regardless of size" is exempt, but only "provided that water resources are not adversely affected," which is the very thing never assessed.

The Conservation Development Policy is narrowed the same way. The 13 April 2026 report sets out its breadth in the Policy's own words: it "seeks to protect biodiversity, farmland, ecosystem services, ecological corridors, scenic landscapes," by "identifying and permanently protecting Environmentally Sensitive Areas and other Green Space," with a goal that "a minimum of 50 percent of the total land ... is protected" and priority "given to protection of any identified Environmentally Sensitive Areas." The report then operationalises all of it as one thing: "portions of the riparian area [of Murray Creek] be protected through a restrictive covenant." The aquifer, the recharge areas and the groundwater, which are "ecosystem services" and "environmentally sensitive" on any ordinary reading, are not identified, and so are not protected.

So on each occasion a report reaches for a water-protective instrument, the aquifer is left out: the aquifer half of the WASP area is set aside, and the aquifer is absent from the Conservation Development covenant. Each broad protection is reduced to a single feature, the stream, and even the stream is not shown as it is.

Some of the OCP policies that should have applied, quoted in full, none of them cited, referenced or considered

Each is quoted verbatim from the consolidated OCP, Schedule A (April 2023), at the number given currently (some policies have been renumbered in the period from 2021 to present due to other OCP amendments). These are among the relevant policies, not a complete list.

- **The keystone: the light-industrial water test**

Policy 205. "Industrial and light industrial uses will prove adequate water supply and waste disposal capability to ensure that there is no deleterious effect on surface and ground-water supplies, or to the long term sustainability of these resources."

- **The permit test, and the information it presumes**

Policy 238 (appears as Policy 235 in the 2023 record). "The Municipality may consider issuing temporary land use permits provided the use will not create an unacceptable negative impact upon the natural environment or the character of the neighbourhood..."

- **The mechanisms that would have generated the information**

Policy 13. "The Municipality may require an applicant for any activity or development to undertake an impact assessment where potential environmental impacts are anticipated. The effects of the proposed activity or development on the island's water resources and the environment in general will form a primary basis for assessment."

Policy 60. "The Municipality will contribute to the protection of surface water and ground water supplies by examining all development proposals in relation to surface water supplies... and require, where necessary, the completion of a surface water supply impact study by a Qualified Professional to be retained by the proponent and approved by the Municipality."

Policy 294. "For a proposed land use requiring a water supply in excess of that required for a single detached home that is not proposed to be served by a community water system, the owner will be required to obtain a report by a Qualified Professional with experience in the field of ground-water supply... The report will indicate whether the proposed water supply is capable of providing a sustaining supply of potable water without detrimental effects upon adjacent water systems."

Policy 303. "Industrial and/or large scale agricultural or recreational use of water will not be permitted unless a water management study (as part of an environmental impact assessment process) has been completed to the satisfaction of Bowen Island Municipality."

Policy 68. "The Municipality will request the Vancouver Coastal Health Authority to ensure that any indirect flow of effluent under its authority is controlled so it does not directly or indirectly pollute fresh or salt water."

- **The waste-authorisation bar, and the effluent-capacity objective**

Policy 207. “All industrial waste management discharge to land and water must be authorized under the Waste Management Act.”

Objective 127. “To ensure that the density and type of land use does not exceed the natural capacity of the land to absorb liquid waste effluent generated by that use where on-site sewage disposal is used.”

- **The designation the property already carries**

Watershed, Aquifer and Stream Protection Development Permit Area. Designated “for the purpose of the protection of the natural environment, and to ensure that development and land use takes place in a manner that protects, sustains or enhances… the quality and quantity of surface and ground water sources for drinking, irrigation, other approved uses and ecosystem health.” Its Water Resources Protection Areas include “water intakes… used to supply individual residences or community water systems.”

A note on scope. These are among the OCP’s most direct water and light-industry policies, not the whole of it: the OCP also carries wetland, natural-environment and biodiversity policies which, on Bowen, are inseparable from these, since the same water sustains the wells, the wetland and the life in them, and the people who draw on it are part of that biodiversity, not apart from it. Those are not elaborated here but are flagged as markers to where else in the OCP this application also sits. For example, Objective 2 (biodiversity), Objective 3 (a “no net impact” strategy for significant plant, wildlife and fish habitats), and Policy 3 (protecting the island’s natural landscapes and ecosystems, including at the time of rezoning).

And underlying all of them is a fact no policy changes: water follows physical law, not lot lines or planning schedules. It keeps no boundaries and makes no judgement about what enters it: it takes in whatever reaches it and carries it on. And it does not wait. Under climate change, the droughts that stress this island’s aquifers will not hold off until the Municipality’s plan is settled; the water is on its own clock, not the paperwork’s.

What the policies, read together, establish

The structure is exact. Policy 238 permitted the Temporary Use Permit only on a finding that the use would not create an unacceptable negative impact on the natural environment. That finding required information. Policies 13, 60, 294, 303 and 68 are the mechanisms by which that information would have been generated, and Policy 205 is the burden of proof that a light-industrial use must discharge before it can rest on such a finding. None of them was engaged. So the finding that permitted the Temporary Use Permit rested on nothing. And the rezoning now before the Commission relies on that permit.

Note on sources. Each policy is quoted verbatim from the consolidated OCP, Schedule A (April 2023). The report rows are quoted from the four staff reports as filed; the 22 March 2021 decision report supplies its environmental sentence and Rural R1 / Policy 235 citation.

Submission to the Advisory Planning Commission

Rezoning RZ-2026-0014, 620 Laura Road cidery

Summary

This submission concerns the proposed rezoning of 620 Laura Road (RZ-2026-0014), which would make permanent, and without a public hearing, the cider-manufacturing operation now running there under a temporary use permit. It is offered to the Advisory Planning Commission in support of the covering letter, and in the alternative to it.

The covering letter makes a single procedural point: there is no determination on the record that this proposal is consistent with the Official Community Plan, and so nothing on which the public hearing can be waived, and nothing for the Commission to confirm. This submission sets out, with sources, the grounds behind that point.

They come to five. First, the temporary use permit settled none of the questions this rezoning turns on; it asked a narrow environmental question, answered it in a single sentence, and was always provisional, so it cannot be the reason the rezoning is now treated as a formality (Part 1). Second, the operation is, on the record's own sources, a light-industrial use and not simple agriculture, and that classification is the hinge, because it decides whether the OCP's water and light-industry policies apply at all; it was supplied by the applicant and never independently tested (Part 2). Third, those water policies are engaged and unmet: the operation's draw on a shared, stressed, fractured-bedrock aquifer has never been measured, and it discharges high-strength fermentation effluent onto the land above its neighbours' drinking-water wells, under a regime built for household sewage, with none of the assessment the OCP requires (Part 3). Fourth, these questions have been kept out of view at each stage by a single pattern, ending in the removal of the public hearing, the one place they would ordinarily be surfaced and answered (Part 4). Fifth, the definition of agriculture this rezoning would write into the Land Use Bylaw would supply the meaning of a central term the draft Official Community Plan, now out for consultation, uses but leaves undefined, so the decision reaches well beyond this one site (Closing). Throughout, a covenant the Municipality itself holds on the title, tied to the area's water supply, has gone unremarked.

What the Commission is asked to advise is set out in full at the close. In short: on the material before it, the Commission is not in a position to advise that this rezoning is consistent with the Official Community Plan, because no one has assessed whether it is; the planning work the OCP requires has not been done; and the public hearing should not be waived until it has, and until the public have had the opportunity a hearing exists to give them: to learn what is actually proposed, to understand it, and to be heard on it before it is made permanent.

Part 1. What the temporary use permit did and did not settle

This rezoning has been carried forward, at every stage, as though it does no more than make permanent an arrangement the temporary use permit already settled. That premise has to be examined first, because everything else is built on it, and it does not hold. The temporary use permit settled none of the questions this rezoning now turns on; it never addressed them at all.

Consider what a temporary use permit is. It is a temporary and discretionary permission, issued under the OCP's own temporary-use policy, and it asks two questions, and only two: whether the use will create an unacceptable negative impact on the natural environment, and whether it will create an unacceptable negative impact on the character of the neighbourhood. That is the whole of the test. But the environmental question is not answered in a vacuum. What counts as the natural environment on Bowen, and what harms it, is defined by the OCP itself, in its policies on water, on groundwater and on aquifers. So a temporary use permit, done properly, is meant to reach the water when it answers its environmental question, and to reach it through the OCP's own framing of environmental harm, not apart from it. On this property, that framing points straight at the water, which is the subject of Part 3.

What a temporary use permit is not is the larger finding a rezoning requires: a determination that the use is consistent with the Official Community Plan as a whole. That is a different and much larger thing, and a permission granted for a fixed, trial term was never it. A finding of that kind is one the process is built to take seriously: weighed over more than a single sitting, put to public notice and a hearing, and allowed to change as it moves through its stages. The temporary use permit was given none of that. It was introduced at one Council meeting, on 22 February 2021, and granted at the next, on 22 March, with the permit issued less than two hours after that meeting began. So the permit is not, and could not be, the consistency finding this rezoning needs. But the narrower environmental question it did ask was a real one, and answering it properly meant grappling with what this use actually is. It is light industry, as Part 2 sets out in detail: an operation that manufactures a product, draws water, and discharges waste. That was the point at which its industrial character and its demand on water had to be weighed, in 2021, and again at the renewal in 2023. Neither was. The classification Part 2 establishes was there to be made and was not made, and the environmental consideration that should have carried the water with it was, as the next paragraphs show, essentially nothing at all.

Even on that environmental question, taken at its narrowest, the finding that issued the permit rested on nothing. The decision report of 22 March 2021 recorded, as its entire treatment of the environment, a single sentence: "No direct ecological/climate impacts are expected." No OCP water or aquifer policy was named; there was no water assessment behind the sentence, no study of the aquifer, no review by a qualified professional, nothing that would let anyone test whether it was true. And the permit was expressly provisional. It was granted for a three-year term, and the applicant sought it, in his own words in the February 2021 report, "to see if this is a viable business." It was described, repeatedly, as a trial. A trial is not a verdict. Its permanence was always to be decided later, on the merits, and that later decision is the one now in front of the APC, and the one the no-hearing route would remove from public view.

The logic of what is now urged runs backwards. An arrangement that was provisional by design is to be made permanent at speed, and with the public hearing removed, on the argument that the trial has already settled the very questions it was never asked to decide. The most permanent and least reversible form of this decision, a rezoning that runs with the land and binds whoever owns it next, would be reached with the least scrutiny of any stage in the whole sequence, precisely because a provisional version came first and is now offered as the proof that no scrutiny is needed.

It is worth being plain about how far the instrument was stretched to reach even that trial. A temporary use permit is meant for uses that are genuinely temporary. Yet the temporary-use policy under which this permit was issued had, not long before, been amended to strip the words "short term" and "seasonal" out of the definition; the Municipality's own notice described the change as removing "language requiring that a TUP be issued for a use that is 'short-term or seasonal.'" And the permit was sought, as the report shows, to test whether a commercial business would be viable, which is not what a temporary use permit is for. So the permit was pressed into a job it was never designed to do going in; and it is now being pressed into a second one coming out, made to stand as the proof that everything is settled, so the rezoning can pass without a hearing.

None of this is hindsight; the record foresaw it. In 2020, at the Advisory Planning Commission's meeting of 15 July, as the APC was advising on the amendment to the temporary-use-permit policy, one of its members described the danger in plain terms: "One of the big problems with a lot of communities is that somebody gets a temporary use permit, and then they build something which is pretty substantial there to accommodate their temporary use. And then it's kind of hard to get it away from them again because they say, oh, we've got all this." And the same member named the very threshold this permit has since reached. Turning to how long a temporary permit should run, the member observed that "when you get into something like five years you really are talking about probably making some substantial improvements ... they want some kind of guarantee. And that's a little scary." That is this operation, point for point: the cidery has been on a temporary use permit for five years; it has made substantial improvements; and the guarantee it now seeks is this rezoning. The position the APC called scary in the abstract, a temporary permission treated, once the buildings are up and the years have passed, as though it had already decided the permanent question, is exactly the position it is now being asked to endorse.

And it was not the commission alone. At the same meeting, the Municipality's own planner said he would "have a hard time recommending a temporary use permit where they're going to build something specifically for the temporary use," the permits he was comfortable with being ones that reused "an existing building" or "the outdoor space"; and he agreed that "if somebody build[s] something for a temporary use, even if it's three years, there's going to be an expectation that they get it renewed and they continue." That is this matter exactly. The cidery built substantial structures for the use, the permit was renewed, and the expectation of continuation is now the argument for making it permanent. The concern the planning department itself put on the record in 2020 is the one this application realises.

By 2023 the same misgiving had surfaced on Council's own record for this very property, with at least some members seeing the difficulty plainly. When the permit came up for renewal on 11

December 2023, one member said it “feels like we’re skirting around the whole process of having a public hearing and a resulting application and all of the amendments and the nuances that can come from that whole process,” and that addressing the concerns properly “needs to be something more than a temporary use.” Another agreed the concerns were “legitimate” but said “the time for addressing those would be in the zoning application.” The Mayor set out the ordinary path: a use “comes to Council for the issuance, it comes to Council for the renewal, and then if it’s going to be rezoned, it comes to Council again for the rezoning, which involves a public hearing.” Council renewed the permit on that understanding, that the rezoning, with its hearing, was where these questions belonged. The rezoning has now arrived, and the hearing is exactly what is being removed.

Underneath all of this is a single logical point that runs through the rest of the submission. This operation is light industry now; it was light industry at the permit in 2021 and at the renewal in 2023, and the permit assessed it as none of that. It is, in substantial part, an assembly use now; it was then, and the permit never named it. Its wastewater is a live question now; it was a live question in 2021, when the one question asked about it was answered about the wrong thing. Nothing about the use changed to make these questions arise: they were there from the start. The temporary use permit did not resolve them. It passed them forward, unexamined, and the rezoning is the moment they were passed forward to.

That moment is the rezoning now before the APC, the stage at which these questions were finally to be examined, on the merits and in public, and it is exactly that examination the no-hearing fast track would remove. What the OCP asks at the rezoning is not complicated, and it is the business of the parts that follow. The Official Community Plan treats an intensive use’s demand on water, and the waste it discharges, as a risk to be assessed and disproved before the use becomes a fixed feature of the land, because water on Bowen is a shared, limited and vulnerable resource, and once an aquifer is drawn down or a shallow supply contaminated, the harm falls on neighbours who had no part in causing it. And these are not distant or hypothetical worries, nor mine alone. The rezoning record itself carries letters from neighbours concerned about precisely these harms: the water the operation draws, the wastewater and septic it produces, and the effect of both on their own wells and water supply. The concern is on the record, raised more than once and by the people most exposed to it. That is why the OCP’s water and light-industry policies read as they do, as a burden of proof placed on the proponent. Whether that burden is engaged turns on what the use is, which is the subject of Part 2. What the water evidence shows is the subject of Part 3. And how a decision of this consequence came to be taken as though none of it arose is the subject of Part 4.

Part 2. What this operation is, and why the classification decides everything

Everything in this matter turns on one question, and it is not what this operation is called but what it actually is. The naming is what does the work, because what a use is called is what switches on the OCP’s protections, and the assessments that come with them, on or off. Getting the name right, on the facts, is critical. Called agriculture, the use is asked very little. Called what it is in substance, light industry, and a commercial and an assembly use, it is asked a great deal: proof of adequate water supply and waste-disposal capacity, authorised discharge, an assessment of the effect on the aquifer and the neighbouring wells, and controls on gathering, on hours and on parking.

So the label is not a neutral description; it decides what is asked and what is not. And here the naming does something more particular. The applicants, and too often the planning department alongside them, proceed as though "agriculture" were already settled, while at the same time seeking a rezoning whose whole purpose is to widen the definition of agriculture until it takes this operation in. Both cannot be true. One does not need the meaning of a word enlarged in order to fall within it. The request for the amendment is itself the concession: as the land is zoned today, this is not agriculture.

What it is instead is set out in my submission to Council of 15 June 2026, and evidenced again in what follows. The same operation has been described, by different people and at different points in the record, as a winery, as light industry, as commercial production, as a manufacturing business, and as an assembly use; and BC Assessment, which classes property by its actual use, classes this one partly as light industry. It has nonetheless been permitted, from first to last, as agriculture. That gap, between what the operation is and what it has been called, is not a technicality. It is the space in which every unexamined question here, the water it draws, the waste it discharges, the crowds it gathers, has been able to sit unseen. To call it agriculture is to make those questions disappear.

2.1 On the record's own terms, this is not simple agriculture

The description of the operation as something other than agriculture is not my characterisation. It is the record's.

When the property first came before the Municipality, staff identified the use as a winery. The introductory report that brought the temporary use permit to Council in February 2021 records that "'Winery' is a defined term (but is not permitted in any zone)," and that "the building constructed has an area for manufacturing cidery." The same report notes that the operation would rely on fruit brought in from off the property, and that it contemplated "potential retail of items not produced on that lot," which, in the report's words, "exceeds that of an accessory use to the agriculture zoning." The land purchase record describes the activity as "commercial production." Neighbours, in their written submissions in 2021, described what they saw as industrial manufacturing in a residential area. And BC Assessment, the provincial body that classes every property by its actual use, classes this one across three classes at once, one of them light industry, a point I return to below.

The most telling description comes from the Municipality's own planner, and it comes at the most recent stage. At the Parks, Environment and Climate Action Advisory Committee on 7 July 2026, he explained why this operation requires a rezoning at all. Ordinary growing and crushing of apples, he said, is already permitted on a rural residential property: "any rural property on Bowen can grow apples, and can crush the apples, and can sell apple juice." What distinguishes this operation, he continued, is a single provision in the cidery definition, that not all of the fruit has to come from the property: “in the cidery definition, it’s that 25% have to come from the property, and 75% can be imported. And that’s essentially the key distinction that’s required for this rezoning.”

That sentence repays attention. The Municipality’s own planner has said, on the record, that the feature which takes this operation out of ordinary agriculture, the ability to bring in its fruit, is the very feature that makes a rezoning necessary. The operation needs a rezoning precisely because it is not the agricultural use it is otherwise treated as. Once that is on the table, the question the OCP asks, whether the use is consistent with its policies on water, waste and light industry, cannot be answered by pointing to the fact that apples are grown on the site.

And this framing was not a late arrival. It was the planner’s from the very outset, before the application was public and before it reached Council. On 29 January 2021, having just been on site and met the applicants while preparing the temporary use permit, the Manager of Planning wrote to Vancouver Coastal Health to refer the application, and described it this way: “It is a strange application because almost everything they are proposing is already permitted under our ‘Agriculture’ zoning. I.e. they can grow apples, process them into cider, and sell them on site. As such, the only other zoning requirements would be if they also want to bring apples from off site to include in their cider, or if they want to sell food along with the cider.” Two things stand out. The agriculture characterisation was set at the very beginning, by the Municipality’s own planner, as the frame through which everyone downstream would come to see the application. And the planner himself identified, in that same first email, the single feature that did not fit it, the bringing in of fruit “from off site”, which is the very “key distinction” he would name again five years later. The feature that takes this operation out of agriculture was visible to the planning department from the first day, named by the planner, and then folded back into the agriculture framing rather than followed where it led.

There is a further difficulty in that same email, and it goes to the centre of the classification. The planner told the health authority that under agriculture zoning the applicants “can grow apples, process them into cider, and sell them on site.” But that is not what the bylaw permits, and it is not what the planner himself had said two years earlier. In November 2019, presenting the very definitions at issue, he had explained that an agriculture zone lets you grow fruit but not “grow grapes to use commercially,” that a cidery is not a vineyard but “a winery,” and that to allow cider-making the Municipality “should amend winery and say a winery includes making wine or cider.” That amendment was never made, as set out below. So on the planner’s own 2019 account, manufacturing cider was a winery use the zone did not permit; yet in 2021 the same office told the health authority it was already permitted as agriculture. The line the planner had drawn so plainly in 2019, between growing fruit and manufacturing alcohol from it, went missing at exactly the point where holding to it would have meant assessing this operation as something more than a farm.

BC Assessment draws exactly the same line, and it is worth pausing on because the applicants rely on it and it does not say what they suggest. BC Assessment is a provincial Crown corporation that classes every property by its actual use, for tax. It is not a health, water, environmental or land-use authority, and it regulates and monitors nothing, so it cannot be counted, as the applicants count it, among the agencies overseeing this operation. And it does not record a farm class alone. Because classification follows use, 620 Laura Road is assessed across three classes at once: residential, agricultural, and light industrial. The light-industrial class is not incidental. Cider in British Columbia is manufactured under a winery licence, and this operation is licensed by the Liquor and Cannabis Regulation Branch as a Manufacturer, sub-category Winery; under the Prescribed Classes of Property Regulation the Light Industry class covers land used for "extracting, processing, manufacturing or transporting of products," and BC Assessment's own guidance places wineries in it. The farm class, by contrast, attaches only to the raw fruit: the regulation that governs it treats cider not as an agricultural product but specifically as a "manufactured derivative," which falls outside it. So the very record the applicants cite for agricultural legitimacy records, by the same actual-use test, a manufacturing operation, and that light-industrial component sits in the Municipality's own annual assessment roll, on which it levies the property's taxes by class. This is the planner's "key distinction" seen from another angle: the fruit grown and sold as fruit is agriculture, while the cider manufactured from it is a light-industrial derivative, and it is the manufacturing that takes the operation out of agriculture. The applicants cannot claim the farm class and pass silently over the light-industrial one that stands beside it in the same record.

And the agriculture description that this rezoning would make permanent is, in the end, the applicant's own, and it is assembled from parts. The publicly available application carries a written "Interpretation of Agricultural Use," prepared by the applicant's agents, arguing at length that the cidery qualifies as agriculture. It is built from pieces taken wherever they help: the repeal of the old "Vineyard" definition in the Land Use Bylaw, the Farm Practices Protection (Right to Farm) Act, the property's farm class for tax, and a provincial Agricultural Land Reserve rule that lets a leased orchard elsewhere count as part of one farm, which is what is offered to justify bringing in up to three-quarters of the fruit. The document cites the OCP's objectives on agriculture, on economic development and on tourism. It cites none of the OCP's policies on water, on groundwater, or on light industry.

One of those pieces deserves a closer look, because the definition that was removed did real work, and the way it was removed is telling. In November 2019, presenting Land Use Bylaw amendments to the APC, the Municipality's planner explained what the "vineyard" definition did: it was the mechanism that stopped fruit from being grown commercially for alcohol. In his words to the APC, "you can grow grapes, but you can't grow grapes to be used for wine." He proposed to remove it, listing it among "unnecessary definitions." In the same presentation he turned to cidery: "we don't currently have a definition for cidery. And a couple of people have approached us and said they want to build a cidery. Is that a vineyard? No, that's a winery." He proposed a second change to go with the first, to amend the "winery" definition so that it expressly included cider, which would have made a cidery unambiguously a winery, and so not a permitted use.

Of those two proposals, one was carried through and the other was not. The "vineyard" definition, and with it the prohibition, was removed, in a bylaw adopted in 2021 and presented as housekeeping, with the term sitting on the slide beside "amusement arcade." The amendment that would have made cidery a winery was never made. So the change that removed a protection was done, and the change that would have closed the gap was left undone. Neighbours advised

Council in writing in April 2021 that the removal was substantive, not housekeeping, and erased land-use prohibitions directly relevant to the then-active permit; they wrote separately to the Islands Trust; Council proceeded.

The circularity is now complete. The applicants' 2025 letter argues that because "vineyard" has been repealed, the only definition left is "agriculture," which they say the cidery meets. So the planner explained in 2019 that the vineyard definition was what prevented commercial production for alcohol; it was removed; the amendment that would have caught cidery as a winery was not made; and the applicants now rely on the absence of that very definition to establish that their operation is agriculture. The protection was removed, and its removal is now the argument.

And the argument is silent on the definition that still applies. "Winery" remains defined in the Land Use Bylaw, and it is not a permitted use in the Rural Residential zone. Cider is manufactured under the winery licence class, and the planner said as much to the APC in 2019: "Is that a vineyard? No, that's a winery." The applicants build their case on the absence of "vineyard," while a more directly applicable definition, "winery," still sits in the bylaw, governing exactly what they do, and their argument does not mention it.

It is worth being exact about what the rezoning actually proposes, because it confirms the point. The application does not ask to amend "winery" to take in cider, the change the planner floated in 2019, and the one that would squarely engage the definition that governs this use. It asks instead to create a new zone, "RR2(a)," and to permit new principal uses within it. As first brought forward, in April 2026, those uses were two, a "cidery" and a "guest house for agritourism."

Council was told, on 25 May, that the proposal had been narrowed to the cidery alone, the guest house dropped. A revised application does exist: the Municipality's planner later identified it, in an email of 15 June 2026, as document 342181 on the municipal website, holding the 25 May staff report and the amended application form. That form, signed on 8 May 2026, is a slight thing: it removes the guest house ("we are no longer requesting approval for 10 sleeping units"), adds "cidery" as a permitted use described only "as described in the temporary use permit," and supplies no proposal summary, no justification, no site plan and no studies of its own, stating instead that "All materials were submitted with that application." So the operative application does no fresh analysis; it drops the guest house and rests, for everything else, on the April materials.

But that is not where the public is directed. The Municipality's planning-notices page still links the original April application, document 338509, the two-use version with the guest house, and had not been corrected when last checked. So a member of the public following the ordinary route, the public notice, is sent to the original April application, guest house and all, while the current form sits at a separate document number reachable only by someone handed the link, as the planner handed it, or who knows to dig through the CivicWeb agenda folders. The operative application is, for practical purposes, unfindable by ordinary means. Part 4 returns to this.

The application's own label for these uses is itself telling: it calls them "agri-tourism uses" and describes the operation as an "agri-tourism business." Whatever else agri-tourism is, it is a commercial, visitor-serving activity, not the bare growing and harvesting that the word "agriculture" calls to mind; and to describe the cidery that way, as the applicants themselves do, is to concede the very dimension, paying visitors gathered on the site, that the parts below on assembly and on commercial use address. It sits awkwardly beside the parallel claim that the operation is simply “agriculture.” And that description is not some superseded form of words. It is in the April application, document 338509, and the revised form does not replace those materials but expressly adopts them, “All materials were submitted with that application,” so the applicants’ own identification of the cidery as an agri-tourism business, a commercial, visitor-serving use, is carried into the operative application by reference, and it is also what a member of the public following the still-live notice link would read.

And for the cidery the application proposes, in its own words, “to incorporate the same definition and restrictions from TUP 2021-0017”: that is, to lift the definition the applicants themselves authored, word for word, out of the temporary permit and fix it permanently in the bylaw. The definition it would write in is the one carrying the 25 per cent provision: “‘CIDERY’ means the use of buildings and structures for the production of cider ... where at least 25% of the cider production comes from fruit grown on the same lot, or from another lot which is part of the same business,” with imported British Columbia fruit “limited to no more than 75%.” So “winery” is left untouched, and the only definition of this use ever placed before Council or the APC is the applicants’ own. That is what makes the naming problem acute: the rezoning does not test the applicants’ account of what the operation is against any independent standard, but proposes to adopt that account as the standard.

Two things about that definition repay attention, and neither has been remarked on. The first is that it is carried across from the temporary permit word for word: it appears identically in the issued temporary use permit, in the rezoning application, in the planner’s presentation, and in his 13 April staff report, each time on the footing that it is “the same definitions and restrictions as currently permitted under the Temporary Use Permit.” That sameness is offered as reassurance, and it is in fact the difficulty. This is not a definition that was examined, found sound, and is now simply being continued. The classification underneath it, that this manufacturing is a form of agriculture, was contested when the use first came before the Commission, and was set aside rather than answered; the definition went into the temporary permit with that question still open, and it has stayed open ever since. Carrying it forward word for word does not carry forward a settled matter. It carries forward an unsettled one, and now proposes to fix it in the bylaw and make it run with the land in perpetuity. That the words have not changed is not evidence that they were ever right. It is the same untested instrument, its central question never answered, and the rezoning would put it beyond reach.

The second is what the definition’s own last sentence contains. After the production and fruit-source provisions, it closes: “A cidery may include cidery tours, cider tasting, cider sales, a picnic area, and the sale of cidery promotional products.” That is not a description of manufacturing. It is a description of a visitor attraction: tours, tasting, sales, a picnic area, merchandise. It is, in the applicants’ own words, one of “two small-scale agri-tourism uses.” And it matters now for a reason the record has passed over. The guest house has been withdrawn, and with it, one might assume, the commercial and visitor dimension of the proposal. It has not been withdrawn. The tours, the tasting, the sales, the picnic area and the merchandise sit inside the cidery definition itself, and that definition is exactly what the rezoning would make permanent. The visitor-serving commercial use survives the withdrawal of the guest house, folded into the one definition that remains, and it is the same dimension the parts below on assembly and commercial use take up.

There is a contradiction at the centre of the applicants' case, and it is worth stating plainly. They tell Council two incompatible things at once. The first is that a rezoning is not really needed, because the cidery is already a permitted agricultural use. The second is that Council should rezone the property and write a broader definition of "agriculture" into the bylaw so that the use qualifies. Both cannot hold. If the use were already permitted, there would be nothing to apply for and no term to redefine. The very act of applying for a rezoning, and of asking for the definition to be changed, is the admission that the use is not permitted as things stand.

The same tension ran through the temporary use permit in 2021. A temporary use permit is, by its nature, permission for a use that is not otherwise allowed, and applying for one is itself an acknowledgement that the use is not permitted; yet the operation was presented, then as now, as essentially agriculture. On both occasions the message to Council has been, in substance, that permission is not needed but should be granted, and the rules adjusted so that the use qualifies. What that leaves is a genuinely unresolved question about whether this is agricultural use at all, with a proposed amendment to the bylaw's own definition of "agriculture" in play, and only the applicants' side of it before the APC: not the staff analysis that prompted their letter, and not the contested question underneath.

What is missing from that document matters as much as what is in it. It is addressed to the Municipality's planner, and it opens by thanking him "for your note and for clarifying staff's interpretation of the RR2 zoning and the provisions of our Temporary Use Permit." So there was an exchange between the applicant and the planner about whether the cidery is agricultural use at all. Only the applicant's side of that exchange is on the public record. The planner's note, and staff's interpretation, are not there. What the APC and the public are given is the applicant's account of what staff said, followed by the applicant's own case for why the use is agriculture. Nowhere in the record is there an independent planning determination that this operation is agriculture, or that it is consistent with the OCP. There is the applicant's assertion that it is, and a courteous reference to a conversation no one else can read. The classification on which the entire application turns has been supplied by the party that benefits from it, and left untested.

2.2 The wastewater question was asked once, in 2021, and answered about the wrong thing

The clearest illustration of how the water question was set aside is on the transcript of the 22 February 2021 Council meeting.

A councillor asked the applicant directly how the waste from production would be dealt with. She had reason to ask: she connected the site to a former island beverage-production operation where, in her words, "the disposition of the waste was a significant issue on that property." The applicant first answered that the pressed fruit pulp is eaten by the deer. When the councillor explained why she was asking, the applicant said:

> "It's a very different process. Our process is just apples and apple juice. There's one input into cider, a real cider, and it's fruit juice, just pure 100% so there's no water,

> nothing going in. Breweries, I'm not as familiar but they have hops and whatnot. They have lots of other inputs that go into it so there's more waste but there's one input, it's 100% fruit juice and nothing else going in."

The question was about waste, which is an output. The answer was about ingredients, which are an input. Whether water is added to the fermentation tank tells you nothing at all about the water the process discharges. Cider production uses water and produces wastewater through pressing, through fermentation, and above all through the cleaning and sanitising of tanks and lines, and that wastewater is high in organic load and low in pH. It is generated in the largest volumes in the autumn, at harvest.

The conflation did not stay with the applicant. At the decision meeting on 22 March 2021, the same councillor told Council, in explaining her support, that "water is apparently not used in the production of cider which was something I certainly didn't know and perhaps many of the neighbours didn't know." The applicant's answer had become the Municipality's understanding of the waste question, and the waste question was not revisited.

Five years later, the same framing was offered again. At the Parks, Environment and Climate Action Advisory Committee on 7 July 2026, the Municipality's planner told the committee: "I will just say that water isn't an input in cider production ... it's different than like a beer or whisky or something production, but it's more like winemaking where again water is not an input. Water is obviously used, I guess, to like clean the equipment between batches, but it isn't a direct input." The concession is inside the sentence: water is used to clean the equipment between batches, which is exactly where the wastewater comes from, and it is then set aside as "not a direct input." This time a committee member named the point the framing skips over, that the assessment must cover "the impact of the wastewater on the groundwater ... how much water is being pulled out and where that water goes and its quality." The question first asked in February 2021 was a question about waste, and it has still not been answered.

2.3 The size that has been controlled is not the size that matters

A second substitution runs alongside the first. Attention has been kept on the footprint of the building, when the footprint is not what determines the operation's demand on water or its output of waste.

The applicant said as much himself, on the same 22 February 2021 record. He supported restrictions on the building: "restrictions on square footage, building size, retail area, patio area. 100% support that." But he also explained that production is a function of equipment and fruit, not floor area, and then put the point beyond doubt: "It's really hard to tell like the different size cideries like a 20,000 litre versus 50,000 litre cidery when you walk up, you wouldn't be able to notice." A cidery producing two and a half times as much would look, from the outside, the same. The one control that has been placed on scale, the size of the building, is by the applicant's own account no measure of how much cider is made, and therefore no measure of how much water is used or how much waste is produced.

It helps to be precise about the orchard, because the application leans on it heavily. The heritage collection on the site is about one acre: an espalier planting of heritage and heirloom apple varieties, and a genuine horticultural achievement whose value as a living preservation collection is not in question here. But a preservation collection is not a commercial production base. It is managed for tree health and genetic preservation, not for yield; many of its varieties fruit only every other year; and its harvest is small, irregular, and gathered across hundreds of varieties that ripen at different times. What it yields is a seasonal heritage blend, not fruit at commercial scale. A newer cider orchard of freestanding trees has since been planted alongside it, bringing the property to about two and a half acres, but those trees are young and, on the independent horticultural account, will not mature until after 2030; they are not in meaningful production now. That newer planting exists to meet a liquor-licensing threshold, the two acres a land-based licence requires, on a parcel that is not in the Agricultural Land Reserve and has no other agricultural anchor.

The applicants have said as much themselves. At Council on 22 February 2021, the applicant told the meeting that "it's very hard to grow fruit" on Bowen, that per-acre yield here is "about one-twentieth" of what the same planting produces in the Similkameen, and that "25% is better, given the growing conditions here." That is the applicant's own explanation for why the fruit is brought in from off-island and why the floor was set at a quarter rather than a half: not that a quarter ties the cider to Bowen, but that Bowen cannot supply more. The heritage-orchard narrative and the applicant's own evidence about Bowen's growing conditions point in opposite directions, and it is the second that describes where the fruit comes from.

That matters because of what the cidery definition does and does not require. Read as most people read it, "at least 25% of production from fruit grown on the same lot" sounds like a constraint, a rule that ties the operation to the apples grown here. It is not. The definition requires 25% "from fruit grown on the same lot, or from another lot which is part of the same business," and the applicants lease an orchard in Cawston, in the Similkameen Valley, which their own application confirms ("we lease a small orchard in Cawston, BC"). That lease makes Cawston "another lot which is part of the same business," so the whole of the 25% can be met from Cawston, and the remaining three-quarters imported from anywhere in British Columbia. As written, the definition requires no Bowen-grown fruit at all: neither the heritage acre nor the new cider orchard need contribute a single apple.

Nor need the input arrive as fruit. It can come as juice, including frozen juice, tanked or shipped in, and the applicants' own 2021 account described product arriving from the Similkameen as juice, tanked in and processed on site. The image the word "cidery" calls up is apples grown nearby and pressed here. What the definition actually permits is a processing facility receiving juice from elsewhere.

And here is the root of it: the 25% is not a planning standard at all, but a liquor-licensing one, and three quite different tests are being run together as though they were the same.

The first is the provincial liquor rule. To hold a "land-based" manufacturing licence, a producer must draw a quarter of its fruit from land it owns or leases and have two acres planted; what that buys is the commercial right to sell and distribute on favourable terms. It is a rule about commerce, it says nothing about water, and for its purposes "land" means owned or leased, which is the whole reason a leased orchard in the Similkameen can count. This is the test the 25%

comes from, and it is the newly planted two acres on the property, described earlier, that exist to satisfy it.

The second is the genuine land-use test: the Agricultural Land Reserve farm-use rule, under which an alcohol-production facility is a protected farm use only where at least half of the primary product is harvested from the land the facility itself sits on, and never from an off-site lease. That is the far stricter bar a real agricultural classification would have to clear. But 620 Laura Road is not in the Agricultural Land Reserve, so it never has to clear it.

The third is the Land Use Bylaw's own definition of agriculture, which speaks of products harvested "on that lot," not on "another lot which is part of the same business."

Set side by side, the rezoning proposes to write the first and weakest of the three, the commercial liquor threshold, into the bylaw in place of the other two. It takes the standard designed to decide who may sell cider commercially and installs it as the standard for whether the use belongs on the land at all.

And a proportion is not a cap. Because the definition fixes ratios and not litres, production can double, and double again, and the ratio still holds, so long as the imported and the "same business" shares keep their proportions. Nothing in the permit, the renewal, or the proposed rezoning limits the volume of cider, and volume is what determines the water drawn and the wastewater discharged.

The narrative runs the other way. The operation's signature product, "Long Lost Apples," is described as "a truly unique blend that includes the full harvest of our heritage orchard and many traditional bittersweet varieties," with the heritage orchard placed first, where the reader's eye lands. But bittersweet cider apples, the Dabinetts and Yarlington Mills grown for tannin and structure, are not what a heritage table-apple collection mostly holds; they are the volume of the blend, and their origin is not stated. Nothing requires it to be. Cider is a standardised alcoholic beverage under the federal food and drug regulations, and standardised beverages, wine, beer and cider alike, need not list their ingredients; no disclosure of fruit origin or proportion is required anywhere. So the share of that product, or of any of this cider, that is Bowen-grown cannot be checked by a consumer, by a resident, or by a member of Council weighing this rezoning. Even the applicants' own careful phrase, that "100% of the fruit from those trees is used in our cider production," says only that all of the orchard's fruit goes in, not that the cider is made of it: it is precise, and precise in one direction. The flagship product settles it: the 2022 Portland International Cider Cup bronze in the single-varietal McIntosh class was made from McIntosh grown in the Similkameen Valley, not on Bowen. The name, the description and the narrative all point to the heritage orchard; the labelling framework guarantees nothing behind any of it, and requires nothing that would let anyone check.

There is a further difficulty, and it goes to the premise itself. The whole application is justified by the heritage orchard, its preservation offered as the public good the rezoning serves. But the applicants have told the Municipality that they can no longer provide the day-to-day management the orchard requires, and they have not been resident on the property since 2024. In September 2022 an application was made to relocate an apple orchard to the UBC Botanical Garden, which UBC has confirmed in writing was put on hold in January 2023 pending funding, never completed and never permitted; and the property has been offered for sale for some time. So the premise of the application is the preservation of an orchard that the applicants have themselves said they cannot manage, on a property they are seeking to leave. That impugns no one. It means only that the future this rezoning would fix to the land, the future in which the use passes to whoever holds the land next, is not a distant hypothesis. On the applicants' own account, it has already begun.

Finally, and most important, a rezoning attaches to the land, not to the people who hold it now. This is the point on which the whole matter turns, and it is the one most easily lost. The question in front of the APC is not what the present owners are doing today, or whether they are careful and well-meaning neighbours; it is what the zoning would permit anyone to do here, in perpetuity. And what it would permit is a great deal. Because the 25% can be met from "another lot which is part of the same business," a future owner could be a large commercial producer whose "same business" already includes a substantial orchard elsewhere in British Columbia. That owner could buy or lease this property, satisfy the whole of the definition from off-island fruit, bring in as much further fruit or juice as it wished, and make as much cider as it wished, with no production cap, no water assessment, no wastewater authorisation and no hydrogeological study standing anywhere in the way. The permission would not sit with the present owners, or depend on their restraint. It would run with the land, at whatever scale a later owner chose, for as long as the zoning stood.

So the reassurance that the current operators are careful people who would not overreach, whatever its merit, is beside the point, because it is not the operators that are being made permanent. It is the use, fixed to the land, for whoever comes next. The 25% reads as a constraint; it is a loophole. A percentage is not a cap. And the rezoning would attach this use to the land with no questions asked and no limits applied.

2.4 The operation is also an assembly use, which the zone does not permit

There is a further part of this operation that the record does not name at all, and it is the part that brings the largest number of people to the site.

The Land Use Bylaw defines "assembly" as "the use of land or a building or structure for gatherings for public, charitable, cultural, religious, memorial, philanthropic, recreational, educational or entertainment purposes." An operation that, on the owners' own account, has welcomed on the order of fifty thousand visitors for tastings, gatherings and events is, in substantial part, an assembly use on the bylaw's own terms. Much of that gathering happens outdoors, and the bylaw lists "outdoor assembly" as a distinct use in its own right.

The Rural Residential zone permits neither. Its list of permitted uses is closed: the bylaw states that the named uses, "and no others," are permitted, and the principal uses it names are dwelling, agriculture, stable and kennel. Assembly is not among them. And where the bylaw does allow assembly, in certain commercial and village zones, it controls it tightly: assembly use in those zones is "limited to a total of not more than six separate events in a calendar year, each of a maximum duration of eight hours," and elsewhere the maximum floor area for assembly is set at 250 square metres. The bylaw, in other words, treats public assembly as an intensive use to be confined to commercial areas and then rationed by events, hours and floor space, because of the traffic, noise and demand on services that gatherings bring. At 620 Laura Road that same intensity is present at a scale far beyond six events of eight hours, and none of the control applies, because the use has not been named as assembly. It has been treated as agriculture.

That this outdoor, commercial character is real is confirmed by the Municipality's own mapping. On BowMap, the reference tool to which the Municipality's Bylaw Services said they had directed the property owner in 2021, the commercial designation over 620 Laura Road covers the parcel, not merely the buildings. The Municipality's own map already treats the commercial use as reaching across the land, outdoors included. Part 4 returns to this mapping.

It is worth noting how differently a named protection has been treated. In 2021 the concern about light at night was raised, and Bowen has a specific bylaw addressed to it; boundaries around outdoor lighting followed. The difference is not that light matters more than assembly or noise. The difference is that light pollution was named, and had a bylaw attached to its name, and so it was acted on. Assembly use, and outdoor assembly in particular, has an equally specific set of controls in the bylaw, and it has simply never been named.

2.5 The parking requirement measures the building, and misses the visitors entirely

The parking condition on the permit shows the whole problem reduced to a single number.

Parking was set, in the 2021 report, "to match the Land Use Bylaw requirements for cottage industry and artisan industry, which is 1 space per 30 sq. m. of floor area," and, applied to a building of about seventy square metres, "this would require 3 parking spaces." The issued permit fixes it: "the cidery use must provide 1 parking space for every 30 sq. m. of floor area." Three spaces.

The bylaw's own table sets a different, higher standard for assembly. For "church, community hall, assembly" in rural zones the requirement is one space for every fifteen square metres of floor area, twice the rate, and measured against the space in which people gather rather than against a manufacturing shell. The operation was parked as the lightest of cottage industries while functioning as an assembly use. The result is three required spaces against an operation that reports on the order of fifty thousand visitors in five years – that is, ten thousand visitors a year. The mismatch is not theoretical. At the 25 May 2026 meeting the closest neighbours described "parking mayhem on Laura Road" over a sunny holiday weekend that "would have caused problems for emergency access." Three spaces is what you get when you measure the building and never count the people.

What follows from Part 2

None of this asks the APC to decide what the operation should be permitted to do. It asks the APC to notice that the operation has been assessed as one thing and operates as another, and that the difference is precisely the set of things the OCP exists to weigh: the water it draws, the waste it discharges, and the people it gathers. Because the use was treated as agriculture, the water policies in Part 3 were never applied to it, the assembly controls were never applied to it, and the parking was set to the building rather than to the use. The classification is not a technicality. It is the mechanism by which the substantive questions were never reached.

Part 3. The water case

3.1 What the OCP's water rules are, and what they turn on

The Official Community Plan's rules about water are a risk assessment. That is what they are, not what lies behind them. They exist because on an island the water is neither unlimited nor private. Bowen has no large river and no reservoir fed from elsewhere. Its fresh water is only what falls on the island as rain and snow: what runs across the surface, and what soaks into the ground beneath. The groundwater the households here depend on comes from that same falling source and no other. And two features of the island make that groundwater scarcer than it may sound. Its aquifers are mostly fractured bedrock, which holds and carries water only through cracks in the rock; and its ground is steep, so a large part of the rain that falls runs off the slopes and reaches the sea before it can soak in. The share of precipitation that actually recharges the aquifers is, for both reasons, low. This is the regional pattern for these coastal islands: the Islands Trust's own groundwater-recharge mapping finds that low slopes promote infiltration while steep slopes "promote runoff and decreased infiltration," gives the steepest ground the lowest infiltration values, and treats the fractured-bedrock structure as a primary control on recharge. What sits in the ground is limited to begin with, and slow to be replaced. Those same sources are shared by everyone who draws on them, and because the resource is shared, limited, and easily harmed, the OCP does not leave it to chance. It requires a use that could affect water to show, before it is permitted, that it will not.

Two of the OCP's policies say this in terms, and both turn on one thing: what the use is. Policy 205 provides that "Industrial and light industrial uses will prove adequate water supply and waste disposal capability to ensure that there is no deleterious effect on surface and ground-water supplies, or to the long term sustainability of these resources." Policy 207 provides that "All industrial waste management discharge to land and water must be authorized under the Waste Management Act."

Two features of Policy 205 matter. It puts the burden on the operation to prove, not on neighbours to disprove, that it will do no harm; and it names both surface water and groundwater, and both supply and long-term sustainability. It is, in other words, a risk test with the onus on the use. But it is engaged only if the use is industrial or light-industrial. So the first question in any water assessment of this application is not a question about water at all. It is a question about classification: is this a light-industrial use? If it is, Policy 205 and Policy 207 apply, and the operation had to prove its case. If it is treated as agriculture, they fall away, and nothing is required.

3.2 The use is light-industrial, which engages Policies 205 and 207, and the question that follows

Part 2 of this submission sets out, from the record's own sources, why this is a light-industrial use and not simple agriculture: the applicants' own certificate of limited partnership describes the business as "commercial production"; the planning department's own record, in 2019 and again in 2021, treats cider-making as a winery and places wine production outside the agriculture zoning; BC Assessment classifies part of the property as light industrial; on 7 July 2026 a member of the reviewing environmental committee described it in those terms, setting out what the missing assessment would have to cover: "a hydrological report that ... looks at the impact of the cidery and light industrial use of the property on the neighbouring ... groundwater"; and the adjacent owners described it as an industrial manufacturing operation. Only the planning record for this application treats it as agriculture. That classification is the hinge of the water question, because Policy 205 and Policy 207 are engaged only if the use is industrial or light-industrial. On the record, it is.

From that follows the sharpest question in this submission, and it is not an accusation but a request that the process account for itself. The use is, on the record, light-industrial. If it is light-industrial now, it was light-industrial at the temporary use permit in 2021 and at the permit's renewal in 2023. The Official Community Plan's policies governing light industry, Policy 205 and Policy 207, were applied at none of those stages, and they are not applied in the report now before the APC. The APC may reasonably ask why the light-industrial character of the use, and the policies it engages, are not addressed in the current staff report, and were not addressed at the temporary use permit or its renewal. There is no answer to that question that leaves the approval chain intact: either the use was always light-industrial and was never assessed as such, or it became light-industrial only now, which nothing supports.

3.3 Whose water this is, and why it is the hardest to see

Before turning to what a cidery discharges, it is worth being clear about what sits downstream of it, because the answer is not a lake. It is households, on private wells, drawing their only drinking water from the ground. Throughout, 'downstream,' 'below' and 'upstream' describe surface drainage and the shared-aquifer relationship, not an asserted direction of groundwater flow to any particular well; in fractured bedrock those paths cannot be read from the surface, and that no one has established them is precisely the gap this submission identifies

On this part of the island, it is the Grafton Lake watershed that receives most of the attention, as it did in the APC's own recent consideration of 1355 Westside Road, which it recommended deferring pending the Grafton Lake Watershed Management Plan. And Grafton Lake matters: it is the surface-water source for the Cove Bay system, the island's largest municipal water system, and it carries its own long-running difficulties, the treatment problems and the new water treatment plant the community has been waiting on since 2014. But the households at issue here do not draw from Grafton Lake, or from any municipal system. They take their water from the ground: from private wells, and in some cases from small surface diversions on creeks, streams, or a spring. They have no other source. That is the water this use sits above, not a managed reservoir with a treatment plant behind it, but the wells and small diversions of individual households.

And the lake's is not the only watershed here. This ground sits across two of them, the Grafton Lake watershed and the Tunstall Bay watershed, which meet near Adams Road, and it recharges the wells around it. Tunstall Bay draws almost none of the notice the lake does, yet it is itself a groundwater-based municipal water system, serving well over a hundred homes from a set of wells, and it is already in difficulty: as of December 2025 it sits under a high hazard rating and a Water Quality Advisory, a point this section returns to below. The watershed that commands the attention is the lake's; the one that does not already holds a municipal system in trouble.

The first thing to hold is that these wells are not separate points; they draw on the same groundwater, in the same fractured bedrock. That ground carries surface-introduced material quickly and with little filtration, and over-pumping a well in that ground widens the area it draws from, which raises the risk of drawing in both salt water and surface contamination. So an extraction that is never measured does not simply take water; it changes the shape of what the neighbours' wells pull up. Cumulative draw is interference between wells. Contamination is interference between wells. A process that looks at each property as though it stood alone is not looking at the thing that matters. The unit is the aquifer, not the lot.

The second thing to hold is that these households are the most exposed water users in the area and, at the same time, the least visible to every system meant to watch over water.

They cannot be assessed for pathogen risk the way a water system can. The Province's designation for groundwater at risk of pathogens, which triggers treatment requirements, attaches only to multi-connection water systems. A single-household well cannot receive one, and structurally never will. The very tool that would identify the risk to these wells is one they are not eligible for. And where the framework can look at groundwater, it finds trouble: when VCH inspected the Tunstall Bay system, a multi-connection groundwater system, on 3 December 2025, it rated it high hazard, assessed every well as being at risk of pathogens, and issued a Water Quality Advisory because the required treatment was not in place. Assessed groundwater on this island is found to be at risk; unassessed groundwater is simply unseen.

They are almost never licensed, so their draw is never weighed against anyone else's. Of 487 recorded wells on Bowen, 484 are unlicensed; the three that are licensed are not commercial and sit together at a single site elsewhere on the island. The mechanism that would assess one user's extraction against the others sharing an aquifer is, here, almost never used.

They are barely monitored. The provincial Ministry of Water, Land and Resource Stewardship, in a response before Council in July 2026, confirmed that the Province monitors Bowen's groundwater through two observation wells, against the island's seven mapped aquifers. And the two records that might catch a problem do not speak to each other: the health authority inspects wells but does not record the Province's well numbers, and the provincial database records neither a well's condition nor whether it has been contaminated, so a problem documented by one is invisible to the other. Wells not tied to a mapped aquifer drop out of the count entirely, which is how a report can state there are no artesian wells in an area where three are flowing within 575 metres of the cidery.

They were not looked at in the plan. The infrastructure review underlying the draft Official Community Plan assessed groundwater only as supply and demand for the municipal wells, and left private-well users, in its own words, “not reviewed.” Set that against ordinary professional practice: the capacity report for a nearby property builds an express allowance for “interference drawdown from neighbouring well use.” Hydrogeologists budget for one well affecting another as a matter of routine. The plan that governs land use on this island did not, because it did not look at the private wells at all.

It is worth adding what the Municipality does offer a household whose well fails. Its published guidance to private-well users still describes the Water Sustainability Act, the statute that has governed groundwater in this province since 2016, as legislation that “will come into effect.” The advice predates the law and has not been updated. To a failing well, the answer is a leaflet, not a look at the aquifer.

And the one body the whole process defers to is not built to see them either. The temporary use permit deferred the water question to Vancouver Coastal Health, where it was never actually worked through; the current report, and the applicants, defer it there again. But VCH’s remit under the Drinking Water Protection Act is the safety of the operation’s own drinking-water system: it monitors the operator’s source and treated water to confirm that the water drawn for the operation’s own use is safe to drink. That is an inward-looking test, conducted within the boundary of a single licensed water system. It does not assess what the operation takes from the shared aquifer, and it does not assess what the operation discharges into the ground its neighbours draw from. The model looks at impacts inside the system, not at impacts outside it, and the neighbours’ wells are outside it. So to hand the water question to VCH is to hand it to a body whose model is not directed at the very thing the OCP is directed at: the effect of one use on the shared resource around it. And even within that narrow remit, VCH’s own record on this operation is one of continuous, documented failure across the life of the permit, ending in the Water Quality Advisory of May 2026. The reassurance is thin twice over, wrong in scope, and, on its own terms, unmet.

The full picture, mapped, is set out in the attached record of aquifer, groundwater and watershed evidence: the watercourses, the two aquifers, the well density, the springs and the downstream artesian well, and how the three linked applications fall across two watersheds, not one. The point here is simpler. The people who depend most directly on the groundwater beneath and below 620 Laura Road are the people no system is built to see, and they sit immediately downstream of the use this application would make permanent.

The third thing to hold is that the Municipality has told itself all of this already, and has funded none of it. Its own Asset Management Policy defines a natural asset as “naturally occurring features (e.g., aquifers, wetlands) that provide ecosystem services and reduce reliance on engineered infrastructure,” and the aquifer is the first example the policy gives. The policy commits the Municipality to “recognize and incorporate natural assets as integral components of the municipal asset base, valuing their ecosystem services,” and to “integrate ecological protection considerations into lifecycle costing and risk assessments for all asset types”; it provides that “asset risks will be assessed and documented” and that “resources will be allocated to mitigate high-priority risks”; and the staff report recommending it states that "dedicated funding will need to be set aside to foster the principles enshrined in the policy." The aquifer is, on the Municipality's own definition, a municipal asset, and it is the asset on which the households below this property depend entirely.

It is not funded. The only groundwater-facing work in the five-year plan is Phase 2 of the Water Master Plan, "Private Water and Groundwater," which the plan schedules for 2027, at $100,000, and describes expressly as non-regulatory. But the capital budget carries the Water Master Plan at $200,000 in 2026 and nothing thereafter, less, even, than the plan's own $225,000 estimate for the municipal Phase 1. The groundwater half of the work has no line in the year it is meant to happen. In a British Columbia five-year financial plan, only the current year is, in practice, a real appropriation; the out-years are projections re-decided at each budget round. So the one piece of groundwater work in the plan is an unfunded item, in a provisional year, described as non-regulatory. By contrast, the Works Yard replacement is a major General Fund capital project of roughly $6 million, its main construction phase, some $5.88 million in 2028, funded from a combination of capital-renewal reserves and new borrowing, with firm year-by-year figures and a plan to pay for them. The engineered asset has a budget; the natural asset has a sentence. The yard is a General Fund work, paid from the property taxes and general debt every owner on the island contributes to, including the households on private wells who receive no municipal water service at all: the aquifer-dependent half of the island helps to pay for the serviced-infrastructure programme. The single piece of groundwater work, by contrast, is not in the General Fund at all. It sits in the separate Water and Sewer capital fund, carried by the municipal water systems' own users and not by the private-well households who depend most on the aquifer, and there it is small, non-regulatory, deferred, and, in the year it is due, unfunded. This is not an argument that the Municipality has failed to see the problem. It is that it has written the problem down, in its own policy, and then not funded the answer.

The last thing to hold is how long this has been asked for. In 1981, Bowen's Official Community Plan recorded that a surface-water study was being carried out by the Province, and that it should be supplemented by a study of groundwater supply, which it called necessary and to be done in the near future. The word "aquifer" does not appear in that plan; its authors knew what they could not see, and said so, and they did not wait for the answer, but protected the water by controlling the land, because land use was the only instrument they had. In 1986 they registered that protection on the titles of this very property and its neighbour, in covenants the Municipality now holds.

In 2006, the Municipality's own Public Works Superintendent reported to Council that the water commission "only represents 50 percent of the Island population," and recommended that the Municipality engage the half of the population not represented, provide "leadership for water resource stewardship," and "define financial responsibilities for fire protection and ground water monitoring." Groundwater monitoring was among the outstanding issues, and Council resolved to explore an island-wide, watershed-based role for water stewardship. It was never implemented. In 2016 the Province brought groundwater into licensing for the first time, under the Water Sustainability Act: the instrument the 1981 plan had asked for now existed. In 2018 the Municipality's own report stated that there are seven mapped aquifers on Bowen, that the Municipality could establish an observation well within each, given "the Bowen Island

Community's dependence on groundwater as a drinking water source," and that such wells "can be used to detect a contamination issue before it reaches drinking water wells or municipal production wells." Today there are two, and neither is in this area.

In 2021, Vancouver Coastal Health told the applicant, in writing, twice, that a groundwater licence should be obtained. It was not. In 2025, the Municipality's own staff, answering questions on the Grafton Lake watershed study, scoped groundwater out of it. And in 2026 the Asset Management Policy names the aquifer as an asset and commits to funding the protection of natural assets, while the five-year financial plan carries no money for groundwater in any year after 2026, and the half of the island on private wells remains outside the water-governance structure, as it has been since 2006. Forty-five years, and the near future has not arrived. The question the 1981 plan asked, what is beneath this land and who is taking it, has still not been asked of this property, at any stage, by anyone.

3.4 The water this operation takes, and on what authority

Section 3.3 was about the aquifer this operation shares. This section is about its own draw on that aquifer, which is the one large commercial demand on the shared groundwater and the one that has never been measured or assessed.

The applicants have described that draw themselves. At Council on 11 March 2024, addressing an unrelated complaint, they said that "our site area uses very little water," that "the biggest demand on water is for irrigation," that they hold "4,000 gallons of water storage to help mitigate the impact of this need," and that they "hold a provincially registered surface water licence that allows for this use." Three things follow from that account, and none supports treating the draw as settled.

First, storage is not use. The two figures offered as reassurance, "very little water" and "4,000 gallons of storage," measure different things, and neither measures how much water the operation consumes. A store of water is a capacity, not a rate: it tells you what the tank holds, not how much passes through it in a season. Two operations with the same tank can draw very different volumes, one filling and emptying it many times over while the other rarely touches it, just as two cars with identical fuel tanks use quite different amounts of petrol depending on how far each is driven. If anything, a substantial store points the other way, because storage exists precisely to let a large and uneven demand be met by holding water back through the dry months and drawing it down when it is needed. The figure describes the buffer, not the draw. It is the same substitution that runs elsewhere through this record, a measure of one thing offered to answer a question about another, and it is set out at Part 2 and Part 4.

Second, irrigation is not a small or steady demand. It is the demand that grows fastest in exactly the conditions that matter here. Crop water use is governed by evapotranspiration, which climbs on hot, bright, low-humidity days, and in a heatwave or drought the rainfall that would otherwise offset it disappears, so the whole of the crop's requirement falls on irrigation. Household and livestock use rises only modestly in heat; irrigation is the weather-elastic load. So the operation's largest water demand peaks in the hot, dry, low-recharge window, precisely when the fractured-bedrock aquifer, already carrying high surrounding well density, is most stressed. And the applicant's own evidence explains why the orchard needs so much: at Council on 22 February 2021 the applicant told the meeting that "it's very hard to grow fruit" on Bowen, that per-acre yield here is "about one-twentieth" of the Similkameen's, and that "25% is better, given the growing conditions here." Poor growing conditions are what make irrigation the standing price of any on-island production, and that price is paid in water drawn from the shared aquifer at the driest time of year.

Third, holding "a surface water licence that allows for this use" answers less than it appears to. British Columbia does not licence water in classes called "private" and "commercial"; it licences by purpose, and the purpose on the face of a licence is what it authorises. A domestic, or private-use, surface-water licence authorises basic household needs, domestic animals, and a limited garden. It does not authorise commercial or industrial processing; those are separate, licensable purposes, and the commercial and industrial ones sit at the top of the provincial rental scale. So a licence issued for private or domestic use does not, on its face, cover either the cidery's processing draw or the production orchard's irrigation. To make those lawful the operation would need the licence's purpose amended, or a new commercial or irrigation licence, each a fresh application with its own environmental review and a new, junior priority date. On the groundwater side the position is starker: any non-domestic draw from a well, for processing or for irrigation, has required a licence since the Water Sustainability Act came into force, with a 1 March 2022 deadline for existing users to preserve their historic priority. A commercial draw without one is unauthorised and holds no priority.

The fair way to put this is not an accusation but a question, and it is the applicants' to answer, not the APC's to disprove: under what authorisation is water lawfully drawn for the commercial cidery, and for the irrigation of a production orchard, given that a private or domestic surface licence does not extend to either purpose and there appears to be no groundwater licence at all? It matters here because the same compliance case that offers "registered and licensed systems" as proof of regulatory standing relies on exactly this kind of document: a licence that looks like authorisation while not, on its stated purpose, authorising the commercial activity. And it matters for scale, because nothing caps production, as Part 2 sets out, so nothing caps the draw either, and no measurement, assessment, or hydrogeological study of it exists anywhere on the record.

And this goes directly to the Official Community Plan, because the draw is not a separate issue from the OCP's water rules; it is one of the two things Policy 205 is about. Policy 205 does not speak only of waste. It requires an industrial or light-industrial use to "prove adequate water supply and waste disposal capability to ensure that there is no deleterious effect on surface and ground-water supplies, or to the long term sustainability of these resources." Water supply and ground-water supply and long-term sustainability are the draw side of that policy, set out in the same sentence as the waste side and carrying the same burden of proof: before it was permitted, this operation had to prove that its supply was adequate and that its abstraction would not deplete the shared groundwater or undermine its long-term sustainability. That proof was never offered, because the use was treated as agriculture and Policy 205 was never applied, which is the classification failure set out in Sections 3.1 and 3.2. The one document that would have answered the question, the hydrogeologist's water assessment that Vancouver Coastal Health had asked for, stood on the April record and was then removed from the revised application. So an unmeasured extraction from a shared, stressed aquifer, one that grows with production and peaks in drought, is not a neutral fact and not a side issue. It is the supply side of Policy 205, unproven, and it is the draw side of the very risk the OCP's water policies were written to have assessed before a use like this is made permanent.

3.5 What this kind of operation puts into the water, and who has said it matters

Start with what the waste actually is. A commercial cidery is a fermentation operation, and fermentation produces a particular kind of wastewater. It is not like the wastewater from a house. Cider and winery effluent carries a very high organic load: its strength, measured as biochemical oxygen demand, runs up to around 10,000 milligrams per litre, where ordinary household sewage is roughly 200 to 300. That is thirty to fifty times the strength of normal domestic wastewater, and it is acidic on top, at a pH of about 3 to 4. It comes in volume, and in seasonal surges, from pressing, fermentation, and washing down tanks and lines.

None of that is the submitter's characterisation, and none of it is a matter of opinion. This waste is recognised as a distinct and serious problem in every register that touches it: by the Municipality's own engineers, by wastewater regulators up and down this coast, by environmental agencies in the oldest cider regions of the continent, by the insurance market, and by the chemistry of the waste. These bodies have never been asked to agree with one another. They agree completely.

Begin with Bowen's own record, because the Municipality has already answered this exact question, and has held the answer since 2017. When the in-village distillery sought to connect to the Snug Cove wastewater treatment plant, its effluent had to be assessed before it could. The Municipality's 2017 study, Kerr Wood Leidal's "Impact of Distillery Effluent on Snug Cove WWTP Capacity," dated 25 May 2017 and posted on the Municipality's own water and sewer page, found that the distillery's process effluent could not be brought down to domestic-sewage strength; it was a categorically different stream. It put that strength at a BOD of about 1,800 milligrams per litre, four to nine times what the plant was designed for, and found that 850 litres of it a day carried the organic load of forty-two to fifty-six people while adding the volume of about four. The Municipality returned to the question in 2020, in the Snug Cove wastewater capacity study, which sampled the same distillery washwater at an accredited laboratory and recorded, in its Table 2-5, a BOD of about 2,080 milligrams per litre in the supernatant, and the settled solids higher again by more than an order of magnitude, at 34,200; domestic influent at the same plant, in the same study's Table 2-3, ran around 300. Two independent samplings, three years apart, both far above domestic sewage and the later one higher than the first, and the 2020 study treated alcohol-production effluent as the one distinct, separate category of wastewater it had to account for.

And this is not knowledge the Municipality came to lately, or that sat in some other corner of the building. The planner now carrying the cidery rezoning is the same planner who handled the distillery development in 2017, and was copied on the consultant's correspondence at the time. The distinct, high-strength character of fermentation effluent has been on the Municipality's own record, in the same planner's hands, since 2017.

A distillery is not identical to a cidery, and the differences, if anything, cut against the cidery here. A distillery ferments a wash and then distils it, working through stored liquid at a fairly steady rate across the year. A cidery ferments and stops there, but its waste is tied to the harvest: it arrives in sudden seasonal spikes of high-volume, high-strength effluent in the autumn, when the fruit comes in and the tanks and lines are pressed and washed down. What the two share is the thing both studies establish, that the process effluent of alcohol-making is categorically stronger than domestic sewage and cannot be handled as if it were. And the Bowen precedent is, if anything, conservative: the distillery supernatant sampled here, at about 2,080, runs on the order of seven times the roughly 300 of the domestic influent beside it, and its settled solids more than a hundred times that, while cider and winery effluent runs higher still, up to around 10,000 milligrams per litre, and comes in concentrated bursts rather than a steady flow. So whether fermentation effluent is like ordinary household sewage is not an open question on Bowen. The Municipality's own engineers have answered it, twice, in plain terms: it is not.

And Bowen is not alone. Take the whole of the West Coast. In British Columbia, Metro Vancouver adopted a Fermentation Operations Bylaw specifically for this waste, and the Capital Regional District regulates fermentation operations under its own sector-specific code, both because the effluent is high-strength and hard for ordinary systems to handle. Washington and California each regulate winery process water discharged to land under dedicated winery orders. Oregon requires wineries discharging process wastewater to land to hold a permit, and that permit makes the operator characterise both the wastewater and the groundwater it may affect, together with a land-use compatibility statement and public notice.

The same is true in the oldest cider and wine regions of the east. Vermont regulates breweries, cideries and wineries through industrial permits because, in its own words, the wastewater “may contain high concentrations of organic matter, which can overload traditional in-ground wastewater systems,” and it enforces those limits, with fines for high-strength discharge violations. New York characterises winery wastewater as “high-strength organics,” and because most of its wineries have no access to municipal sewers they dispose of it to land, which is exactly why the state requires permits and monitoring for it.

And the insurers, whose entire business is pricing risk accurately, treat it the same way: the market excludes this category of effluent from ordinary liability cover and sells a separate, activity-specific product to cover it, underwritten on the particular operation, its wastewater, and its location. When the market that exists to price hazards builds a dedicated product around one, that is independent confirmation the hazard is real.

So the same conclusion arrives from five directions that have nothing to do with one another: the Municipality’s own engineers, this coast’s wastewater regulators, the eastern environmental agencies, the insurance industry, and the chemistry of the waste. High-strength, high in BOD, a threat to groundwater, needing its own permitting and treatment.

Now the difference that matters. Every one of those regimes exists for an operation discharging into a municipal treatment system that can absorb and treat a load like this. 620 Laura Road has no such system. The same high-strength effluent is discharged onto the land, over the fractured-bedrock aquifer described above, with none of the permitting, monitoring, or groundwater testing those jurisdictions require. And the only reason the Municipality assessed the distillery and not this cidery is the route the waste takes: the distillery connected to the municipal plant, so its effluent had to be examined before it could; a cidery on its own septic system connects to nothing, so nothing forces the question. The waste is the same kind of waste. One route made the Municipality look; the other let it pass unexamined. This application is the first occasion on which that question could be asked of the cidery, and it has not been.

There is a regulatory point folded inside this, and it matters, because the applicant offers the wastewater system as a reassurance. Their own account is that the system is "approved and registered and meets the requirements of the sewerage system regulation." But the Sewerage System Regulation is the regime for domestic sewage, the household-scale waste of kitchens and bathrooms, administered by the health authority on a light-touch, register-and-maintain basis. It is not the regime for industrial effluent. Industrial waste discharged to land or water is meant to be authorised under the Environmental Management Act, the successor to the Waste Management Act that the OCP's own Policy 207 names, on a permit that characterises the effluent and its effect on the ground that receives it. High-strength fermentation effluent, on the evidence above, is industrial effluent. So registering it under the domestic-sewage regulation is not a mark of proper oversight; it is the application of the wrong, and weaker, regime, one whose threshold this waste sits well above.

And the health authority is not the backstop for that gap. Its role, as set out above, is the safety of drinking water, not the regulation of industrial discharge, and when the question of scale has actually arisen it has said so. On the neighbouring application at 1355 Westside Road, the two on-site systems' combined design flow, about 34,000 litres a day, exceeded the 22,700-litre-a-day threshold below which the Sewerage System Regulation applies and the health authority takes the filing, and above which the Municipal Wastewater Regulation applies and the Ministry of Environment and Parks authorises the system. Vancouver Coastal Health referred that application to the Ministry, and indicated it would likely rescind its own septic filings. A body that passes the question on is not a body that holds it. So the reassurance that this operation is "registered" and overseen does not reach the thing that matters, the industrial-strength effluent going onto the land above the aquifer, under a regime built for something else, with the one authority that might have caught it having already shown, next door, that this is not its job.

There is, it should be said, a real ambiguity in how these systems are framed and which regulation is treated as governing them, and I do not try to resolve it on this record, which does not hold enough to resolve it. But the ambiguity is worth noticing. At 1355 the systems were described as "sewerage systems," the language of the health-authority regime, even as their flow carried them past it; at 620 Laura Road the term used, by the applicants and by the health authority itself in its April comment ("the onsite wastewater system"), is "wastewater system," the language of the other. Whether the cidery's system, like 1355's, would fall beyond the health authority altogether cannot be told from the record, because what it is, and what it discharges, has not been established.

The same posture shows in what the health authority actually said here, and in how carefully it was hedged. On the water, its comment was only that the Municipality "could require an assessment from a professional hydrogeologist to review any concerns regarding additional potential demand on site and the quality of water being used on the property." On the septic, it recommended that the Municipality "require that the proponent engages a Registered Onsite

Wastewater Practitioner or a Professional to provide a Letter of Assurance that confirms that the intended use of the property will not have a negative impact on the onsite wastewater system and that the system can handle the proposed new use." The health authority assesses nothing itself; it suggests the Municipality might require the applicant to retain a professional to do so, an assessment authored by a consultant the applicant engages, not oversight a public body holds. And the septic recommendation is not pointed where the risk is. It asks whether the "onsite wastewater system" can "handle the proposed new use," whether the system will cope, not whether the effluent it discharges will reach the aquifer and the wells below. Its subject, moreover, is not household sewage at all. The septic at this property is not one system but three components, of two different kinds. The site plan identifies and locates two of them: domestic septic tanks, serving the household uses on the property, the ordinary sewage the Sewerage System Regulation is built for. The guest house, had it stayed in the proposal, would not have added a third; it would have connected to one of these. The third component is different in kind, and it is the one that matters here: a separate wastewater system, at and for the cidery, engineered and certified under the Sewerage System Regulation in 2021. It is this component, not the domestic tanks, that the health authority's own septic recommendation was pointed at: the "onsite wastewater system" it asked the Municipality to have checked is the cidery's. Yet that one the record does not pin down. It is named in the application but nowhere on it located or described, and the very fact that it is called a "wastewater system," rather than a septic tank, marks it as something other than domestic sewage. So even the body that named it left it unplaced, as the record does throughout. So on the applicants' own documents, what the cidery's wastewater system is, where it sits, and where its effluent then goes onto the land above the aquifer, cannot be told. That is the question no regime here has actually held: not the domestic-sewage regulation the system is registered under, not the health authority that hands it to a consultant, and not the planning process that never asked it at all.

3.6 What the number means, and how far above it this waste runs

To see what is at stake in an unassessed discharge, it helps to look at the one discharge on this island the Province does regulate closely, and at the number it turns on.

The Municipality's own Snug Cove treatment plant releases its treated effluent to the ocean under Permit PE-07859, issued under the Waste Management Act on 9 October 1987 and last amended on 10 April 2001. The permit authorises Bowen Island Municipality "to discharge effluent to the marine waters of Queen Charlotte Channel from a community sewerage system," and it sets three conditions that, read together, show what the regime is protecting. The maximum rate of discharge is 227 cubic metres per day. The effluent's five-day biochemical oxygen demand may not exceed 45 milligrams per litre, and its total suspended solids may not exceed the same. And the effluent must be non-acutely toxic, a condition the permit defines as a "Fish bioassay (rainbow trout), LT50 96 hours": the treated water must be clean enough that rainbow trout survive in it for ninety-six hours. On the face of the document, contravention "is a violation of the Waste Management Act and may result in prosecution."

Set those conditions side by side and the meaning of the BOD limit is plain. It is not an administrative figure. The permit pairs it with a test of whether the discharge kills living things. BOD is the regulator's chosen measure of how far an organic load will strip the oxygen from the water it enters, and the Province caps it, then asks whether fish survive, because a high BOD is the signal of ecological harm. And the permit demands all of this of water that has already passed through secondary treatment and is then released, not at the shoreline, but through an outfall engineered to carry it roughly a hundred metres offshore and discharge it at some fifty metres' depth into a large marine channel. Even after treatment, even after that degree of dilution, into the least vulnerable receiving water there is, the ceiling is 45 and the fish must live.

Now the effluent. When the Municipality's own consultants sampled the washwater of the in-village distillery, the closest comparable operation on the island, they recorded, in the 2020 study's Table 2-5, a BOD of about 2,080 milligrams per litre in the liquid fraction, with the settled solids far higher again. Domestic sewage arriving at the same plant, in the same study's Table 2-3, runs around 300. The permitted ceiling for release to the sea is 45. So the washwater of a comparable fermentation operation, on the Municipality's own engineers' measurements, runs on the order of forty-six times the level the Province permits into the ocean, in its liquid fraction alone, before treatment. This is the class of effluent the study concluded "cannot be reduced to domestic-sewage BOD levels."

Then look at where each stream is allowed to go. That organic load may enter the ocean only after secondary treatment, under permit, with a hard ceiling and a fish-survival test, into a vast and dilutive body that is no one's drinking water. At 620 Laura Road, effluent of the same character is applied to the land, over the fractured-bedrock aquifer the households below draw their only water from, with no discharge permit, no treatment to that standard, no engineered system to receive it, no monitoring, and no bioassay. If 45 milligrams per litre is the threshold of concern for the Pacific Ocean, the absence of any threshold at all for a small, poorly draining, fast-transmitting drinking-water aquifer is not a gap in enforcement. It is a gap in the framework.

None of this asserts that harm has occurred. It is that BOD is the regulator's own marker of ecological harm; that effluent of this character, on the Municipality's own measurements, runs one to nearly three orders of magnitude above the level the Province will permit into a large body of water; and that it is being released, unassessed, into a small and vulnerable one.

And the OCP closes the circle in its own words. Policy 207 requires that "all industrial waste management discharge to land and water must be authorized under the Waste Management Act." It would be easy to read the naming of that older statute as a slip, since the Environmental Management Act has since replaced it. But Permit PE-07859 is itself issued under the Waste Management Act, and the Snug Cove plant has discharged under it since 1987, which is why the Municipality's own materials describe the discharge as made under the successor Act. The Plan points, correctly, at the provincial waste-discharge regime: the regime under which the Municipality's own plant is permitted, and under which any discharge of industrial waste to the environment requires authorisation. The Plan named the right law. The operation was never taken to it.

3.7 The safeguard offered, and whether it can bear the weight

The staff report offers a covenant as the environmental safeguard: a restrictive covenant over portions of the Murray Creek riparian area, with the Parks, Environment, Climate Action

Committee recommending further covenants over the heritage orchard and its biodiversity. Before that is relied on, it is worth being clear about what a covenant is. It is a promise, registered on the title, that certain work will be done. It is only ever as good as the answers to three plain questions: who will do the work, who will pay for it, and who will make sure it happens. On this record, each answer is a problem.

Who will do the work. The people who would carry it out have said, in writing, that they cannot. In their own letter of 1 April 2026 supporting this application, the owners state that “due to changes in our personal circumstances, we are no longer able to provide the level of day-to-day attention the orchard requires.” They have not lived on the property since 2024. Nothing before the APC says who has cared for the heritage trees since, or whether that person is qualified to, and this is specialised work.

Who will pay for it. The last properly resourced attempt to secure this collection’s future collapsed for exactly this reason. In September 2022 the UBC Botanical Garden applied to reproduce the Bowen Island collection on its own grounds, as a permanent research and conservation orchard it named the “Riley Orchard,” proposing to “reproduce for conservation, research, and display a collection of ~950 varieties of apples currently growing in a private orchard on Bowen Island,” a collection its proposal describes as “comparable in size and diversity to Canada’s Apple Biodiversity Collection.” UBC’s own Manager of Development Services confirmed in writing, on 22 February 2024, that the project had been on hold since January 2023 pending funding, was never completed, and was cancelled. A covenant does not supply money. It records an obligation; it does not fund one. The value of the collection is real, which is precisely why it was worth reproducing at a research institution; but its survival does not depend on this cidery, and the one properly funded route to secure it has already failed, for want of money.

Who will make sure it happens. This is the sharpest of the three, because the Municipality is being asked to take on a new covenant here while it has not accounted for the one it already holds. Bowen Island Municipality is the registered owner of a covenant on the title of 620 Laura Road, Section 219 covenant P106531 (registered under the former s. 215, now s. 219), registered on 19 November 1986. Its operative terms cap the number of lots that may be created and require at least one to be held at four hectares as an anchor: "the total number of lots allowed to be subdivided from the remainder of Block 'D' shall be a maximum of seven (7) with at least one lot of a minimum area of four (4) hectares," with a parallel limit on Block "C." It burdens 620 Laura Road and the neighbouring 1355 Westside Road. It appears nowhere in the handling of the temporary permit, its renewal, or this rezoning. It was brought to the APC, on 3 February 2026, by a member of the public. So the body being asked to protect the water and the orchard through a new covenant is the same body that holds a covenant on this property already and did not find it.

Put the three together. A new covenant is offered as the safeguard, to be carried out by owners who have said they cannot, funded by a route that has already failed, and enforced by a Municipality that could not account for the covenant it already holds. And this is the instrument the report offers as the protection for the water the rest of this submission is about. A promise is only worth the capacity to keep it, and on this record that capacity is not shown.

3.8 This is not old history; it is the reason the OCP exists

It would be easy to hear all of this as an appeal to old rules, the kind a modern application can expect to move past. That reading is backwards. The Plan's concern with water is not a relic. It is the founding purpose of planning on these islands, and the danger it was built to hold off is not receding. It is arriving.

The logic has never changed, because the geography has not. Bowen has no large river, no reservoir fed from elsewhere, no import and no fallback. Its fresh water is what falls on the island and what sits in the ground beneath it, and that is all there is. On islands like this, the Province recognised half a century ago that the only instrument capable of protecting the water is control of land use. That is why the Islands Trust was created in 1974, after a decade in which subdivision had begun to carve the Gulf Islands into city-sized lots; it is why the Province had already frozen island subdivision in 1969, giving potable water as the reason; and it is why land-use planning powers were handed to the Trust in 1977, so it could do that one job. Protecting the water by controlling the land is not an environmental gloss laid over planning here. It is what planning here is for.

And of all the islands that logic was built to protect, Bowen sits closest to its source, and carries the result. The pressure the Trust was created to hold off came from the growth of the cities nearby, and Bowen lies in Howe Sound, a short ferry crossing from the edge of Metro Vancouver, the largest population centre in the province. The other Trust islands sit off Victoria and Nanaimo, which generate real development pressure of their own, but from far smaller cities. That proximity shows in the numbers. On the 2021 census, Bowen is the most densely populated island in the whole Islands Trust, at about eighty-five people per square kilometre, and the Trust's densest islands are consistently those with the shortest, easiest connections to a city. So the pressure the scheme exists to manage bears on Bowen more directly than on any of them, and the water it exists to protect is, here, under the heaviest and most concentrated demand.

Bowen's plans have carried that logic without a break, from the 1969 subdivision freeze through to the current Plan, which still holds the rule, in Policy 205, that industrial and light-industrial uses must prove they will do no harm to surface and groundwater. The thread runs unbroken to the policy on the page today, and part of it is registered on the title of 620 Laura Road itself, in the 1986 covenant described above and set out in the timeline that closes the account of whose water this is.

What has changed is the pressure. The Municipality's own current record, set out through this submission, is not that of a community whose water worries belong to the past. Its own Hazard, Risk and Vulnerability Assessment, adopted by Council, names drought as a hazard that "can cause crop failure, depletion of municipal water sources, increase in forest fire risk," names water contamination as a hazard to health, lists "Grafton Lake (BIM)" among the reservoirs "vulnerable to contamination," records that "most of the remaining homes on Bowen are serviced by individual wells or groundwater supplies" over "7 distinct aquifers, the majority of which (5) are deep fissure," and states that climate change "has the potential to affect and exacerbate multiple hazards." On VCH's own July 2026 table, six of seven municipal water systems fail one or more treatment objectives; two are under active advisory; the Eagle Cliff reservoir has not held full volume since 2019; residents are under Stage 3 restrictions this summer. And the Municipality's own conservation work concluded, in its 2020 assessment, that Grafton Lake will remain sustainable "particularly if demand management measures are improved," while its new water conservation bylaw is justified in these words: "Climate change is increasing the frequency and severity of drought conditions." The fear that built these rules is not a memory. It is the Municipality's present tense. And every household on the island is being asked to conserve; the Municipality's own conservation plan even recommends that its development servicing bylaw be reviewed to set "demand management requirements that should be applied to future development." This is that development, and no such requirement was applied, because its demand was never asked.

So the rules are not old-fashioned. They are the island's operating logic, more load-bearing now than when they were written, and part of that logic is registered on this property's own title. And the mechanism now being used to make this use permanent, without a hearing, on a bare assertion of consistency with the OCP, is the very mechanism that logic warns about: development passing through the OCP and out the other side with less scrutiny, on the water question the OCP exists to force and this process never asked.

The timing is what makes it matter. A new Official Community Plan is being written now, and both the mechanism just described and the broader direction of recent provincial reform tie the loss of a public hearing to consistency with the OCP. What the OCP says about water will decide what proceeds, with reduced scrutiny, for years. The Plan is the gate. And the APC has already recognised, on its own record, that these are the questions that must be answered before such an application advances: it reserved its decision on Lot 7 Adams Road pending hydrogeological testing and the adequacy of water supply, and it recommended deferring 1355 Westside Road until the new Plan and the Grafton Lake Watershed Management Plan are complete. The cidery, upstream of both and the source of the effluent, is being handled the opposite way, accelerated through on the current Plan's silence, before the new one is written. The fuller case about the OCP itself belongs with the Official Community Plan review, and it is made there; it is raised here only because it bears on this. And it bears on it in a specific way, which the closing section of this submission develops in full. The same office is both carrying this rezoning and leading the Official Community Plan rewrite, so the unexamined classification at work here is of a piece with how these categories are being written into the Plan that will govern the island for the next twenty years. That is what makes this rezoning precedent-setting rather than local: not a single site, but the supply of meaning to a term the draft Plan uses and leaves undefined. The fuller case is set out in the closing section, and in my submission of 19 June 2026 to the OCP Steering Committee.

The question this submission asks the APC to hold is not that the water rules are dated. It is that they are the point, and that this is the one use being let past the point unmeasured, at the very moment the OCP that will govern the next twenty years is being decided without it.

Part 4. How these questions were kept out of view

The questions set out in Parts 2 and 3 have not been hidden in any dramatic sense. They have been kept just out of view, at each stage, by a sequence of framings, each pointing at something small, visible and reassuring in front of something larger and unassessed. Taken one at a time, each framing is defensible. Taken together they are a single pattern, and the pattern has three features that matter here. It runs through the whole record, from the first classification to the last report. It is not history: it is still operating, and within the last month it has already shaped what one of the Municipality's own committees was able to see. And it converges on a single point, the public hearing, which is the one place these questions would ordinarily have been surfaced and answered, and which is now being removed. This Part follows the pattern from its foundation to that point.

4.1 The classification the whole application rests on was supplied by the applicant, and never tested

Begin at the foundation, because everything else is built on it. This application turns on a single question, whether the operation is agriculture, and that question has not been answered by the Municipality. It has been answered by the applicant. The publicly available application contains a written "Interpretation of Agricultural Use," prepared by the applicant's agents, addressed to the planner, and opening with thanks "for your note and for clarifying staff's interpretation of the RR2 zoning." So there was an exchange with the planner about whether the cidery is agricultural use, and only the applicant's side of it is on the record. What the planner actually advised is not there. The APC is therefore asked to take as settled a classification argued for by the party that stands to gain from it, with the planning side of the conversation absent, and with no independent finding, anywhere in the record, that this operation is agriculture or that it is consistent with the OCP. Every framing that follows works outward from that one unexamined starting point.

4.2 The Municipality does not assess; it relies on reports, and the reports do not hold

The classification is not the only thing taken on trust. As a rule, on questions like these, the Municipality does not carry out its own technical assessment; it relies on professional reports commissioned and filed by the applicant. That reliance is only ever as good as the reports, and on this stretch of land the reports do not hold together.

On the neighbouring 1355 Westside Road application, the environmental report states that its survey "also determined if there were any unmapped drainages within the study area," but nowhere says what that determination found, and then concludes that the rezoning "will not result in a significant alteration to the existing drainage patterns" and so "will not result in significant impacts to the community watershed." And the septic design for the same application rests its treatment case on a uniform depth of soil above bedrock, while the survey filed in the same package annotates "TOE OF ROCK" and "TOP OF ROCK CUT." Two of the applicant's own documents disagree about the ground beneath the system.

That bears directly on the cidery, because the safeguard now offered for it is another professional report: the hydrogeological assessment Vancouver Coastal Health suggested the Municipality could require. It would be commissioned, scoped and paid for by the applicant, and it would be signed. On the pattern of this record, a signature closes the question. This is not a criticism of any professional. It is a description of what happens when a body defers and no one is charged with looking behind the deferral.

4.3 Where the OCP's own protections reached the water, they were read down to the stream

From that starting point the pattern repeats wherever the OCP's own protections come near the water. Each is narrowed to the one water feature anyone can see on the ground, the Murray Creek riparian strip, and the aquifer beneath it is left out. It happens twice with the OCP's own protective instruments, each a broad protection folded down to the stream.

The property lies within the Watershed, Aquifer and Stream Protection Development Permit Area, a three-part protection named, in its own title, for the watershed, the aquifer and the stream. Its Water Resources provisions call for the location of wells and water intakes, an assessment of groundwater recharge areas, and an impact statement on the maintenance of water supplies. In the record, the area is treated as though it were only the stream: the renewal report notes that "a portion of the property falls within the Watershed, Aquifer, Streamside Protection Development Permit Area" only to set it aside, "no work within the DPA is proposed." The aquifer half of the protection, the half that would have looked at the groundwater the neighbours depend on, is never engaged. And the agricultural exemption within that same protection, available to "normal farm practice," is precisely what the applicant's agriculture argument reaches for.

The same narrowing happens with the Conservation Development Policy, which the 2026 reports rely on for their environmental grounding. On its face the policy is broad: it seeks to protect "biodiversity, farmland, ecosystem services, ecological corridors" and sets a goal that "a minimum of 50 percent of the total land subject to the rezoning application is protected from further development," with priority to environmentally sensitive areas. In the reports it is operationalised as one thing: a covenant over the Murray Creek riparian strip along the eastern boundary. The aquifer, the recharge areas, and the groundwater, all of which are "ecosystem services" and "environmentally sensitive" on any ordinary reading, are not identified, and so are not protected.

And the one time the record produced genuine scrutiny of the water and the septic system, it did not come from the planning analysis at all. It came from Vancouver Coastal Health. In April 2026, VCH's referral comments led staff to recommend requiring a professional hydrogeologist to assess water demand and quality, and a practitioner's assurance that the septic system could carry the use. That is the single moment in five years when the aquifer and the effluent were squarely on the table, and it arrived through the very channel the OCP provides for it: Policy 68 charges the Municipality with requesting VCH to ensure that any indirect flow of effluent "does not directly or indirectly pollute fresh or salt water." Six weeks later, in the revised report, both requirements were gone, treated, in a way the committee referral described below lays bare, as though they belonged to the withdrawn guest house. So the pattern completes itself. Where the planning analysis comes near water, it reads the water down to the stream; and where genuine water scrutiny does surface, it comes from the health authority rather than the planner, and is then removed. At no point does the record show the planning process itself engaging the aquifer, the groundwater, or the wastewater that Parts 2 and 3 are about.

4.4 The Municipality's own mapping already treats the land as commercial

It is not only the written reports. The Municipality's own base mapping tells against them. The Municipality directs the public to its online mapping system, BowMap, as the reference for what applies to a property; its own Bylaw Services did exactly that in writing in 2021, referring the property owner "to BowMap to be able to turn on the layer showing where DP areas are located." Open BowMap on its default view, before any layer is added, and a commercial designation, shaded pink, already sits over 620 Laura Road, a property that is not commercially zoned and holds only a temporary use permit. That shading is not an artefact of the display or something a user switches on; it is a designation carried in the Municipality's own base mapping. And it is not confined to the small part of the operation a permit might touch. It covers the land. Add the orthophoto and cadastral overlays, and a further point comes into view: the designation does not stop at the property line, but runs over the boundary onto the adjoining parcel. On its face, then, the Municipality's own reference mapping classifies this land, and part of a neighbour's, as being in commercial use. The Municipality drew its own parcel report from that same system, and the applicants submitted it with their application. I put it as a question, asserting nothing beyond the record: why does the base mapping carry a commercial designation over land that has never been commercially zoned, extending across the boundary onto a neighbour's parcel, and did anyone look?

4.5 The proposal on the public record is not the one proceeding, and a committee has already been left unsure which proposal it was advising on

None of this is confined to the past, or to paper. The proposal now proceeding is not even the one on public view, and the gap between them has, within the last month, actively shaped what one of the Municipality's own committees was able to see.

The only rezoning application available to the public is the version introduced on 13 April 2026. That version asks for two new uses: the cidery, and a ten-bedroom "guest house for agritourism." The proposal now proceeding is not that one. At the 25 May meeting the guest house was dropped and the application narrowed to the cidery alone, a change made in discussion and recorded in a staff report, not in a revised application document. Yet the revised, smaller proposal states that "all materials were submitted with that application," so the APC is asked to assess the current proposal using the withdrawn proposal's materials. And the Municipality's public notice page, as far as can be seen, still directs anyone looking into the matter to the 13 April version. The committees and the public are working from papers that no longer describe the thing being decided.

The mechanics are precise. The planner's own email of 15 June 2026 gives two document numbers. The original 13 April application, the two-use version with the guest house, is document 338509; the revised submission is document 342181. It is 338509 that the Municipality's planning-notices page still links, and 342181, the current one, that a member of the public can reach only by being handed the link or by digging through the CivicWeb agenda folders. And 342181, when opened, is not a fresh application at all: it is a five-page form, signed 8 May 2026, that removes the guest house, adds the cidery "as described in the temporary use permit," carries no proposal summary, justification or studies, and states that "All materials were submitted with that application." The operative proposal does no new analysis; it strips the guest house and rests on the withdrawn April materials, which are the ones still on public view. Part 2 sets this out in full.

That this produces real confusion, and worse, is not hypothetical. It has already happened. When the rezoning was referred to the Parks, Environment and Climate Action Advisory Committee on 7 July 2026, the committee was given the 13 April presentation, the guest-house version, together with a staff report. And the water question was framed for it in a way that made the scrutiny disappear. Both of the assessments Vancouver Coastal Health had asked for, the hydrogeologist's report on water and the practitioner's letter on the septic system, were presented as recommendations tied to the guest house. In the planner's words to the committee, Vancouver Coastal Health "were recommending based on the guest house use," and "both of the concerns ... were both recommendations regarding the proposed increased use of the guest house." So once the guest house was dropped, the water and septic scrutiny was treated as dropping with it, though the draw and the discharge that concern the neighbours are the cidery's, and were the cidery's all along. That is the mechanism, visible on the record, by which the water assessment left the proposal.

The committee's own members did not accept the framing. One set it aside and named the real question: a hydrological assessment "of the drawdown of water use for the cidery itself, not even talking about the guest house aspect," looking at "the cumulative impact on all the neighbours" in a groundwater area already flagged at risk of pathogens; the point that "there was no assessment done of that when the [temporary use permit] was granted and renewed"; that there is "no maximum amount of water that can be drawn"; a query whether the operation even holds a groundwater licence; and the conclusion that to make the use permanent without such an assessment is "problematic," and Council "a little premature in moving ... from a temporary application to a permanent." Every element of the water case in Part 3 was reconstructed, unprompted, by a member of the Municipality's own committee, working against the way the matter had been put to it. And when that member pressed on the draw, on how much water the cidery takes from the ground, the planner answered with the same substitution Part 2 identifies. "Water isn't an input in cider production," he said; it is "not a direct input," though "water is obviously used ... to clean the equipment between batches." But the draw was never a question about what goes into the drink. The water that ends up in the cider is a trivial fraction; the water that matters is what is taken out of the ground, to clean, to process, and to irrigate, and what is then put back onto the land as waste. To answer a question about those large quantities by pointing to the small one added is the input-for-output substitution exactly, and the committee member corrected it on the spot: what needs assessing, she said, is "how much water is being pulled out and where that water goes and its quality."

So the referral, and the advice that committee gave back to Council, were shaped at the source by superseded materials and by a framing that pinned the water question to a use no longer sought.

That committee met on 7 July, a week before I write this. The timing matters to why I raise it at all. To be heard on this rezoning, a submission has to be filed at least seven days before the meeting, so I am writing now, before the APC sits on 23 July, and before I can see what the Commission will be given or how the matter will be handled. I cannot wait to see the agenda and then respond; the process does not allow it. What I can do is point to what happened to the committee handed this same application a week ago, working from the same superseded papers. The APC is the next committee in line, and it is being asked to do exactly what that committee was asked to do.

4.6 The hearing is the one place all of this would surface, and it is being removed where no one could see

That is where the pattern converges. Every substantive question in Parts 2 and 3, the classification, the water, the waste, the assembly use, the scale, has been carried forward without being decided, and the public hearing is the ordinary point at which questions carried forward like this are finally surfaced and answered on the record. It is the one stage built to reverse the whole pattern. And it is being removed in the same manner as everything else: quietly, and out of view. As the covering letter sets out, the hearing has been set in motion for removal by a resolution that named only the notice provision of the Local Government Act, not the provision that permits waiving a hearing, and not the consistency finding that alone could justify it. Neither the Municipality's own public summary of that meeting nor the local press reported that a hearing was being set aside. And the reason now offered for the removal is not that the proposal has been shown to fit the OCP, but that some of the closest neighbours, after a private meeting with the applicant, have come to accept the proposal, by their own account reluctantly. Private acceptance by a handful of neighbours is not public scrutiny, and it is not the test the OCP and the statute set. It is, once more, a small and reassuring thing placed in front of the large one it does not answer, and this time the thing it stands in front of is the hearing itself.

What follows from Part 4

None of this requires a finding of bad faith, and I ask for none. It is one pattern, shown across the record: a classification supplied by the applicant and never tested; the OCP's water protections read down to a stream; the Municipality's own mapping treating the land as commercial while its reports do not; the operative proposal kept off public view while a withdrawn one is shown in its place; and, a week ago, a committee led to the wrong question by exactly these means. At each step, something small and reassuring is placed in front of something large and unexamined.

The public hearing is the one stage in the whole process built to reverse that: the point at which the large, unexamined things would be brought into the open, on the record, before the use is made permanent. I do not overstate what it does. A hearing does not by itself supply the assessments that are missing, and on the present record it might not produce them; the deeper failure is that the planning work the OCP requires has not been done at all. The staff report on the revised application does not measure the proposal against a single policy of the OCP. The proper course is for that work to be done, the report redone with the water, the light-industry and the OCP-consistency questions actually in it and put before the public, and for the hearing to proceed. Waiving the hearing does the reverse: it removes the one occasion on which the absence of that work would have to be confronted.

I am realistic about the APC's part in this. The APC advises; it does not decide, and Council is not bound by what it says. But that is exactly why the record the APC makes matters. What I ask is that the APC put on that record what this submission shows: that, on the material before it, the APC is not in a position to advise that the rezoning is consistent with the Official Community Plan, because no one has assessed whether it is; that the planning work the OCP requires has not been done; and that the hearing should not be waived until it has, and until the public have had the opportunity it exists to give them, to learn what is proposed and to be heard on it before it is made permanent. Council may still proceed. But it should have to do so in the open, against the recorded advice of its own advisory commission, and on a record that says plainly what was missing, rather than on a silence that lets these questions pass as though they had been answered.

Closing. The rezoning, the draft Official Community Plan, and the covenants

The rezoning would define a term the draft plan leaves undefined

The draft Official Community Plan now out for consultation permits "agricultural processing" as a main use in the Rural Residential designation. The term appears twice in the whole document, in no other designation, and it is not a permitted use in the Industrial designation. Yet the draft does not define "agricultural processing." It does not define "agriculture." It does not define "hobby farm."

It defines other things readily enough. "Retreat Centre" is defined and capped at "a maximum of 40 in-residence guests." "Short-Term Rental," "Low Impact Farming," "Domestic Agriculture" and "Tourist-Oriented Commercial Uses" are all defined. The drafters plainly know how to define a use, and how to limit one.

This rezoning would write into the Land Use Bylaw a definition under which a cidery is agriculture: an operation manufacturing under a winery licence, requiring no fruit grown on Bowen Island at all, and subject to no limit on production volume. That definition would then be the only definitional content available to a plan that uses these terms and defines none of them.

So the APC is not being asked to decide a single site. It is being asked to advise on a decision that would supply the meaning of the central agricultural term in a plan the community is still being consulted on.

The water protection sits in a designation this use is not permitted in

The requirement that industrial and light-industrial uses "prove adequate water supply and waste disposal capability to ensure that there is no deleterious effect on surface and ground-water supplies" now appears in the draft at §3.2.14.2, within the Industrial designation. Agricultural processing is permitted only in Rural Residential. So the draft permits a commercial processing use in the designation covering land where households depend on private wells, and leaves the water protection behind in the designation where that use is not permitted.

And the draft's remaining water safeguards do not fill the gap. The one water test it keeps, at §2.1.6, asks the wrong question: it tests whether an undeveloped lot's own supply will sustain its own household, looking inward, and only at supply, where the provincial groundwater test under the Water Sustainability Act looks outward, at the effect on other users of the aquifer and on connected springs and streams. And it applies only to undeveloped lots, which 620 Laura Road, 1355 Westside Road and Adams Road are not. Meanwhile the stage to which water and septic questions have habitually been deferred, the subdivision stage, has itself disappeared: the draft carries no subdivision policy, and sets density in the designation instead, so the questions are deferred to a stage that no longer exists. I do not develop these points here; they are made in full in my 19 June 2026 submission to the OCP Steering Committee, and are noted only to show that the gap this rezoning would open is caught nowhere else in the draft Plan.

The designation over this property, and how the definition would travel

On the draft Land Use Map, 620 Laura Road and the surrounding area, including Laura Road and Westside Road, appear within the Rural Residential Transition (RRT) designation. I would ask the Commission to confirm that designation from the Municipality's own mapping, because the distinction between Rural Residential and Rural Residential Transition is material to what follows. On the RRT footing, a careful reader might raise an objection, and it is worth meeting head on, because answering it is the whole point. RRT does not list "agricultural processing" among its main uses; that use is listed only in Rural Residential. So it can look as though nothing the draft does with "agricultural processing" could reach a property in RRT, and that this concern is misplaced. That reading is natural. It is also wrong, and the reason it is wrong is exactly the mechanism that makes this rezoning matter beyond one site.

The danger is not in the phrase "agricultural processing." It is in the single word "agriculture," which is a main use in RRT, and which the draft nowhere defines. What "agriculture" means is therefore filled in from elsewhere, and the current Land Use Bylaw fills it in with a definition that already includes processing, but ties it to the land: the processing and sale of products harvested "on that lot." On that definition a farm may process what it grows, on the parcel where it grows it. Processing already sits inside "agriculture," but leashed to the land's own produce.

This rezoning would cut that leash. The cidery definition it would write in permits manufacture at unlimited volume from fruit that need not come from the lot at all, up to three-quarters imported and the remaining quarter satisfiable from a leased orchard in the Similkameen. Once "agriculture" is made to mean processing that need not use the land's own produce, at any scale, it means that wherever "agriculture" is a permitted use. And "agriculture" is a permitted use in RRT. Which is 620 Laura Road. Which is every parcel around it. The use does not need to be named in the RRT designation to arrive there; it arrives inside the word "agriculture," and the draft Plan, by leaving that word undefined, leaves the door unlatched across every parcel the designation covers.

Two further consequences follow, and neither has been examined. A new official community plan does not repeal existing zoning: a permission granted now, under the current Plan, survives the adoption of the new one, so if this rezoning passes the property would carry a permanent, uncapped commercial processing use that no future Plan could reach. And RRT halves the average parcel size, from four hectares under Rural Residential to two. So the APC is not being asked whether to permit a use on one site. It is being asked to write the definition by which that use enters every designation in which “agriculture” appears.

And the argument does not turn on which designation the map is finally read to show. If the area is RRT, the case is as set out above: “agricultural processing” is not a listed use there, so the permission would survive as an orphan the Plan does not contemplate, while the undefined word “agriculture” still carries the redefined use in. If the area is instead Rural Residential, the position is worse, not better: there “agricultural processing” is itself a listed main use, equally undefined, and the water test that a light-industrial use would otherwise face has been moved out into the Industrial designation, where this use does not sit. Either way, the definition this rezoning would write enters a designation that does not bound it, and the water protection is not there to meet it.

The covenants

Bowen Island Municipality holds a section 219 covenant, P106531, registered on 19 November 1986, on the title of 620 Laura Road and of 1355 Westside Road. It is not a minimum lot size. It caps the number of lots that may ever be created in the Sunset Park subdivision, and requires specified parcels to be held at four hectares as anchors within the scheme. Its sibling instrument, P106532, registered at the same moment, remains held by the Minister of Environment.

The covenants were placed as part of a subdivision framework created in the mid-1980s for the Laura Road and Westside Road area, in response to development pressure in an area then identified for community water-supply protection.

The covenant does not state that purpose on its face, because a charge on title is not the kind of instrument in which purposes are stated. It records a restriction; it has no field for a reason. But the restriction it records is a density limit, and under the plan in force when it was placed that density limit was a carrying-capacity measure tied expressly to the water. Bowen’s 1981 Official Community Plan provided, in terms, that “the type and intensity of development will be related to the supply of potable water in each development”; and its Rural 4 designation was defined solely by minimum parcel area, “4 hectares (9.88 acres) per dwelling unit,” the same four-hectare floor the covenant then fixed on title. The covenant’s density limit and the Plan’s water-carrying-capacity rule are the same figure, from the same period, and the two cannot be treated as unrelated. To read the covenant’s silence about water as evidence that it has nothing to do with water is to mistake the limits of a form for the limits of a purpose. What the process has not done is take that connection up: the precise reach of the covenants, and how they bear on what this designation would permit, is a matter the planning process should have examined, and has not.

The draft plan designates that entire area Rural Residential Transition, with an average parcel size of two hectares. A covenant is a charge on title; a plan cannot discharge it. Only its holder can, and the holder is the Municipality. So either the Municipality has not identified the covenants it holds within the designation it is proposing, or it has, and has not said so.

The covenant does not appear in the record of the temporary use permit, its renewal, or this rezoning. It does not appear in the application for 1355 Westside Road, whose own application form requires that covenants registered on title be disclosed, under the words "Staff will not begin processing incomplete applications." It came before the APC on 3 February 2026 because a member of the public produced it. And the staff report for this rezoning proposes a new covenant as the environmental safeguard, the instrument examined in Part 3.

Three applications, one aquifer, and no forum for the whole

This rezoning does not stand alone, and that is the last thing the record does not bring together. Three applications sit on this part of the island, over the same groundwater, on the same creek system, within the reach of the same 1986 covenant instrument, and in the same designation: 620 Laura Road, the cidery, proceeding now and without a hearing; 1355 Westside Road, some thirty modular homes alongside four existing dwellings, deferred on water grounds and still live; and Adams Road, deferred on water grounds. The shared groundwater, the two watersheds that meet on this ground, the density of wells, the springs and the downstream artesian well are set out in the attached record of aquifer, groundwater and watershed evidence. The one question that matters most, the effect of all of these together on the aquifers they share, has never been assessed, because there is no stage at which it is anyone's job to assess it.

The relationship between the applications is precisely what the process is built not to look at. Each is held separately, considered separately, and deferred separately, and a cumulative impact cannot be seen by pausing things one at a time. The bodies that touch the water each point to another: the APC sees one application, and so does the environmental committee; Council sees them months apart, and has deferred two; the Official Community Plan Steering Committee has not been told; the health authority says water is not its role; and the Province waits for a licence application that is never made. Every body can point to another. None holds the whole. And the stages the questions were deferred to will not answer them: the Grafton Lake watershed study scoped groundwater out, and the draft Plan has dropped the cumulative-impact test the 1996 plan contained. That test was not a soft aspiration. The 1996 plan provided that "additional development within significant watersheds will not be permitted unless it can be conclusively proven that the development will have no substantial negative initial or cumulative impact on the water resource," a hard burden, and one borne by the proponent. The word "cumulative" does not appear anywhere in the draft Plan. The environmental committee asked, on 7 July, for an assessment of "cumulative effects"; it was handed a single application.

The absence of the forum is itself the finding. It is not that a cumulative assessment was carried out and came out favourably; it is that no place exists in which it could be carried out, and this rezoning, decided first and decided alone, would set the pattern against which the others are measured.

What is foreseeable, and has not been considered

The following is not attributed to anyone as a plan or an intention. It is what the documents, taken together, would permit. The rezoning passes, without a public hearing, on the footing that it continues an existing small operation. The Land Use Bylaw acquires a definition treating uncapped cider manufacture as agriculture. The new plan is adopted, and the site-specific permission survives it. Because a rezoning runs with the land, nothing prevents a larger orchard operation elsewhere in the province from acquiring or leasing the property, bringing its own fruit, and manufacturing at whatever scale it chooses; the draft itself supports, at §2.6.70, the "creation, harvest, process, and sale of locally produced agricultural products to businesses on Bowen Island and the greater Metro Vancouver region." And the "no deleterious effect" water test does not apply, because it sits in a designation this property is not in.

No step in that sequence requires anyone to do anything improper. It requires only that this rezoning pass, and that the draft plan be adopted as written. However remote any particular step may appear, it is foreseeable on the face of the documents, and it has not been assessed. That is precisely the kind of outcome a plan and a rezoning exist to consider before the fact.

Two processes, neither looking at the other

The rezoning is being decided now, and without a public hearing. The plan that would inherit its definition, and that would designate this land and its neighbours Rural Residential Transition, is still out for consultation. So the APC is being asked to advise on a rezoning without regard to the plan it will feed, while the Official Community Plan Steering Committee drafts a plan whose central undefined term is about to be defined by a rezoning it has not been told about. Neither body has been asked to consider the other. The combination produces a result that neither has assessed, and that no future plan can undo.

What I would ask the APC to consider

The definitional question, what "agriculture" and "agricultural processing" mean on Bowen Island, and what limits attach to them, is plainly a matter for the Official Community Plan now being written. It should not be settled by a site-specific rezoning, decided without a public hearing, on land the Municipality holds a covenant over that it has not identified, while the plan that would inherit the definition is still out for consultation. On the material before it, the APC is not in a position to advise that this rezoning is consistent with the Official Community Plan, and it is entitled to say so.

Follow Up Action List

Active Projects Report

Executive Committee

1. *Finish and adopt Islands Trust Policy Statement in accordance with project work plans (Strategic Plan key initiative 1.1.1)*	Responsible	Dates
Activity: Project underway guided by Trust Council project charter.	Clare Frater	Rec'd: 26-Feb-2020 Target: 01-Nov-2026

2. *Update and implement Reconciliation Action Plan (Strategic Plan 5.1.1)*	Responsible	Dates
Activity: Initiation timeline: Staff drafting underway	Clare Frater	Rec'd: 02-Sep-2020 Target: 31-Mar-2026

3. *Guide the development and implementation of the Islands Trust Strategic Plan. New Strategic Plan approved by Trust Council March 2025.*	Responsible	Dates
Activity: Implementation ongoing for active projects. Initiation of new work on hold per the accepted recommendation of the Operational Review Report	Rueben Bronee	Rec'd: 03-May-2023 Target: 31-Mar-2025

Future Projects Report

Executive Committee

1. *Pay Transparency Report Submission & Posting*	Responsible	Date Received
The Pay Transparency Act became law on May 11, 2023. Under the legislation, beginning in 2026, Islands Trust must prepare and submit a Pay Transparency Report by November 1 annually. These reports must be posted publicly on the Islands Trust website.	Derek Cockburn	11-May-2023

2. ***Explore new engagement models (virtual and in person forums) to reach more community members (Strategic Plan Initiative 1.2.2)***	Responsible	Date Received
Initiation timeline TBD	Clare Frater	12-Mar-2025

3. ***Review all Trust Council and local trust committee agreements and where appropriate, amend, combine or rescind (Strategic Plan Initiative 1.2.6)***	Responsible	Date Received
Initiation timeline: 2026/27: (May 2023 EC asked for priority to Ministry of Transportation and Infrastructure)	Clare Frater Rueben Bronee	12-Mar-2025

4. ***Design a plan to advocate to enhance community access to funding for housing in the Trust Area (Strategic Plan Initiative 2.3.2)***	Responsible	Date Received
Initiation timeline: Priority for this Council term	Clare Frater	12-Mar-2025

5. ***Advocate for the development and implementation of a fallow deer strategy, including advocacy for deer harvesting (Strategic Plan Initiative 3.1.1)***	Responsible	Date Received
Initiation timeline: Priority for this Council term	Clare Frater	12-Mar-2025

Future Projects Report

Executive Committee

6. *Create a grant program to increase public understanding of the impact of climate change to the unique amenities and environment of the Islands Trust Area (Strategic Plan Initiative 4.2.2)*	Responsible	Date Received
Initiation timeline: TBD	Clare Frater	12-Mar-2025

7. *Amend legislation to increase the percentage of NAPTEP to act as an incentive for the protection of forest cover for climate change (Strategic Plan Initiative 4.2.4)*	Responsible	Date Received
Initiation timeline: Priority for this Council term	Clare Frater	12-Mar-2025

8. *Clarify opportunities for co-governance and co-management of the Trust Area (Strategic Plan Initiative 5.1.2)*	Responsible	Date Received
Initiation timeline: Priority for this Council term	Clare Frater Rueben Bronee	12-Mar-2025

9. *Develop a schedule and plan for leader-to-leader meetings with Indigenous Governing Bodies (Strategic Plan Initiative 5.1.3)*	Responsible	Date Received
Initiation timeline: 2026/27	Clare Frater Rueben Bronee	12-Mar-2025

10. *Develop tailored public engagement processes that acknowledge preferred engagement methods of Indigenous Peoples (Strategic Plan Initiative 5.2.2)*	Responsible	Date Received
Initiation timeline: Priority for this Council term	Clare Frater	12-Mar-2025

11. *Implement activities assigned by the future Reconciliation Action Plan (2025-2028) implementation plan (To be assigned by TC) (Strategic Plan Initiative 5.1.5)*	Responsible	Date Received

Executive Committee

To be determined. Staff is drafting new Reconciliation Action Plan and associated implementation plan for Trust Council approval.	Rueben Bronee	12-Mar-2025

12. *Implement activities assigned by the Freshwater Sustainability Strategy (2022-2032) implementation plan (To be assigned by TC) (Strategic Plan Initiative 2.1.3)*	Responsible	Date Received
To be determined. Regional Planning Committee is evaluating the Freshwater Sustainability Strategy. TC did not support business case for developing an Implementation Plan.	Clare Frater Stefan Cermak	12-May-2025