



Galiano Island Local Trust Committee

Regular Meeting Agenda

Date: February 5, 2018
Time: 12:30 pm
Location: North Community Hall
22790 Porlier Pass Road, Galiano Island, BC

			Pages
1.	OPEN HOUSE	12:30 PM - 1:00 PM	
1.1	Galiano Island Local Trust Committee Bylaws No. 262 & 263		
2.	CALL TO ORDER	1:00 PM - 1:45 PM	
3.	APPROVAL OF AGENDA		
4.	PUBLIC HEARING		
4.1	Recess for Public Hearing		
4.1.1	<u>Galiano Island Local Trust Committee Bylaws No. 262 & 263</u>		
4.2	Recall to order		
5.	TOWN HALL AND QUESTIONS	1:45 PM - 2:00 PM	
6.	MINUTES	2:00 PM - 2:15 PM	
6.1	Local Trust Committee Minutes Dated December 4, 2017 (for Adoption)		4 - 11
6.2	Section 26 Resolutions Without Meeting Report		
	none		
6.3	Advisory Planning Commission Minutes Dated November 13, December 18, 2017 & January 15, 2018 (for Receipt)		12 - 21
7.	BUSINESS ARISING FROM MINUTES	2:15 PM - 2:30 PM	
7.1	Follow-up Action List Dated January 2018		22 - 23
8.	DELEGATIONS		
	none		

9. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage

none

10. CLOSED MEETING (Distributed Under Separate Cover) 2:30 PM - 3:00 PM

10.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) [a, d & f] for the purpose of considering:

- *Adoption of In-Camera Meeting Minutes Dated December 4, 2017*
- *Legal Advice*
- *APC Memberships*

AND that the recorder and staff attend the meeting.

10.2 Recall to Order

10.3 Rise and Report

11. APPLICATIONS AND REFERRALS 3:00 PM - 4:00 PM

11.1 GL-RZ-2017.1 (Stevens) - Staff Report (attached) 24 - 48

11.2 GL-RZ-2016.2 (Galiano Conservancy) - Staff Memo - Bylaws No. 262 & 263 (attached) 49 - 57
(for further consideration)

11.3 GL-RZ-2017.2 (Mignault) - Staff Report (attached) 58 - 70

11.4 GL-TUP-2017.4 (Simpson) - Staff Report & Correspondence (attached) 71 - 87

11.5 GL-DVP-2017.6 and GL-DP-2017.3 (Walker) - Staff Report (attached) 88 - 159

11.6 Salt Spring Island Local Trust Committee Bylaw No. 509 Referral (attached) 160 - 161
(for response)

11.7 Mayne Island Local Trust Committee Bylaw No. 172 Referral (attached) 162 - 164
(for response)

12. LOCAL TRUST COMMITTEE PROJECTS 4:00 PM - 4:30 PM

12.1 Penelakut Engagement and Potential Role in Dock Review - Expectations and Opportunities - Fiona MacRaid

13.	REPORTS	4:30 PM - 5:15 PM
13.1	Work Program Reports (attached)	
13.1.1	<u>Top Priorities Report Dated January 2018</u>	165 - 165
13.1.2	<u>Projects List Report Dated January 2018</u>	166 - 167
13.2	Applications Report Dated January 2018 (attached)	168 - 172
13.3	Trustee and Local Expense Report Dated December 2017 (attached)	173 - 173
13.4	Adopted Policies and Standing Resolutions (attached)	174 - 175
13.5	Local Trust Committee Webpage	
13.6	Chair's Report	
13.7	Trustee Report	
13.8	Trust Fund Board Report Dated November 2017 (attached)	176 - 177
14.	NEW BUSINESS	
14.1	Release of Covenant Request (Simone) - Staff Report (attached)	178 - 222
14.2	Housing Agreement Administration - Briefing (attached)	223 - 225
15.	UPCOMING MEETINGS	5:15 PM - 5:30 PM
15.1	Next Regular Meeting Scheduled for March 5, 2018, at the South Community Hall, Galiano Island	
16.	TOWN HALL	
17.	ADJOURNMENT	5:30 PM - 5:30 PM



DRAFT

Local Trust Committee
Minutes Subject to Approval By
the Local Trust Committee

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: December 4, 2017
Location: North Community Hall
20925 Porlier Pass Road, Galiano Island, BC

Members Present: Laura Busheikin, Chair
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Heather Martin, Recorder

Public Present: There were approximately 20 members of the public in attendance.

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:32 p.m. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

12.2.1 Crystal Mountain GL-RZ-2014.1 Trust Fund Board Memorandum

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Kiyo Okuda, Special Advisory Planning Commission (SAPC) member, commented on the following:

- his name was spelled incorrectly on page 57 of today's agenda package;
- he felt that notification was inadequate for the Telecommunications community information meeting resulting in low attendance and feedback;
- he endorsed the "precautionary principle" and that it be reinstated;
- that B.C. Hydro be investigated as to whether or not it can be regarded as a telecommunications carrier;
- recent studies on how microwaves affect plants and trees could trigger Industry Canada's mandate to promote environmental health.

Stephen Rybak, Chair of the SAPC commented on the following aspects of the telecommunication strategy:

- that the first line of page 70 should read "BC Centre for Disease Control";
- he felt the consultation and information process leading up to the October 17th community information meeting was inadequate; and

- that requirements proposed by the SAPC were removed by staff.

Trustee Harris suggested it should be addressed.

Chair Busheikin noted that Islands Trust, through its Local Planning Committee (LPC), is currently working on a model telecommunications strategy that would be adopted for all the islands.

Stephen Rybak, Chair SAPC, said that the SAPC and the LPC consultant covered much of the same ground and he hopes the LTC will look at it.

Joan Robertson noted that the issue of preferred locations is still unresolved, and that Galiano should be able to recommend locations.

Louise Decario suggested delaying adoption of the Telecommunications Protocol until the LPC presents its findings.

Trustee Pottle spoke to the complexity of the issue on Galiano.

Chair Busheikin noted that this issue will be discussed later in the agenda.

4. COMMUNITY INFORMATION MEETING

none

5. PUBLIC HEARING

none

6. MINUTES

6.1 Local Trust Committee Minutes Dated November 6, 2017 (for Adoption)

The following amendments to the minutes were presented for consideration:

page 8, second paragraph, change “top priorities list” to “list of potential changes to the *Islands Trust Act*”.

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions Without Meeting Report

none

6.3 Advisory Planning Commission Minutes Dated September 25, October 16 & November 13, 2017

The LTC thanked the APC for its work to date.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated November 2017

The issue of the tree in the middle of Georgeson Bay Road, which was recently taken down, was discussed, as was the issue of parking at the end of Montague Road.

Regional Planning Manager (RPM) Kojima stated Planners would bring these issues up with MOTI in their meeting next week.

8. DELEGATIONS

none

9. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage

none

10. APPLICATIONS AND REFERRALS

10.1 GL-RZ-2016.2 (Galiano Conservancy) - Staff Report

Louise Decario and Keith Erickson were present representing the Galiano Conservancy.

RPM Kojima reported on the status and development of the application since the September business meeting.

Keith Erickson confirmed that draft statutory right-of-way agreements for both trails between the Conservancy, the CRD and the Galiano Parks and Recreation Commission were now in place.

RPM Kojima said the next step would be a public hearing.

The LTC thanked the Conservancy and staff for their work, and agreed that the proposal was now stronger because of it.

GL-2017-095

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw Nos. 262 and 263.

CARRIED

GL-2017-096

It was MOVED and SECONDED,

That the Public Hearing be preceded by a short open house to allow for viewing and discussion of the right-of-way documentation.

CARRIED

10.2 Executive Committee Briefing re: Japanese Canadian Historic Places Report

Received for information.

10.3 Salt Spring Island Local Trust Committee Bylaws No. 504 & 505 Referral

GL-2017-097

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee confirms that its interests are unaffected by Salt Spring Island Local Trust Committee Bylaws No. 504 & 504.

CARRIED

10.4 Salt Spring Island Local Trust Committee Bylaw 508 Referral

GL-2017-098

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee confirms that its interests are unaffected by Salt Spring Island Local Trust Committee Bylaw No. 508.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Telecommunications Strategy Project

Chair Busheikin noted this item was discussed during the Town Hall, and asked RMP Kojima to introduce the discussion.

Regional Planning Manager (RPM) Kojima noted that a public information meeting was held on October 17. He said that staff did not identify any requests for changes at the meeting, and said it was up to the LTC to adopt the draft protocol or to request it be brought back with further changes.

Trustee Harris suggested considering the wording which was in the original SAPC report.

Trustee Pottle noted that both she and Chair Busheikin are on the LPC, she suggested delaying a decision on this topic until the LPC final report is available.

Chair Busheikin asked that the minutes show Stephen Rybak's, (Chair SAPC) request that section 4.6.6 of the SAPC Final Report be reinstated.

GL-2017-098

It was MOVED and SECONDED,

that the Telecommunications Strategy Project be brought back to the Galiano Island Local Trust Committee after the Local Planning Committee brings forward its Model Telecommunications Strategy.

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated November 2017

There was some discussion on the dock review and the participation of First Nations for the first time.

12.1.2 Projects List Report Dated November 2017

Information as presented.

12.2 Applications Report Dated November 2017

Information as presented.

12.2.1 Crystal Mountain GL-RZ-2014.1 Trust Fund Board Memorandum

RPM Kojima gave an update regarding the Conservation Proposal.

12.3 Trustee and Local Expense Report Dated October 2017

Information as presented.

12.4 Adopted Policies and Standing Resolutions

Information as presented.

12.5 Local Trust Committee Webpage

none

12.6 Chair's Report

Chair Busheikin mentioned the upcoming Trust Council meeting, during which possible amendments to the *Islands Trust Act* will be discussed. She encouraged everyone to study the meeting package, and suggested that if an item is not mentioned in the package, it can still be added to the list for discussion. She noted that the Minister of Municipal Affairs and Housing has expressed an interest in meeting with us, but that the meeting will not take place until the New Year.

12.7 Trustee Report

Trustee Harris reported that islanders constantly confuse the roles of the LTC and the CRD.

Trustee Harris reported that the Liquefied Natural Gas (LNG) project with the Malahat First Nations had been cancelled.

He is on the Financial Planning Committee and noted that the CFO, who has done an excellent job, has now retired.

Chair Busheikin clarified that she will stay on in a consulting role, and reported there are over thirty applicants for the position; staff will make sure the replacement comes up to speed quickly.

Trustee Harris also reported on the decision not to move Islands Trust offices; the office on Fort Street will instead be renovated to make it a more functional space to work in.

Trustee Pottle noted that the Local Planning Committee (LPC) and the LTC are studying many of the same issues, including affordable housing. She reported that Galiano is now listed on the title documents as a signatory to Coastal Douglas-fir Conservation Partnership. She spoke with Member of the Legislative Assembly (MLA), Adam Olsen regarding the *Private Managed Forest Lands Act* and other forestry issues as they relate to Galiano.

Trustee Pottle said she was very interested in many of the amendments that are coming forward at the upcoming Trust Council meeting and urged anyone who is interested to attend.

12.8 Trust Fund Board Report

none

13. NEW BUSINESS

none

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for February 5, 2018, at the North Hall, Galiano Island

There was a brief recess at 1:50 p.m.

The meeting resumed at 2:10 p.m.

15. TOWN HALL

Art Moses asked about specific issues coming up at Trust Council, including subdivision authority and business licensing.

Trustee Pottle noted her concerns over a vision statement and the possibility that it may supersede the Islands Trust Policy Statement, which in her view would not be a good thing.

Art Moses commented that all the islands have different aspirations and what is needed are broad policy statements.

Trustee Harris stated that he wanted to wait and see what would be proposed at the meeting.

Trustee Pottle referred to the potential amendments to the *Islands Trust Act* and gave a brief rundown of the ones she's most interested in and why. While she doesn't want the Islands Trust mandate changed substantially, she suggested it would be a good thing to add First Nations to the list of "agencies and stakeholders" to be cooperated with.

Patricia Joyce asked for clarification on the changes being proposed.

Trustee Harris noted the Trust Fund Board has been trying to change its name for years.

Trustee Pottle said the idea of changing to a Regional District has been floated before, and is back again.

Kiyo Okuda asked to hear Trustee Harris's view on the *Islands Trust Act* and the coming changes.

Trustee Harris commented on his hope that the Islands Trust and the Provincial Government will meet more and communicate better.

Art Moses spoke to the issue of regional districts providing services and Islands Trust concentrating on its mandate to Preserve and Protect land.

Kiyo Okuda commented about Short Term Vacation Rentals (STVR's).

Louise Decario expressed her pleasure that the larger issues coming up at Trust Council are being discussed, and asked if any decisions on proposed amendments will be made. She asked about staff turnover and vacancies.

Akasha Forest commented on the following:

- that Trust Council is an opportunity to acknowledge the significance and uniqueness of the Islands Trust as a government model;
- if issues of affordable housing and job creation become pressing a shift in focus to economic issues could result in forgetting the mandate to Preserve and Protect and to educate our communities about that mandate;
- living on unceded First Nations territory, educating the community and a First Nations potluck on December 9th.

Kiyo Okuda stated that he has found profound meaning in the preserve and protect mandate in the Islands Trust Act, which he considers more congruent with an aboriginal idea of the environment.

16. CLOSED MEETING (Distributed Under Separate Cover)

16.1 Motion to Close the Meeting

GL-2017-099

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (a&d) for the purpose of considering: Adoption of In-Camera Meeting Minutes Dated October 2, 2017; APC Membership Terms, AND that the recorded and staff attend the meeting.

CARRIED

The meeting was closed to the public at 2:58 p.m.

16.2 Recall to Order

The Galiano Island Local Trust Committee meeting was recalled to order at 3:06 p.m.

16.3 Rise and Report

Chair Busheikin reported that the LTC adopted minutes and discussed Advisory Planning Commission membership.

17. ADJOURNMENT

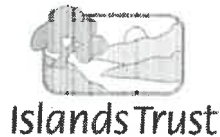
By general consent the meeting was adjourned at 3:07 p.m.

Laura Busheikin, Chair

Certified Correct:

Heather C. Martin, Recorder

ADOPTED



Galiano Island Advisory Planning Commission Record of Meeting

Date: November 13, 2017
Location: Islands Trust Office
Madrona Drive, Galiano Island, BC
1.30 p.m.



Members Present:

- ☐ Sheila Anderson
- ☐ Akasha Forest
- ☐ Karen Harris (delayed)
- ☐ Bowie Keefer
- ☐ Dave Koster
- ☐ Judith Parrack
- ☐ Barry New



Members Absent:

Staff Present: Heather C. Martin, Recorder

Members of the Public: three

1. CALL TO ORDER

The meeting was called to order at 1:32 p.m.

2. APPROVAL OF THE AGENDA

By **general** consent the agenda was approved.

3. PREVIOUS MINUTES REVIEW AND CONSIDERATION OF APPROVAL

The issue of draft minutes being circulated to the Trust and being posted on the LTC agenda was raised. It was agreed that minutes should record discussion in far less detail going forward, listing only key points raised and whatever action was agreed on.

ADOPTED

The draft minutes of October 16, 2017 were amended as follows:

In Section 4, a), paragraph 4, a sentence was removed

In Section 4, b) paragraphs 3 and 4 were shortened and amalgamated

It was **moved** and **seconded** that the amended minutes of October 16, 2017 be adopted.

CARRIED

4. UPDATE ON FOLLOW-UP ACTIONS FROM PREVIOUS MEETING, AND ON NEW INFORMATION AND REPORTS RECEIVED SINCE

The Chair reported that the commission now has its own set of full size OCP Schedule Maps for reference in any referral.

Two members reported on the recent *Southern Gulf Islands 2020 Listening Tour*, where they met briefly with Janis Gauthier, the author of The CRD Housing Needs Assessment in process. The draft report on its phase has been received and circulated to members. It appears the final phase and report of the Housing Needs Assessment will likely not be completed before February at the earliest, which may result in this referral being extended.

5. AFFORDABLE HOUSING REFERRAL WORK

5.1 Review of existing Galiano Official Community Plan policies and Land Use Bylaw regulations, including OCP Schedules and Maps in relation to affordable housing issues.

The committee continued the discussion begun on October 16.

Points raised:

- the OCP and the LUB are geared towards single dwellings, either houses or cottages, and set up significant stumbling blocks to other forms of housing that will need to be addressed
- the idea of limiting building coverage instead of the number of buildings could be revisited
- it will be useful to study what works on other islands

The example of Bowen Island was presented. One member requested a copy of its bylaws, and reported on what he's learned so far. After the last development

ADOPTED

push in 2005-6, the island changed regulations and put mechanisms in place in advance of the next development push to ensure that some resources are set aside for affordable housing. These mechanisms will require future developers to set aside 15% of development for affordable housing; the developers will choose what that will consist of (eg. 2-plexes, 4-plexes built or lots donated). His understanding is that a covenant would then be set in place to allow new owners of these units to build up some equity in the time they own this housing, while not tying it to market values. He will circulate these bylaws when he receives them.

5.2 Draft Report Outline

The Chair handed out copies of a draft outline for the final report. There followed a discussion on how to add to this outline going forward. It was suggested the Introduction could be fleshed out to include what's currently in place in our bylaws and OCP, a description of the terms of this referral, and a context for what the APC will be addressing and recommending. The 2015 census findings might also be usefully included.

[Karen Harris arrived at 2 p.m.]

The discussion moved to the preliminary list of affordable housing needs in the outline. It was suggested the list could be fleshed out, prioritized, and recommendations made beginning with the perceptions of committee members, and branching out from there to poll community members.

Points raised:

- the affordable housing issue has escalated over in last 10 years and may get worse
- it is part of a larger crisis regionally, provincially, country-wide
- all the necessary data is still not available
- factors influencing housing availability on Galiano include the growing number of STVRs. More data is required on how STVRs are currently allowed, how many exist per neighbourhood, and how many are unreported. A review is needed, and a cap on the numbers granted may be necessary. Resources for enforcement would have to be found.
- more opportunities for entry level ownership need to be created
- pocket neighbourhoods, on a scale that would suit rural communities, would be a way of sharing infrastructure to reduce the costs of owning homes. Policy would have to be put in place to guide how they would be created.
- developers could be required to give a percentage of their land for affordable housing.

ADOPTED

--tax incentives to encourage owners to rent long-term instead of short-term might be an option.

5.3 Public Information Gathering

The possibility of meeting with larger groups of people to identify these needs was discussed. It was agreed to begin early in the new year. Possible venues for public information gathering include events organized by the community food program.

Draft questions for community input would need to be prepared. The current online survey prepared as part of the 2nd phase of the CRD "Housing Needs Assessment" was mentioned. It was pointed out that the survey is rather limited, and that the questions being asked are not necessarily the right questions.

5.4 Guest comments

The Chair offered the attending public an opportunity to share with the members any thoughts or concerns they had on the issue of affordable housing. Comments heard included:

- the problem of how to manage rentals units on the island was raised
- the biggest piece of this is to decide how much of any housing created will truly be affordable, clean and secure
- new rentals units are required, as well as affordable homes for purchase
- it is important to understand that this conversation is taking place at every level all over the country
- should pocket neighbourhoods be planned, it is imperative to make sure ghettos are not created, intentionally hidden from their neighbours. Striving for diversity and inclusiveness within neighbourhoods would be better.
- a useful model might be Europe, where energy cooperatives are being put in place, where one can partner with others in the energy sector to help with infrastructure costs.

6. **THE NEXT MEETING** will take place Monday, December 11 at 1.30 p.m.

7. ADJOURNMENT

The meeting was adjourned at 3.40 p.m.

ADOPTED


CHAIR

December 18 2017.
DATE

CERTIFIED CORRECT:


Heather C. Martin, Recording Secretary

ADOPTED



Islands Trust

Galiano Island Advisory Planning Commission Record of Meeting



Date: December 18, 2017
Location: Islands Trust Office
Madrona Drive, Galiano Island, BC
1 p.m.

Members Present:

- ☐ Sheila Anderson
- ☐ Akasha Forest
- ☐ Karen Harris
- ☐ Bowie Keefer
- ☐ Dave Koster
- ☐ Barry New



Members Absent: ☐ Judith Parrack (regrets)

Staff Present: Heather C. Martin, Recorder

Members of the Public: one

1. CALL TO ORDER

The meeting was called to order at 1.10 p.m.

2. APPROVAL OF THE AGENDA

By **general** consent the agenda was approved.

3. APPROVAL OF THE MINUTES

It was **moved** and **seconded** that the minutes of November 13, 2017 be adopted.

CARRIED

[Akasha Forest arrived at 1.15 p.m.]

4. CONTINUING AFFORDABLE HOUSING REFERRAL WORK

ADOPTED

The committee began by reviewing what will be needed in the final report. A table to accompany this report was discussed, with a format to include possible recommendations, followed by the rationale for each recommendation, the various ways it could be implemented and so on.

Chair Anderson circulated **Affordable Housing Referral Notes**, a point-form list she had compiled based on our previous discussions to begin this process. She suggested that, by end of meeting, each committee member might choose one topic from the list to work on and bring back to the January meeting. This would include coming up with ideas for discussion, drafting a possible resolution, and coming up with the wording for the resolution. Once the committee agrees on a particular recommendation, it can then be inserted into the report. Committee members agreed this was a reasonable suggestion.

Chair Anderson guided the membership through the **Notes**, which identify possible directions the APC can give the LTC. She expressed frustration at the blur between affordable, low-income, senior and special needs housing and suggested that might be another point for someone to take home, flesh out and bring back.

Discussion ensued. Some points on the list were discussed at great length, while others were deferred to a later date. It was agreed that under the heading To encourage availability of affordable residential lots and/or free market rentals on page 1, a sixth point, "Exploring disincentives that exist for long term rentals," should be added. It was also agreed that the subject of taxes and how they affect land/residential use might be a separate grouping.

The discussion turned to page 2 of the **Affordable Housing Notes**. A brief general discussion was followed by a detailed discussion of some of the 9 bullet points listed under Expand Policy and Regulation to guide Affordable Housing Projects. It was agreed that point 2, "For seniors, special needs and low income housing...", should to be moved to a separate section. This group has different requirements such as the need to be closer to services, health care and so on that need to be dealt with separately.

Following the discussion, committee members chose an area to continue working on from home:

- Barry New will work on the area of tax-incentives and disincentives.
- Dave Koster will continue looking at costs for developments, and things that contribute to those costs. He agreed to broaden this to include identifying models for sustainable affordable housing options (**Affordable Housing Referral Notes** page 2, item 6), and within that look at ways of reducing costs, different models, and gathering information that would fall under that umbrella.

ADOPTED

- Akasha Forest will work on page 2, item 1, "Create and respect strong policy to guide decision making...."
- Sheila Anderson will work on page 1, item 2, "adjusting subdivision policy and regulations."
- Karen Harris will work on page 1, item 1, limiting dwelling sizes; she has already been looking at this issue on Pender Island.
- Chair Anderson will ask Judith Parrack if she will take on the issue of STVRs and their impact on affordable housing (page 1, item 3).
- Bowie Keefer declined due to a pressing deadline for a project he is working on.

Chair Anderson asked, if possible, that this work include a draft resolution to be discussed and voted on at the January meeting. It would include recommendations the APC could make to the LTC, and describe the goal and rationale. She also requested that this work, including the resolution, be distributed in advance of the January meeting.

[Dave Koster left at 3.15 p.m.]

6. **THE NEXT MEETING** will take place Monday, January 15 at 1 p.m.

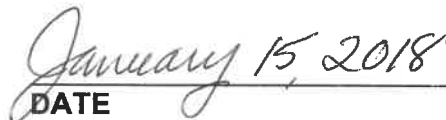
The following meeting will likely take place on Monday, January 29 at 1 p.m.

7. **ADJOURNMENT**

The meeting was adjourned at 3.21 p.m.



CHAIR



DATE

CERTIFIED CORRECT:



Heather C. Martin, Recording Secretary



DRAFT

Galiano Island
Advisory Planning Commission
Record of Meeting

COPIED TO

☒ PLANNER

☒ LTC

☒ 4/2

Date: January 15, 2018
Location: Islands Trust Office
Madrona Drive, Galiano Island, BC
1 p.m.

Members Present: ☐ Sheila Anderson
☐ Akasha Forest
☐ Bowie Keefer
☐ Dave Koster
☐ Barry New
☐ Judith Parrack

Members Absent: ☐ Karen Harris (resigned)

Staff Present: Heather C. Martin, Recorder

Members of the Public: none

1. CALL TO ORDER

The meeting was called to order at 1.03 p.m.

2. APPROVAL OF THE AGENDA

By general consent the agenda was approved.

3. APPROVAL OF THE MINUTES

It was **moved** and **seconded** that the minutes of December 18, 2017 be adopted.

CARRIED

By **general consent** it was agreed to thank Karen Harris for her excellent work on the APC to date, and to wish her well in her new endeavours.

DRAFT

4. CONTINUING AFFORDABLE HOUSING REFERRAL WORK

Chair Anderson thanked committee members for the reports they had prepared and distributed, and asked each one to guide the committee through their findings. Each of the reports generated considerable discussion. This was followed by an agreement to begin by producing a discussion paper on STVRs based on the relevant report, with some recommendations.

The issue of mega-homes which our retired committee member would have reported on was raised. While it likely will not be a major component of our report, it was suggested we still could do research on limiting house sizes, culling from the experience of other islands like Pender and SSI which are actively working on this. This issue may well be raised in Janis Gauthier's upcoming report for the CRD. Sheila Anderson agreed to make enquiries on when the draft of CRD study will be available.

Barry New offered to produce a flow chart that would connect the issues in a visual way, showing the way things like housing stock, STVRs and Affordable Housing cross over and relate to each other and connect to issues like policies and granting agencies. The idea was met favourably.

Sheila Anderson offered to attempt to take some of the salient points from the reports and put them into a table for our submission, including a rationale, recommendations and so on. She asked that other members email her if they think of anything to add to this. It was requested that the Dragonfly proposal on SSI which includes a community neighbourhood zoning be considered as part of this, and this was agreed to.

5. THE NEXT MEETING will take place Monday, January 29 at 1 p.m.

The following meeting will likely take place on Monday, February 19 at 1 p.m.

6. ADJOURNMENT

The meeting was adjourned at 3.15 p.m.

CHAIR

DATE

CERTIFIED CORRECT:

Heather C. Martin, Recording Secretary

Follow Up Action Report

Galiano Island

02-May-2016

Activity	Responsibility	Target Date	Status
GL-TUP-2016.1 (Stettner) -Covenant being registered. Staff waiting for confirmation and delivery of registered covenant.	Phil Testemale	01-Jul-2016	On Going

02-Oct-2017

Activity	Responsibility	Target Date	Status
Staff to meet with representatives of MOTI; and BC Hydro, CRD Parks as necessary; to discuss upgrading of the road bed providing access to the northeast corner of DL 37.	Rob Milne	15-Dec-2017	Done

06-Nov-2017

Activity	Responsibility	Target Date	Status
10.1 - GL-RZ-2017.1 (Stevens) - Bylaws 265 and 266. Staff requested to report back with: - suggested regulatory mechanisms for mitigation of traffic impacts - proposed mechanisms to address the road network plan And undertake consultation with neighbours who live on or use Betty Ann and Gustin - Comments notice sent Nov 30, 2107 LF.	Rob Milne	21-Dec-2017	Done

04-Dec-2017

Activity	Responsibility	Target Date	Status
6.1 Minutes adopted as amended	Lori Foster	08-Dec-2017	Done

Follow Up Action Report

10.1 GL-RZ-2016.2 (Galiano Conservancy) - Schedule Public hearing, preceded by an open house	Sharon Lloyd-deRosario Rob Milne	22-Dec-2017	Done
10.3 & 10.4 Salt Spring Bylaws 504, 505, 508 - interests unaffected	Sharon Lloyd-deRosario	08-Dec-2017	Done
11.1 Telecommunications Strategy - that the item be brought back to a future LTC agenda after the LPC brings forward its Model Telecommunication Strategy	Rob Milne	15-Dec-2017	On Going
16.1 Rise and Report - 1.Minutes adopted as presented. 2.Staff to contact existing members asking if they are interested in serving another term (Done)	Sharon Lloyd-deRosario Lori Foster	22-Dec-2017	Done



File No.: GL-RZ-2017.1 (Stevens)

DATE OF MEETING: February 5, 2018
TO: Galiano Island Local Trust Committee
FROM: Rob Milne, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Rezoning of a Portion of District Lot 37
Applicant: Fred and Isobel Stevens
Location: 303 Betty Ann Drive

RECOMMENDATION

1. That the Galiano Island Local Trust Committee has reviewed the Directives Only Policy Checklist and determined that proposed Draft Bylaw Nos. 265 and 266 are not contrary to or at variance with the Islands Trust Policy Statement.
2. That the Galiano Island Local Trust Committee Bylaw No. 265, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2017”, be read a first time.
3. That the Galiano Island Local Trust Committee Bylaw No. 266, cited as “Galiano Island Land Use Bylaw, 1999, Amendment No. 2, 2017”, be read a first time.
4. That the Galiano Island Local Trust Committee directs staff to refer Bylaw Nos. 265 and 266 as per attached Attachment 4.

REPORT SUMMARY

The purpose of this report is to update the Galiano Island Local Trust Committee (LTC) on the actions taken, and the outcomes of those actions, in response to the direction provided to staff by the LTC at their October 2nd and November 6, 2017 regular meetings.

BACKGROUND

At their regular meeting of October 2, 2017 the Galiano Island Local Trust Committee (LTC) gave consideration to a staff report dated September 19, 2017 which was accompanied by mapping and a copy of the Forest Industrial (FI) zone. Subsequent to those considerations the LTC adopted the following motion.

GL-2017-081

That staff contact the Ministry of Transportation and Infrastructure, BC Hydro, and the Capital Regional District, to see how the necessary upgrade to Georgia View road could allow for traffic up to and possibly beyond in the future DL37.

Subsequent to the LTC’s consideration of a staff report dated October 11, 2017 at their November 6th regular meeting the following resolution was adopted.

GL-2017-088

That the Galiano Island Local Trust Committee requests staff to report back, with:

- *suggested regulatory mechanisms for mitigation of traffic impacts; and*
- *proposed mechanisms to address the road network plan; and*
- *to undertake consultation with neighbours who live on or use Betty Ann Road and Gustin Road.*

With respect to Resolution GL-2017-081 staff met with staff from the Ministry of Transportation and Infrastructure (MOTI), including Area Manager Ryan Evanoff, to discuss traffic impacts and mechanisms to address the road network plan, as well as the Georgia View Road right-of way. Also present at the meeting was Stephen Henderson from the Capital Regional District (CRD) who was representing the CRD's interest in parks proximate to the subject property.

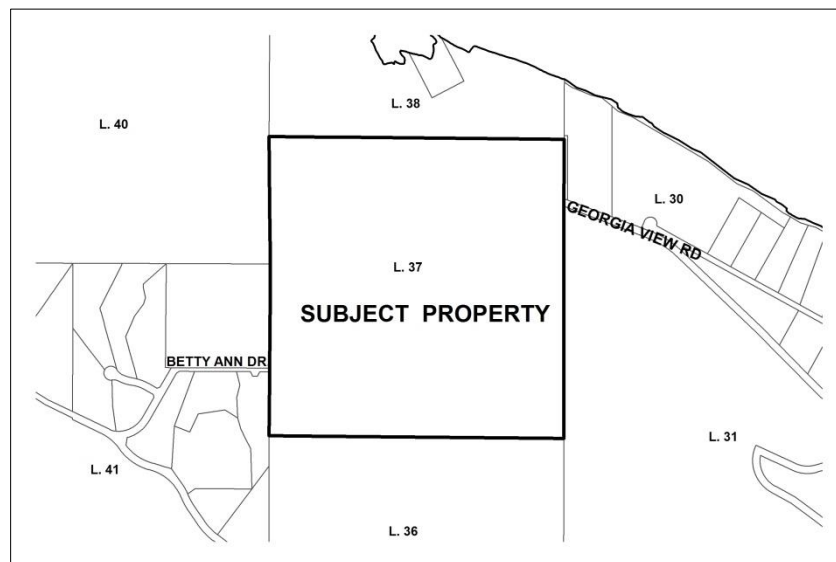


Figure 1

ANALYSIS

RESOLUTION GL-2017-081 (Agency Meeting)

Staff from MOTI and the CRD were in attendance at a December 12, 2017 meeting which was organized in response to the request from the LTC. Islands Trust representation included the Island Planner and the Regional Planning Manager. Representatives from BC Hydro were not in attendance. The topics discussed were:

- traffic impacts and mitigation along Gustin and Betty Ann Roads,
- the existing Georgia View Road right of way and the OCP road network plan,
- gate locations

Traffic Impacts and Mitigation on Gustin and Betty Ann Roads

In discussions with the MOTI staff several points were made clear to Islands Trust staff:

- The use of a road dictates any necessary improvements. The Ministry does not see any need for improvements to Gustin and Betty Ann Roads based upon the current traffic volumes and type which, in addition to the residential traffic, includes the current excavation business use of that corridor for access to points beyond as well as traffic generated by BC Hydro.

- MOTI cannot discriminate, with respect to the users of roads, based upon vehicle type.
- The equipment used on the subject property, including low-beds loaded with an excavator, and loaded gravel trucks, are not overweight vehicles.
- MOTI cannot enforce traffic diversion.
- The Ministry does not consider the Porlier Pass and Gustin Road intersection to be unsafe due to the traffic generated by the current uses on DL 37.
- The Ministry does not consider Betty Ann Road to be unsafe notwithstanding the use of the property for the current activities on DL 37, including access by BC Hydro.

Georgia View Road Right of Way and OCP Road Network Plan

With respect to potential improvements to the Georgia View road bed, it was made clear that the Ministry has no interest in doing any upgrades to the road bed at this time. This position appears to be based upon the low expected volumes of use as well as the anticipated costs of the initial upgrade and the ensuing commitment to ongoing maintenance costs. Ministry staff anticipated that improvements to make the right of way safe and usable to be well beyond a suggested figure of \$100,000.

In terms of the road network plan Ministry staff stated that they had no objections to the proposed rezoning proceeding without a road dedication subject to the registration of a covenant agreement which allowed the Ministry to take the necessary road dedication at a later date, without any associated compensation, and did not express any interest in obtaining a road dedication as part of the proposed rezoning. Such a road dedication requirement was seen as being triggered by subdivision development on lands “beyond” DL 37 which necessitated a dedicated road connection to Georgia View Road.

Gate Locations

It was noted that the gate on Sticks Alison was located at the beginning of the common property “road” which serves the bare land strata subdivision beyond. CRD staff were satisfied with the location of the gate on Georgia View Road as protection for sensitive adjacent lands. MOTI staff were unaware of the Georgia View gate but were planning on visiting the site.

RESOLUTION GL-2017-088

This resolution from the November 6, 2017 regular meeting of the LTC directed staff to report back with:

- suggested regulatory mechanisms for mitigation of traffic impacts; and
- proposed mechanisms to address the road network plan; and
- to undertake consultation with neighbours who live on or use Betty Ann Road and Gustin Road.

Regulatory Mechanisms for Mitigation of Traffic Impacts

MOTI does not have any interest in attempts to regulate traffic on Gustin and Betty Ann Roads. Further, in the context of their mandate and experience MOTI is of the opinion that no public safety hazard exists for those roads based upon both the condition and geometry of the road, as well as the nature of the current traffic.

Mechanisms to Address the Road Network Plan

In consultation with the Islands Trust's legal counsel the Islands Trust has been advised that in the context of the subject application, while at one end of the scale the OCP could be interpreted as requiring the dedication and construction of a road, there exists a spectrum of options with respect to how the issue of the OCP road network plan could be addressed, including a dedication of the road right of way as a condition of rezoning, to the registration of a covenant prohibiting any development within a defined area of the property and identifying that a future road dedication would have to be donated to MOTI at such time as they consider development of lands beyond require the development of a future road connection. Within this spectrum legal counsel also provides a caution that the LTC should, "avoid any situation in which it is seeking to establish transportation facilities that the Province does not wish to accept and maintain". As noted above, the Area Manager for MOTI has advised that the Ministry will not require a dedication as part of the application and would be prepared to accept the option of the registration of a covenant for this application based upon its unique circumstances.

Consultation with Neighbours

On December 11, 2017 a request for comments was hand delivered and mailed to ten adjacent properties including those whose access is off of Gustin and Betty Ann Roads as well as the large F1 zoned property on the westerly edge of the subject property. The request for comments requested that those owners forward to Islands Trust staff any concerns or other comments that they would like considered as part of any further consideration of the application. A response date of January 5, 2018 was identified.

One response had been received at the time this report was written (Attachment 5). That response identified concerns which were deemed to affect the author's use and enjoyment, and value, of their property. Specifically, concerns were noted related to the volume and type of traffic using the Gustin/Betty Road corridor, the potential scale of industrial use permitted by the proposed rezoning, a lack of adherence to OCP policies and the Road Network Plan, and concerns related to groundwater and well protection.

SUMMARY

Staff have followed through on the direction provided by the LTC as per resolutions GL-2017-81 and GL-2017-88, including meeting with staff from both MOTI and the CRD. As previously noted in this report MOTI has advised that they have no concerns related to this application both in respect to traffic volumes and public safety, as well as deferral of a road dedication for a Georgia View Drive connection through a covenant agreement.

With respect to OCP policies the principal concern that has been heard to date, from one neighbouring property owner, is in regards to the intent and implementation of Transportation Policy f) which states that:

f) Land that is rezoned to any Economic Activity Zone should have direct frontage and suitable access on a highway classified as Main Rural or Minor Rural.

In regard to this concern it should be noted that article e) of Subsection 7, "Interpretation" of Section VIII, "Administration" (page 97 of OCP) contains the following wording:

e) In interpreting the objectives and policies of the Plan, the term "shall" or "will" denotes that the indicated measure must be taken or applied. The term "should" or "may" indicates that the suggestion is intended as a guideline. [Emphasis added]

A review of the Land Use Bylaw (LUB) map schedules and the OCP Road Network maps identifies several locations where properties located in Economic Activity Zones may be found which are not located upon, or do not have access on roads which are classified as Main or Minor roads. These include businesses located on Madrona Road in the Sturdies Bay village core including the bakery, convenience store/gas bar, post office and

Islands Trust office, as well as the Galiano Inn. Other locations include the Bodega Ridge Resort and the Driftwood Village Cottages on Bluff Road. It is not apparent that this lack of frontage or access has created any community concerns and supports the qualification of Subsection 7, "Interpretation", which provides that objectives and policies which make use of the word "should" in their wording can reasonably be considered to be a guideline.

Evaluation of the proposed rezoning must demonstrate 'consistency' with the OCP as a whole through the consideration of all relevant policies, including those beyond Transportation Policy f). OCP policies which are considered to be relevant are listed and reviewed below. It is the conclusion of that review that the bylaws would result in reasonable outcomes and would be inconsistent only if there were no countervailing policies.

The additional OCP policies which should be taken into account in the consideration of this application these include (emphasis added):

Section I, COMMUNITY OBJECTIVES

- f. A sustainable community requires a viable local economy. This Plan recognizes the need for local economic development and viable small enterprises supporting a diversity of livelihoods. At the same time, the Plan recognizes that there are limits to economic and population growth determined by Galiano's finite boundaries, resources, and ecosystems.

Comments-

The intent of this application is, in part, to legalize the excavation business which operates wholly from within the area proposed to be rezoned which represents a small percentage of the overall parcel. The excavation business is by definition a viable small enterprise employing Island residents offering a service which is needed on Galiano Island.

Section II, LAND USE

Land Use Policies

- a) Land use decisions for all zones shall be directed by the following criteria where relevant:
 - vi) the desirability of securing reasonable privacy for residents
 - xxii) the availability of permanent access maintained to safe standards to properties proposed for residential land use, or for land uses that create increased demand for road access
 - xxiv) the cumulative demand on the highway routes serving a property

5.4 Light Industry Objectives

- 1) to ensure there is opportunity for light industrial uses that support the local economy, and
- 2) to ensure all light industrial activity is compatible with rural character and does not adversely affect the natural environment.

Comments-

The excavation business is serviced by a permanent access maintained by MOTI. MOTI staff have confirmed that they have no concerns related to the current use of the Gustin/Betty Ann road corridor for that purpose. The business has been operating from the site for approximately ten years and it is not anticipated that any increase in traffic would be associated with approval of the proposed rezoning. Early outreach and consultation with affected neighbours prompted only one expression of concerns related to traffic along Gustin and Betty Ann Roads.

The light industrial excavation business does support the local economy and is located in a small area in the centre of a large rural property which is the site of gravel extraction activities carried out under a Mines Act permit. None of the activities are visible from the boundaries of the property.

Section III, SERVICES – Land Transportation

1.1 Land Transportation

The development and maintenance of the island's road network is fundamentally connected to the land use pattern, with development and services occurring in several clusters of small lot development. The density and intensity of development generally declines as distance from existing small lot development increases.

Land Transportation Objectives

- 1) to achieve over the long term planned road and emergency access routes based on the network depicted in Schedule "C", including further components of the network that may be identified by amending Schedule "C".
- 4) to support the design of quiet safe neighbourhoods by encouraging slower vehicle speeds and by managing land use to limit traffic generation through such neighbourhoods.

Land Transportation Policies

- c) ii) locations of proposed highways and emergency access routes shall be confirmed at time of rezoning, subdivision or building permit;
- f) Land that is rezoned to any Economic Activity Zone should have direct frontage and suitable access on a highway classified as Main Rural or Minor Rural.

Comments-

Schedule 'C', Road Network Plan of the OCP designates a future Minor Rural road corridor crossing the northern part of the subject property as an extension of Georgia View Road. At such time as dedication and construction of the road connection is required due to development activity to the north it will provide either direct frontage to a Minor Rural road or suitable access to a Minor Rural road as per policy f). As has been previously noted in this report MOTI is prepared to accept the registration of a covenant guaranteeing the future donation of a road right of way, without compensation, as the Ministry does not wish to seek a formal dedication at this time.

Rationale for Recommendation

The owners of the F1 zoned property who live in an unauthorized residence on the subject property have submitted an application to rezone a small portion of the parcel to FI(A) in order to achieve compliance with zoning regulations, including their ongoing excavation business activities. Staff met with representatives of MOTI and the CRD whose interests overlap with or are directly related to the outcomes of a successful rezoning for the purposes identified in the application. Those representatives have reviewed the rezoning proposal, as well as the known concerns expressed to the LTC at their meetings. Agency staff did not identify any concerns with the proposed rezoning. Further consultation with a full slate of local, regional and provincial agencies (Attachment 4) will be required for the draft bylaws (Attachments 2 & 3) to proceed beyond first reading. Giving first reading to the bylaws will allow for a wider scope of consultation which should assist in better understanding any issues related to the intent of the bylaws.

It is the view of staff that the rezoning application to legalize the excavation service which is located in association with the gravel extraction activities which are taking place under a valid license is a reasonable

request in a suitable location and should be further considered. No concerns have been expressed regarding the residential use component which would also be regularized by the approval of the draft bylaws.

It is apparent that the services provided by the applicant address a real need on the Island. A review of the zoning schedule reveals only three properties zoned Light Industrial (L1) all of which are currently utilized for light industrial purposes. One property is located in the Sturdies Bay village area, another is occupied by a building supply business and the last is located on Georgeson Bay Road. It is unlikely that the current excavation business could be relocated to these locations or that such a relocation would be a financially viable option. It is anticipated that the loss of services provided by the excavation business would have a noticeable impact on the Island as would the loss of employment opportunities associated with that business.

Consultation

Any land use bylaw and OCP amending bylaws will require a public hearing and the approval of the Executive Committee and, in the case of the OCP amendment, approval by the Minister of Municipal Affairs and Housing.

As the project would involve an OCP amendment the LTC is required under s. 475(2) of the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected including First Nations. A table of suggested Referral Agencies and groups is included in this report as Attachment 4.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information be provided prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee request that the applicant submit to the Islands Trust [list information required].

2. Choose to proceed no further

The LTC may choose to proceed no further with the application. If this alternative is selected, the LTC should state the reasons for this choice. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee proceed no further with application GL-RZ-2017.1 for the following reasons [insert reasons].

3. Proceed with an alternative rezoning option

The LTC may choose to direct staff to prepare draft bylaws using an alternative zoning approach to rezone the entire subject property. If this alternative is selected, the LTC should state the reasons for this choice. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee directs staff to prepare draft bylaws based upon a single zone rezoning for the subject property.

4. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study or receipt of other information. If this alternative is selected, the LTC should state the reasons for this choice. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee holds application GL-RZ-2017.1 in abeyance until the following information has been received [list information required].

NEXT STEPS

Following receipt and consideration of draft bylaws which support this application a reasonable next step, given the community interest in F1 lands, would be to:

- Send out general referral
- Second reading and direction to schedule a public hearing
- The LTC may also wish to consider scheduling a stand-alone CIM during the referral phase.

Submitted By:	Rob Milne M.A., RPP, MCIP Island Planner	January 9, 2018
Concurrence:	Robert Kojima Regional Planning Manager	January 22, 2018

ATTACHMENTS

1. Policy Statement Directives Only Checklist
2. Draft OCP Bylaw No. 265
3. Draft LUB Bylaw No. 266
4. Agency Referral Table
5. Request for comment response



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

**Bylaw and File No: 265 (OCP) & 266 (LUB)
GL-RZ-2017.1 (Stevens)
LTC Endorsement:**

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 matters 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:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if 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.
✓	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.
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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.
N/A	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.
	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.
✓	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
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	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.
✓	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
	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
N/A	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:

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 265**

**A BYLAW TO AMEND GALIANO ISLAND OFFICIAL COMMUNITY PLAN
BYLAW NO. 108, 1995**

The Galiano Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2017”.

2. Galiano Island Local Trust Committee Bylaw No.108, cited for all purposes as “Galiano Island Official Community Plan Bylaw No. 108, 1995, is amended as shown on Schedule 1, attached to and forming part of this bylaw

READ A FIRST TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20____

APPROVED BY THE MINISTER MUNICIPAL AFFAIRS AND HOUSING THIS _____
DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 265**

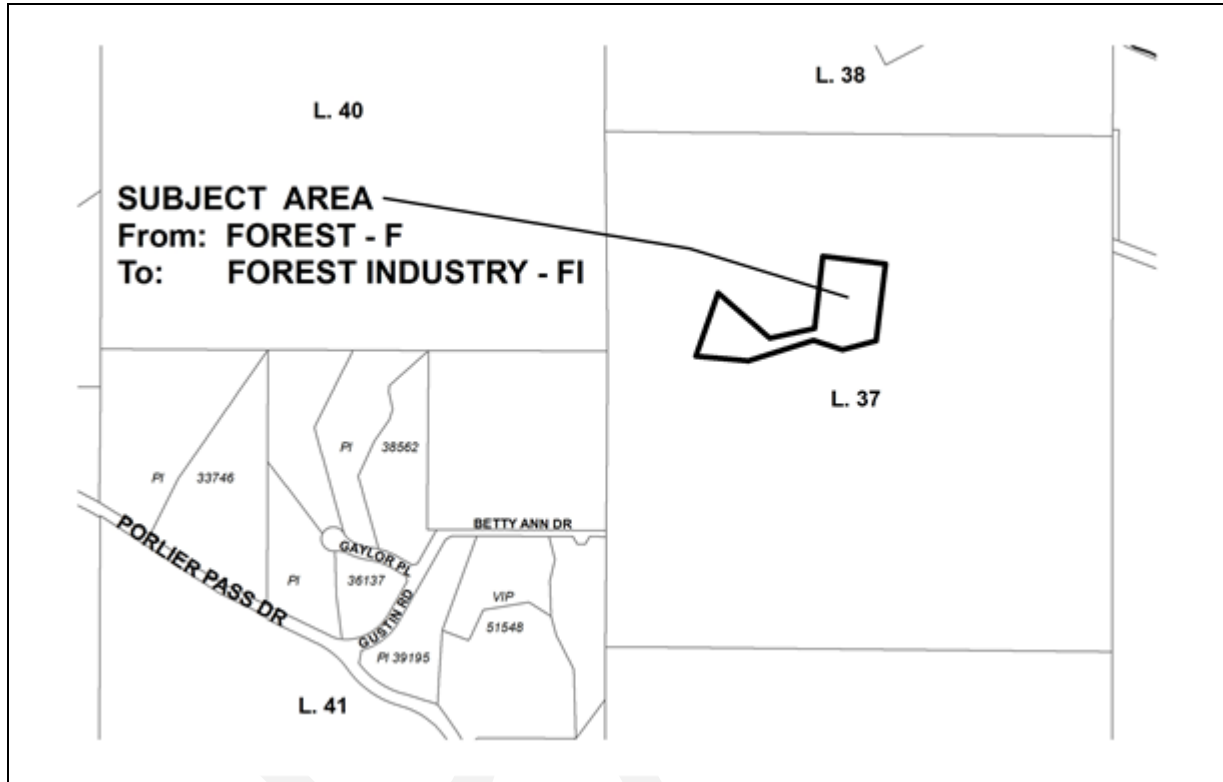
SCHEDULE 1

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

1.1 Schedule "B" – LAND USE DESIGNATIONS is amended by changing the land use designation of a portion of District Lot 37, Galiano Island, Cowichan District (PID 006-622-527) as shown on Plan No. 1 attached to and forming part of this bylaw,

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 265

PLAN NO. 1



**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 266**

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

The Galiano Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Galiano Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Galiano Island Land Use Bylaw, 1999, Amendment No. 2, 2017”.

2. Galiano Island Local Trust Committee Bylaw No. 127, cited as “Galiano Island Land Use Bylaw, 1999,” is amended as shown on Schedules No. 1 and 2 attached to and forming part of this bylaw.

READ A FIRST TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 266**

SCHEDULE NO. 1

1. Bylaw No 127 is amended as follows:

1.1 Section 4.1 of Part 4, "CREATION AND EXTENT OF ZONES" is amended by the insertion of a new zone entry Forest Industrial (A) (FI(A)) below Forest Industrial.

1.2 Section 9, ECONOMIC ACTIVITY ZONES is amended by the insertion of a new Zone 9.6 (B) as follows:

"9.6(B) Forest Industrial Zone A – FI(A)

The intent of the FI(A) zone is to permit limited industrial uses and an accessory dwelling within a prescribed area of a forest lot.

Permitted Uses

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

- 9.6(B).1.1 contractors' workshops and yards
- 9.6(B).1.2 sawmilling, planing and manufacturing of wood products
- 9.6(B).1.3 gravel processing and storage
- 9.6(B).1.4 one self-contained accessory dwelling unit for the owner or operator of a principle use

Permitted Density

- 9.6(B).2 Lot coverage must not exceed 20% of any zoned area.
- 9.6(B).3 Not more than one dwelling is permitted on each lot.

Permitted Height

- 9.6(B).4 No building or structure for a use permitted by this section may exceed 9 metres in height. Accessory buildings and structures must not exceed one storey and a height of 5 metres

Minimum Setbacks

- 9.6(B).5 Buildings and structures must be sited at least 6.0 metres from a zone boundary

Minimum Lot Size

- 9.6(B).7 No lot having an area less than 2.24-hectare may be created by subdivision."

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 266**

SCHEDULE NO. 2

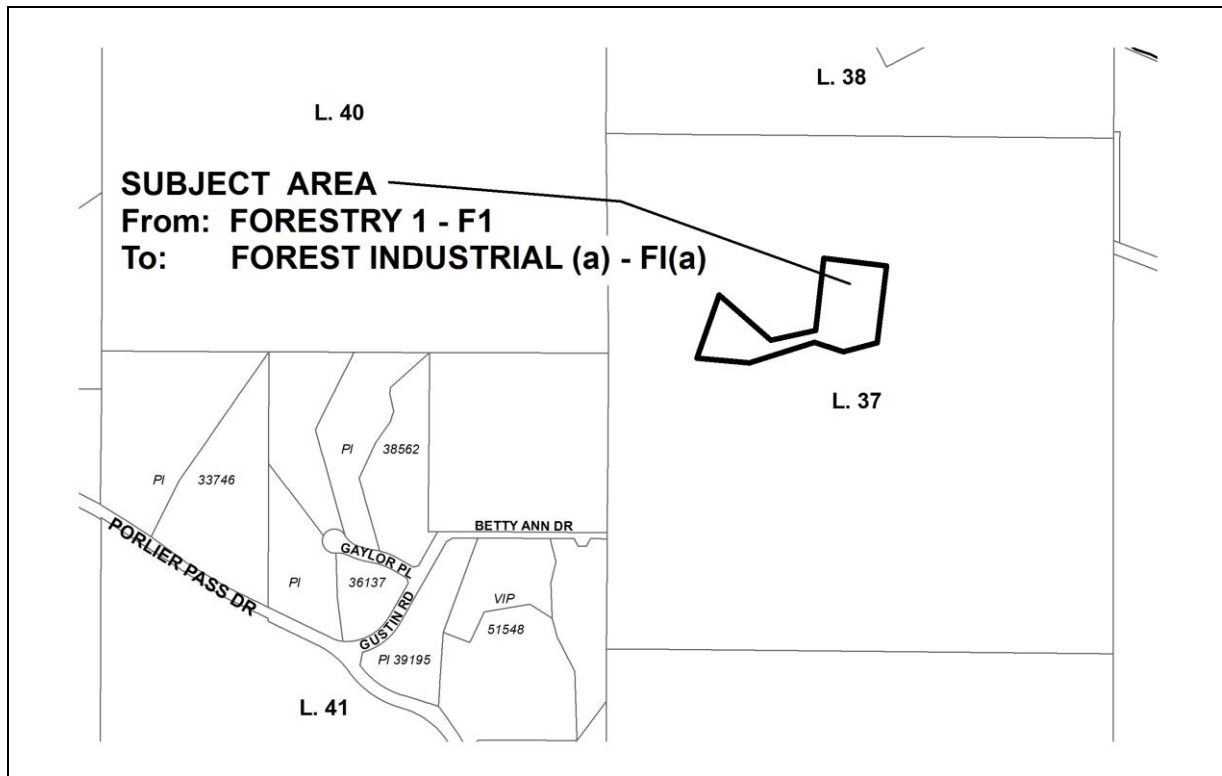
2. Bylaw No. 127 is amended as follows:

- 2.1 **Schedule “B” – (Zoning Sheet South)** is amended by changing the zoning classification of a portion of District Lot 37, Galiano Island, Cowichan District (PID 009-622-527) from Forest 1 (F1) to Forest Industrial (FI(A)) as shown on Plan No. 1 attached to and forming part of this bylaw.

DRAFT

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 266**

PLAN NO. 1



Attachment 8 Referral Table

This referral has been sent to the following agencies:

Provincial Agencies

BC Assessment Authority
Ministry of Municipal Affairs and Housing
Ministry of Transportation & Infrastructure

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawwassen First Nation
Tsawout First Nation

Regional Agencies

Capital Regional District – Electoral Area Director
Capital Regional District – Building Inspection
Island Health
North Galiano Island Fire Rescue

Adjacent Local Trust Committees and Municipalities

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

Non-Agency Referrals

Galiano Island Advisory Planning Commission
Galiano Island Parks and Recreation Commission

Lori Foster

Subject: FW: Response to REQUEST FOR COMMENT GALIANO LTC REZONING GL-RZ-2017.1(STEVENS)

Importance: High

From: Sheila Anderson [mailto:sjanders52@gmail.com]

Sent: Friday, January 05, 2018 10:25 AM

To: Galiano Planner

Cc: 'Don Anderson'

Subject: Response to REQUEST FOR COMMENT GALIANO LTC REZONING GL-RZ-2017.1(STEVENS)

Importance: High

176 Gustin Road,
Galiano Island, BC
January 2, 2018

Galiano Island Local Trust Committee,
c/o The Islands Trust
Victoria Office
200 1627 Fort Street,
Victoria, BC V8R 1H8



RE: Request for Comments from Galiano Island Local Trust Committee regarding GL-RZ-2017.1 (Stevens)

Dear Galiano Island Local Trust Committee,

Our concerns, as you already know, relate to the truck traffic the industrial land uses on DL 37 have generated, in ever increasing amounts, on our neighbourhood residential roads of Betty Ann Drive and Gustin Road during the years they have been operating without zoning. The noise, vibration, dust and air pollution from the truck traffic by the Stevens' excavation company has intrusively invaded our home and property ever since the Stevens bought DL37 and moved their business on to the parcel, which occurred long after this residential area was established. The business has grown and continues to expand. Recently they invested in a new large bin truck, and have leased or purchased a large drum chipper. We believe the industrial infringement we have experienced is affecting our property values. We know it often affects our ability to enjoy our home, garden and neighbourhood.

When we read the draft bylaws for this proposed rezoning they offer no assurance of any reasonable limit to the scale of industrial uses it proposes to allow. The very open wording allows numerous contractor yards for unnamed industrial businesses, plus additional forest industrial uses which are also unnamed and undefined, all of which could generate increasing amounts of additional truck traffic in the future.

It seems very irregular that there is even a question of whether the LTC will to respect OCP objectives and policies intended to guide its land use decisions. Respecting the OCP objects, policies and intent should be a given, but sadly the Staff Reports seem to play down the importance urging you to ignore some completely. Two examples of OCP guidance which we think are critical arose from the Road Network Plan which was developed over many years of research and consultation.

Land Transportation Objective 4) *"to support the design of quiet safe neighbourhoods by encouraging slower vehicle speeds and by managing land use to limit traffic generation through such neighbourhoods"*

Land Transportation Policy f) *"Land that is rezoned to any Economic Activity Zone should have direct frontage and suitable access on a highway classified as Main Rural or Minor Rural"*

DL37 has direct access to Georgia View Road which is a Minor Rural classified road under the Road Network Plan and according to the MoTI/ IT Agreement. By requiring the applicant agree to use that route for industrial trucking the LTC would be respecting the guidance of the OCP. However by allowing split zoning and not requiring a new lot be created by subdivision for the industrial portion, the LTC will NOT be meeting the OCP Transportation objective "to achieve over the long term planned road and emergency access routes based on the network depicted in Schedule "C".. unless they make those dedications a condition of rezoning approval.

This Light Industry policy further supports the LTC requiring that any Industrial Zone given on DL37 should use Georgia View as their access.

Light Industry Policy c) vii) states *"in reviewing development applications, the Local Trust Committee will assess greenhouse gas and other emissions anticipated to result from the development"*

The South Galiano area and the ferry terminal is the most commonly accessed direction of travel by the excavation service business. That is where most of the island's population lives and the company does do a lot of hauling to and from Vancouver Island by ferry. The Georgia View Road route provides the shortest most direct route to the south end and the ferry terminal.

Condoning industrial truck traffic use of Betty Ann Drive, which is a residential road built on a half width single lane road dedication, goes against common sense as well as our OCP. The Road Network Plan does not show any additional road connections to Betty Ann Drive. Yet an industrial road through DL 37 from the proposed industrial site amounts to an additional connection because it connects to an intense use as opposed to only a residential use. The intersection of Betty Ann and Gustin Road is narrow and at the crest of a hill with a poor sight line. The intersection of Gustin Road and Porlier Pass Road has a hairpin turn towards the south and trucks turning block both lanes of the Main Road just north of a blind curve. The signs MoTI have posted on Porlier Pass Road cautioning "Trucks Turning", might help MoTI's liability in the case of an accident, but it won't help the driver and passengers who gets rear ended while forced to stop and wait for a turning truck to clear the lane.

There is another aspect to this proposed rezoning if approved based on use of Betty Ann and Gustin roads that relates to groundwater and well protection. Our property is down slope from Betty Ann and Gustin Road. We have a wonderful spring fed, dug well with cement casings which has been excellent for 34 years. It is situated only about 60 feet from our property line abutting Gustin Road. The risk of a spill of fuel or oil contaminating the groundwater supply we rely on increases proportionate to the amount of commercial vehicle traffic. We have noticed oil leaks from the trucks from time to time. In fact just before Christmas a flat bed carrying a tidy tank slopped a spill of diesel as it went up the hill just past our house. It covered an area of about 20 square feet. Any vehicle can have leaks of fuel or oil, but commercial vehicles generally carry more on board.

This risk of freshwater pollution is also increased for the pond and wetland area just east of Betty Ann. The internal industrial road in use that connects the proposed industrial zone to Betty Ann Drive runs just above and along the length of that pond area. Pollution from that gravel industrial road will run down slope to that pond and riparian area.

Light Industry Objective 2)" *to ensure that all light industrial activity is compatible with the rural character and does not adversely affect the natural environment"*

The Georgia View Road offers a route that would have less likelihood of adversely affecting environmentally sensitive areas the size of the pond and wetland east of Betty Ann.

So in closing we summarize that we are strongly opposed to this rezoning if it means continued use of our neighbourhood residential roads as the access to the proposed industrial area. We think the OCP intention to keep neighbourhood side roads quiet and safe for residents should be a guiding principle for the LTC and is more important than getting a bylaw violation off the Island Trust's books. We also think that if an industrial zone is granted it needs to be very specific and set a clear limit on the type and scale of industrial uses that can occur. Protection of our groundwater and fresh water resources and riparian habitat need to be carefully considered.

Sincerely,

Sheila and Don Anderson
1250 5395869
sjanders52@gmail.com

Date January 29, 2018

File Number: GL-RZ-2016.2 (Galiano Conservancy)

To Galiano Island Local Trust Committee
For the meeting of February 5, 2018

From Rob Milne, Island Planner

Re **Proposed Bylaw Nos. 262 & 263 (OCP & LUB) – Post Public Hearing Procedures**

The Local Trust Committee is considering bylaws to make the changes necessary to permit nature protection and environmental education uses which are intended to include educational and retreat programming activities and limited, associated overnight camping uses on the subject property. Please see Attachments 1 and 2 for a copy of proposed Bylaw Nos. 262 and 263 at Second Reading which was given on May 1st, 2017. A public hearing is scheduled for February 5, 2018. A public hearing is a quasi-judicial process within and following which specific procedures must be followed.

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of amendments at Second Reading (this may include amendments to alter a bylaw).
2. Consideration of Third Reading.
3. Forwarding of the bylaw to Executive Committee for approval.
4. Forwarding of the bylaw to the Minister's office for approval (OCP amendment bylaw only).
5. Reconsideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Executive Committee and Minister approve the bylaw, the next step for the LTC would be to adopt the bylaw.

RECOMMENDATIONS:

1. That the Galiano Island Local Trust Committee give third reading to Bylaw No. 262, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2017",
2. That the Galiano Island Local Trust Committee give third reading to Bylaw No. 263, cited as "Galiano Island Land Use Bylaw, 1999, Amendment No. 1, 2017",
3. THAT the Galiano Island Local Trust Committee proposed Bylaw Nos. 262 and 263 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.
4. THAT the Galiano Island Local Trust Committee proposed Bylaw No. 262 be forwarded to the Minister of Community, Sport and Cultural Development for approval.

Attachment 1 – Proposed Bylaw No. 262

Attachment 2 – Proposed Bylaw No. 263

pc Robert Kojima, Regional Planning Manager

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 262

A BYLAW TO AMEND GALIANO ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 108, 1995

The Galiano Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2017”.

2. SCHEDULES

Galiano Island Official Community Plan Bylaw No. 108, 1995, is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	1 st	DAY OF	MAY	2017
READ A SECOND TIME THIS	1 st	DAY OF	MAY	2017
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	2017
READ A THIRD TIME THIS	_____	DAY OF	_____	2017
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	2017
APPROVED BY THE MINISTER COMMUNITY, SPORT AND CULTURAL DEVELOPMENT THIS	_____	DAY OF	_____	2017
ADOPTED THIS	_____	DAY OF	_____	2017

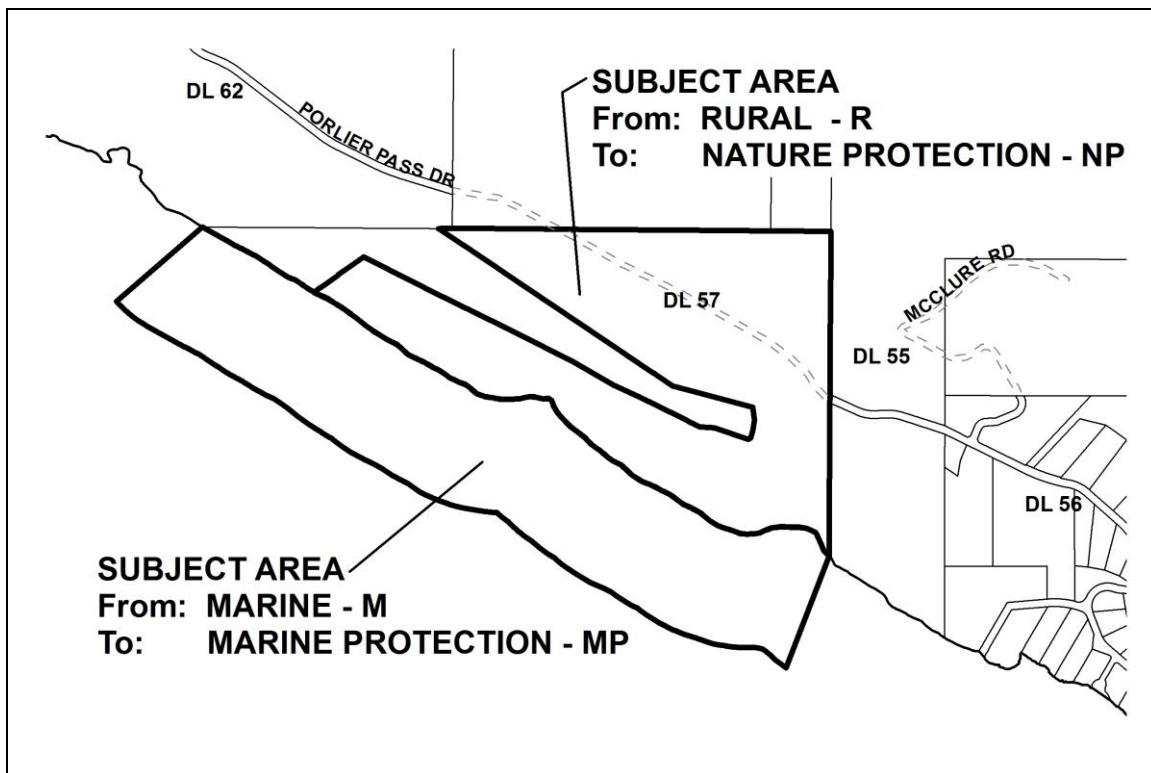
Chair

Secretary

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 262**

SCHEDULE 1

1. Schedule B (Land Use Designation) is amended for a portion of the lands legally described as District Lot 57, Galiano Island, Cowichan District, and a portion of the foreshore area adjacent to the property, as depicted in the map below.



PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 263

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW, 1999

The Galiano Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Galiano Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Galiano Island Land Use Bylaw, 1999, Amendment No. 1, 2017”.

2. Galiano Island Local Trust Committee Bylaw No. 127, cited as “Galiano Island Land Use Bylaw, 1999,” is amended as follows:

2.1 Schedule “A” of Galiano Island Land Use Bylaw No. 127 cited as “Galiano Island Land Use Bylaw , 1999 is amended as shown on Schedule 1 attached to and forming part of this bylaw.

2.2 Schedule “B” – Zoning Map (North), is amended by changing the zoning of a portion of District Lot 57, Galiano Island, Cowichan District, and a portion of the foreshore area fronting those lands as shown on Plan No. 1 attached to and forming part of this bylaw.

READ A FIRST TIME THIS	1 st	DAY OF	MAY	2017
READ A SECOND TIME THIS	11 th	DAY OF	SEPTEMBER	2017
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

Galiano Island Local Trust Committee

Bylaw No. 263

Schedule 1

1. **Part 4, CREATION AND EXTENT OF ZONES**, is amended by the deletion of the existing zone “Health and Wellness” and replacing it with a new zone as follows:

COLUMN 1	COLUMN 2
Environmental Education and Nature Protection	(EE/NP)

2. **PART 8, COMMUNITY FACILITIES AND UTILITIES ZONES** is amended by the deletion of current section 8.5, “Health and Wellness Zone – HW” and replacing it a new section 8.5 “Environmental Education and Nature Protection Facilities – (EE/NP) Zone”, as follows:

“8.5 Environmental Education and Nature Protection EE/NP

Permitted Uses

11.2.1 In the Environmental Education and Nature Protection zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Parts 2 and 3, and all other uses are prohibited.

- 11.2.1.1 environmental education and nature protection
- 11.2.1.2 research and educational activities and facilities with accessory camping
- 11.2.1.3 ecological restoration
- 11.2.1.4 passive recreation including publicly accessible trails
- 11.2.1.5 accessory rustic camping
- 11.2.1.6 accessory residence
- 11.2.1.7 accessory structures including wood and storage sheds
- 11.2.1.8 demonstration gardens

Buildings and Structures

11.2.2 In the Environmental Education and Nature Protection zone the following buildings and structures are permitted in association with the permitted uses identified above and listed below:

- 11.2.2.1 In association with research and education facilities:
 - class rooms and laboratories

- administration buildings containing offices and a library
- kitchen and dining facilities including traditional pit cooking area
- sleeping quarters for staff and program participants, not to exceed 76 persons, which may include up to 12 structures and up to 18 tent platforms with floor areas not to exceed 10m²
- showers and washing facilities
- outdoor amphitheatre
- information kiosk

- 11.2.2.2 In association with accessory rustic camping:
- a maximum of 18 tent platforms with floor areas not to exceed 10m²
 - an outdoor pavilion (no walls) for dining, food preparation and teaching
 - outhouses
 - fire pit area
- 11.2.2.3 Campsites and tent platforms shall be sited in designated areas and shall not exceed a combined total of 36

Permitted Lot Coverage/Density

- 11.2.3 In the Environmental Education and Nature Protection zone the following restrictions on buildings and structures apply:
- 11.2.3.1 Permanent structures are not to exceed a total of 2,250 m² in area
- 11.2.3.2 Total lot coverage is not to exceed 0.5%
- 11.2.3.3 Not more than one accessory dwelling is permitted

Permitted Heights

- 11.2.4 No building or structure for a use permitted by this zone may exceed 9 metres in height. Accessory buildings and structures must not exceed one storey and a height of 5 metres

Minimum Setbacks

- 11.2.5. Buildings and structures must be sited as permitted below:
- 11.2.5.1 Buildings and structures must be sited at least 7.5 metres from any lot line. Walkways are permitted to be within 1.5 metres (5 ft.) from the side lot lines.
- 11.2.5.2 Buildings and structures used for human habitation or occupancy and not located within the Agriculture (AG) zone must be

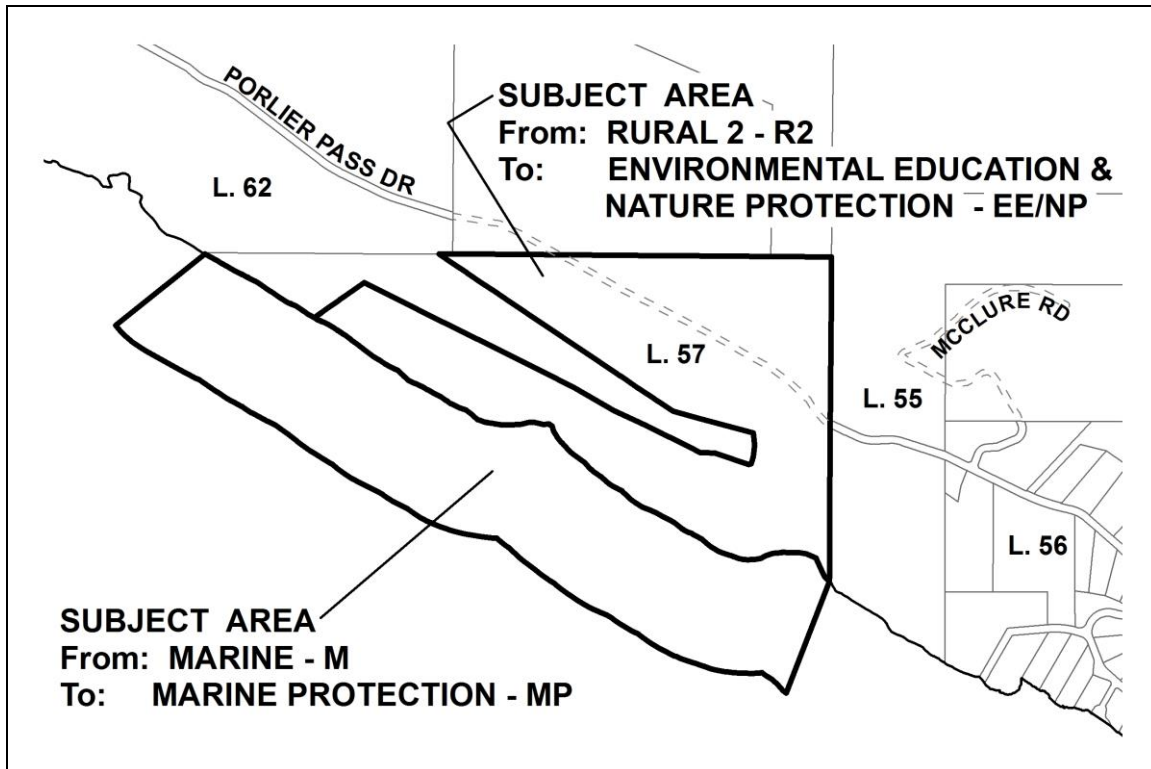
sited at least 15 metres from the boundary
of the Agriculture (AG) zone”

3. Section 17.1 “**Definitions**” of **PART 17, INTERPRETATION**, is amended by the addition of a new definition, “environmental education” which reads as follows to be, inserted in alphabetical order, and the renumbering of the following definition:

“environmental education means the promotion of attitudes and value systems, through structured educational activities and programs, that influence environmentally ethical behaviour by developing understanding, skills and values that will enable people to participate as active and informed citizens in the development of an ecologically sustainable and socially just society.

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 263

Plan No. 1





DATE OF MEETING: February 5, 2018

TO: Galiano Island Local Trust Committee

FROM: Rob Milne, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: Rezoning of Lot 1, District Lot 8, Galiano island, Cowichan District, Plan VIP75578
Applicant: Bernard Mignault
Location: 2-720 Active Pass Drive

RECOMMENDATION

1. That the Galiano Island Local Trust Committee directs staff to prepare draft bylaws for the review and consideration of the Local Trust Committee.

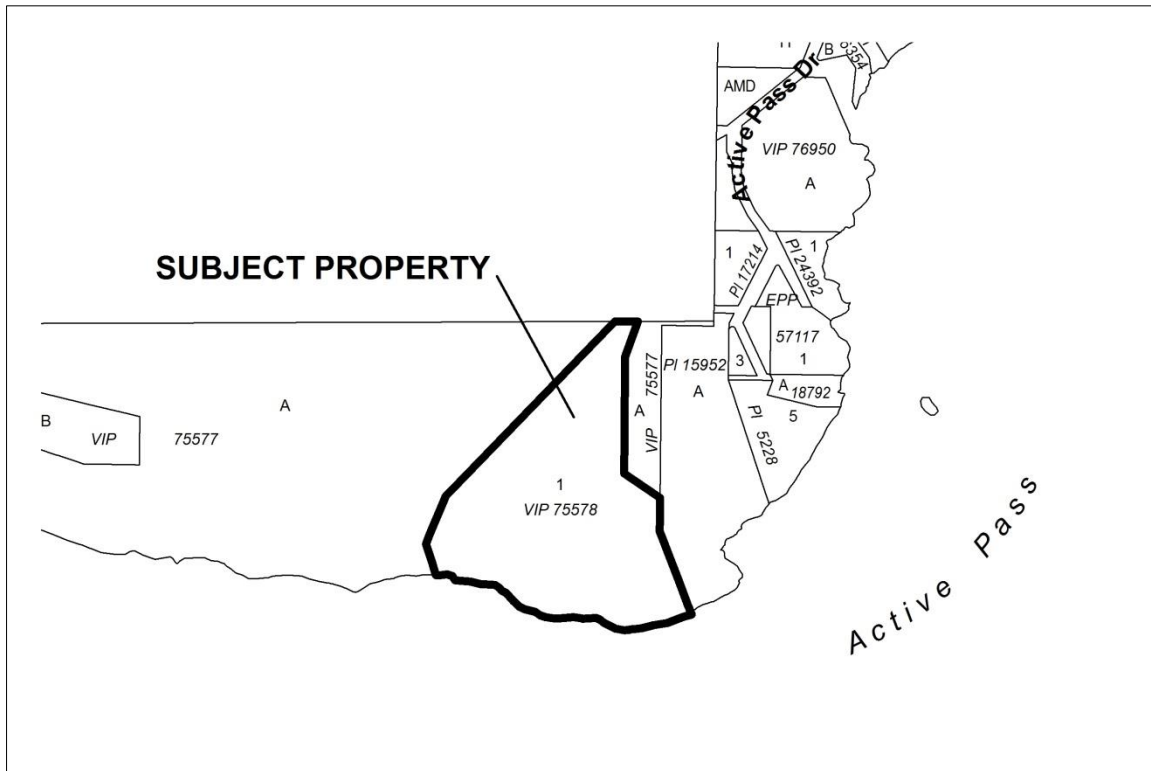
REPORT SUMMARY

The purpose of this report is to introduce rezoning application GL-RZ-2017.2 which seeks to rezone a 7.62 ha. (18.8 ac.) parcel to Rural 2 (R2) from its current Forestry 2 (F2) zoning. The purpose of the application is to bring the use of the land into compliance with the provisions of the Galiano Island land use bylaw (LUB). The subject land is occupied by a single family residence as well as a cabin and an accessory building. The cabin is used for short term vacation rentals, a use not permitted by the current F2 zoning.

BACKGROUND

As indicated by the outline provided by the applicant along with their rezoning application this property has a long history. Notwithstanding, the current zoning of the property is F2, a zone which only allows one dwelling accessory to timber production and harvesting uses. However, a review of the records shows the residence to have been in place prior to the property being rezoned to F2. As such the residence on the property is deemed to be legally non-conforming. The cottage, which was constructed after the property was rezoned to F2 by Bylaw No. 82 in 1992, remains unpermitted. Bylaw enforcement file GL-BE-2005.9 was opened in 2005 due to the non-permitted use of the property for short term vacation rentals (STVR). A review of the file indicates ongoing discussions aimed at achieving compliance with zoning requirements.

A rezoning application was received on October 11, 2017 and was accompanied by a brief outline (Attachment 2) which describes the history of the property as the owners recall it and which provides the rationale for the requested rezoning. In general terms it is the wish of the applicants to rezone the property, as explained above, to legalize the use of the property and the use of the cabin for short term vacation rentals, something the current F2 zoning does not allow.



ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Attachment 3 provides five Trust Council Policy Statement Directives which are of relevance to this application. It is the view of staff that the net effect of an approval of the subject application would not result in a conflict with their intent.

Official Community Plan:

The requested rezoning of the subject lands will require a redesignation of the subject property from 'Forest' (F) to 'Rural' (R) in order for this application to proceed.

The Forest objectives of the Galiano Island Official Community Plan (OCP) are as follows:

Forest Objectives

All land use decisions for lands in the Forest designation must be guided by the following objectives:

- 1) *to preserve a forest land base,*
- 2) *to preserve and protect the forest, its biodiversity, integrity and ecological services,*
- 3) *to encourage ecosystem-based sustainable forest management for all forested lots and to encourage economic opportunities through this forest management practice,*

- 4) *to encourage ecological restoration of degraded forest stands, and*
- 5) *to maintain or enhance carbon storage and sequestration.*

The Rural objective and policies provided by the OCP are shown below:

This area is intended to allow for larger lot developments to provide opportunities for a variety of rural activities without impinging on neighbours.

Rural Policies

- a) *The principal uses shall be residential and agriculture.*
- b) *One dwelling unit shall be permitted per lot and one additional dwelling shall be permitted for every 4 hectares (9.88 acres) of lot area over 4 hectares (9.88 acres).*
- c) *On lots 0.4 hectares (1 acre) or more, one cottage shall be permitted per dwelling unit permitted.*
- d) *The average lot size for subdivision of Rural land shall be at least 4 hectares (9.88 acres).*
- e) *Within this designation a number of different zones may be applied allowing differing levels of uses accessory to residential uses,*

As may be seen the overarching objective of the Forest designation is to preserve the forest land base and its environmental values and functions while allowing for sustainable forestry activities. The Rural designation is intended to allow for rural lifestyle with its related activities while at the same time setting the minimum threshold for parcel sizes and placing limits on residential development on those parcels.

It should be noted that the subject property, which is 7.62 ha in size, would not be subdividable according to the Rural guidelines or the Rural 2 zoning regulations would only allow for one residence and one cottage, which is what is currently in place upon the property.

Land Use Bylaw:

The subject property is currently zoned F2, which does not allow for the existing residential use. The applicants wish to achieve zoning compliance through their application to rezone the subject property to R2 which allows for both a principal residence as well as a cottage. Additionally, the proposed rezoning to R2 would allow for a home occupation which would allow STVR use. As such the net effect of the requested rezoning would be to regularize the current uses of the property.

Issues and Opportunities

Consideration of this application provides the opportunity to deal with what has been a long running enforcement issue related to the use of the property. Approval of the requested OCP and zoning changes will not have the effect of allowing additional uses beyond those which are currently occurring on the property but would have the effect of legalizing those uses.

The OCP outlines a number of objectives for the Forest designation which would have the net effect of preserving the forest land base and its environmental values and functions while also allowing for sustainable forestry activities. A review of the site indicates a lack of any forestry activities and a lack of Managed Forest status for the property.

As may be seen on Figure 4 of Attachment 4, a band of Woodland (primary) and Cliff (secondary) ecosystems exists along the shoreline area. As may also be seen in Figure 2, "Development Permit Areas" (DPA) of that

attachment, those ecosystems are mirrored by the area subject to DPA 5, “Sensitive Ecosystems”. The objective of DPA 5 is “to preserve and protect remaining sensitive ecosystems on Galiano Island”. The requirement for a development permit could be triggered by any construction of, addition to or alteration of a building or other structure, or the alteration of land. As may also be seen from Figure 2 areas of the property, which overlap the area covered by DPA 5, are also affected by DPA 2, “Shoreline” and DPA 7, “Steep Slope”. The property is also affected by DPA 3, “Tree Cutting and Removal” which includes all Galiano Island properties. As such there currently exists a high level of protection for the identified sensitive environmental values on the property.

Consultation

Any land use bylaw and OCP amending bylaws will require a public hearing and the approval of the Executive Committee and, in the case of the OCP amendment, approval by the Minister of Municipal Affairs and Housing.

As the project would involve an OCP amendment, the LTC is required under s. 475(2) of the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected including First Nations. The LTC is also required under s. 476(a) to consult with the local school district.

Rationale for Recommendation

The current use on land zoned F2 is the subject of an active bylaw enforcement action. The owners of the property who live in the residence on the property have submitted an application to rezone their property to Rural 2 seeking to achieve compliance with the zoning requirements. Approval of this application would not allow for uses beyond those currently taking place and would have the effect of legalizing the existing cabin and allow for the continuation of the STVR use, without endangering the mapped and identified environmentally sensitive areas. Support for the redesignation to Rural from Forest is evidenced by the size of the property, the lack of any forestry activities or values and the non-Managed Forest status of the property.

It is the view of staff that the application should proceed to the public consultation phase.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information be provided prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee request that the applicant submit to the Islands Trust [list information required].

2. Choose to proceed no further

The LTC may choose to proceed no further with the application. If this alternative is selected, the LTC should state the reasons for this choice. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee proceed no further with application GL-RZ-2017.2 for the following reasons [insert reasons].

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study or receipt of other information. If this alternative is selected, the LTC should state the reasons for this choice. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee hold application GL-RZ-2017.2 in abeyance until the following information has been received [list information required].

NEXT STEPS

Following receipt and consideration of the draft bylaws which support this application the next step would be to consider a statutory referral of the bylaws and supporting information to community and agency stakeholders.

Submitted By:	Rob Milne M.A., RPP, MCIP Island Planner	November 28, 2017
Concurrence:	Robert Kojima Regional Planning Manager	November 30, 2017

ATTACHMENTS

1. Cover letter
2. Site Context
3. Mapping

History of Lot 8 Galiano Island.

I purchased 75 acre F zoned Lot 8 in August of 1986. The Bylaw at the time permitted a residential density of one dwelling per 20 acres attainable through subdivision or density averaging.

My intention was to share the property with two partners.

Because the boundary of Lot 8 was 33 feet from the public road and therefore accessible by easement, subdivision was only attainable by “water access only”, a more ecologically disruptive option.

During the summer of 1989, I was half way through building my home and preparing to enter into a partnership with a first partner by using the density averaging clause of Bylaw no. 5. I was simultaneously preparing the site and foundations of what was to become the second permitted dwelling on the property.

Unknown to me, during that summer, Bylaw 66 to switch our zoning maps to the metric system was being enacted. However, one of the prescriptions within the body of the Bylaw deleted the five lines of article 13.5 that permitted density averaging in the Forest zone. Apart from the large tree farm belonging to a logging company at the time, Lot 8 was the only property affected by this deletion.

I was informed of the effect of Bylaw 66 on my property in the fall of the same year and immediately consulted with our Trustees who apologized for the absence of notice as required by the Act and assured me of their cooperation to rectify the situation.

In the summer of 1990, contractor Stewart Jackson completed the 192 sq. feet structure that I had begun the previous summer.

Two years later, Mc Milan & Bloedell announced the sale of their properties on Galiano and so started the legal battle that followed.

By 1993, it became clear that our Local Trust Committee, fully involved in litigation against M & B could no longer find a solution for us without compromising their legal position and advised us that they could no longer help us in this matter.

In 1995, we registered a complaint with the Ombudsman of BC for unfair governance by the LTC for enacting Bylaw 66 without notice to us as required the Municipal Act, now renamed the Local Government Act.

Following the Ombudsman’s investigation in this matter, two consecutive Ombudsmen engaged in negotiations with our Trustees and management of the Islands Trust over a period of 6 years to find a resolution.

In 2001, the Islands Trust was advised of the Ombudsman’s recommendations and a solution was agreed upon.

It consisted of granting us two RR zoned lots of 5 acres each within our F2 Lot through our existing rezoning application. Satisfied with this outcome, the Ombudsman then closed our file.

Soon after however, the LTC cancelled our rezoning application and the resolution was not implemented.

In 2002, burdened by debts accumulated over fifteen years of holding onto our property on our own, we resolved to create the 56 acre Collinson Point Provincial Park through the sale of close to one kilometer of ocean front and the donation of the most scenic portion of the property to the Province. In 2016, the Bylaw enforcement Officer issued us multiple fines related to the existence and rental of our 196 square foot cabin that should have been grandfathered 28 years

Hence, this application to rezone our remaining lot of 18.87 acres from F2 to Rural 2. This would legalize our cabin and rectify the aberrant situation that we have been in since 1989.

Sincerely yours,

Bernard Mignault and Line Marie St Jacques.

ATTACHMENT 3— SITE CONTEXT

LOCATION

Legal Description	Lot 1, District Lot 8, Galiano island, Cowichan District, Plan VIP75578
PID	025-710-231
Civic Address	2-720 Active Pass Drive

LAND USE

Current Land Use	Residential including one cabin and an accessory building
Surrounding Land Use	The subject property is directly adjacent to Collinson Point Provincial Park on the west, north and a portion of the easterly side of the property. One half of the easterly side is adjacent to property zoned Small Lot Residential (SLR) which is used for residential purposes.

HISTORICAL ACTIVITY

File No.	Purpose
GL-BE-2000.93	Unauthorized conversion of accessory building into a rental cabin

POLICY/REGULATORY

Islands Trust Policy Statement	The following policies may have relevance to the consideration of this application: 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. . 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. 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. 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. 5.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the
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	identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
Official Community Plan Designations	The subject property is designated Forestry (F) by the Galiano Island Official Community Plan (OCP). If the application proceeds, an amendment would be required to redesignate the subject area of the property to Rural. <u>Development Permit Areas:</u> The subject property is located within the following Development Permit Areas (DPAs) • DPA 2 - Shoreline • DPA 5 – Sensitive Ecosystems • DPA 7 – Steep Slopes Moderate Hazard Generally zoning amendment applications do not require Development Permits (DPs). Staff is aware of existing buildings and structures located on the property. This application will not trigger the need for a Development Permit.
Land Use Bylaw	The subject property is currently zoned Forestry 2 (F). No new uses are proposed by the application. The property which contains the residence and improvements associated with the residence is proposed to be rezoned to Rural 2 (R2). It is anticipated that this would have the impact of regularizing all current uses of the property should the application be successful.
Other Regulations	N/A
Covenants	EV82822 – Statutory Right of Way Her Majesty the Queen in Right of the Province of BC
Bylaw Enforcement	GL-BE-2000.93 - See “Historical Activity” section above.

SITE INFLUENCES

Islands Trust Fund	There are no Trust Fund Board covenants on the property.
Regional Conservation Strategy	Galiano Island has been identified as an area for moderate conservation focus. The proposal does not conflict with biodiversity priorities, as represented by the Sensitive Ecosystems DPA.
Species at Risk	N/A
Sensitive Ecosystems	The property does contain areas identified as Secondary and Primary Class sensitive ecosystem areas along the waterfront area of the subject property, however, the subject application does not trigger any requirements as there is no development associated with this application..
Hazard Areas	The steep slope hazard mapping does show some areas moderate and high hazard risks on the property. The proposed rezoning does not trigger any development permit requirements.
Archaeological Sites	The Provincial RAAD mapping shows no listed archaeological sites on the subject property.

	Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . This would most likely be indicated by the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads or other stone tools, or even buried human remains. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately at (250) 953-3334 as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	No development activity is associated with the application.
Shoreline Classification	Sea Cliff
Shoreline Data in TAPIS	N/A

ATTACHMENT 4 – MAPPING

Figure 1 – OCP Designations



Figure 2 – Development Permit Areas

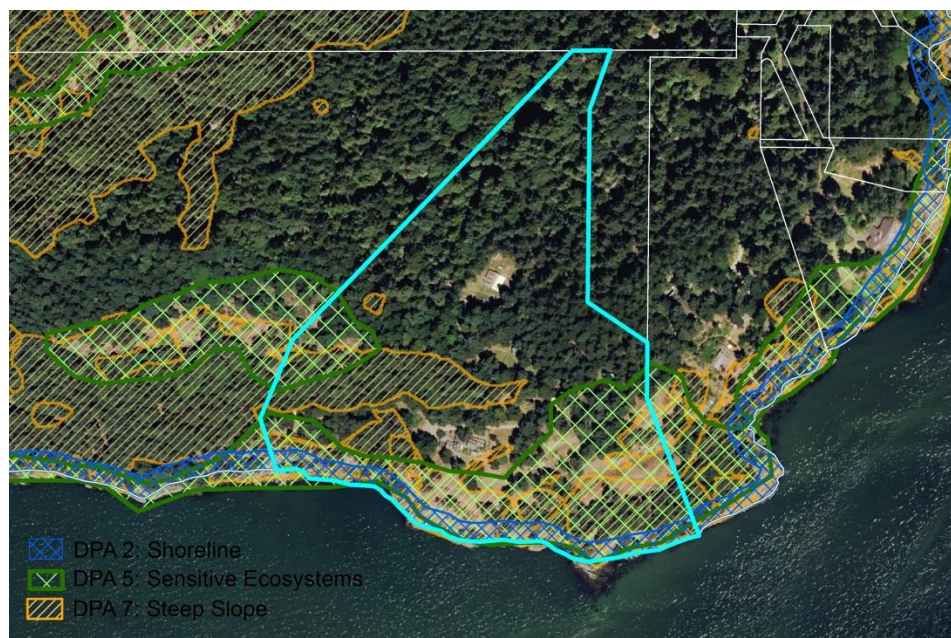


Figure 3 – Current Zoning



Figure 4 – Sensitive Ecosystems

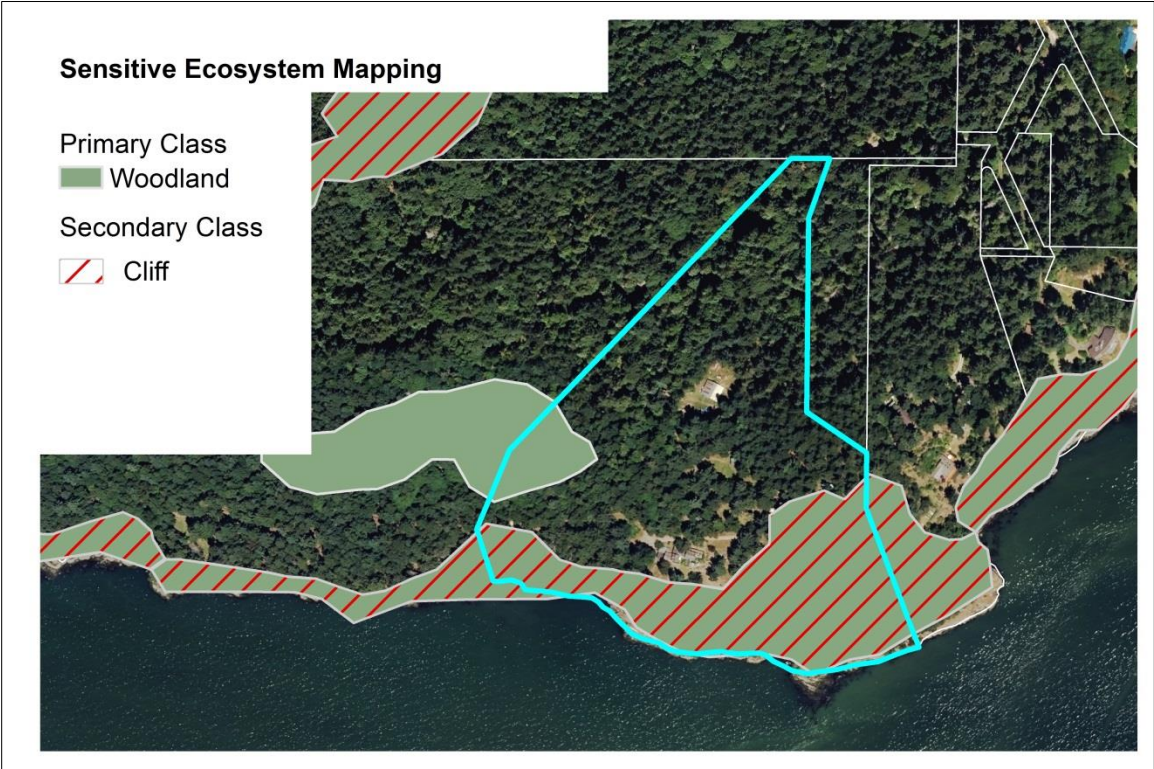
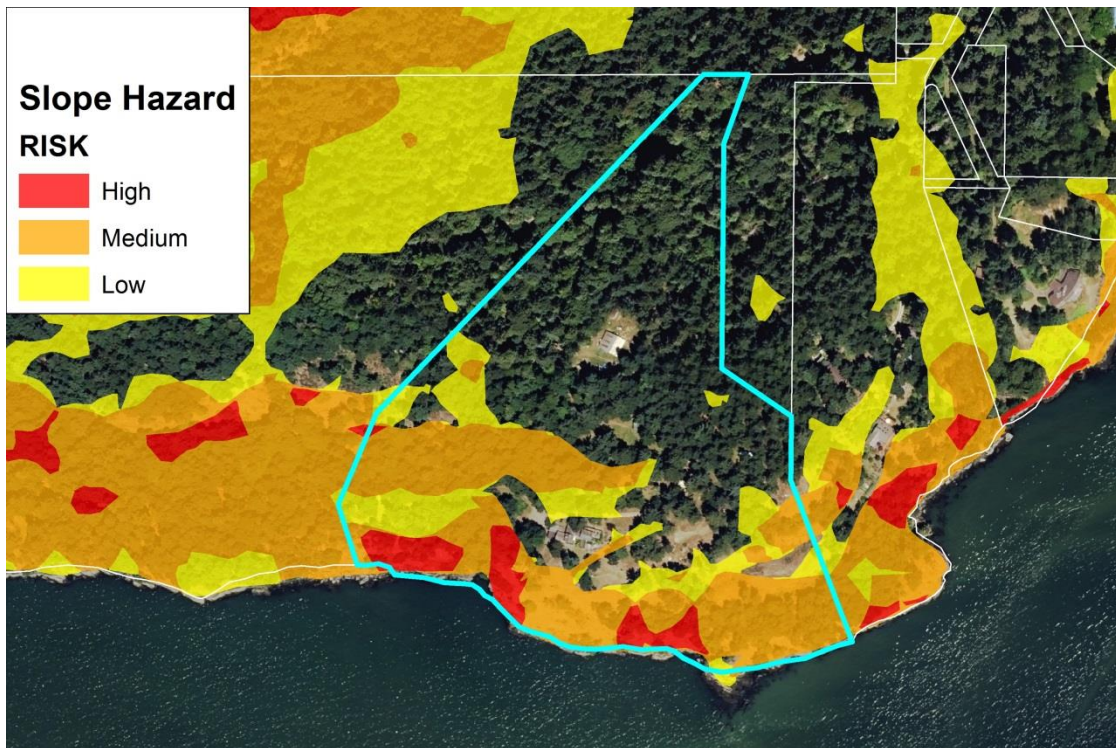


Figure 5 - Steep Hazard Risk





DATE OF MEETING: February 5, 2018

TO: Galiano Island Local Trust Committee

FROM: Rob Milne, Island Planner
Southern Team

SUBJECT: Temporary Use Permit for a Commercial Vacation Rental

Applicant: Gary Simpson/Lori McHattie

Location: 65 Sticks Allison Road

RECOMMENDATION

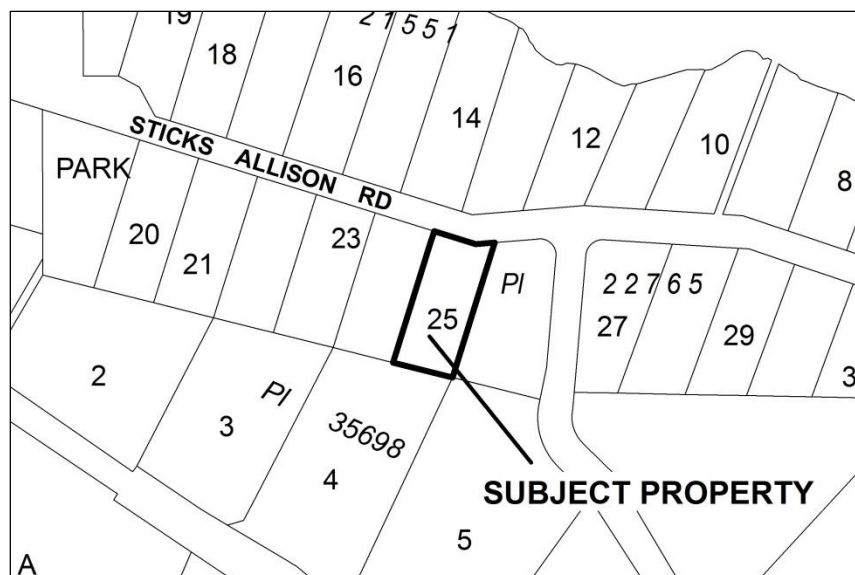
That the Galiano Island Local Trust Committee approve issuance of Temporary Use Permit GL-TUP-2017.4 (Simpson).

REPORT SUMMARY

The purpose of the report is to consider a Temporary Use Permit (TUP) for a Commercial Vacation Rental within a dwelling unit.

In summary, the above recommendation for the issuance of the TUP is supported as it has not been opposed by any neighbouring property owners, the rationale is reasonable, it meets the specific guidelines of the OCP, and the guest capacity is reasonable. Additionally, the proposed permit provides conditions to ensure that the use does not have an unreasonable impact on the local area, and, in the event it does, there is the ability to enforce compliance or, ultimately, for the LTC to not renew the TUP.

Figure One – Site Context



BACKGROUND

The proposal is for a TUP for a Commercial Vacation Rental use within an existing single family dwelling. (see 'Site Context' – Attachment 1).

The subject residence is 140 m² (1,550 sq. ft.) in size and contains two bedrooms and a den which also contains a bed. The house is sited on a 0.46ha (1.1 ac.) parcel upon which a 26 m² (260 ft².) combined carport/tool shed is also located. Future renters will not have access to these buildings. It is proposed to advertise the unit through Airbnb and VRBO.

The proposed TUP is for a term of three (3) years which can be renewed for a further three (3) years by application.

A copy of the proposed GL-TUP-2017.4 and a completed TUP checklist are attached.

ANALYSIS

Islands Trust Policy Statement:

- 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.
- 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.
- 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.
- 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.

The proposal for a Temporary Use Permit to allow for a commercial vacation rental within a dwelling unit is consistent with the above policies.

Official Community Plan (TUPs):

The property is designated as Rural (R) in the Galiano Island Official Community Plan No. 108, 1995 (OCP). The Guidelines for the TUPs for Commercial Vacation Rentals are contained in the Official Community Plan. Conformity of the proposal with the objectives and guidelines for TUP applications for vacation rentals is analyzed in the 'TUP – Commercial Vacation Rental' Checklist (Attachment 4).

The property has the following Development Permit Area (Attachment 2) designated on it:

- DPA 5 – Sensitive Ecosystems

No development activity requiring a DP is proposed.

In summary, the proposal meets the applicable guidelines contained in the OCP.

Land Use Bylaw

The property is zoned as Rural Residential (RR) in the Galiano Island Land Use Bylaw No. 127, 1999 (LUB).

The property is within the Water Management Area established in the LUB wherein a building permit for a dwelling would require a cistern for rainwater collection.

Islands Trust Fund

This application has no considerations for the Islands Trust Fund and has no considerations for the Regional Conservation Plan.

Issues and Opportunities:

TUP Objectives and Guidelines:

The attached 'TUP Checklist for Commercial Vacation Rental' analyzes the proposal for compliance with objectives and guidelines of the OCP. The proposal is compliant.

Water & Septic

The subject property is within the Water Management Area established in the LUB. The subject residence is 140 m² (1,550 sq. ft.) in size and contains two bedrooms and a den which also contains a bed. There is limited potential for increased water usage resulting from the use as there will be no other residential use of the property. Given the recent direction provided by the LTC to require 16,000 litre rainwater storage capacity for commercial vacation rental approvals in the Water Management Area it is not anticipated that there will be any significant cumulative impacts should this application be approved. .

The residence is on a metered water supply from the Sticks Allison Water System and there are two cisterns in place with a combined storage capacity of 17,730 litres (1950 gal.)

The septic system was installed under a permit in December, 2014. The system includes a 4,091 litre (900 gal.) 2 chamber fiberglass tank and a secondary 3,409 litre (750 gal) tank with effluent filter.

Applicant's Rational for the Proposed Use

The applicants advise that they have built a new home on the property, and had their occupancy permit approval issued on April 19, 2017. They have been using the property as a seasonal dwelling since this date and have stayed there for some 20 or 30 days since occupancy. The applicants intend to do some short term rentals starting in 2018, when they can't be there. They have a home owner's insurance policy in place that covers short term rentals as well as an on island property manager. There is also a travel trailer (with removable deck) on the property, this was included in the purchase. It was used by the applicants while they went through the building process. The trailer and the deck are destined to be decommissioned once the entire building process is completed. No residential use of the trailer is proposed or to be permitted.

Response to Neighbour and Public Notification

At the time of writing, there has been no response to the notification process.

Permit Conditions

The proposed TUP incorporates most of the conditions that have been established in the OCP, including water conservation measures. The permit allows for a maximum of six (6) guests in the two bedrooms.

Circulation/Consultation:

TUP Notices were circulated to surrounding property owners and residents, posted, and published in the Driftwood newspaper on January 24, 2018. The notification period will end at 4:30 p.m. February 2, 2018.

As stated above, staff has received no submissions to date. Any comments received after the writing of this report will be separately distributed to the LTC and brought to the meeting.

Rationale for Recommendation

The rationale for the staff recommendation on Page 1 is that the TUP objectives and guidelines have been met; the applicant's rationale for applying is reasonable; it brings the use into compliance with the bylaws; the dwelling is relatively modest in size and the maximum number of guests is consistent with the OCP guidelines. The permit conditions mitigate the potential for issues to arise from the proposed use.

This is the third application for a CVR in this neighbourhood which is comprised of lots which are in the 1.0 to 0.46 4ha range (See Attachment 7). It is not anticipated that approval of the permit would result in a net change to potential impacts upon the area.

ALTERNATIVES

The LTC could consider the following alternatives to the above recommendation:

1. Request further information

The LTC may request further information be provided prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed.

Resolution:

That the Galiano Island Local Trust Committee request that the applicant submit to the Islands Trust _____.

2. Adding additional conditions

The LTC may wish to amend the permit by adding additional conditions. If selecting this alternative the LTC should specify the additional conditions.

Resolution:

That the Galiano Island Local Trust Committee request that the proposed permit be amended by the addition of the following conditions:
_____.

3. Deny the application

The LTC may deny the application.

Resolution:

That the Galiano Island Local Trust Committee deny application GL-TUP-2017.4 (Simpson).

Submitted By:	Rob Milne, RPP, MCIP Island Planner	January 3, 2018
Concurrence:	Robert Kojima Regional Planning Manager	January 23, 2018

ATTACHMENTS

1. Site Context
2. Mapping
3. Site Plan
4. TUP Checklist
5. Notice
6. Proposed Temporary Use Permit GL-TUP-2017.4
7. Commercial Vacation Rental Location Map

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 25, District lot 15, Galiano Island, Cowichan District, Plan 22765
PID	003-165-159
Civic Address	65 Sticks Allison Road

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential/Rural Residential

HISTORICAL ACTIVITY

File No.	Purpose
GL-DVP-2015.2	Side yard setback relief for an accessory building
GL-BE-2017.11	Operating a short term vacation rental (STVR) without a permit.

POLICY/REGULATORY

Official Community Plan Designations	The property is designated as Rural Residential (RR) in the Galiano Island Official Community Plan No. 108, 1995 (OCP). The property has the following Development Permit Areas (Attachment 2) designated on it: • DPA 3 – Tree Cutting and Removal • DPA 5 – Sensitive Ecosystems Note: there is no development associated with the application
Land Use Bylaw	The property is zoned as Rural Residential2 (RR) in the Galiano Island Land Use Bylaw No. 127, 1999 (LUB).
Other Regulations	Sticks Allison Water System Water Management Area
Covenants	N/A
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Fund	This application has no considerations for the Islands Trust Fund.
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	N/A
Sensitive Ecosystems	DPA 5 – above, however, no development is associated with the proposal.

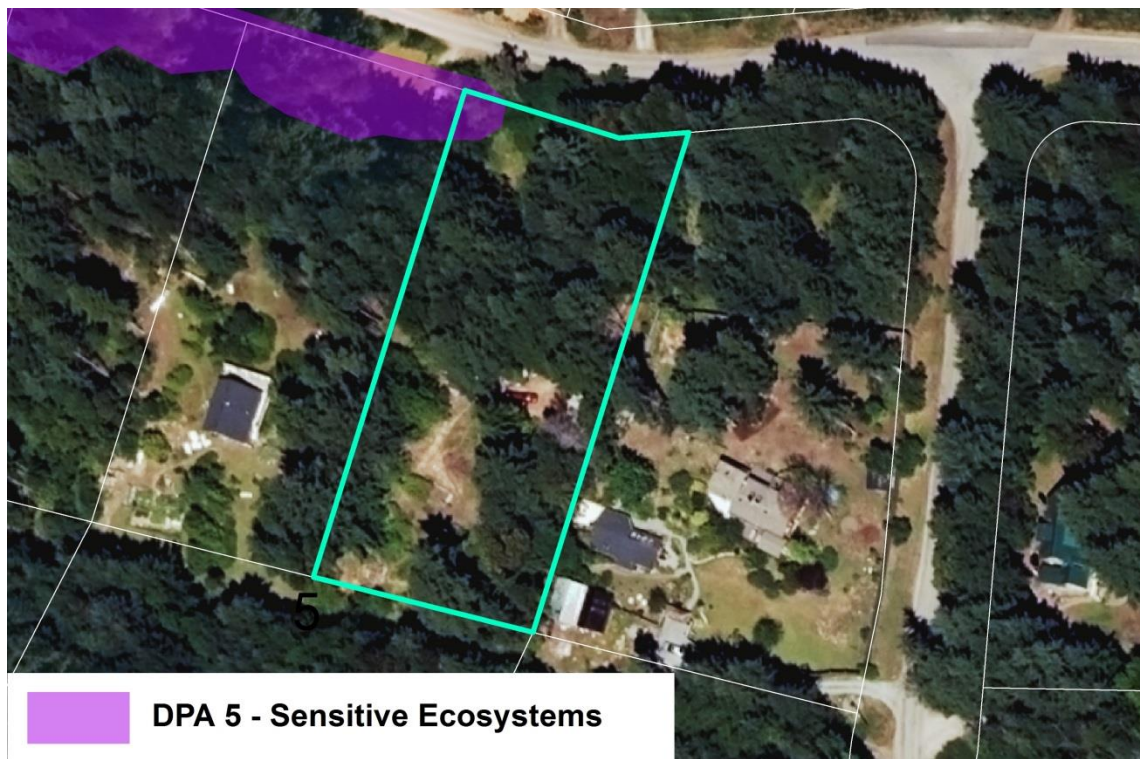
Hazard Areas	N/A
Archaeological Sites	No archaeological sites are noted within the property or within 100 metres on the provincial RAAD database. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i>. This would most likely be indicated by the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads or other stone tools, or even buried human remains. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	There is no development associated with this application therefore GHG emission changes resulting from approval and anticipated or possible climate change induced hazards are neutral.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	N/A

ATTACHMENT 2 – MAPPING

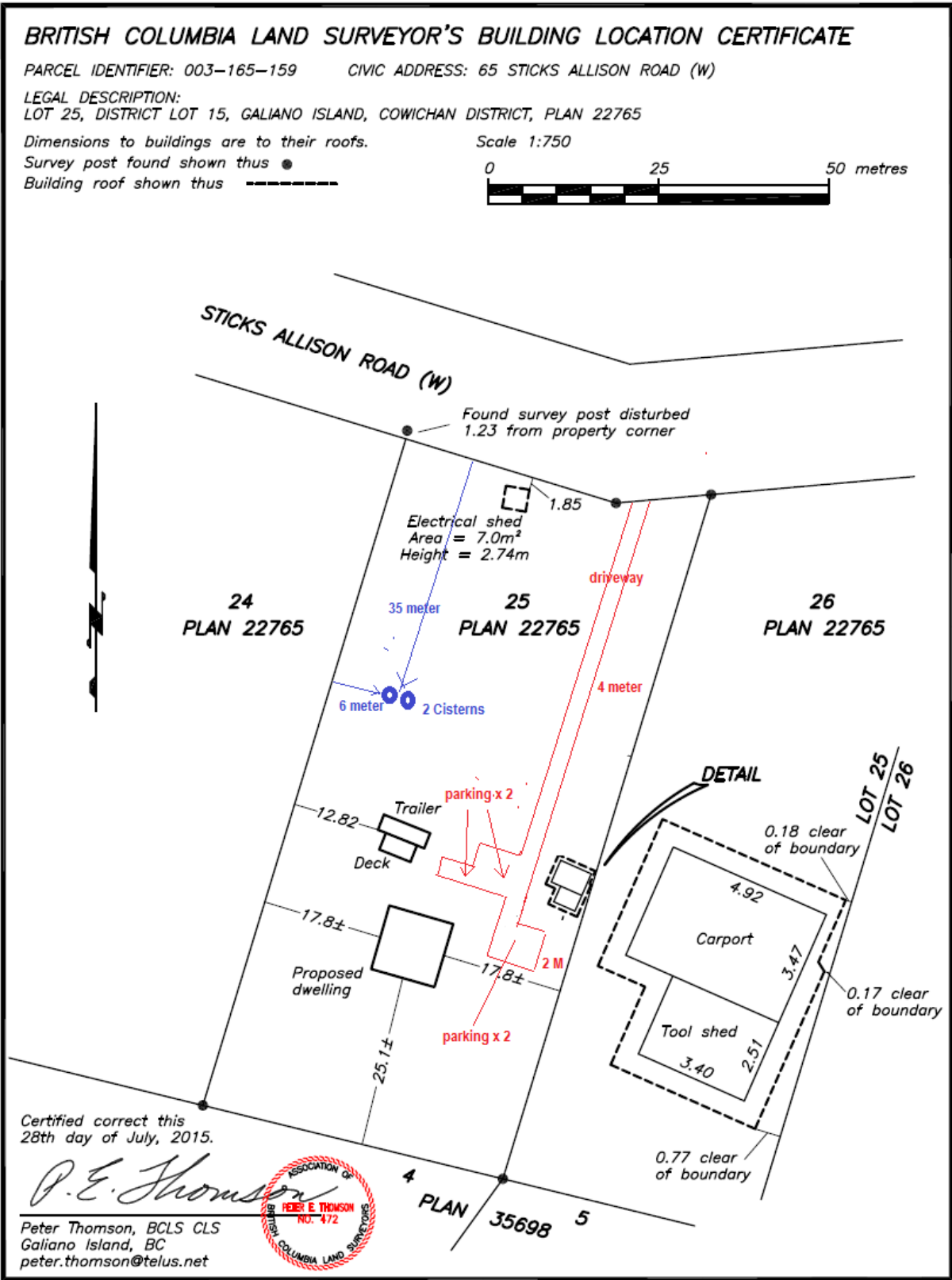
ZONING



DEVELOPMENT PERMIT AREA



ATTACHMENT 3: SITE PLAN



ATTACHMENT 4: TUP CHECKLIST FOR COMMERCIAL VACATION RENTAL

GL-TUP-2017.4(Simpson)
65 Allison Sticks Road

Guidelines	Comments
Overall TUP Guidelines	
a) Time Period - For the purpose of a temporary use permit, “commercial vacation rental” means the use of <i>residence</i> as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier. Note: by standing resolution: the LTC will consider only one dwelling per lot for CVR use.	Complies, by definition of the use in TUP
b) Cumulative Effects - The Local Trust Committee should consider the cumulative effects on the neighborhood and Island of all the temporary use permits issued for commercial vacation rentals.	This is the third application for a CVR in this neighbourhood which is comprised of lots (which are in the 1.0 to 0.46 4ha range. It is not anticipated that approval of the permit would result in a net change to potential impacts upon the area.
c) Residential Appearance - The Local Trust Committee may consider issuance of a temporary use permit for a commercial vacation rental provided the proposal would not alter the residential appearance of the residence.	No alterations proposed
d) Neighbour Concerns - The Local Trust Committee may require mitigating measures to address neighbours’ concerns, such as retention of existing screening and fencing, or installation of additional screening.	At the time of writing, notification has not generated any comments
e) Water Supply - The landowner should demonstrate an adequate supply of water and septic capacity for the duration of the proposed use as follows: <u>Potential Measures and Considerations to address Guideline (e):</u> Within Water Management Areas or Elevated Groundwater Catchment DPA 4*: ▪ Cistern for storage of rainwater (16000 litres min);or, ▪ Letter from Professional Hydrologist with experience with Groundwater assessing a recent pump test for adequate quantity for use and no impacts on neighboring properties. ▪ Water Meter Considerations outside of Water Management Areas: ▪ Recent well report and lab results ▪ Cistern for rainwater collection	This property is within a Water Management Area and is also within the Sticks Allison Water System boundary and is on a metered water supply through the CRD. The dwelling is 140 m² in size and contains two bedrooms. Septic: The septic system was installed in Dec., 2014 under a permit. The system includes a 4,091 litre (900 gal.) 2 chamber fiberglass tank and a secondary 3,409 litre (750 gal) tank with effluent filter.

ATTACHMENT 4: TUP CHECKLIST FOR COMMERCIAL VACATION RENTAL

Guidelines	Comments
f) Parking - the landowner should demonstrate that the property is able to accommodate off-street parking for a minimum of two vehicles	Minimum four (4) spaces is a condition in Draft Permit.
Permit Conditions	
g) Conditions - In addition to any other conditions the LTC may consider appropriate, the permit may: i. require that the owner or other contact be available on Galiano by telephone 24 hours/day, seven days per week and include the name and contact information in the conditions of the permit	Condition in Draft Permit.
ii. require the owner or manager to provide neighbours within a 100 metre radius of the vacation rental with the owner or manager's phone number, and a copy of the temporary use permit	Condition in Draft Permit.
iii. require the landowner to post for guests information on noise bylaws, water conservation, fire safety, storage and disposal of garbage and recycling, septic care and control of pets (if pets are permitted), and remind guests that the property is located in a residential area	Condition in Draft Permit.
iv. establish a maximum number of people that can stay	Maximum of 6 is a condition in Draft Permit.
v. establish a maximum number of guests per bedroom	Maximum of 2 is a condition in Draft Permit.
vi. prohibit camping or occupancy of RVs on the property	Condition in Draft Permit.
vii. restrict advertising to one unilluminated sign, with a maximum area	0.4 m ² , unilluminated and on subject property as a condition in Draft Permit.
viii. prohibit the rental or provision of motorized personal watercraft	Condition in Draft Permit.
ix. prohibit outdoor fires	Condition in Draft Permit.
x. establish the dates during which the use may occur	The residence is intended to be rented year round for short term vacation rentals.
xi. include a provision stating that the bylaw enforcement officer may enter the property between certain hours without prior consultation if a complaint is received	Between 9 a.m. and 5 p.m. of any day as a condition in Draft Permit.
xii. require that the landowner/operator post for guests emergency service contact information and to provide a means for contacting them	Condition in Draft Permit.
xiii. require the landowner/operator to post contact information and permit	Condition in Draft Permit.

ATTACHMENT 4: TUP CHECKLIST FOR COMMERCIAL VACATION RENTAL

Guidelines	Comments
information at the entrance to the property	
Agriculture Land Reserve	
h) Agriculture Land Reserve - A temporary use permit respecting a parcel in the Agricultural Land Reserve may require the approval of the Agriculture Land Commission prior to the permit being issued.	N/A

***Water Management Areas** – as established on Schedule C of the *Galiano Island Land Use Bylaw No. 127, 1999*



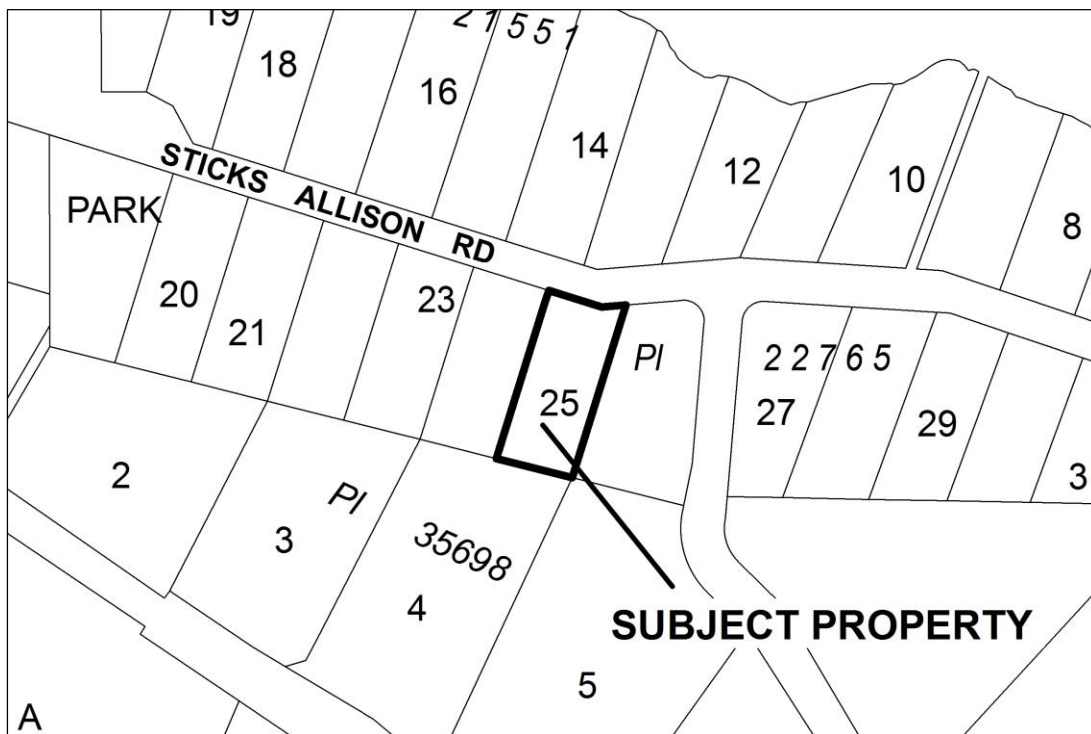
Islands Trust

**NOTICE
GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-TUP-2017.4**

NOTICE is hereby given that the Galiano Island Local Trust Committee will be considering a resolution allowing for the issuance of a Temporary Use Permit pursuant to Section 493 of the *Local Government Act*. The proposed permit would apply to Lot 25, District lot 15, Galiano Island, Cowichan District, Plan 22765 – **65 Sticks Allison Road**.

The purpose of this temporary use permit would be to permit a “commercial vacation rental” in the dwelling unit on the subject property. The establishment of the temporary use would be subject to a number of conditions specified in the permit. The permit would be issued for up to three years and the owner may apply to the Galiano Island Local Trust Committee to have it renewed once for up to an additional three years.

The general location of the subject property is shown in the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C., V8R 1H8, between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday inclusive, excluding Statutory Holidays, commencing **January 22, 2018** and up to and including **February 2, 2018**.

For the convenience of the public only, and not to satisfy Section 494(1) (a) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Galiano Island, B.C., commencing **January 22, 2018**.

Enquiries or comments should be directed to Rob Milne, Island Planner at (250) 405-5177, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: information@islandstrust.bc.ca, before **4:30 p.m., February 2, 2018**. The Galiano Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **12:30pm, February 5, 2018**, at the North Community Hall, 20925 Porlier Pass Road, Galiano Island, BC.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Sharon Lloyd-deRosario
Deputy Secretary



Islands Trust

PROPOSED

**GALIANO ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
GL-TUP-2017.4 (Simpson)**

65 Sticks Allison Road

To: Gary Simpson

1. This Permit applies to the land described below:

Lot 25, District lot 15, Galiano Island, Cowichan District, Plan 22765
(PID: 003-165-159)

2. This Permit is issued for the purpose of permitting the owner to conduct the following use on their property:

- a) a Commercial Vacation Rental within the Dwelling Unit.

3. and is subject to the following conditions:

- a) the property owner or other contact person be available on Galiano Island by telephone 24 hours/day, seven days per week. The name and contact number of property owner and on island contact person must be provided to guests upon arrival;
 - b) the property owner or Commercial Vacation Rental operator must provide neighbours within a 100 metre radius of the vacation rental with the contact person's phone number, and a copy of the temporary use permit;
 - c) the property owner or Commercial Vacation Rental operator must post for guests information on noise bylaws, water conservation, fire safety, storage and disposal of garbage and recycling, septic care, and control of pets. The guest information must also remind guests that the property is located in a residential area;
 - d) the maximum number of guests is limited to six (6) persons;
 - e) the maximum number of guests per bedroom is two (2) persons;
 - f) camping and occupancy of recreational vehicles is prohibited;
 - g) a maximum of one unilluminated sign not exceeding a total sign area of 0.4 square metres advertising the Commercial Vacation Rental is permitted. The sign must be located on the lot occupied by the Commercial Vacation Rental use;
 - h) the rental or provision of motorized personal watercraft is prohibited;
 - i) all outdoor fires are prohibited;
 - j) the owner must provide parking for four (4) vehicles on the property;
 - k) the property owner is to maintain the two existing cisterns for onsite storage of 16000 litres (1100 gals.) of rainwater;
 - l) the property owner or Commercial Vacation Rental operator must post for guests emergency service contact information and to provide a means for contacting them;
 - m) the property owner or Commercial Vacation Rental operator must post the name and contact number of property owner and on island contact person, and permit information at the entrance to the property; and

- n) the holder of this Permit, will be held accountable for any violation of the conditions of this Permit. The Islands Trust Bylaw Investigations Officer may enter the property between the hours of 9:00 am and 5:00 pm on any day without prior consultation with the holder of the Permit, or commercial vacation renter for the purpose of investigating a complaint.
4. This permit is valid for three years from date of issuance of the permit and upon expiry of the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Galiano Island Land Use Bylaw No. 127, 1999" and to obtain other approvals necessary for completion of the proposed development, including approvals from the Capital Regional District, Island Health and Ministry of Transportation and Infrastructure.

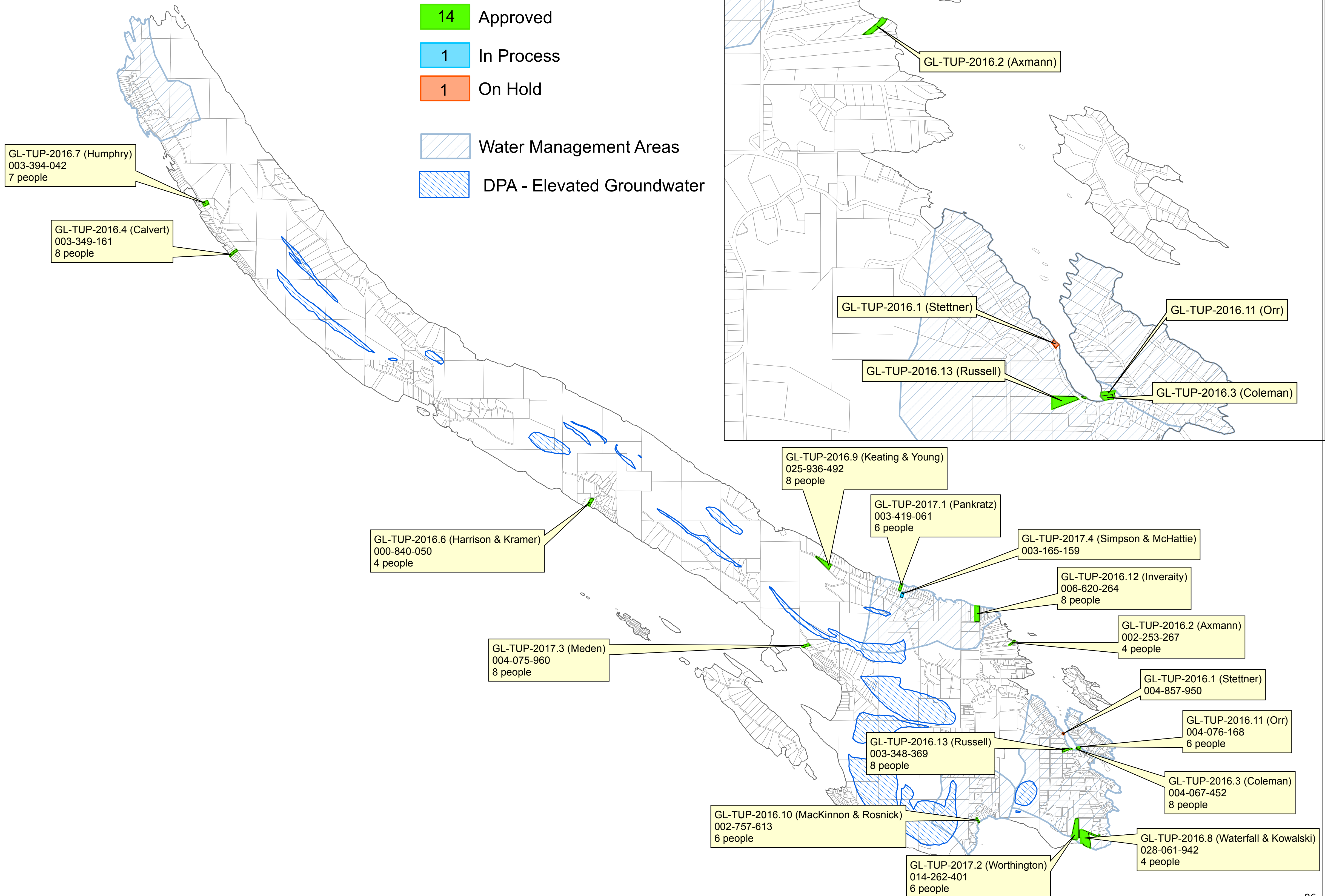
AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS th DAY OF MONTH, 20XX.

Deputy Secretary, Islands Trust

Date Issued

Temporary Use Permits (TUPs) for Commercial Vacation Rentals

Date: 1/3/2018



Lori Foster

From: christelle sandrine [REDACTED]
Sent: Sunday, January 28, 2018 10:11 AM
To: information
Subject: GL-TUP-2017.4



Dear Rob Milne,

I am writing to you in regards to a notice we received this week about a temporary use permit being considered for Lot 25, Plan 22765 - 65 Sticks Allison Rd on Galiano Island.

We are [REDACTED] properties away from this location and have been noticing a significant influx of short term renters in our area in the past few years. We know 1 has a permit at [REDACTED] and claims to live next door at [REDACTED], but does not. That location is also a short term rental. There has been another undeclared short term rental place at [REDACTED] for years, [REDACTED] properties away from us. This one does not have a permit. The owner additionally rents out a bus to an individual at the bottom of [REDACTED] driveway year round.

Now with the news of a new short term rental place coming to our neck of the woods, we are beginning to get quite frustrated.

I am sure you are well aware of the issues we face in the Gulf Islands. Short term visitors are not interested in becoming savvy with the challenges we face, and no amount of education on noise bylaws, water conservation, fire safety, garbage disposal/recycling or control of pets on a single sheet of paper is going to change that. We routinely pick up garbage on the side of our road especially through the summer. We get barked at by uncontrolled dogs roaming through our yard chasing deer during peak rental time. Our water levels drop significantly by the end of particularly dry summers. Loud parties go on late into the night, stressed out city folks letting loose in what they believe to be their turf for the weekend.

I don't mind respectful visitors, but the majority unfortunately are not. Short term rentals take away from the community feel of a neighborhood, and in the end bring profit and benefit mainly to the owners who live off island. They are not great contributions to our island in my opinion.

With the addition of yet another rental at 65 Sticks Allison, we are looking at a 4th short term vacation rental spot out of 10 lots for this tight area. That constitutes 40%. I think most people would agree that to be a proportionately high and unreasonable number.

Thank you for your time in this matter.

Christelle Mailhe & Kristian Sigvardsen
[REDACTED]



Sent from my Bell Samsung device over Canada's largest network.



File No.: GL-DVP-2017. 6 (Walker)
GL-DP-2017.3 (Walker)

DATE OF MEETING: February 5, 2018
TO: Galiano Island Local Trust Committee
FROM: Phil Testemale , A/Planner 2
Southern Team
COPY: Rob Mile, Island Planner
SUBJECT: Development Variance Permit and Development Permit Application
Applicant: Daniel and Ellen Walker
Location: 2 – 300 Cayzer Road, Galiano Island

RECOMMENDATION

- 1. That the Galiano Island Local Trust Committee approve issuance of Development Variance Permit GL-DVP-2017.6 (Walker)**
- 2. That the Galiano Island Local Trust Committee approve issuance of Development Permit GL-DP-2017.3 (Walker)**

REPORT SUMMARY

This report is to consider a Development Variance Permit (DVP) application to vary the exterior side lot lines of and the required separation between a septic absorption field and a well. It is also to consider an application for measures for the protection of the shoreline and marine ecosystem and to manage proposed development that is within Development Permit Area 2 – Shoreline and Marine (DPA). The applicable overall objective of the DPA is as follows:

- 1. To plan and regulate new development in a manner that preserves and protects the long-term physical integrity and ecological values of shorelines and associated foreshore and upland areas.*

The two permits will facilitate the construction of a new dwelling, septic sewage treatment system and rainwater collection system.

The above recommendation (1.) for the DVP is supported given: the reasonableness of the applicant's rationale particularly the physical constraints of the property; the minimal impacts on neighbouring properties or the public roadway; the sewage treatment system and reduced septic field to well has been designed and certified by an groundwater Engineer and licenced by Island Health; notification has been sent to neighbouring properties ,and the applicant has consulted neighbours independently with no submissions being received at the time of writing; the proposal meets the density and use provisions of the LUB; and, the variance does not impact the intent of the bylaws.

The above recommendation (2.) for the DP is supported given: the proposed development minimizes impacts on the ecosystem and is largely outside of the DPA; the applicants have designed and changed the proposal to lessen impacts in the DPA; substantial habitat restoration of a previously disturbed area will result; it meets the objectives and specific guidelines of the DPA; all conclusions and recommendations in a Biologist's report have been fully incorporated into the proposed DP; and, the use is permitted in the Land Use Bylaw (LUB); .

BACKGROUND

The two (2) applications will permit the following development on the subject property:

- Excavation and burial of a **sewage treatment and dispersal system** to include buried three (3) treatment tanks (3), pumps, piping and dispersal (infiltration) field (subject of GL-DVP-2017.6). The system is itemized in detail in Section 7 of the application (Attachment 10) and in the Engineer's report and Island Health permit (Attachments 4 and 5)
- Construction of a **rainwater collection system** and for potable water consisting of one (1) collection tank and piping (subject of GL-DVP-2017.6). See application (Section 7).
- Construction of new **single family dwelling (220 m²/2368 ft²)** with decks and a **rainwater collection tank (cistern)** both partially located within Development Permit Area 2 – Shoreline and Marine DPA (subject of GL-DP-2016.3).

The above development is shown in detail in Figure 2 – Overall Site Plan (below).

Development Variance Permit

The proposal is to vary provisions of the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) that regulate the minimum distance from septic absorption field and a well, and exterior side yard setbacks. Specifically, the permit will vary:

- a) Section 2.15 which states that sewage absorption fields must be sited at least 30 metres from any well is varied to permit the construction of a treated sewage dispersal field (sewage absorption field) within 15 m of a well.
- b) Article 5.3.8.3 which states that buildings and structures must be sited at least 6.0 metres from an exterior side lot line is varied to permit the construction of septic sewage treatment tanks, piping and treated sewage dispersal field, rainwater collection tank and piping within 0.25 metres of an exterior side lot line.

The rationale for the variances and the need for a treatment system is due the physical constraints and of the property, non-suitable soil and ground conditions and distances to existing wells, all of which make a conventional system non-feasible. In addition, the desire to preserve as many mature trees on the property as possible has determined the proposed placement of the system.

As stated above, the treatment system is designed by a registered Engineer (*Onsite Wastewater Treatment and Dispersal System Assessment* (Troy David Voss, P.Eng., May 2, 2017 – Attachment 4) and has an approved Island Health permit (Attachments 5). The reduced separation from the well on the property to the dispersal field is endorsed by this report and is part of the Health Permit. The minimum distance to the closest well on a neighbouring property meets the 30 m guideline.

The rainwater collection system is required due to insufficient capacity of the well on the property.

See 'Issues and Opportunities – Development Variance Permit' (below) for a detailed discussion of the foregoing.

A copy of the Notice and proposed GL- DVP-2017.6 (Walker) are Attachments 7 & 8.

Development Permit

The extent of the proposed development in the DPA is limited to a portion of a **single family dwelling (220 m²/2368 ft²)** and a portion of a **Rainwater Tank and Pump (Cistern)** (See Figure 2 and Schedules attached to the proposed DP (Attachment 9)).

The siting is rationalized based on minimizing further disturbance of the DPA by locating the new dwelling where the previous cabin was sited, as well as the physical constraints of the property and the desire to preserve mature trees.

As a requirement for siting development within a DP, the applicants hired biologists to report on the occurrence and significance of the natural processes, habitats and species of coastal ecosystem; the impacts of the proposed development; and to make recommendations for mitigation and construction management. The report *Environmental Assessment of 300 Cayzer Road* (Caurinus Environmental, January 10, 2018 (revised)) was submitted to the Islands Trust and is Attachment 6. A Development Permit Checklist was included as part of the Biologist's submission.

A large portion of the DPA will now be re-established with natural vegetation which will restore ecological function and help maintain the shoreline structure.

See 'Issues and Opportunities – Development Permit' (below) for a detailed discussion of the foregoing.

A copy of the Development Permit Area Checklist for DPA 2 and the proposed Development Permit GL-DP-2017.3 (Walker) are Attachments 3 and 9.

Existing development

The property includes a cottage that was moved from its location generally where the new dwelling is proposed (Existing House" see Frame 1 in Attachment 2.5) and converted to a workshop (Figure 2), a small shed with a deck; an outhouse and a well house.

Staff visited the property on September 20, 2017

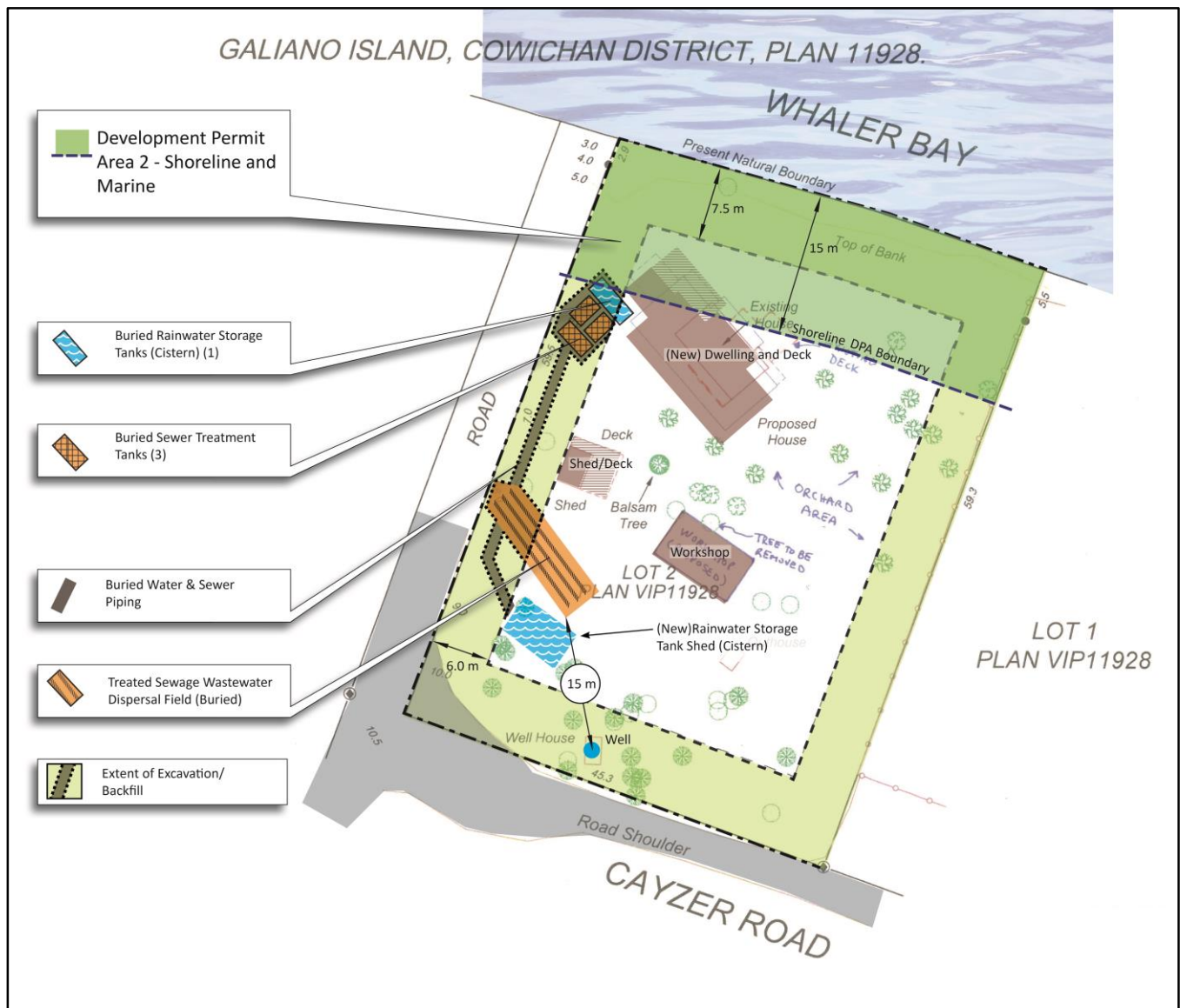
Islands Trust



4 91

Official Community Plan:

Figure 2 – Overall Site Plan



Land Use Bylaw:

The property is zoned as **Small Lot Residential (SLR)** in the LUB. The existing and proposed residential use is permitted in the zone.

Issues and Opportunities

Development Variance Permit

Rationale for the Variance

The applicant has provided the following rationale for the variance:

The existing well is not sufficient as a potable water source for the property (we currently transport potable water to site from Vancouver with each visit). The installation of a traditional septic system is constrained by the site topography, shallow depth to bedrock, presence of suitable overburden, and proximity to the ocean and neighbouring wells. The property has a number of mature trees, which restricts placement of structures without the need for tree removal. The relatively open area to the east of the existing cabin (orchard area) is subject to ponding water in winter and spring making it unsuitable for the placement of any structures, including those proposed.

The proposed location for the onsite wastewater treatment and dispersal system and potable rainwater harvesting system has been selected based on field investigation and observation of overburden characteristics (see attached Record of Sewerage System GV17/145) and topography.

The Overall Intent of the Regulation (s) being Varied

The overall purpose of the Exterior Side Yard setback regulation is to minimize impacts on adjacent properties and public right of ways and roadways related to:

- Ensuring safe sighting distances are maintained for roadways
- Limiting the visual impact of development on adjacent properties.
- Establishing a consistent development pattern within a local area.
- Protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- Maintaining a rural character.
- Establishing certainty with respect to residential development by maintaining consistent siting regulations.

The overall purpose of the regulation for separation between a septic absorption field and a well is to minimize impacts related to:

- Safeguarding the safe drinking water supply for the well on the subject property and on adjacent properties.
- Establishing a regulation that is consistent with the standards of other regulating bodies, particularly the provincial Ministry of Health and Island Health

Potential Impacts of Granting the Variance

Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation each application should be evaluated on its own merits.

Engineer's Report

As stated above, the application is supported by an assessment report by a groundwater engineer (*Onsite Wastewater Treatment and Dispersal System Assessment* (Troy David Voss, P.Eng., May 2, 2017 – Attachment 4) and an Island Health Sewerage Permit (*Record of Sewerage System* – Attachment 5).

The report analysed the physical conditions and limitations of the site, gave options and recommended the proposed system. It is emphasized that the system is a non-conventional treatment system – often referred to as a package treatment system.

With particular respect to the required 30 metre distance from the property well to an absorption field, the report analysed numerous factors in its recommendations to Island Health which were subsequently accepted and approved by the Authority (see p. 9 of report). The report makes the following conclusions:

... maintaining a minimum horizontal distance of 15 m from the existing well on the subject property to the proposed dispersal field, as illustrated in Figure 2 is consistent with standards used by other provincial jurisdictions and will reasonably avoid causing a health hazard.

Similarly, allowing the field to extend to the property line between the subject property and a road easement will not compromise a neighboring property and the additional field size that is created would help offset any heterogeneities in the soil horizon not identified during the field program. (p.10)

Development Permit (GL-DP-2017.3)

Rationale/Opportunity

The rationale for the proposed development within the DPA (2) is based on a number of factors. Overall existing conditions and physical constraints of a small property have led to the proposal.

Locating the new dwelling where the previous cabin location will serve to minimize further disturbance of the site. Particularly, it will allow for the preservation of three (3) mature trees located behind and proposed dwelling.

The previous cabin was oriented and sited as show in Frame 1 of Attachment 2.5. The original proposal from the applicant's is shown in Frame 2 of Attachment 2.5. On the recommendation of staff, the applicants agreed to move the location further back from the shoreline and reduce the area of the decks (Frame 3 of Attachment 2.5). Moving the house any further back would have compromised the root systems of some mature maples that they the owners want to preserve.

In addition, this portion of the property where the DPA extends 15 metres back from the natural boundary of the sea has largely been cleared and is currently grass with some orchard trees (see Photos - Attachments 2.6 to 2.10). There is currently minimal habitat value in DPA. A large portion of the DPA will now be re-established with natural vegetation which will restore ecological health and help maintain the shoreline structure. Had the applicant's moved the dwelling and cistern completely outside of the DPA mature trees would be lost and the opportunity for remediation and restoration would be lost.

Biologist's Report

The Biologist's report by *Caurinus Environmental* submitted to fulfil the conditions of the DP (Attachment 6) noted the proposal will be minimizing ecological impacts by developing in a small area of a previously disturbed area in the DPA. Section 4.0 'Impact Assessment' is as follows:

Shoreline vegetation in and adjacent to the property is very limited as residential developments on either side of the property have houses and landscaping present up to the water edge. Although a portion of the proposed dwelling will lie within the pre-designated 15 m buffer, no new impact will occur to the Shoreline and Marine DPA, although restoration of a viable coastal shoreline habitat with appropriate coastal erosion safeguards are needed.

The proposed construction of a new two-story cabin within this ecosystem will have little or no impact on the overall health and sustainability of this sensitive area as the majority of the construction will occur outside of the Shoreline and Marine DPA. Any impact that the expansion of the cabin in the Shoreline and Marine DPA has will be mitigated by the conversion of the current green space into a more suitable shoreline habitat with slope-stabilizing shrubs and herbs (see below). There are two bigleaf maples and one Douglas-fir on the northern edge of the property that will not be removed or altered. The property owner has the intention of causing as little impact to the habitat as possible, so as to not alter the current ecological function of the area. The planned work will have no effect on the hydrology of the property as long as proper safeguards are in place to inhibit any water runoff during construction. (p.13)

The report makes a series of recommendations for mitigation, restoration, construction management, protection of planting from foraging and ongoing maintenance and monitoring.

All recommendations of the report have been incorporated into the proposed DP.

Landscape Plan

The layout of proposed plantings within the DPA is shown in Attachment 2.4. This identifies two areas of planting each with subareas of prescribed larger shrubs (based on foregoing report) that will form a natural barrier to the larger areas to ensure establishment of plants and limit access. The small strip of herbaceous plants contiguous with the shoreline will stabilize the shoreline slope area as per the Biologist's report. There is also a break which will facilitate access to the foreshore by the owners.

Security

A security for the proposed planting works and labour based on an estimate by Keith Erikson RP Bio. and to be held by the Islands Trust has been inserted as a condition in the DP.

Circulation/Consultation

DVP Notices were circulated to surrounding property owners and residents. The notification period will end at 4:30 p.m. February 2, 2018.

Staff have received no submissions to date. Any submissions received prior to the LTC meeting will be forwarded to Trustees and reported at the meeting.

There is no statutory requirement for the notification of a DP.

In addition, the applicant has submitted the following:

Discussion of the proposed plans for the property have been held to varying degrees and details with the four immediate neighbouring properties to the east, and the two immediate neighbouring properties to the west. No objections were voiced during these discussions and all neighbours seemed supportive of what is being proposed with some offering additional design advice and information based on their experience

Rationale for Recommendation

Staff is recommending that the approval of the **variance** be supported for the following reasons:

- The reasonableness of the applicant's rationale particularly the physical constraints of the property.
- The proposed infrastructure in the setbacks will be placed and buried in a previously disturbed area and have minimal impacts on neighbouring properties or the Public Roadway.
- The location and configuration and the reduced septic field to well has been designed and certified by an Engineer and licenced by Island Health.
- Neighbours have been notified and consulted, and no submissions been received at the time of writing.
- The proposed use of the property meets the density and use provisions of the LUB.
- The variance does not impact the intent of the bylaws.

Staff is recommending that the approval of the **development permit** be supported for the following reasons:

- The proposed development minimizes impacts on the ecosystem and is largely outside of the DPA.
- The applicant have changed their proposal (moved the dwelling back from the shore and reduced deck area) to lessen impacts in the DPA.
- Substantial habitat restoration of a previously disturbed area will result as well as providing stability to the shoreline structure.
- The proposed permit meets the objectives and specific guidelines of the DPA 2.
- All conclusions and recommendations for planting and restoration, construction management and mitigation of impacts and monitoring in the Biologist's report have been fully incorporated into the proposed DP.
- The uses are permitted use in the Land Use Bylaw (LUB).

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should be advised to describe the specific information needed and the rationale for this request.

Resolution:

That the Galiano Island Local Trust Committee request that the applicant submit to the Islands Trust _____.

2. Deny the application

The LTC may deny the application. If this alternative is selected, the LTC should specify which guideline(s) the DP application does not comply with.

Resolution:

That the Galiano Island Local Trust Committee deny application GL-DP-2017.3 (Walker) as it does not comply with guideline_____.

Submitted By:	Phil Testemale, A/Planner 2	January 26, 2018
Concurrence:	Robert Kojima, Regional Planning Manager	January 26, 2018

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. DPA 2 Guidelines Checklist
4. *Onsite Wastewater Treatment and Dispersal System Assessment* (Troy David Voss, P.Eng., May 2, 2017)
5. Island Health Sewerage Permit
6. *Environmental Assessment of 300 Cayzer Road* (Caurinus Environmental, January 10, 2018 (Revised)
7. Notice for GL-DVP-2017.6 (Walker)
8. Draft Permit GL-DVP-2017.6 (Walker)
9. Draft Permit GL-DP-2017.3 (Walker)

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 2, District Lot 6, Galiano Island, Cowichan District, Plan 11928
PID	004-914-881
Civic Address	2 – 300 Cayzer Road
Property Size	0.28 hc (0.7 acres)

LAND USE

Current Land Use	[State which land uses are currently occurring on the site]
Surrounding Land Use	[Describe what land use activity is taking place on adjacent lands]

HISTORICAL ACTIVITY

File No.	Purpose

POLICY/REGULATORY

Official Community Plan Designations	The subject property is designated SLR - Small Lot Residential in the Galiano Island Official Community Plan 108, 1995. The following Development Permit Areas are identified on the property (see Attachment 2.#): • Development Permit Area 2 – Shoreline and Marine • Development Permit Area 7 – Steep Slope Moderate Hazard (non-applicable as development is outside of area and exempt)
Land Use Bylaw	The subject property is zoned Small Lot Residential (SLR) in the Galiano Island Land Use Bylaw 127, 1999
Other Regulations	N/A
Covenants	N/A
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Fund	This application has no considerations for the Islands Trust Fund
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	None identified
Sensitive Ecosystems	DPA 2 – Shoreline and Marine s designated. See Attachment ## Biological Report submitted as part of DP application.
Hazard Areas	As above- DPA 7 (Moderate Slope Hazard) is designated. However all development proposed is outside of the DPA.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) information indicates an archaeological sites within 100 metres of the property. By copy of this report,

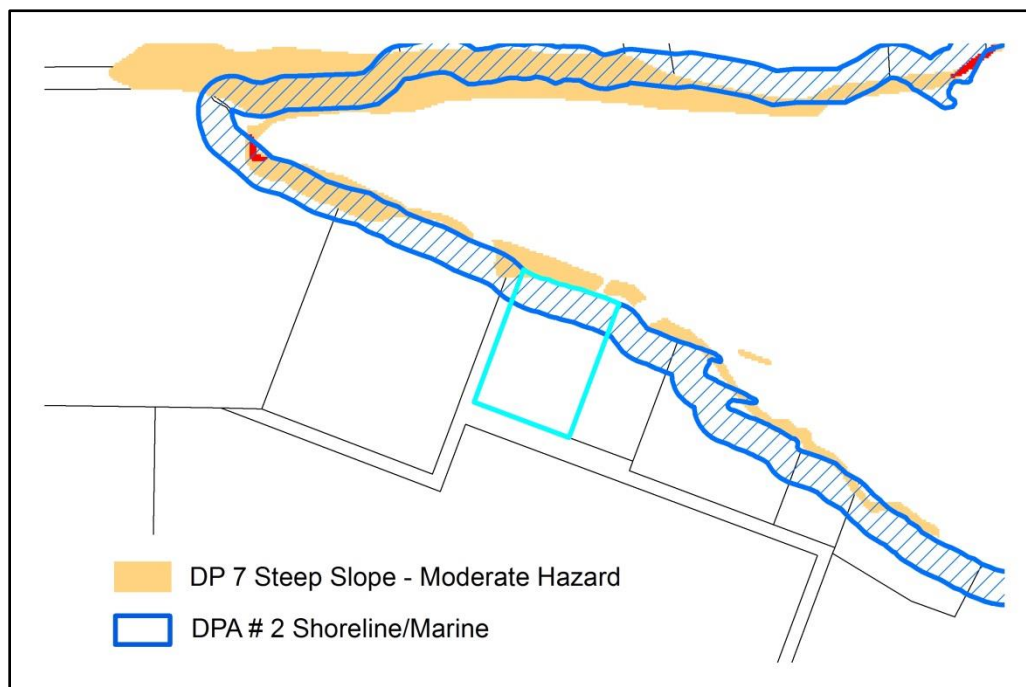
	the owners and applicant should be aware that given the proximity to a known archaeological site, there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Construction of new dwelling is modest and existing cottage is being repurposed as a workshop on the property which will offset potential GHG emission changes. Given the aspect of the property, vulnerability to impacts on proposed development from anticipated or possible climate change induced hazards such as sea level rise and storm surge events is significant over the long term.
Shoreline Classification	Sediment Shoreline - Pebble/Sand
Shoreline Data in TAPIS	Eel grass mapping indicates beds in Whaler Bay approximately 200 metres distant.

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

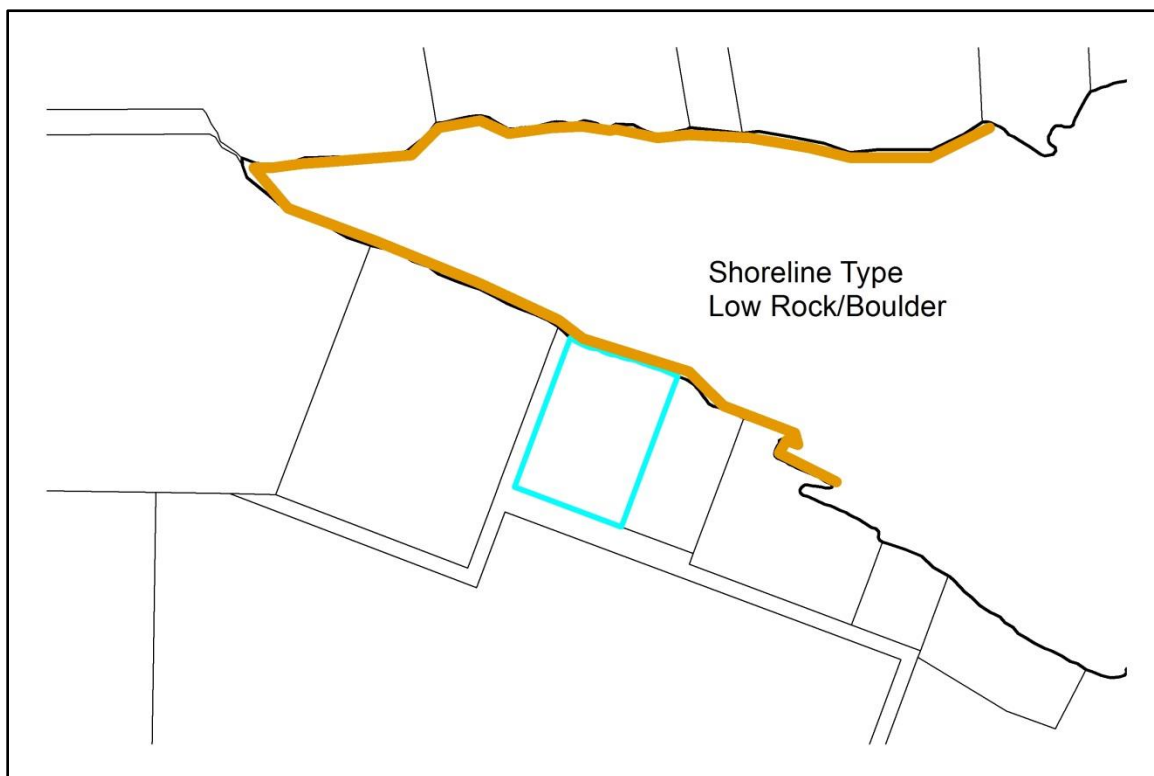
2.1 ORTHOPHOTO & ZONING



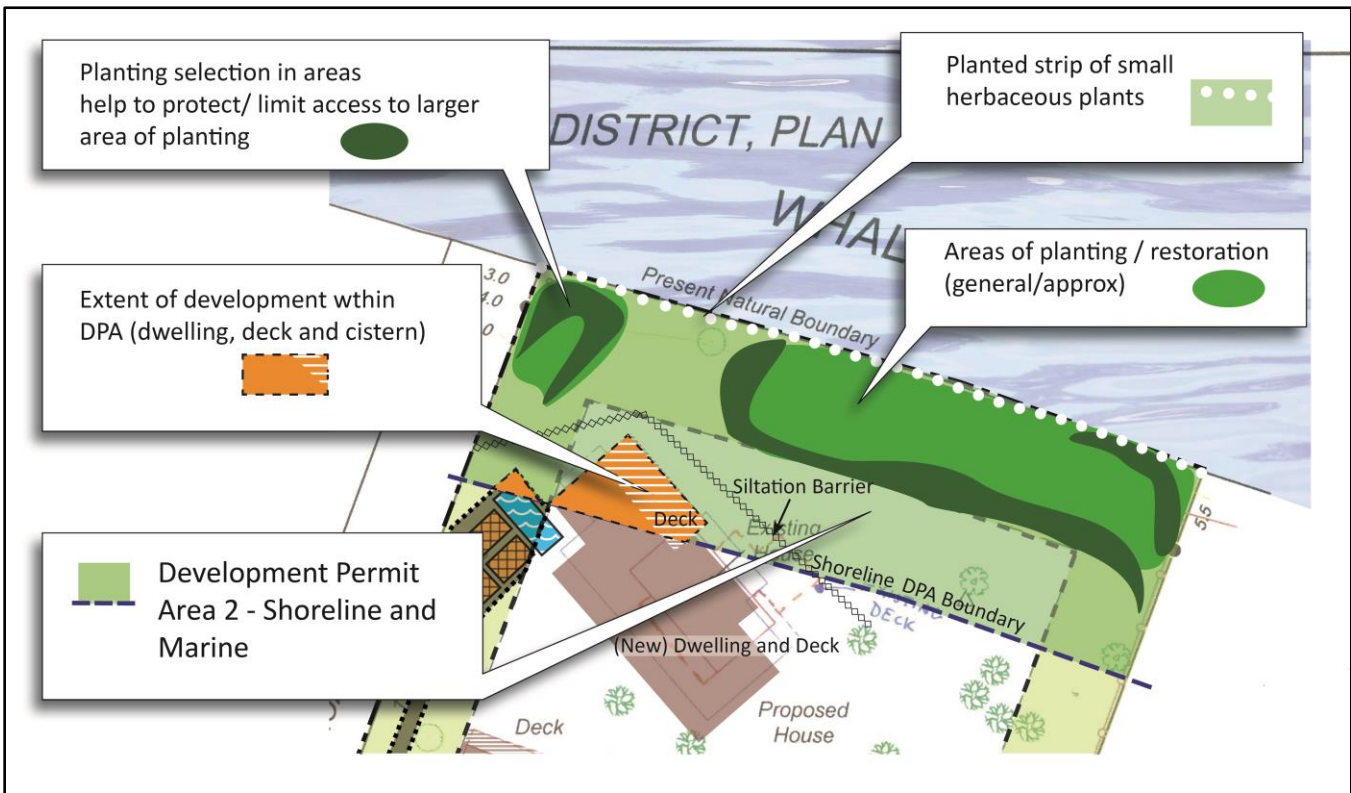
2.2 DPAs



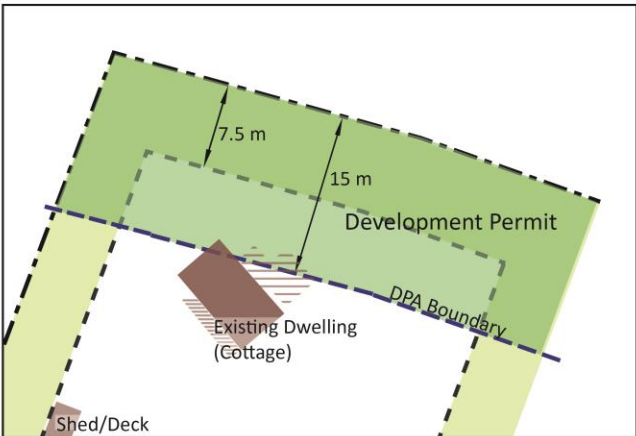
2.3 SHORELINE CLASSIFICATION



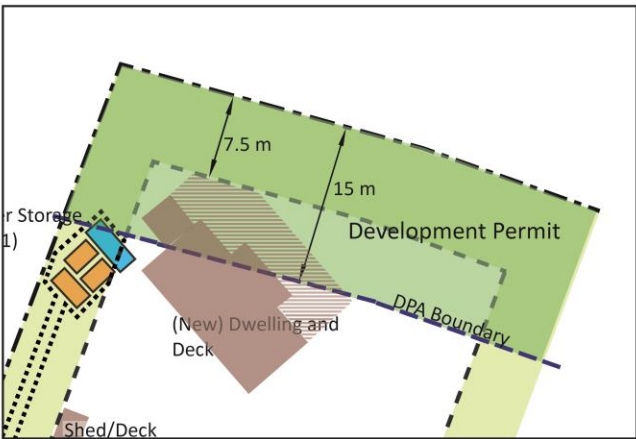
2.4 DP LANDSCAPE PLAN



2.5 SITING COMPARISON



Frame 1 - Existing Cottage



Frame 2 - Initial Proposal



Frame 3 - Revised Proposal

2.6 EXISTING COTTAGE FROM RIGHT OF WAY (LOOKING NORTH)



2.7 DP AREA OF PROPERTY (LOOKING EAST)



2.8 EAST SIDE YARD OF PROPERTY (LOOKING SOUTH)



2.9 DP AREA OF PROPERTY (LOOKING SOUTHWEST)



2.10 ROAD RIGHT OF WAY (LOOKING NORTHEAST)



ATTACHMENT 3 – DEVELOPMENT PERMIT AREA GUIDELINES

Galiano Island

OCP Bylaw No. 108, 1995

Shoreline and Marine Development Permit Area (DPA 2)

Guideline Checklist

Guideline	Complies			Comments
	Yes	No	N/A	
1. In general, development of the shoreline area should be limited, should minimize negative impacts on the ecological health of the immediate area, and should not impede public access.	☒	☐	☐	Ecological health of DPA will be enhanced from current lack of habitat value
2. Shoreline protection measures should be limited to those necessary to prevent damage to existing structures or established uses on the adjacent upland. Softer shore protection measures should be considered first, and only if all options to locate and design without the need for shore protection works are exhausted should such works be considered.	☐	☐	☒	
3. Sea level rise, storm surges, and other anticipated effects of climate change should be addressed in all applications.	☒	☐	☐	Plantings will stabilize shoreline area (Biologist's recommendations/Permit Conditions)
4. The Local Trust Committee may consider variances to subdivision or building and structure siting or size regulations to meet the objectives of the development permit area.	☐	☐	☒	
5. New upland structures or additions to existing structures should be located and designed to avoid the need for shore protection works.	☒	☐	☐	
6. When required, shore protection measures should:				
a. Apply the 'softest' possible shore protection measure that will still provide satisfactory protection; and	☐	☐	☒	
b. Limit the size of shore protection works to the minimum necessary.	☐	☐	☒	
7. 'Hard' structural shore protection measures (e.g. concrete walls, lock block, stacked rock) may be considered in support of existing development only when a geotechnical and biophysical analysis demonstrates that:				
a. an existing structure is at immediate risk from shoreline erosion caused by tidal action, currents, or waves. Evidence of normal sloughing, erosion or steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not sufficient demonstration of need;	☐	☐	☒	
b. the erosion is not being caused by upland conditions, such as the loss of vegetation and uncontrolled drainage. The geotechnical analysis should evaluate on-site drainage problems and investigate drainage solutions away from the shoreline edge before considering structural shoreline stabilization;	☐	☐	☒	

Guideline	Complies			Comments
	Yes	No	N/A	
c. non-structural measures, such as locating new buildings and structures further from the shoreline, planting vegetation, or installing on-site drainage improvements, are not feasible or sufficient to address the stabilization issues; and	☐	☐	☒	
d. unavoidable damage to shoreline ecological function is mitigated as much as feasible and restoration is undertaken when feasible.	☐	☐	☒	
8. All structural shore protection measures should be installed within the property line or upland of the natural boundary of the sea, whichever is further inland. 'Soft' shoreline protection measures that provide restoration of previously damaged ecological functions may be permitted seaward of the natural boundary subject to obtaining necessary approvals from the provincial and federal governments.	☐	☐	☒	
9. New development on steep slopes or bluffs shall be set back sufficiently from the top of the bluff to ensure that shore protection measures will not become necessary during the life of the structure, as demonstrated by a geotechnical assessment of the site.	☐	☐	☒	
10. Shore protection measures that are likely to cause erosion or other physical damage to adjacent or down-current properties shall not be supported.	☐	☐	☒	
11. Shore protection measures should not be considered for solely the purpose of providing a sufficient setback to meet other land use bylaw requirements.	☐	☐	☒	
12. New driveways and sewage disposal systems should not be located in the development permit area. If such a location cannot be avoided, the encroachment into the development permit area must be minimized, and the development permit may require that the assessment, design and construction of the road or sewage disposal system be supervised by a qualified professional to ensure that the objectives and guidelines of the development permit area are met.	☒	☐	☐	
13. Where this development permit area includes native plant species or plant communities dependent on a marine shoreline habitat that are identified locally, provincially, or federally as sensitive, rare, threatened or endangered, or have been identified by a qualified professional as worthy of particular protection, their habitat areas should be left undisturbed. If disturbance cannot be entirely avoided, development and mitigation / compensation measures shall be undertaken only under the supervisions of a qualified professional with advice from provincial and federal environmental agencies.	☐	☐	☒	
14. Shore protection measures should not be allowed for the purpose of extending lawns or gardens, or to provide space for additions to existing structures or new outbuildings.	☐	☐	☒	
15. Existing shore protection works may be replaced if the existing works can no longer adequately serve their purpose provided that:				
a. The replacement shore protection works are of the same size and footprint as the existing works, unless required to prevent shoreline erosion as determined by a qualified professional;	☐	☐	☒	

Guideline	Complies			Comments
	Yes	No	N/A	
b. The replacement shore protection works are designed, located, sized, and constructed to mitigate the loss of ecological functions, and include habitat restoration measures when feasible;	☐	☐	☒	
c. Replacement walls or bulkheads do not encroach seaward of the natural boundary or the seaward limit of the existing shore protection works unless there are significant safety or environmental concerns that could only be addressed via such an encroachment. In such cases, the replacement of shore protection works should utilize the 'softest' approach possible and should abut the existing shore protection works; and	☐	☐	☒	
d. Where impacts to critical marine habitats would occur by leaving the existing works in place, they can be removed as part of the replacement measure.	☐	☐	☒	
Guidelines for Subdivisions:				
16. All lots in a proposed subdivision must be configured to have sufficient area for permitted principal and accessory uses without encroaching into land use bylaw setbacks, the Development Permit Area, or creating a likelihood of shoreline protection measures for the permitted level of development.	☐	☐	☒	
Guidelines for Commercial and Industrial Development:				
17. Boat maintenance and repair facilities shall be designed and sited in a manner that minimizes the potential for the discharge of toxic materials from boats (e.g. fuels, oils, maintenance by-products).	☐	☐	☒	
18. Lighting of commercial and industrial developments built over the water surface should be kept to the minimum necessary for safety and visibility. Light fixtures on such sites should focus light on the area to be illuminated and avoid spillage of light into other areas. Fixtures should not result in glare when viewed from areas that overlook the sea. Low-glare fixtures with a high-cut off angle should be used. Full-spectrum fixtures are preferred. Neon lighting should not be used outside buildings.	☐	☐	☒	
19. Signs on commercial and industrial developments built over the water surface should not move or be audible and should not incorporate lighting that moves or flashes or gives the impression of doing so.	☐	☐	☒	
20. Offshore log storage should be located such that natural flushing and water circulation will disperse waste materials, and log dumping facilities should be designed and operated to prevent bark and other debris from accumulating on the sea bed.	☐	☐	☒	
Guidelines for Specific Shoreline Types:				
21. Because of their extreme sensitivity to disturbance and slow rate of recovery, dredging or filling of estuaries should not be permitted, sea walls and rip rap embankments should not be permitted in estuaries, and when shore protection measures are necessary "beach nourishment" designs are preferred, which add appropriately sized material to the upper beach, creating a natural beach slope and beach armour.	☐	☐	☒	

Guideline	Complies			Comments
	Yes	No	N/A	
22. New structures on steep slopes or bluffs shall be set back sufficiently from the top of the bluff to ensure that shore protection measures will not become necessary during the life of the structure, as demonstrated by a geotechnical analysis for the structure.	☐	☐	☒	
23. Removal of trees or other vegetation from steep slopes or bluffs should only be allowed where necessary and where replacement vegetation / erosion control measures are established. If possible, stumps should be left in place to provide some soil stabilizing influence until replacement vegetation is established. Plans delineating extent of vegetation / tree removal (location, species and diameter of trees) and location of proposed construction, excavation and / or blasting, may be required.	☒	☐	☐	New native plantings and small herbaceous plant will stabilize shoreline bank. Retention of some plants will hold soil. Retaining of trees outside of DPA as well.
Guidelines for Construction Practices:				
Erosion Control:				
24. All development within this development permit area should be undertaken and completed in such a manner as to prevent the release of sediment to the shore or to any watercourse or storm sewer that flows to the marine shore. An erosion and sediment control plan, including actions to be taken prior to land clearing and site preparation and the proposed timing of development activities to reduce the risk of erosion, may be required as part of the development permit application.	☒	☐	☐	Conditions in DP
Monitoring:				
25. A development permit may require monitoring by a qualified professional of the implementation of environmental mitigation, restoration or enhancement planting or other measures required by a development permit, until all such measures have been completed and the professional has provided a report confirming completion to the standard specified in the permit.	☒	☐	☐	Condition in DP
Guidelines for Vegetation Management, Restoration and Enhancement:				
26. Existing, native vegetation should be retained wherever possible to minimize disruption to habitat and to protect against erosion and slope failure.	☒	☐	☐	Conditions in DP
27. Existing trees and shrubs to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.	☒	☐	☐	Conditions in DP
28. If the area has been previously cleared of native vegetation, or is cleared during the process of development, replanting requirements may be specified in the development permit. Areas of undisturbed bedrock exposed to the surface or natural sparsely vegetated areas should not require planting.	☒	☐	☐	Conditions in DP
29. Vegetation species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should preferably be native to the area, and should be selected for erosion control and/or fish and wildlife habitat values as needed. Suitably adapted, non-invasive, non-native vegetation may also be considered acceptable.	☒	☐	☐	Conditions in DP

Guideline	Complies			Comments
	Yes	No	N/A	
30. All replanting should be maintained by the property owner for a minimum of 2 years from the date of completion of the planting to ensure survival. This may require removal of invasive, non-native weeds (e.g., Himalayan blackberry, Scotch broom, English ivy) and irrigation. Unhealthy, dying or dead stock should be replaced at the owner's expense in the next regular planting season. Permits may include, as a condition, the provision of security to guarantee the performance of terms of the permit.	☐	☐	☐	
Guidelines for Shore Protection Measures Design:				
31. Materials used for shoreline stabilization should be inert. Stabilization materials should not consist of debris or contaminated material that could result in pollution of tidal water.	☐	☐	☐	
32. Revetments (rip rap slopes) and bulkheads (retaining walls) should only be constructed if no other alternative exists.	☐	☐	☐	
33. Where revetments are proposed:				
a. They should not result in the loss of shoreline vegetation or fish habitat;	☐	☐	☐	
b. The size and quantity of materials used should be limited to that necessary to withstand the estimated energy of the location's hydraulic action and prevent collapse; and	☐	☐	☐	
c. Filter cloth should be used to aid drainage.	☐	☐	☐	
34. Where bulkheads are proposed:				
a. They should not be located where geomorphic and hydrologic processes are critical to shoreline conservation. Feeder bluffs, marshes, wetlands, spits and hooks should be avoided;	☐	☐	☐	
b. They should be located parallel to and landward of the natural boundary of the sea, as close to any natural bank as possible;	☐	☐	☐	
c. They should allow the passage of surface or groundwater without causing ponding or saturation; and	☐	☐	☐	
d. They should be constructed of stable, non-erodible materials that preserve natural shoreline characteristics. Adequate toe protection including proper footings and retention mesh should be included. Beach materials should not be used for fill behind bulkheads.	☐	☐	☐	
Guidelines for Beach Nourishment and Fill:				
35. Fill upland of the natural boundary greater than 10 cubic metres in volume should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Such fills should be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration.	☐	☐	☐	
36. Fill below (seaward of) the natural boundary should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, typically as part of a beach nourishment design.	☐	☐	☐	

Guideline	Complies			Comments
	Yes	No	N/A	
37. Fill should not be placed at or below the natural boundary for the purposes of providing a trail or walkway.	☐	☐	☐	
38. All upland fill and beach nourishment materials should be clean and free of debris and contaminated material. All fill and beach nourishment proposals are subject to review and approval by provincial and federal authorities having jurisdiction.	☐	☐	☐	
Guidelines for Shore Access and Parking:				
39. Roads, driveways, trails and pathways should follow the contours of the land, appropriately manage drainage, not require retaining walls, and only use stairs as a last resort.	☐	☐	☐	
40. Accesses in extremely sensitive areas or hazardous areas should be restricted or prohibited.	☐	☐	☐	
41. Parking areas should be located away from the shore, buffered or landscaped, and constructed so as to minimize erosion and water pollution by controlling storm runoff. Structural measures such as catch basins, oil separators, filtration trenches or swales, unpaved or permeable all weather surfaces should be considered for this purpose.	☐	☐	☐	
Guidelines for the Construction and Replacement of Docks and Boat Launch Facilities:				
42. For residential properties, preference is to be given to the placement of mooring buoys and floats instead of docks.	☐	☐	☐	
43. Docks and wharves should be designed to ensure that public access along the shore is maintained except where such access is determined to be infeasible because of incompatible uses, safety, security, or harm to ecological functions.	☐	☐	☐	
44. Docks and wharves should be sited to minimize impacts on sensitive ecosystems such as eelgrass beds, fish habitat and natural processes such as currents and littoral drift.	☐	☐	☐	
45. Docks should be constructed in a manner that permits the free flow of water beneath. Supports should be located on a hard substrate.	☐	☐	☐	
46. Floating docks should not rest on the sea bed at any time and a minimal, moveable ramp rather than a fixed wharf or pier should be utilized to connect the dock with the shore.	☐	☐	☐	
47. Piers and pilings and floating docks are preferred over solid-core piers.	☐	☐	☐	
48. Docks should not use unenclosed plastic foam or other non-biodegradable materials that have the potential to degrade over time. Docks should be constructed of stable materials that will not degrade water quality. The use of creosote-treated pilings is discouraged.	☐	☐	☐	
49. Boat launch ramps are the least desirable of all water access structures and should be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary. Ramps should be kept flush with the slope of the foreshore to minimize interruption of natural geo-hydraulic processes.	☐	☐	☐	

Guideline	Complies			Comments
	Yes	No	N/A	
50. Construction of a private ramp on an individual residential lot or parcel is discouraged. Owners are urged to seek opportunities to use public ramps or to share existing private ramps.	☐	☐	☐	
51. Residential docks should be located and designed to avoid the need for shore defence works or breakwaters.	☐	☐	☐	
52. Residential docks should not extend from shore any further than necessary to accommodate a small pleasure craft. Residential docks should not be designed to accommodate boats with a draft greater than 2.2 metres or have floats more than 35 square metres total surface area unless more than two parcels have legal access to the dock, in which case permitted total surface area should be a multiple of the number of lots the dock serves.	☐	☐	☐	

MAY 03 2017

This Filing Does Not Constitute
Approval for Further Subdivision

May 2, 2017

File: 1016-01

Ellen and Dan Walker
1890 West 7th Avenue
Vancouver, BC V6J 1S8

**Reference: Site Investigation Technical Memorandum
Onsite Wastewater Treatment and Dispersal System Assessment
D. Walker Property - 300 Cayzer Road, Galiano Island
Lot 2, District Lot 6, Galiano Island, Cowichan District, PLAN 11928**

Dear Dan,

This document is in support of a re-submission of a Registration application for an onsite wastewater treatment and disposal system to serve the above referenced property. The re-submission is required as a result of delays preventing installation within a two-year period since originally registering the system as per the original submission on May 7, 2015 and, consequently, have been updated to reflect guidance provided in Standard Practice Manual (SPM) Version 3.

The document provides a description of site soil characteristics assessment for the above referenced property, and design calculations for a Type 2 onsite wastewater treatment and ground dispersal system. The document presents design recommendations for a Type 2 wastewater treatment and effluent dispersal system that is suitable for the site soil conditions while being in conformance with the Standard Practice Manual (SPM) Version 3 guidance criteria, with the exception of the SPM Version 3 critical horizontal setback distance from the existing well on the same property and the closest edge of the proposed dispersal, as well as the setback distance of the mounded dispersal field to the property line along the road easement. An explanation and justification is provided for reducing the horizontal distance between the on-site well and the proposed field from 30 m (100 ft) to 15 m (50 ft), and the immediate proximity of the dispersal field to the property line along the road easement will not impact a neighboring residential property.

1. PROPERTY IDENTIFICATION AND LOCATION

The following is the civic address and legal description for the property.

Civic Address: 300 Cayzer Road, Galiano Island, British Columbia

Legal Description: Lot 2, District Lot 6, Galiano Island, Cowichan District, PLAN 11928

2. PROPERTY DESCRIPTION

The property dimensions and characteristics are illustrated in Figure 1. The site is an ocean waterfront property approximately 45 m wide by 65 m deep and has a small cottage positioned about 14 m back from the water. The portion of the lot closest to the waterfront has little to no soil cover over rock, but the back half of the lot has substantially greater soil cover, particularly the south-west quarter of the lot. The cottage is served by an existing 20 m (65 ft) deep potable well located at the south end of the property, and an outhouse located in the south-eastern quarter of the property, located 152 m (50 ft) away from the well. There have been no water quality problems with the potable well.

3. PROPERTY DEVELOPMENT PLANS

The current owner of the property would like to increase the size of the existing cottage to accommodate up to 5 bedrooms and a total living area of 205.6 m² (2,213 sq ft) – 235.3 m² (2533 sq ft) including covered porches. In order to do this, it will be necessary to install a ground disposal system with an adequate capacity to serve planned cottage expansion. Table II-8 of the SPM Version 3 guidance document indicates that for a 5-bedroom residence with up to 420 m² (4,520 sq ft) of floor space the minimum design flow rate is 1,900 Litres per day (500 gpd) for normal or average residential use. Alternatively, assuming an occupancy of 2 persons per bedroom, Table II-9 of the SPM Ver 3 estimates a 250 L per capital flow for a luxury seasonal cottage, which would require a treatment capacity of 2,000 L/d. While this is not expected to be a luxury residence, and the proposed Orenco AX20 Type 2 NSF Standard 40 certified package treatment system is capable treating in excess of its certified capacity, it is recommended that water conservation measures be implemented with respect to plumbing fixtures throughout the dwelling.

4. SITE SOIL CHARACTERISTICS ASSESSMENT

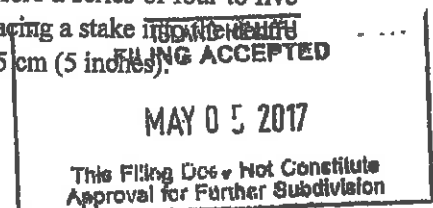
Only the southern half of the property, furthest from the foreshore, has sufficient soil depth to accommodate a ground disposal system, with the south-western quarter of the lot having the deepest soil. The key constraints within this portion of the lot is the proximity of a potable well serving the adjacent lot to the west, and the existing well serving the subject property. A preliminary assessment determined that while a 30.5 m horizontal setback distance could be established for the neighboring well to the west, it was not possible to also achieve a similar 30.5 m distance from the existing well serving the subject property to a dispersal field located within the portion of the property with adequate soils. Accordingly, an assessment was carried out to determine whether a reduced horizontal setback distance from the subject property well could accommodate a dispersal field within the southern half of the property; specifically, in the south-western quarter of the lot.

The site soil assessment of the south-western quarter of the lot carried out on March 15, 2015. The conditions for assessing soil percolation rates, and general suitability of the site for ground dispersal, were considered to be ideal because of the extended period of intermittent heavy rains that had been occurring for many days preceding the percolation tests.

Prior to the site visit, two test pits were excavated to an impermeable clay layer in the locations shown in Figure 1:

- Test Pit #1 – depth to clay layer = 71 mm (28 inches)
 - Soil description: coarse gravel with fine loamy sand
- Test Pit #2 – depth to clay layer = 81 mm (32 inches) – coarse gravel with fine loamy sand
 - Soil description: coarse gravel with fine loamy sand
- Average soil depth = 76 mm (30 inches) – coarse gravel with fine loamy sand

In addition, four holes were dug with a shovel to carry out percolation tests in the locations shown in Figure 1. Care was taken to make sure the sides of the percolation holes were not smeared and the holes were filled with water three times and allowed to drain to below a 15 cm depth, before a series of four to five percolation tests were carried out. The percolation tests were conducted by placing a stake in the center of the percolation test hole marked to show depths of 15 cm (6 inches) and 12.5 cm (5 inches).



The average percolation rate for Percolation Test Holes #1, #3 and #4, was 7 minutes per inch. Percolation Test Hole #2, located near the centre of the property in an area of shallow soil, took an inordinately long period of time to drain, and had an estimated percolation rate of about 80 minutes per inch. The combination of shallow soil above an impermeable clay layer and the presence of fine silts and clays in the soil in the area is responsible for the poor permeability of the soil, and this area should be avoided.

5. TREATMENT & DISPERSAL SYSTEM DESIGN

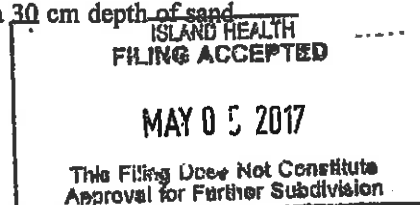
The soil depth and percolation rates in the south-western quarter of the property are potentially suitable for either a Type 1 or Type 2 system; however, recognizing that it will be necessary to reduce the SPM Version 3 critical horizontal setback distance from the on-site potable well and the dispersal field, the following measures are recommended:

- Distribute the wastewater to the dispersal field through a pressure distribution system to ensure uniform water application to the soil (i.e. avoiding hydraulically overloading a portion of the field).
- Treat the wastewater prior to dispersion with an NSF Standard 40 certified wastewater package treatment plant to achieve a high quality (advanced secondary) Type 2 effluent and minimize the potential for clogging within the pressure distribution system.
- Choose a Type 2 NSF/ANSI Standard 40 wastewater package treatment plant that can be readily retrofitted to add an Ultra Violet (UV) effluent disinfection system. While it is not considered to be important to the success of the overall system performance, the ability to add a UV disinfection unit at a later date would be beneficial should there be any future concern regarding water quality.
- Add a minimum additional 30 cm (12 inches) of C33 sand over the field area to increase the permeable soil depth (i.e. add greater depth of sand over the lower end of the dispersal field, with a minimum of 12" over the upper end.
- Place an infiltrator-chamber-style trench pressure-distribution system directly on top of the mounded sand. The pressure distribution system will ensure the effluent will be uniformly distributed whether in conjunction with an infiltrator chamber. The infiltrator provides a large soil interface within a large void space, providing a passive source of oxygen to the bacteria in the sand, ensuring aerobic conditions are maintained within the soil below the surface and enabling the soil interface to be easily routinely inspected through observation ports.
- Set aside area within the dispersal field to be able to install an additional infiltration chamber (5th line) in the future, should it be required or desired.

6. TREATMENT AND DISPERSAL SYSTEM CRITERIA

Based on the observations discussed in Section 5.0, the average existing vertical separation from the surface of the native soil to the restrictive soil horizon is 76 cm (30 inches), and the average soil permeability is 7 minutes per 2.5 cm (inch).

Table II-15 of the SPM Version 3 defines the minimum vertical separation in native soil and minimum as-constructed vertical separation for demand dosing to native soil plus less than 30 cm sand fill for uniform pressure distribution of Type 2 effluent. A minimum vertical separation of 60 cm (24 inches) in native soil is met by the 76 cm (30 inch) separation observed in the test pits. The addition of a 30 cm depth of sand meets the minimum as-constructed vertical separation requirement of 85 cm.



Recognizing that the horizontal setback criteria to a domestic water supply well of 30 m (100 ft) stated in SPM Version 3, will need to be reduced to 15.2 m (50 ft), and the relatively coarse nature of the native soils, also supports the recommended minimum of 30 cm (12 inches) of C33 sand be used to increase the total vertical separation to 106 cm (42 inches).

A Type 2 treatment with a pressure distribution system is recommended, with a minimum treatment capacity (Daily Design Flow) of 1,900 Litres per day (500 gallons per day) for a 5 bedroom residential unit with up to 420 m² (4,520 sq ft) of floor space.

An Orenco AdvanTex AX20-RT package treatment system is recommended. This is a NSF Standard 40 certified treatment system with a rated capacity of 1,920 L/d (507 gpd). The AX20-RT has very low operations and maintenance costs and is very well suited to intermittent or seasonal occupancy applications due to its fixed-film design in which bacteria growing attached to textile media in the treatment unit are bathed in wastewater for 30 seconds every 20 minutes. There are no blowers or mechanical equipment other than a low-head duplex pump. If operated in a Mode 3 configuration, where a portion of the water draining from the textile fabric is directed to the primary septic tank, the enzymes in the return water help to break down and solubilize fats, oils, grease and solids – reducing the amount of waste biosolids and frequency of septage pumping that is required.

Further, Volume III of the SPM V3, section III 2.2.1 Seasonal Use, suggest that Type 2 or Type 3 systems may not be suitable for some seasonal dwellings. Extensive technology performance and certification field testing carried out by the undersigned has shown this recirculating biofilter technology is particularly well suited for seasonal dwelling applications, and has been used successfully on isolated island applications with highly intermittent occupancy.

Due to the potential for water remaining in shallow buried pipe to freeze over the winter, it is important the distribution pipe automatically drain by gravity back to the dosing chamber following each dosing event.

It is further recommended that an infiltration-chamber-style distribution system be used in conjunction with a pressure distribution system.

The following considerations and calculations were used to determine the disposal field design criteria.

Soil Description

Medium brown moderately coarse to medium textured granular fine loamy sand with coarse gravel.

Native Soil Depth: 30 inches (76 mm) – average

Percolation Rate: 5 to 10.5 minutes per 25 mm

Vertical Separation

For uniform pressure distribution and demand dosing, to 30 cm of sand media over 76 cm of native soil with percolation rates slower than 5 minutes per 25 mm, the minimum vertical separation in native soil is 60 cm, and the minimum as-constructed vertical separation is also 60 cm. In this case the minimum vertical separation observed in the test pits was 71 cm and the minimum as-built with a 30 cm sand layer is just over 100 cm.

Note that the SPM V3 indicates that for sand mounding of 30 cm or greater, only micro-dosing is provided for in application with a Type 2 effluent. The recommendations in this report do not conform to this guidance, as there is no technical reason why demand loading can be accommodated for a Type 1 effluent but not at Type 2 effluent. Accordingly, it is noted the minimum vertical separation in native soil

and the minimum as constructed vertical separation criteria shown in the table for all soil types and dosing methods is met by the field conditions on this property.

Hydraulic Loading Rate

SPM V3 - Table II-23 shows the maximum allowable Hydraulic Loading rate (HLR) for a Type 2 effluent and a soil percolation of 10.5 minutes per 25 mm is 50 L/day/m².

$$\begin{aligned}\text{Area of Infiltrative Surface (AIS)} &= \text{Daily Design Flow (DDF)} \div \text{Hydraulic Loading Rate (HLR)} \\ &= 1,920 \text{ L/d} / (50 \text{ L/d per m}^2) \\ &= 38 \text{ m}^2\end{aligned}$$

SPM V3 - Table II-22 shows the maximum allowable HLR for a Type 2 effluent and loamy fine sands and sandy loams with poor structure and consistence is 45 L/day/m².

$$\begin{aligned}\text{Area of Infiltrative Surface (AIS)} &= \text{Daily Design Flow (DDF)} \div \text{Hydraulic Loading Rate (HLR)} \\ &= 1,920 \text{ L/d} / (45 \text{ L/d per m}^2) \\ &= 43 \text{ m}^2\end{aligned}$$

Note the chambers are to be positioned over a minimum 30 cm of C33 (poorly graded) coarse sand, with an average total soil depth of over 100 cm (i.e. 30 cm sand underlain with 76 cm native soil). Table II-24 indicates that for a Type 2 effluent and clean coarse sand the maximum HLR is 50 L/day/m².

Linear Loading Rate

The concept of Linear Loading Rate (LLR) is a relatively recent concept initially introduced by Tyler and Converse in a paper published in 1984 (Tyler, EJ, and JC Converse. 1984. Soil Evaluation and Design Selection for Large or Cluster Wastewater Soil Absorption Systems, ASAE Proc. 4th Symposium on Individual and Small Community Sewage Systems) and gradually evolved through the development of the Wisconsin Mound design criteria and summarized by Tyler in 2001 (Tyler, EJ. 2001. Hydraulic Wastewater Loading Rates to Soil, ASAE Proceedings of the 9th Symposium on Individual and Small Community Sewage Systems) as noted in SPM V3.

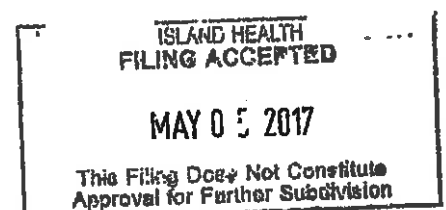
Referring to Table II-27 of SPM V3, and a slope of 10 percent or greater, for "F" textured loamy fine sands and sandy loams with a depth below the infiltrative surface of > 90 cm, the LLR is 100 L/day/m.

Referring to Table II-28, with a slope of 10%, or greater, a percolation rate of 7.5 – 15 min/25mm and a depth below the infiltrative surface of > 90 cm, the LLR is also 100 L/day/m.

Using a LLR of 100 L/day/m:

$$\begin{aligned}\text{Minimum System Contour Length} &= \text{Daily Design Flow (DDF)} \div \text{Linear Loading Rate (LLR)} \\ &= 1,920 \text{ L/d} \div 100 \text{ L/d/m}^2 = 19 \text{ m}\end{aligned}$$

Figure 2 illustrates a proposed layout for an infiltrator-chamber-style dispersal field to conform with existing permeable native soil on the site and critical setbacks to neighboring wells and the well serving the subject property.



- **Option #2:** Widen the dispersal field to cover half the lot width. This would increase the minimum contour length to 20 m, but would require adding a minimum 60 cm of sand over the entire area, anyway, to address the low permeability native soil in the centre of the property. Consequently, this would be a more expensive alternative to Option 1.
- **Option #3:** Reduce the wastewater volume being disposed by 35% through water conservation measures. Based on the experience of the undersigned, water consumption for seasonal occupancy within dwellings incorporating consistently applied water conservation measures can reduce per capital wastewater generation to 165 L/day/person. This is 35% lower than the value assumed by SPM V3 or 250 L/day/person. The danger in using the 165 L/day/capita figure is that future property owners may not consistently follow water conservation practices, despite the initial installation of low water use fixtures and appliances. Consequently, if this Option is to be successful, additional water conservation measures should be implemented. If Option #3 is selected, it is recommended that consideration be given to installing an iDUS (Victoria, BC) ConservePump system that captures bath/shower water and recycles the water to flush toilets, typically reducing potable water consumption and wastewater volumes by up to 30%.

A mitigating factor in considering the above options is that two of the three percolation tests had rates of about 5 minutes per inch, indicative of a LLR of 140 L/day/m for soil depths in excess of 90 cm.

While taking measures to conserve water by implementing low water use fixtures and appliances is strongly recommended, as well as routinely monitoring the amount of water pumped to the dispersal field, it is also recommended that Option #1 be followed, applying a minimum 60 cm layer of sand over the green shaded area shown in Figure 2.

Other measures that are recommended include:

- Install an up-slope drain perpendicular to the slope of the property and located at least 3 m from the dispersal field as shown in Figure 2.
- Extend the minimum 60 cm of C33 sand cover to at least 7.5 metres downslope of the infiltration chambers (including an allowance for a possible 5th row of infiltration chambers as shown). This will ensure a minimum 7.5 metres of horizontal travel before breakout.
- As a possible future consideration, if the seepage along the toe of the area shown shaded in green in Figure 2 is a problem in the future, a collector drain can be constructed along the toe to control and direct seepage to a suitable drainage channel from the property. This controlled and directed drainage also presents an opportunity to monitor and assess the water quality of the drainage from the dispersal area.

Recommended Treatment System Summary:

- Septic Tank: Single Chamber 1000 gallon fiberglass
- Advanced Secondary Type 2 Treatment: Orenco AX20-RT – Mode 3
- NSF Certified Standard-40 Type 2 Rated Capacity: 500 gpd (1,920 L/d)
- Use Mode 3 Configuration to enhance biosolids destruction in primary tank)
- Power: 120 VAC with 3 breakers (20A for treatment, 20A for Distribution pump, 10A for controls)
- Sand Cover: apply a minimum of 60 cm of C33 sand over the entire area shown in Figure 2.

ISLAND HEALTH
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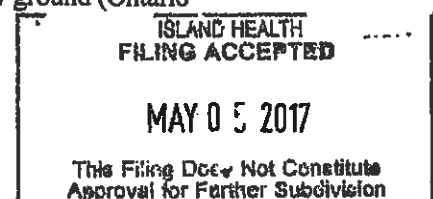
- Infiltrator Chambers: 4 rows x 15 m/row
- Install a drain to intercept both groundwater and surface drainage above (up-gradient) of the dispersal field as shown in Figure 2.
- Extend the minimum 60 cm of C33 sand cover to a minimum of 7.5 metres down-gradient of a possible future 5th row of infiltration chambers.
- Incorporate low water use fixtures and appliances throughout the dwelling.

7. REDUCED HORIZONTAL SETBACK FROM POTABLE WELL ON SUBJECT PROPERTY TO DISPERSAL FIELD

SPM Version 3 provides for possible variance from the minimum horizontal setback criteria stated in the guidance document on the basis of a review and recommendation from an Authorized Person, or more specifically a Professional Engineer with qualifications in the design of onsite wastewater treatment and disposal systems. In this case, it is proposed that the minimum horizontal setback from the existing potable well on the property and the proposed Type 2 effluent dispersal field be reduced from the guidance distance of 30 m (100 ft) to 15 m (50 ft) – noting the minimum horizontal distance stated in SPM Version 3 will still be maintained to neighbouring potable wells.

Accordingly, the following factors have been taken into consideration in recommending the reduced horizontal setback be accepted by the Vancouver Island Health Authority:

1. There is an existing outhouse (sanitary source) located 15 m (50 ft) from the existing well, and no water quality problems have been reported as a result of this close proximity in the past.
2. The proposed dispersal field is underlain by an impermeable clay layer, and that is underlain by rock.
3. UV treatment can be added to the Orenco AX20-RT onsite system to disinfect the treated effluent before disposal, as well as treating the potable well water with UV as a backup measure if there are any future concerns.
4. The existing well has a depth of 65 ft.
5. The proposed dispersal field is located down-gradient of the existing well towards the foreshore.
6. The treated effluent will be uniformly distributed over the infiltration surface by a pressure distribution system, resulting in a wide dispersion and low loading rate, with intermittent dosing.
7. There are a large number of provincial and state jurisdictions which permit a minimum horizontal distance of 15 m (50 ft) from dispersal fields to potable wells serving single residences include:
 - a. New Brunswick: 23 m (75 ft) to drilled well (Table 1 – page 10)
 - b. Nova Scotia: 15 m (50 ft) to drilled well (Table 3 – page 11)
 - c. Alberta: 15 m (50 ft) from a treatment field to a water source (page 3)
 - d. Saskatchewan: 15 m (50 ft) (page IX-9)
 - e. Manitoba: 15 m (50 ft) from a drilled well cased to a minimum 6 m below ground (page 8)
 - f. Ontario: 15 m (50 ft) from a drilled well cased to a minimum 6 m below ground (Ontario Building Code)



Taking the above into consideration, maintaining a minimum horizontal distance of 15 m from the existing well on the subject property to the to the proposed dispersal field, as illustrated in Figure 2 is consistent with standards used by other provincial jurisdictions and will reasonably avoid causing a health hazard.

Similarly, allowing the field to extend to the property line between the subject property and a road easement will not compromise a neighboring property and the additional field size that is created would help offset any heterogeneities in the soil horizon not identified during the field program.

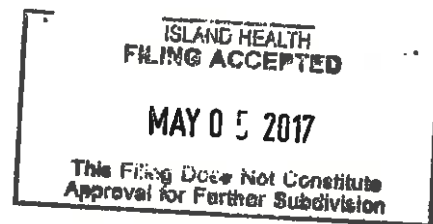
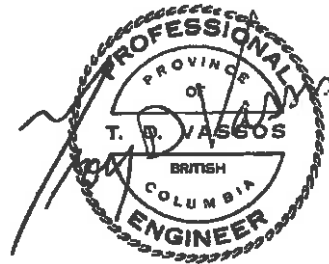
We trust the Vancouver Island Health Authority will find the information presented above to be acceptable in support of the associated onsite disposal system Filing under the Sewerage System Regulation. Please feel free to contact me should you have any questions or require further information.

Regards



Troy D. Vassos PhD FEC PEng

President & Senior Environmental Engineer
Troy David Vassos Inc.





island health

RECORD OF SEWERAGE SYSTEM

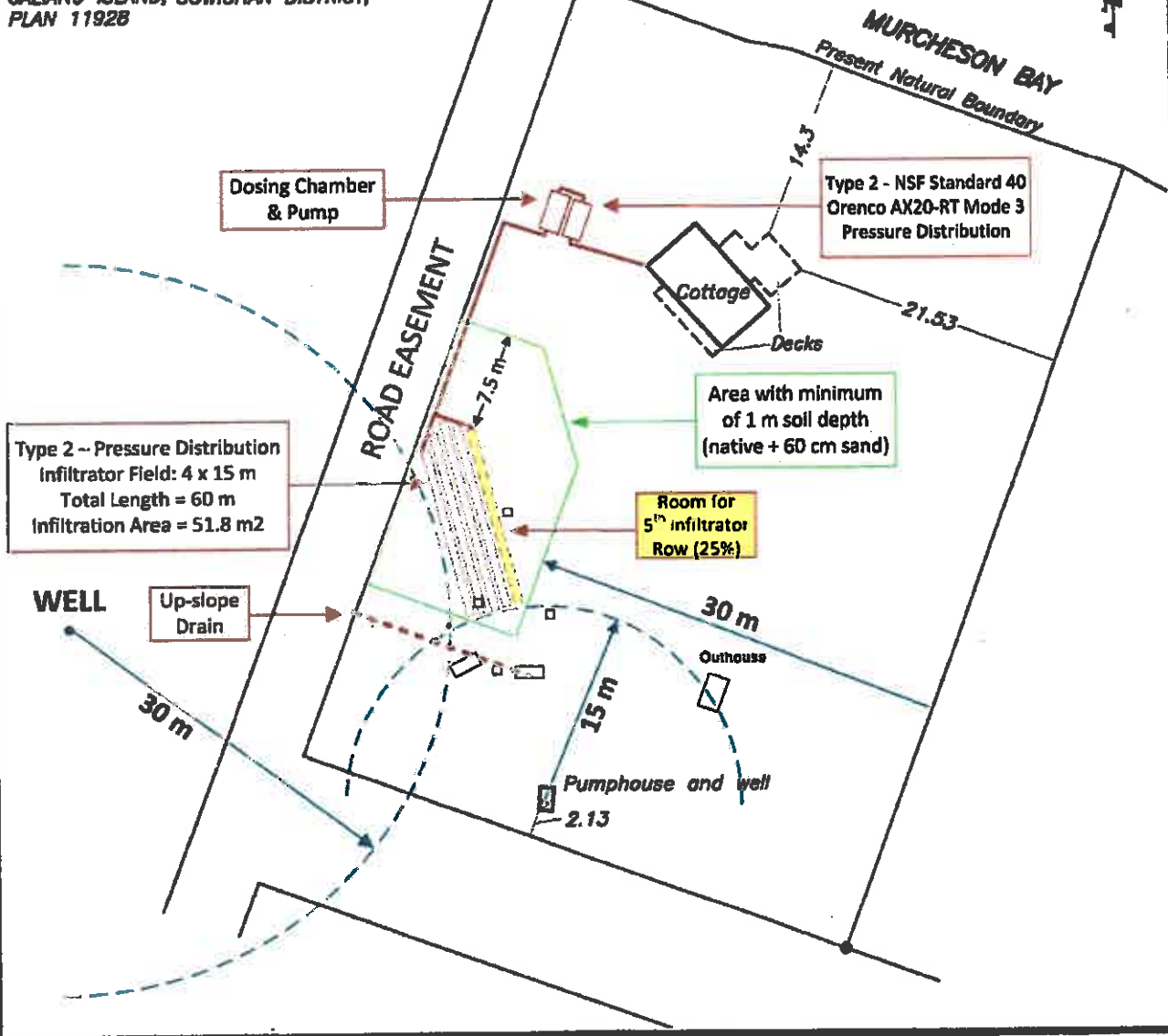
Filing # (OFFICE USE ONLY)

GVI7/145

1. Property Information	☒ New Construction		☐ Alteration		☐ Repair		☐ Amendment - Original Filing #	
	Tax Assessment Roll # 02206.015						PID # 004-914-881	
	Legal Description (Plan, Lot, District Lot, Block Numbers) Lot 2, Plan VIP11928, District Lot 6, Cowichan Land District, Portion Galiano Island							
	Street (Civic) Address or General Location 2 300 Cayzer Road						City Galiano Island	
2. Owner Information	Name of Legal Owner Ellen and Dan Walker				Mailing Address 1890 West 7th Avenue			
	Phone 604-733-9302		City Vancouver		Prov BC		Postal Code V6J 158	
3. Authorized Person Information	Name of Authorized Person Troy D. Vassos, PhD FEC PEng				Mailing Address 3332 Redfern Place			
	Phone 604-657-6559		City North Vancouver		Prov BC		Postal Code V7N 3W1	
	Registration # APEGBC 13,170		Email tvassos@aquadoc.ca					
4. Structure Information	Sewerage System Will Serve:							
	☒ Single Family Dwelling ☐ Other Structure (specify) _____ ☐ Other Dwelling (specify) _____ The sewerage system is designed for an estimated minimum daily domestic sewage flow of (check one) ☒ Less than or equal to 9,100 litres ☐ More than 9,100 litres but less than 22,700 litres							
5. Site Information	Depth of native soil to seasonal high water table or restrictive layer (cm) 76				Information respecting the type, depth and porosity of the soil is attached ☒ Yes ☐ No			
	GPS Location of System (decimal degrees) Latitude <u>48.89048</u> Longitude <u>123.3379</u>							
	Horizontal Accuracy (m) ² _____				☒ Recreational GPS ☐ Differential GPS			
6. Drinking Water Protection	Will the sewerage system be located less than 30 m from a well? ☒ Yes ☐ No							
	If yes, attach a professional's report and specify the intended distance <u>15</u> (m) OK							
	Distance of proposed sewerage system to the closest body of surface water <u>35</u> (m)							
7. System Information	Sewerage treatment method ☐ Type 1 ☒ Type 2 ☐ Type 3							
8. Legal or Regulatory Considerations	☒ Construction of the proposed sewerage system will not conflict with legal instruments registered on the property.				Is this filing submitted as the result of an order from the Health Authority? ☐ Yes (attach a copy of the order) ☒ No			
9. Plot Plan and Specifications	Plot Plan (to scale) and specifications are attached ☒ Yes ☐ No							
	☒ The plans and specifications are consistent with Standard Practice Source of Standard Practice: ☒ Ministry of Health Standard Practice Manual ☐ Other (See Report)							
10. Authorized Person's Signature	Signed <u>Troy D. Vassos</u> Digitally signed by Troy D. Vassos, PhD FEC PEng Date: 2017.04.26 20:52:01 -07'00' Adobe Acrobat version: 11.0.20				OFFICE USE ONLY			
	Date May 2, 2017				Filing Accepted Date <u>May 5, 2017</u> Receipt Number <u>1705CM068079</u>			

PARCEL IDENTIFIER: 004-914-881
 CMC ADDRESS: 300 CAYZER ROAD
 LEGAL DESCRIPTION: LOT 2, DISTRICT LOT 6,
 GALIANO ISLAND, COWICHAN DISTRICT,
 PLAN 11928

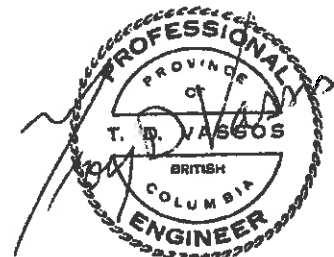
Approximate scale



ISLAND HEALTH
 FILING ACCEPTED

MAY 03 2017

This Filing Does Not Constitute
 Approval for Further Subdivision



PARCEL IDENTIFIER: 004-914-881
 CMIC ADDRESS: 300 CAYZER ROAD
 LEGAL DESCRIPTION: LOT 2, DISTRICT LOT 6,
 GALIANO ISLAND, COWICHAN DISTRICT,
 PLAN 11928

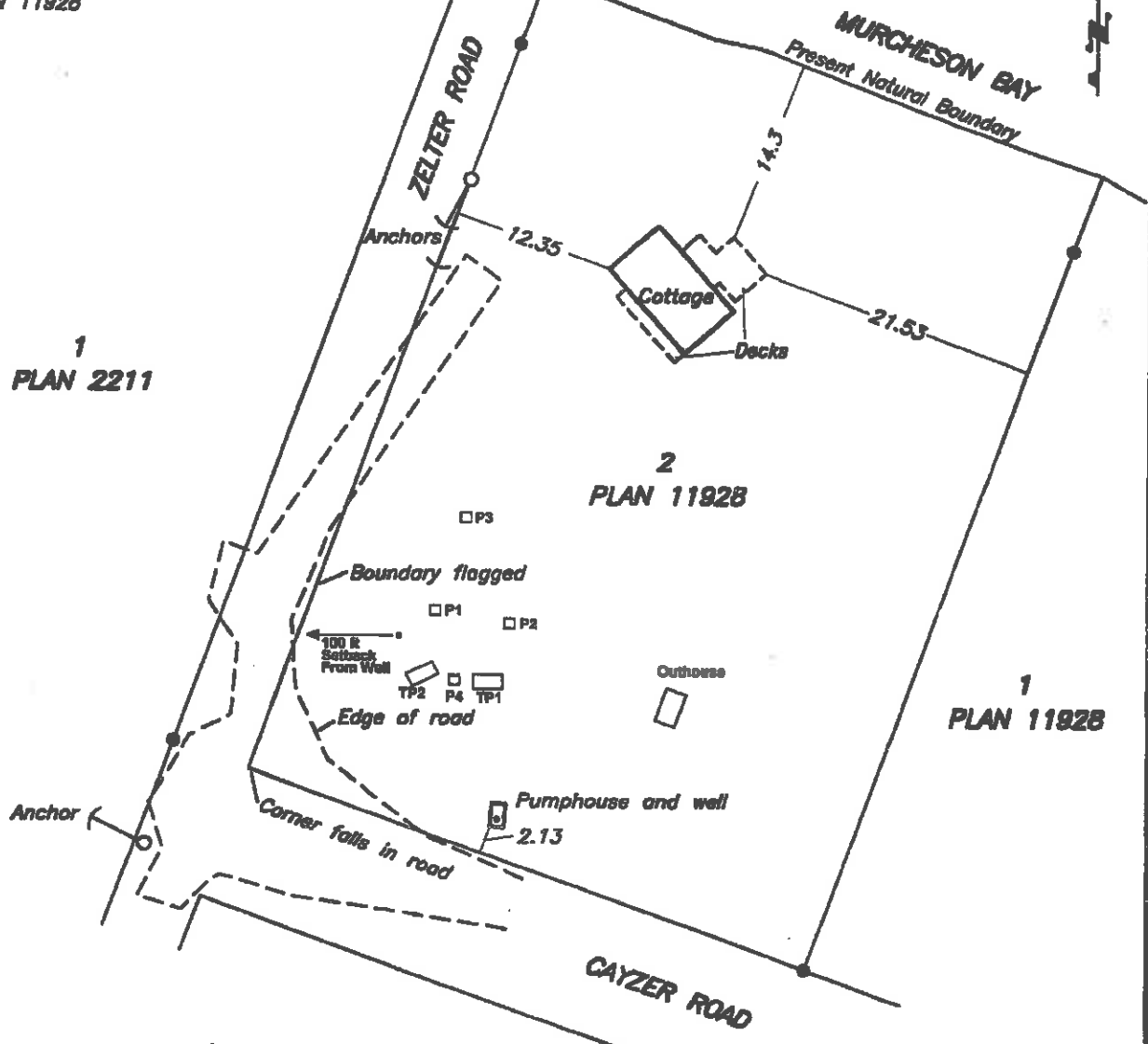
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PLAN 2211

2
PLAN 11928

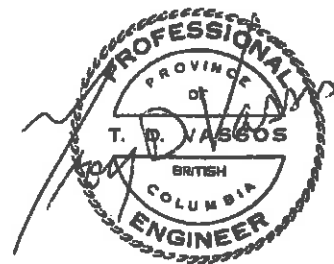
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PLAN 11928



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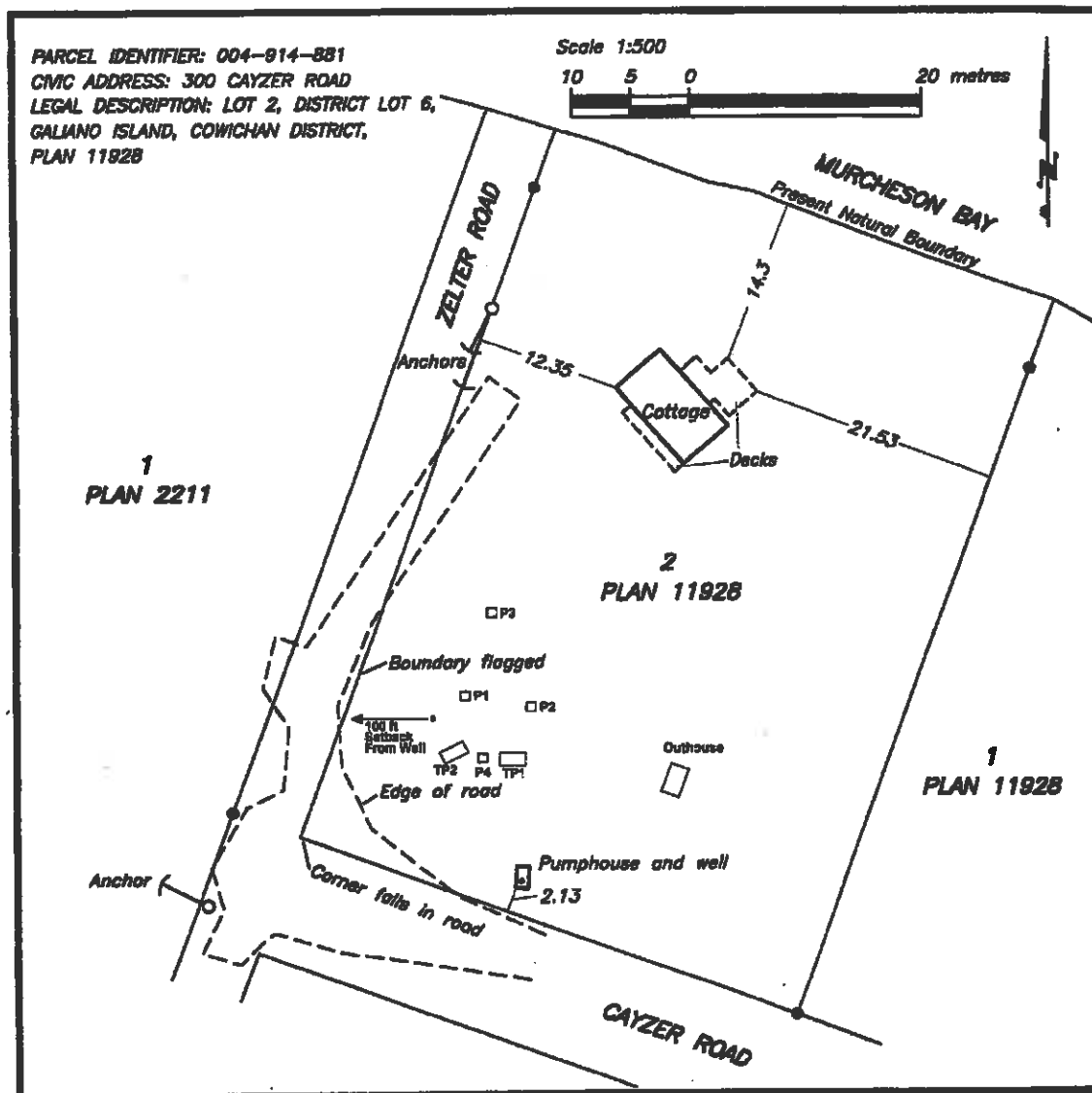


Figure 1 Property and Site Characteristics for the Subject Property Noting the Locations of Test Pits, Percolation Tests, and Critical Features.

The holes were filled to above the 15 cm depth and as the water level dropped the time the water reached the 15 cm and 12.5 cm marks were recorded. This was repeated four to five times for each hole, and the average value was recorded, as follows:

- Percolation Test Hole #1 – 10:30; 10:45; 10:28 – average 10:35 min/inch
- Percolation Test Hole #2 – **77:38 min/inch – avoid this area near the path and to the east**
- Percolation Test Hole #3 – 5:25; 5:15; 4:55; 5:10 – average 5:10 min/inch
- Percolation Test Hole #4 – 4:05; 4:01; 6:08; 6:35; 4:08 – average 5:00 min/inch

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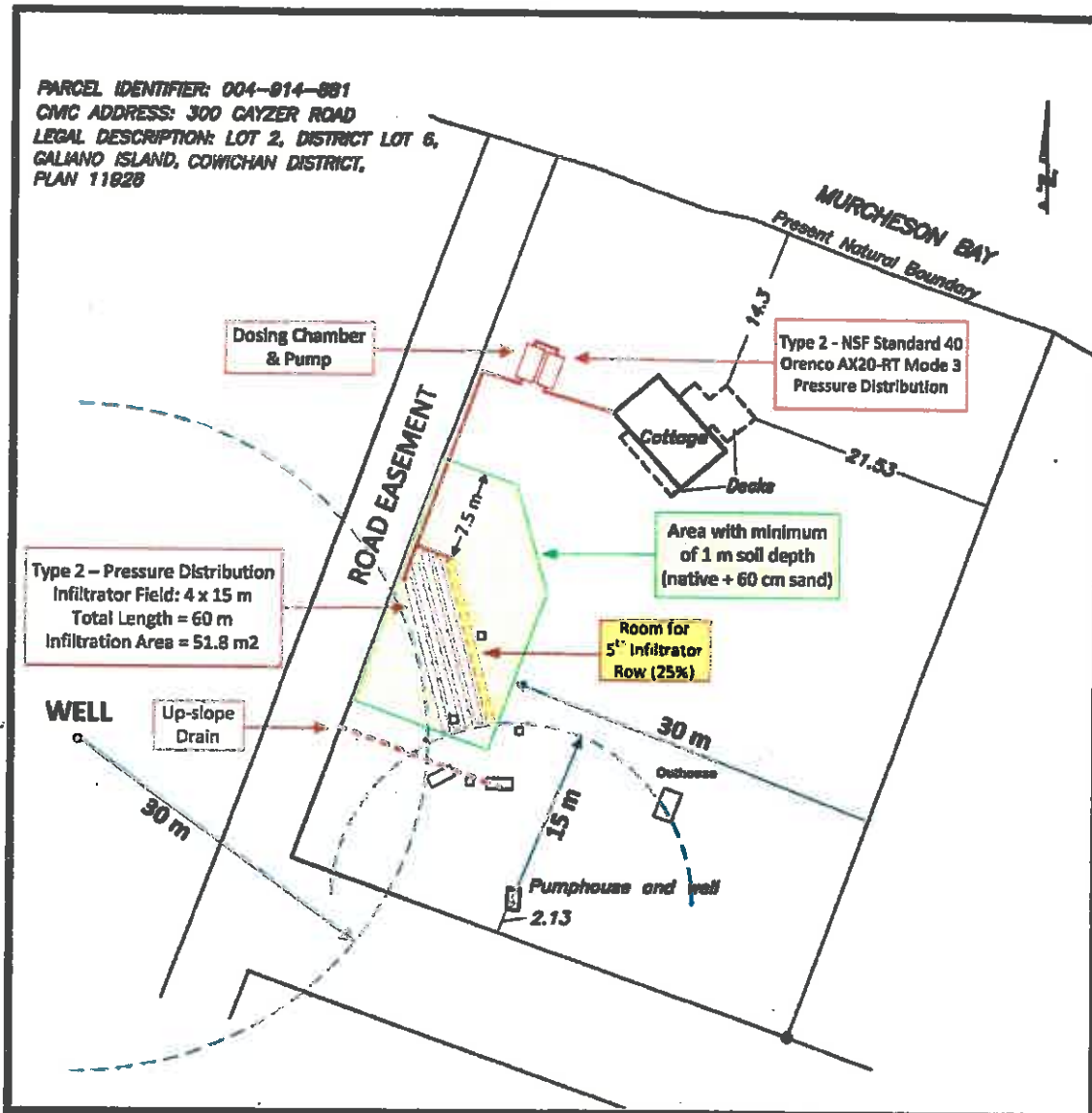


Figure 2 Proposed Wastewater Treatment and Ground Dispersal Design Criteria and Layout.

The field shown in Figure 2 is constructed of four rows of 86 cm (34 inch) wide infiltrator-style chambers an average of 15 metres long, for a total length of about 60 m and a total horizontal infiltration surface area of 51.8 m², exceeding the minimum HLR criteria of 43 m² by about 20%.

The field width perpendicular to the slope shown in Figure 2 is about 12 m, which is 33% less than the estimated minimum system contour length requirement of 19 m. Possible measures to mitigate the risk of mounding beneath the dispersal area includes the following:

- **Option #1:** Increase the depth of sand over the site to 60 cm. This will increase the LLR up to 400 L/day/m within the 60 cm coarse sand layer and reduces the minimum system contour length to just over 5 m.

Environmental Assessment of 300 Cayzer Road, Galiano Island, BC

Submitted To:

Dan Walker

On

January 10, 2018

Prepared By:

Dan Baxter and Erin O'Brien



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1.0 Introduction

In October 2017, Caurinus Environmental was retained by Dan Walker to complete an environmental inventory and impact assessment for the replacement of a single story cabin with a new two-story cabin adjacent to the designated Shoreline and Marine DPA located on Galiano Island at 300 Cayzer Road (Figure 1). The purpose of this report is to provide a complete environmental inventory, impact assessment and strategies with other disciplines to guide the proposed development in an environmentally responsible manner.



Figure 1. South East section of Galiano Island; Gulf Islands (Google Earth 2017).

Located in the Galiano Island Local Trust Area, Capital Regional District (CRD), the subject area is approximately 0.28 ha (0.7 acres) in size. The subject area is located on Cayzer Road at the South East section of Galiano Island (Figure 2). Legal property description for the parcel is:

- Cayzer Road; Lot 2, Plan VIP11928, District Lot 6, Land District 16, Portion Galiano Island (PID: 004-914-881)



Figure 2. 300 Cayzer Road, Galiano Island (e-valueBC, BC Assessment 2017).

The purposed area is currently zoned SLR (Small Lot Residential) and is surrounded by SLR zones to the east and west. The proposed plan is to construct a new two-story cabin in place of the existing one-story cabin. The subject property falls under the jurisdiction of the Galiano Island Local Trust Committee and consequently must conform to the Galiano Island Official Community Plan Bylaw No.108, 1995. Both phases of the environmental assessment are included in this report: Ecological Assessment Phase and Impact Assessment and Mitigation Phase.

Other regulatory frameworks which also guide the assessments and strategies within this report include, but are not limited to:

1. Species at Risk Act (SARA) - Federal
2. Migratory Birds Convention Act – Federal
3. Wildlife Act – Provincial

2.0 Supporting Inventories

A review of current information pertaining to the subject property and surrounding areas was conducted and includes the following, but is not limited to:

- Biogeoclimatic maps and online satellite imagery of the subject property.
- BC Conservation Data Centre (CDC).
- Ecocat, Ecosystems Report Catalogue
- Terrestrial Ecosystem Mapping

2.1 Physical Resources

Humid Temperate Ecodomain

In British Columbia, the ecosystems of the Gulf Islands originate from the most southerly extent of the Humid Temperate Ecodomain extending from the continental slope and shelf, all the coastal islands, adjacent mountains, the central interior plateau, and the southern interior mountains. The climate is characterized by strong seasonal cycles of temperature and precipitation with a distinct winter (CPAWS 2005; Demarchi 2011).

Humid Maritime & Highlands Ecodivision

This Ecodivision occurs along the coast from the western edge of the Continental Slope eastward to the effective height of land on the Coast Mountains, including the Nass Basin and Nass Ranges. This Ecodivision's climate is temperate, with abundant rainfall throughout the year; but with reduced precipitation in summer. Coniferous tree species that occur include Douglas-fir, western redcedar, western hemlock, Sitka spruce, amabilis fir, and yellow-cedar. In the extreme south of the province, where it is much drier, it contains arbutus and Garry oak communities (CPAWS 2005; Demarchi 2011).

Georgian Depression Ecoprovince (GED)

This ecoprovince lies between the Vancouver Island Mountains and Olympic Mountains to the west and the southern Coast Mountains and northern Cascade Ranges to the east. In British Columbia, the Georgia Depression Ecoprovince is a large basin that encompasses the southeastern Vancouver Island Mountains, the Nanaimo Lowlands, and the Gulf Islands in the west, the Strait of Georgia, in the middle, and the Georgia Lowlands and Fraser Lowlands in the east (CPAWS 2005; Demarchi 2011).

SGI - Southern Gulf Islands Ecoregion

These islands occur from Newcastle and Gabriola islands south to Chatman, Discovery and Chain islands, including the inter-island channels and sounds that extend across the Strait of Georgia, and the San Juan Island in Washington. The islands consist of folded and faulted shale and sandstone/conglomerate, with some volcanic stocks intermixed. This has resulted in the many linear valleys and island separations. The northwesterly aligned folded structure and the eroding power of

southeasterly moving glacial ice have resulted in the prominent northwesterly-southeasterly alignment of the Gulf Islands. As the glaciers retreated, it resulted in very deep deposits of sediments on this lowland. Streams that originate here are short and often ephemeral, drying in the summer (CPAWS 2005; Demarchi 2011).

2.2 Topography

The dominant landforms in the area are long ridges overlooking interior lowlands that are generally submerged. Island ridges and peaks are capped by hard conglomerate and sandstones. Smaller valleys have been eroded out of softer, shaly sediments (Green et al.1989). Galiano Island is entirely underlain by the sedimentary formations of Upper Cretaceous age (Muller and Jeletzky 1970). These formations comprise alternating beds of conglomerates, sandstones, and shales with an estimated total thickness of 3050 m (Williams and Pillsbury 1958). Galiano Island is long and narrow and strongly reflects the linear character of the underlying sedimentary bedrock. Ridges and hills are very pronounced and the bedrock strata can be seen to dip steeply towards the Strait of Georgia. The highest peaks consist of Sutil Mountain (290 m) in the southeastern part of the island and Mount Galiano (311 m) located on the most southerly point.

2.3 Hydrology

Soils, climate, vegetation cover, and surface topography work together in a complementary manner. Soils directly influence the infiltration rate of rainfall, the rate of surface runoff, and ultimately the groundwater recharge/discharge as well as soil moisture content (Kenney et al. 1988). The subject property is composed of very shallow channery sandy loam and glacial drift materials overlaying sandstone bedrock. The property is slightly sloped toward a small cove in Whaler Bay with visible erosional features (Plate 7).

2.4 Biological

2.4.1 Shoreline and Marine DPA

British Columbia's Local Government Act enables communities to designate parts of their planning area as Development Permit Areas (DPAs). As part of the Galiano Island Official Community Plan (OCP), a set of objectives and guidelines for development were designated. Seven DPAs were designed to protect sensitive ecosystems or to guide development in areas with special circumstances. A Development Permit may be needed by any building construction, demolition, land alteration, or subdivision of land that occurs in the DPA. The Shoreline and Marine DPA was adopted by the Galiano Island Local Trust Committee (LTC) in order to protect sensitive coastal areas and processes (Islands Trust, 2017).

Locally, a portion of the property has been designated as a Shoreline and Marine Development Permit Area by the Islands Trust. This designation includes the protection of the natural environment, its ecosystems and biological diversity. Shorelines within the Galiano Island Local Trust Area have high ecological function and values and may be subject to shoreline erosion in some locations. Due to their

physical and biological characteristics they need to be carefully managed to avoid potential negative impacts of development. Development and associated shoreline improvements or protection measures can threaten the ecological and physical integrity of the foreshore and upland. The Shoreline and Marine DPA includes all land 15 m upland of the natural boundary of the sea, and seaward to the boundary of the area of bylaw application.

3.0 Site Inventory

Dan Baxter (B.Sc., R.P.Bio) and Erin O’Brien (Ph.D.) of Caurinus Environmental conducted a site visit and review of current information pertaining to the subject property and surrounding areas in November 2017. The review included online satellite imagery, reports, independent studies and recent Terrestrial Ecosystem Mapping (TEM).

The subject property is accessed from Cayzer Road, off Sturdies Bay Road on Galiano Island (Figure 2). The property begins at the southwest corner, and consists of mainly sparse trees and shrubs up to the existing cabin. The proposed cabin site has been previously disturbed by historic land use and is composed of an open, well maintained lawn.

3.1 Shoreline Regulation and Setback

Shoreline Description (300 Cayzer Road)

Type: Pebble/Sand Beach; Length: 582.9566 m

Substrate: Sediment (soft shorelines)

Description: Pebble-sand (shell) beaches are generally stable to accretion. Beach stability sensitive to sediment supply; beaches are dynamic and may exhibit long-term cycles (eg. 20 yr storm cycle).

Tide Type: Mixed Semi Diurnal: two HW (High Water a.k.a. high tide) and two LW (Low Water a.k.a. low tide) occur each lunar day, each of markedly different height.



Figure 3. Shoreline and Marine DPA along 300 Cayzer Rd, Galiano Island (MapIT, Island Trust 2017).

3.2 Conservation Data Centre

British Columbia Conservation Data Centre (CDC) is an extension of Ministry of Environment and is the provincial coordinator of tracking rare and endangered species (native plants, animals, and natural plant communities) in British Columbia on provincial, national and international levels.

Documented locations of sensitive and non-sensitive species were reviewed for the area using a 1 km search radius; no known sensitive or non-sensitive occurrences have been reported in the area (Data review: December 11, 2017).

3.3 Flora

Site Inventory Description:

All areas on the property have been previously disturbed from clearing for development or selective logging. The area surveyed was comprised solely of the Shoreline and Marine DPA.

The area surveyed on the property consists of a well maintained lawn facing north, as well as apple trees on the east side of the property. Plant species present along the shoreline edge of the property include an invasive species: Scotch broom (*Cytisus scoparius*); as well as some introduced grasses. Native species include: sword fern (*Polystichum munitum*), deer fern (*Blechnum spicant*), nootka rose (*Rosa nutkana*), trailing blackberry (*Rubus ursinus*), ocean spray (*Holodiscus discolor*), bigleaf maple (*Acer macrophyllum*), various mosses and a large Douglas-fir (*Pseudotsuga menziesii*; DBH 63.5 cm).

Plant species above the shoreline included Scotch broom as well as some introduced grasses. Native plants included: Oregon grape (*Mahonia nervosa*), alder (*Alnus* sp.), lamb's-ear (*Stachys byzantine*) and various mosses.

No species at risk were detected; however, the timing of our investigation (mid-fall) would not preclude their potential occurrence at some other point during the growing season (this would apply to all plant species). Given the prior disturbance to the area, however, it is unlikely that rare species would be found on site at any time of year.

3.4 Fauna

During the site visit, all provincially Red- and Blue-listed species as well as Species at Risk Act-scheduled species were assessed for possible occurrence in the site subject property. This wildlife assessment only considers vertebrate animals.

Birds

The following six bird species were observed during the site visit. Four were observed on or near the subject property, while the remaining three were detected on Whaler Bay. The birds detected on site are typical for the area in late fall. No species at risk were detected. No passerine, heron or raptor nests were detected during the site visit.

Table 3. List of bird species detected or observed at 300 Cayzer Road (Galiano Island, BC).

Common Name	Genus Species
Terrestrial	
Red-breasted Sapsucker	<i>Sphyrapicus ruber</i>
Northern Flicker	<i>Colaptes auratus</i>
Common Raven	<i>Corvus corax</i>
Aquatic	
Hooded Merganser	<i>Lophodytes cucullatus</i>
Belted Kingfisher	<i>Megaceryle alcyon</i>
Gull sp.	<i>Larus</i> sp.

Mammals

Two species of mammal were detected during our site visit, and no species at risk were detected. Mammal sign and observations are summarized below:

- Black-tailed deer (*Odocoileus hemionus columbianus*) pellets
- River otter (*Lontra canadensis*) scat (latrine)

Other mammals that may be on site but which were not directly surveyed include small rodents and bats. Suitable habitats for roosting and nursery sites for bats are not present on site. Suitable sites

would include both clefts in steep rock outcrops, and standing dead trees with hollow interiors or with bark flaking off in large pieces (Nagorsen and Brigham 1993).

Amphibians and Reptiles

No reptiles or amphibians were detected during our site visit, but may occur in the warmer months. No hibernacula were found on the property.

3.5 On Site and Adjacent Land Use

Currently there is an existing dwelling on the property that is partially within the 15 m buffer of the Shoreline and Marine DPA. The property is divided into two distinct sections; the front of the house which is an open area covered in grass (Plate 1), and the back of the house which is a forested area (Plate 2). The current 15 m shoreline and marine DPA edge extends mid-way through the current deck of the house. The shoreline area consists of exposed sandstone rock with a shallow overlay of soil (Plate 3). Adjacent developed properties exist on either side of the property (Plates 4, 5).



Plate 1. View of property from northeast corner, looking west.



Plate 2. View of forested area behind current cabin, looking north.



Plate 3. View of edge of current shoreline area looking east.



Plate 4. East side of property showing adjacent development.



Plate 5. West side of property showing right of way to beach and adjacent development.

4.0 Impact Assessment

Shoreline vegetation in and adjacent to the property is very limited as residential developments on either side of the property have houses and landscaping present up to the water edge. Although a portion of the proposed dwelling will lie within the pre-designated 15 m buffer, no new impact will occur to the Shoreline and Marine DPA, although restoration of a viable coastal shoreline habitat with appropriate coastal erosion safeguards are needed.

The proposed construction of a new two-story cabin within this ecosystem will have little or no impact on the overall health and sustainability of this sensitive area as the majority of the construction will occur outside of the Shoreline and Marine DPA. Any impact that the expansion of the cabin in the Shoreline and Marine DPA has will be mitigated by the conversion of the current green space into a more suitable shoreline habitat with slope-stabilizing shrubs and herbs (see below). There are two bigleaf maples and one Douglas-fir on the northern edge of the property that will not be removed or altered. The property owner has the intention of causing as little impact to the habitat as possible, so as to not alter the current ecological function of the area. The planned work will have no effect on the hydrology of the property as long as proper safeguards are in place to inhibit any water runoff during construction.

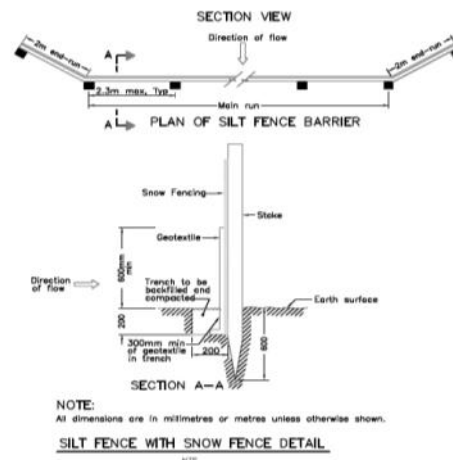
5.0 Mitigation and Recommendations

Considerations and recommendations are for the benefit of the whole property area. The property owners have committed to retaining as much as possible of the natural features and character of the property. These measures would help retain and provide ecological value while still providing the space needed for construction of the dwelling:

1. Prior to construction, areas outside the building footprint will be delineated with temporary fencing and erosion controls, as illustrated below, to prevent sediment in natural areas.

EROSION AND SEDIMENTATION

- 1) PRE-STAKED SILT FENCE TO BE INSTALLED AS SHOWN PRIOR TO CONSTRUCTION AS DIRECTED BY THE ENGINEER.
- 2) TOPSOIL STRIPPED FOR REUSE TO BE STOCKPILED AWAY FROM WATER COURSES, DRAINAGE PATHS AND PROPERTY AND SHALL BE COVERED AND / OR SEEDED TO REDUCE EROSION.
- 3) ALL DISTURBED AREAS TO BE RESTORED AND LANDSCAPED AS SOON AS POSSIBLE FOLLOWING CONSTRUCTION.
- 4) ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSPECTED AND MAINTAINED ON A REGULAR BASIS THROUGHOUT THE COURSE OF CONSTRUCTION BY THE CONTRACTOR. THE QUALIFIED ENVIRONMENTAL MONITOR (QEM) JOHN GRODS SHALL HALT PROGRESS OF ANY AND ALL WORK AND SHALL DIRECT CONTRACTOR TO REPAIR / ALTER CONSTRUCTION MITIGATION MEASURES IF THEY ARE NOT PERFORMING ADEQUATELY.



2. Temporary fencing shall be accompanied with silt fencing and erosion control measures.
3. Retention of all vertical structure along the shoreline is vital for bank stabilization.
4. The removal of invasive species (Scotch broom) is recommended throughout the entire property, with the exception of Scotch broom along the bank as it is currently stabilizing the bank. Keeping the Scotch broom trimmed before flowering will help reduce the spread of seed in the area.
5. Landscaping and restoration of natural areas should be conducted using only native plant species.
6. Minimize disturbance and maintain undeveloped habitat in as natural a state as possible.
7. Any hired contractors should inspect their equipment and vehicles to ensure they do not transport invasive plant species seeds onto or off the property. All equipment should be washed prior to arrival. Manual removal of weeds should be performed regularly.
8. No storage of building materials should occur in the shoreline setback area.
9. A spill kit will be present on all equipment.
10. Any exposed soils for prolonged periods, *i.e.*, greater than 2 weeks, shall be covered. Covering may include tarping, or hydromulch (without seed mixture) and must be maintained.
11. All work should be completed during dry weather. Construction and landscaping works will not occur during rain deposition events.
12. During and upon completion of dwelling renovation, all runoff from eavestroughs should be diverted away from the Shoreline and Marine DPA.
13. Avoid tree removal on the property during peak breeding bird timing window (April 1st to July 31st).

6.0 Monitoring and Restoration

A recommended follow-up visit may be necessary once construction of the dwelling is complete. This would enable an environmental monitor to assess the effectiveness of the proposed mitigation procedures.

Restoration activities in the Shoreline and Marine DPA need to be planned and implemented in a way that protects these environmentally sensitive areas and future sea level rise due to climate change. There are significant erosion concerns with the shoreline; given the slope of the property leading down to the shoreline, and the lack of vegetation within the DPA, it will be most ecologically appropriate to plant as much vegetation as possible (see list below), at least within 7.5 m from the natural boundary of the sea, in order to establish a root system that will help stabilize that whole area. Slumpage is currently occurring

on the shoreline edge of the property, and restoration of the property to a more natural state will help to ensure slope stability (Plates 6a, 6b, 7).



Plate 6a. Slumpage on Shoreline and Marine DPA facing east



Plate 6b. Slumpage on Shoreline and Marine DPA facing east



Plate 7. Slumpage on Shoreline and Marine DPA facing west.

Planting native plants along the edge of the grassy shoreline above the fissures, where the slope is more stable, will help reduce erosion.

- a) Small herbaceous plants can be planted as close as 5-10 cm to the fissures, as they have shallow fibrous roots that will stabilize the topsoil.
- b) Larger shrubs (e.g. ocean spray) should be planted approximately 50 cm away from the fissures, as their deeper roots will help stabilize the soil to greater depths.

Although there are invasive species (i.e. Scotch broom) along the shore that in most conditions would be removed, we are proposing to retain them (removal of these plants would do more harm than good to the shoreline), as it provides a deep root system that can provide support to the bank; trimming will prevent seed dispersal.

The relevant Shoreline and Marine DPA restoration guidelines to the property are as follows (Islands Trust 2017):

1. If the area has been previously cleared of native vegetation, or is cleared during the process of development, replanting requirements may be specified in the development permit. Areas of undisturbed bedrock exposed to the surface or natural sparsely vegetated areas should not require planting.
2. Vegetation species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should preferably be native to the area, and should be

selected for erosion control and/or fish and wildlife habitat values as needed. Suitably adapted, non-invasive, non-native vegetation may also be considered acceptable.

3. All replanting should be maintained by the property owner for a minimum of 2 years from the date of completion of the planting to ensure survival. This may require removal of invasive, non-native weeds (e.g., Himalayan blackberry, Scotch broom, English ivy) and irrigation. Unhealthy, dying or dead stock should be replaced at the owner's expense in the next regular planting season. Permits may include, as a condition, the provision of security to guarantee the performance of terms of the permit.

The following species list is an example of the type of plants that could be planted on the site. Plants that are saline tolerant, deep rooted and/or drought tolerant would be ideal selections for restoration.

Ocean spray - *Holodiscus discolor*
Red Osier Dogwood - *Cornus stolonifera*
Saskatoon - *Amelanchier alnifolia*
Red Elderberry - *Sambucus racemosa*
Twinberry - *Lonicera involucrata*
Sweet Gale - *Myrica gale*
Hardhack - *Spirea douglasii*
Nootka Rose - *Rosa nutkana*
Red Flowering Currant - *Ribes sanguineum*
Stink Currant - *Ribes bracteosum*
Salmonberry - *Rubus spectabilis*
Thimbleberry - *Rubus parviflorus*
Pacific Ninebark - *Physocarpus capitatus*
Highbush Cranberry - *Viburnum edule*
Mock Orange - *Philadelphus lewisii*
Snowberry - *Symphoricarpos albus*
Salal – *Gaultheria shallon*
Sword fern - *Polystichum munitum*
Nootka Rose - *Rosa nutkana*
Evergreen Huckleberry - *Vaccinium ovatum*
Nodding onion - *Allium cernuum*

An expert with knowledge of saline tolerant, drought resistant plants with stable root system should be able to provide the property owners with the shrubs/plants needed to help stabilize the shoreline. To assist with the identification of appropriate native plants, below are links to local providers in the area:

http://www.goert.ca/gardeners_restoration/buying_native_plants.php

<http://galianoconservancy.ca/grow-native-plants/>

Watering Regime

Selecting for drought tolerant species will help mitigate the need to continually water the new herbs and shrubs. Since there is a limited water supply on the property (65' deep well that produces 0.75 gpm) hand-watering at dawn and dusk will ensure that the majority of the water soaks into the soil and not

evaporate before being absorbed by the plants. Watering during the hottest times of the day is to be avoided.

Fencing

Deer are the main browsers on Galiano Island and are attracted to any new, easily accessible growth or plantings. Temporary deer exclusion fencing is recommended to cover the new vegetation until the plants have had time to establish themselves and create natural barrier to browsing on the property.

7.0 Conclusion

We have reviewed the plans and provided recommendations that will help guide an environmentally responsible development and ensure that potential detrimental impacts to the natural environment will be avoided and/or mitigated. If you have any questions or comments, please contact the undersigned at your convenience.

Respectfully Submitted,

Dan Baxter (B.Sc., R.P.Bio) and Erin O'Brien (Ph.D.)



8.0 References

- Canadian Parks and Wilderness Society (CPAWS). Gulf Islands Ecosystem Community Atlas. Parks Canada. 2005.
- Demarchi, D.A. 2011. The British Columbia Ecoregion Classification, Third Edition March. Ecosystem Information Section. Ministry of Environment. Victoria, British Columbia.
- Google Earth Pro V 7.3.0.3832. (November, 2017). 300 Cayzer Road, Galiano Island, Canada. 48°51'56.74 "N; 123°26'52.26"W, Eye alt 15.95 km. TerraMetrics 2017. <http://www.earth.google.com> [November 25, 2017].
- Green, A.J., van Vliet, L.J.P. and Kenney, E.A.1989. Soils of the Gulf Islands of British Columbia. Soils of Galiano, Valdes, Thetis, Kuper, and lesser islands. Vol 3, No. 43. British Columbia Soil Survey Research Branch, Agriculture Canada.
- Islands Trust (MapIT). 2016. <http://www.islandstrust.bc.ca/maps/mapit/> [November 28, 2017].
- Islands Trust. 2017. Galiano Island Local Trust Committee Official Community Plan, 1995
- Meidinger, D. and Pojar, J. 1991. Ecosystems of British Columbia. Special Report Series 6, Research Branch, BC Ministry of Forests, Victoria, BC.
- Muller, J.E. and Jeletzky, J.A. 1970. Geology of the Upper Cretaceous Nanaimo Group, Vancouver Island and Gulf Islands, Canada. Geol. Surv. Can. Pap.69-25. 77 pp.

- Nagorsen, D.W. and Brigham, R.M. 1993. Bats of British Columbia. Volume 1, The Mammals of British Columbia. Royal British Columbia Museum Handbook. University of British Columbia Press, Vancouver. 164 pp.
- Williams, M.Y. and Pillsbury, R.W. 1958. The Gulf Islands of British Columbia. *Can. Geogr. J.* LVI 6:184-201



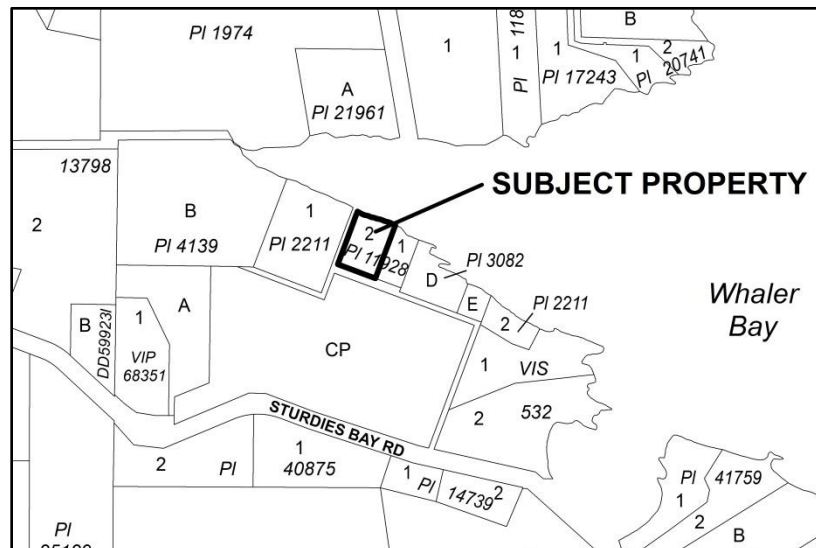
NOTICE
GL-DVP-2017.6
GALIANO ISLAND LOCAL TRUST COMMITTEE

NOTICE is hereby given that the Galiano Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 499 of the *Local Government Act*. The proposed permit would vary the Galiano Island Land Use Bylaw No.103, 1996, by varying:

1. Section 2.15 which states that sewage absorption fields must be sited at least 30 metres from any well is varied to permit the construction of a treated sewage dispersal field (sewage absorption field) within 15 m of a well.
2. Article 5.3.8.3 which states that buildings and structures must be sited at least 6.0 metres from an exterior side lot line is varied to permit the construction of septic sewage treatment tanks, piping and treated sewage dispersal field, rainwater collection tank and piping within 0.25 metres of an exterior side lot line.

The property is located at 2 – 300 Cayzer Road and is legally described Lot 2, District Lot 6, Galiano Island, Cowichan District, Plan 11928. PID: 004-914-881

The general location of the subject properties is shown on the following sketch.



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **January 22, 2018** and continuing up to and including **February 2, 2018**.

For the convenience of the public only, and not to satisfy Section 499 (2) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Galiano Island, BC, commencing **January 22, 2018**.

Enquiries or comments should be directed to Phil Testemale, A/Planner 2 at (250) 405-5170, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: information@islandstrust.bc.ca before 4:30 pm, **February 2, 2018**.

The Galiano Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **12:30 pm., February 5, 2018**, at the North Community Hall, 20925 Porlier Pass Road, on Galiano Island.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Sharon Lloyd-deRosario, Deputy Secretary 148



Islands Trust

PROPOSED

**GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
GL- DVP-2017.6**

To: Daniel & Ellen Walker

1. This Development Variance Permit applies to the land described below:

Lot 2, District Lot 6, Galiano Island, Cowichan District, Plan 11928
(PID: 004-914-881)

2. Galiano Island Land Use Bylaw 127, 1999 is varied as follows:

- a) Section 2.15 which states that sewage absorption fields must be sited at least 30 metres from any well is varied to permit the construction of a treated sewage dispersal field (sewage absorption field) within 15 m of a well.
- b) Article 5.3.8.3 which states that buildings and structures must be sited at least 6.0 metres from an exterior side lot line is varied to permit the construction of septic sewage treatment tanks, piping and treated sewage dispersal field, rainwater collection tank and piping within 0.25 metres of an exterior side lot line.

The development shall be consistent with Schedule 'A' attached to and forming part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of the "Galiano Island Land Use Bylaw 127,1999" and to obtain other approvals necessary for completion of the proposed development, including approval of the Capital Regional District, Island Health and Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS ##th DAY OF MONTH, YEAR.

Deputy Secretary, Islands Trust

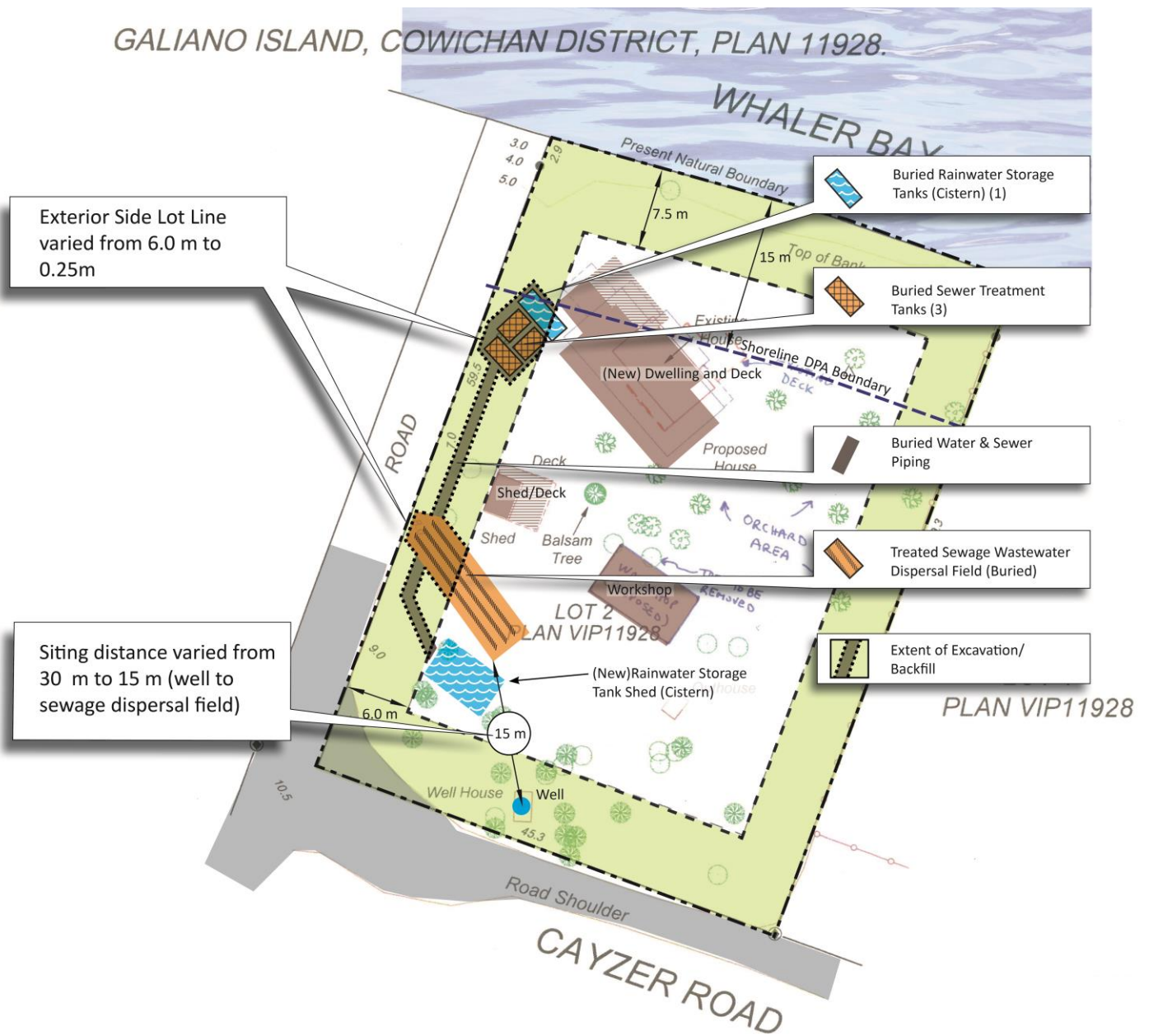
Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF MONTH, YEAR, THIS PERMIT AUTOMATICALLY LAPSES.

GALIANO ISLAND LOCAL TRUST COMMITTEE
GL-DVP-2017.6

SCHEDULE 'A'

GALIANO ISLAND, COWICHAN DISTRICT, PLAN 11928.



PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT GL-DP-2017.3

To: Daniel & Ellen Walker

1. This Development Permit (the "Permit") applies to the land described below and all structures and other developments therein:

Lot 2, District Lot 6, Galiano Island, Cowichan District, Plan 11928
(PID: 004-914-881)

2. This Development Permit No. GL-DP-2017.3 authorizes the construction (renovation) of a dwelling within Development Permit Area (DPA) 2 – Shoreline and Marine DPA ("DPA"), subject to the following requirements and conditions:
 - a. All construction shall be consistent with Schedules "A", "B", "C", "D" and "E" attached to and forming part of this permit.

Development

- b. In the DPA, disturbance or clearing is to be minimized and the area maintained in as natural a state as possible, with the exception of the area of new dwelling and cistern construction as shown on Schedules "A" and "B".

Restoration Planting and Retention

- c. There is to be no tree removal during peak breeding bird timing window (April 1st to July 31st, annually).
 - d. All landscaping and planting in the DPA are to be selected from the Species List attached as Schedule "D" and maintained by regular watering until re-established (a minimum of two (2) years).
 - e. Plantings should be selected for drought tolerant species to help mitigate the need to continually water the new herbs and shrubs. Hand-watering at dawn and dusk will ensure that the majority of the water soaks into the soil and not evaporate before being absorbed by the plants. Watering during the hottest times of the day should be avoided.
 - f. Plantings in the DPA are to generally follow the plan attached as Schedule "A"
 - g. Planting along the edge of the grassy shoreline above the fissures, where the slope is more stable, will help reduce erosion and shall be as follows:
 - i. Small herbaceous plants can be planted as close as 5-10 cm to the fissures, as they have shallow fibrous roots that will stabilize the topsoil; and,
 - ii. Larger shrubs (e.g. ocean spray) should be planted approximately 50 cm away from the fissures, as their deeper roots will help stabilize the soil to greater depths.
 - h. The removal of non-native and invasive species such as Scotch broom, Himalayan blackberry, English ivy and non-native rose is encouraged.
 - i. Notwithstanding h. (above), Scotch broom along the bank adjacent to the natural boundary of the sea is to be retained as a bank stabilizer. These plants should be kept trimmed before flowering to help reduce the spread of seed in the areas.

- j. Temporary deer exclusion fencing shall be installed to cover the new vegetation until the plants have had time to establish themselves and create natural barrier to browsing on the property.

Construction Management

- k. Prior to commencement of any excavation and/or construction, the extent of construction as shown on Schedules "A" and "B" within the DPA is to be marked with high visibility fencing ('snow fencing').
- l. All contractors and construction personnel are to be notified of the location of the DPA and the conditions of this Development Permit.
- m. There is to be no release or deposition of any concrete or wash water from the construction process, machinery and/or equipment within or toward the DPA.
- n. There is to be no storage of construction materials, or use or parking of machinery in the DPA except for the area of allowable development as shown on Schedule "B".
- o. Prior to arrival, hired contractors should wash and inspect all vehicles and equipment to ensure invasive plant seeds are not transported onto the subject property. Manual removal of weeds should be performed regularly.
- p. All machinery and equipment is to be inspected for leaks prior to operation.
- q. A spill response kit is to be on site during all periods when machinery is being operated and all operators are to be trained in the use of the spill kit.
- r. All existing and new plumbing appliances are to be connected to the septic treatment system on site.

Sediment and Erosion Control

- s. All necessary measures to protect the sensitive shoreline ecosystem must be used by the property owners and contractors through the construction process. Specifically:
 - i. Construction and landscaping should be undertaken during dry weather and not during periods of prolonged rainfall.
 - ii. Prior to commencing construction, to the east and north of the proposed new dwelling footprint silt fencing shall be installed in accordance with Schedule "C".
 - iii. Any soils exposed or deposited for a period of greater than two (2) weeks shall covered and maintained by means of tarps in good repair and/or hydromulch (without seed mixture) and maintained.
- t. During construction and upon completion, all storm-water drainage is to be directed away from the DPA and into a rock pit to be located outside of the DPA.

Monitoring

- u. Upon completion of construction and planting, the monitoring RP Bio shall provide written confirmation of compliance with all conditions with this permit as issued within one (1) month of the development work being completed.
3. Pursuant to Section 502 of the Local Government Act, the Local Trust Committee requires security to ensure that any conditions respecting landscaping are satisfied:
- a. Where the Local Trust Committee considers that a condition in the permit respecting landscaping has not been satisfied the Local Trust Committee may undertake and complete the works required to satisfy the landscaping condition, at the cost of the permit holder, and may apply the security in payment of the cost of the works with any excess to be returned to the permit holder.

- b. Any interest earned on the security provided under Condition 3.a. shall accrue to the permit holder and be paid to them immediately on return of the security or, on default, become part of the amount of the security.
- c. The security provided by the permit holder shall be in the form of:
 - I. An irrevocable letter of credit with a clause for automatic renewal, or cash equivalent.
 - II. Payable to the Islands Trust,
 - III. In the amount of 125% of the quoted planting and landscaping cost totalling \$3806.25 based upon the cost estimate provided by Keith Erickson RP Bio. dated January 25, 2018.
- d. Where the development authorized by this permit has been completed or the permit has lapsed prior to commencement of any work pursuant to this permit, the security shall be returned to the permit holder, minus any funds still required to satisfy the Condition 3. A. of this permit, provided that the conditions have been met.

- 4. Any further development within designated Development Permit Area will require a new Development Permit, or a Development Permit Amendment.
- 5. This Permit does not remove any obligation on the Permittee to obtain other approvals or obligations necessary for the lawful completion of the proposed development.
- 6. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
- 7. This permit does not relieve the applicant from complying with the provisions of the Galiano Island Land Use Bylaw unless varied by this Permit.

This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of Galiano Island Land Use Bylaw No. 127, 1999 and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE, THIS rd DAY OF , 2017.

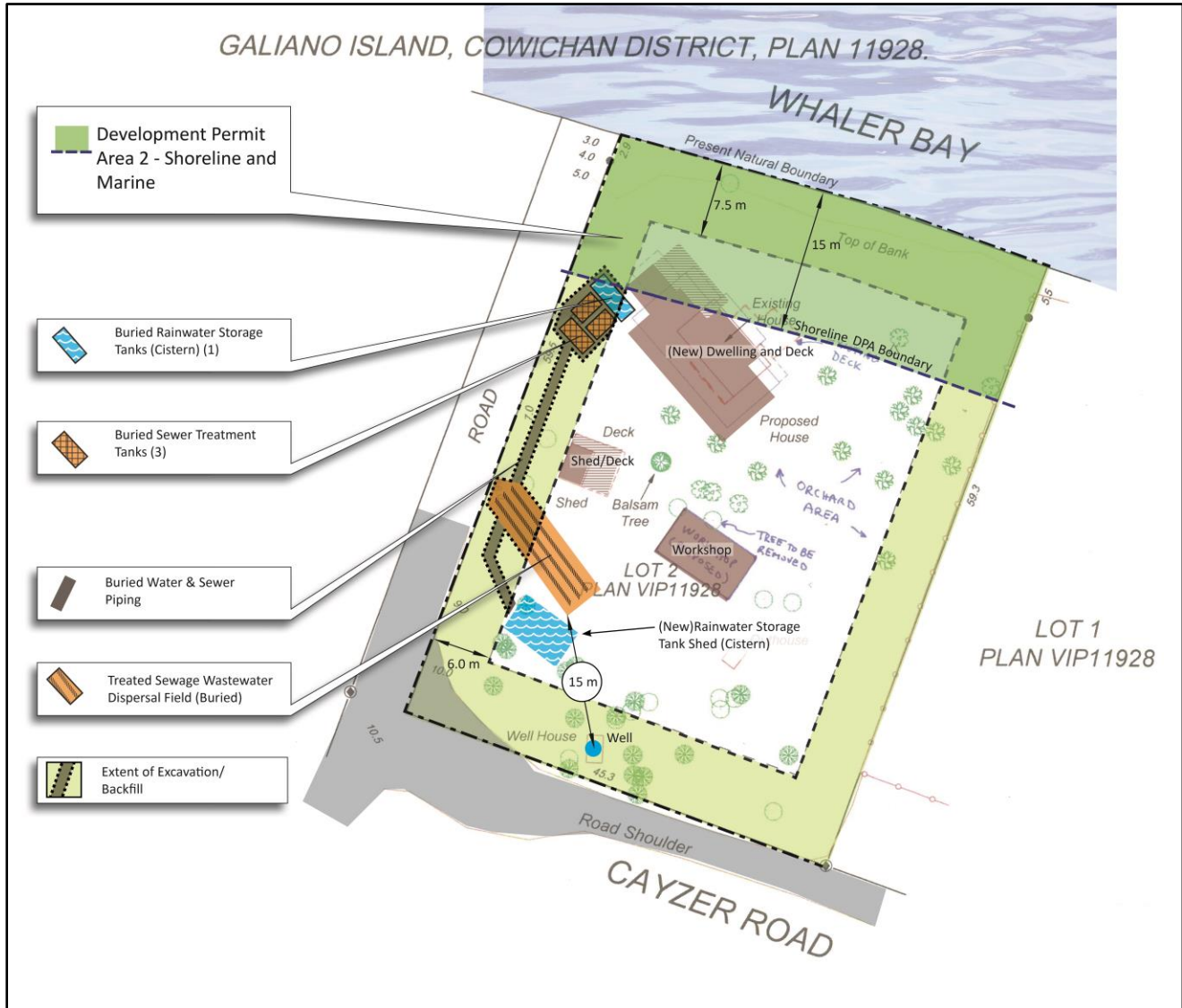
_____ Deputy Secretary, Islands Trust	_____, 2018 Date Issued
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IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE ##th DAY OF MONTH, 201# THIS PERMIT AUTOMATICALLY LAPSES.

GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GL-DP- 2017.3
Schedule "A"

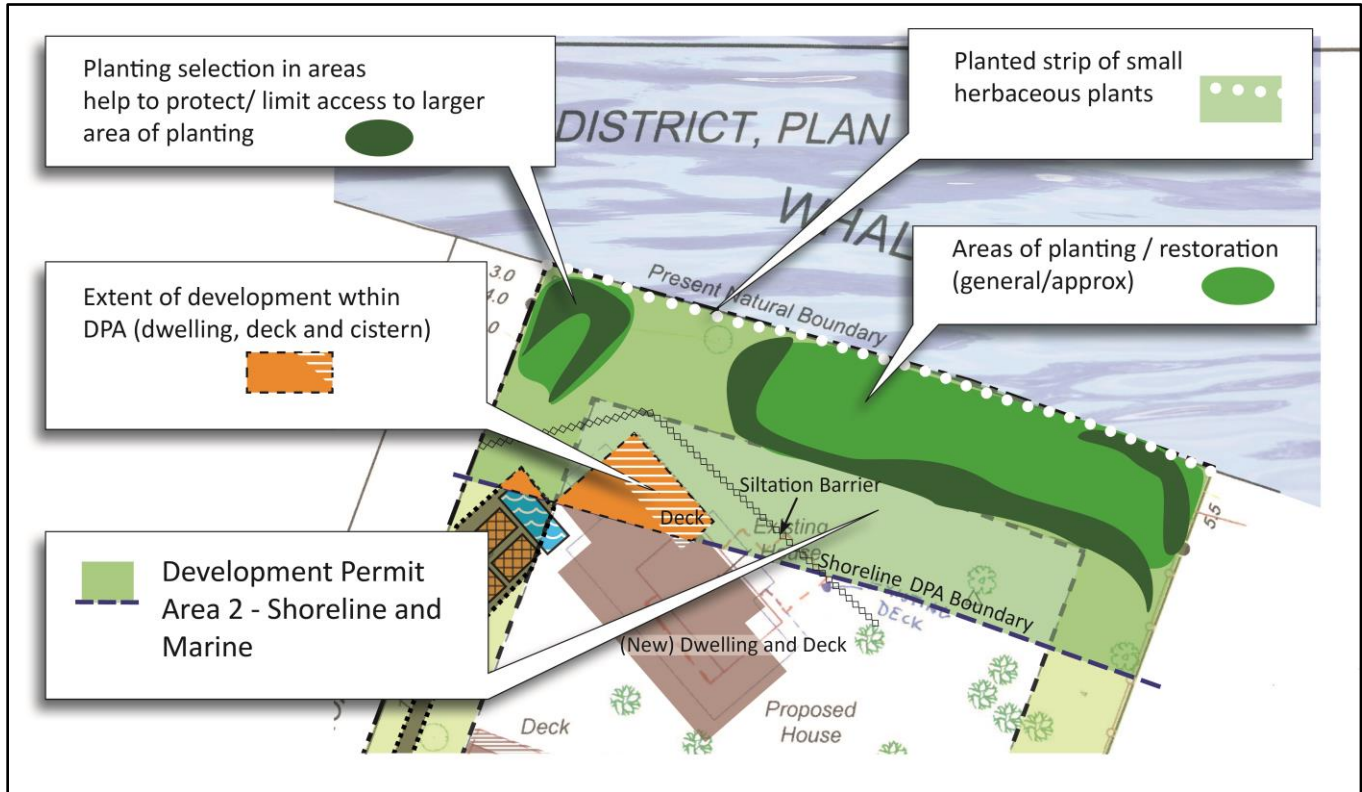
Site Plan



GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GL-DP- 2017.3
Schedule "B"

Site Plan (DPA Planting)



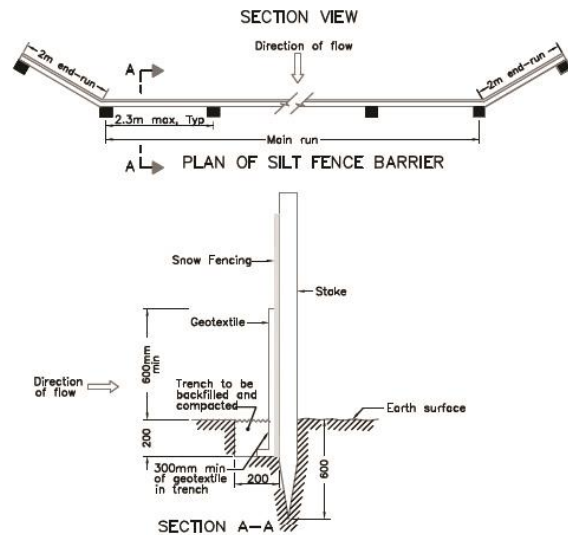
GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GL-DP- 2017.3 Schedule "C"

Erosion and Sedimentation Control Measures

EROSION AND SEDIMENTATION

- 1) PRE-STAKED SILT FENCE TO BE INSTALLED AS SHOWN PRIOR TO CONSTRUCTION AS DIRECTED BY THE ENGINEER.
- 2) TOPSOIL STRIPPED FOR REUSE TO BE STOCKPILED AWAY FROM WATER COURSES, DRAINAGE PATHS AND PROPERTY AND SHALL BE COVERED AND / OR SEEDED TO REDUCE EROSION.
- 3) ALL DISTURBED AREAS TO BE RESTORED AND LANDSCAPED AS SOON AS POSSIBLE FOLLOWING CONSTRUCTION.
- 4) ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSPECTED AND MAINTAINED ON A REGULAR BASIS THROUGHOUT THE COURSE OF CONSTRUCTION BY THE CONTRACTOR. THE QUALIFIED ENVIRONMENTAL MONITOR (QEM) JOHN GRODS SHALL HALT PROGRESS OF ANY AND ALL WORK AND SHALL DIRECT CONTRACTOR TO REPAIR / ALTER CONSTRUCTION MITIGATION MEASURES IF THEY ARE NOT PERFORMING ADEQUATELY.



NOTE:

All dimensions are in millimetres or metres unless otherwise shown.

SILT FENCE WITH SNOW FENCE DETAIL

NTS

GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GL-DP- 2017.3

Schedule “D”

Species List for Planting

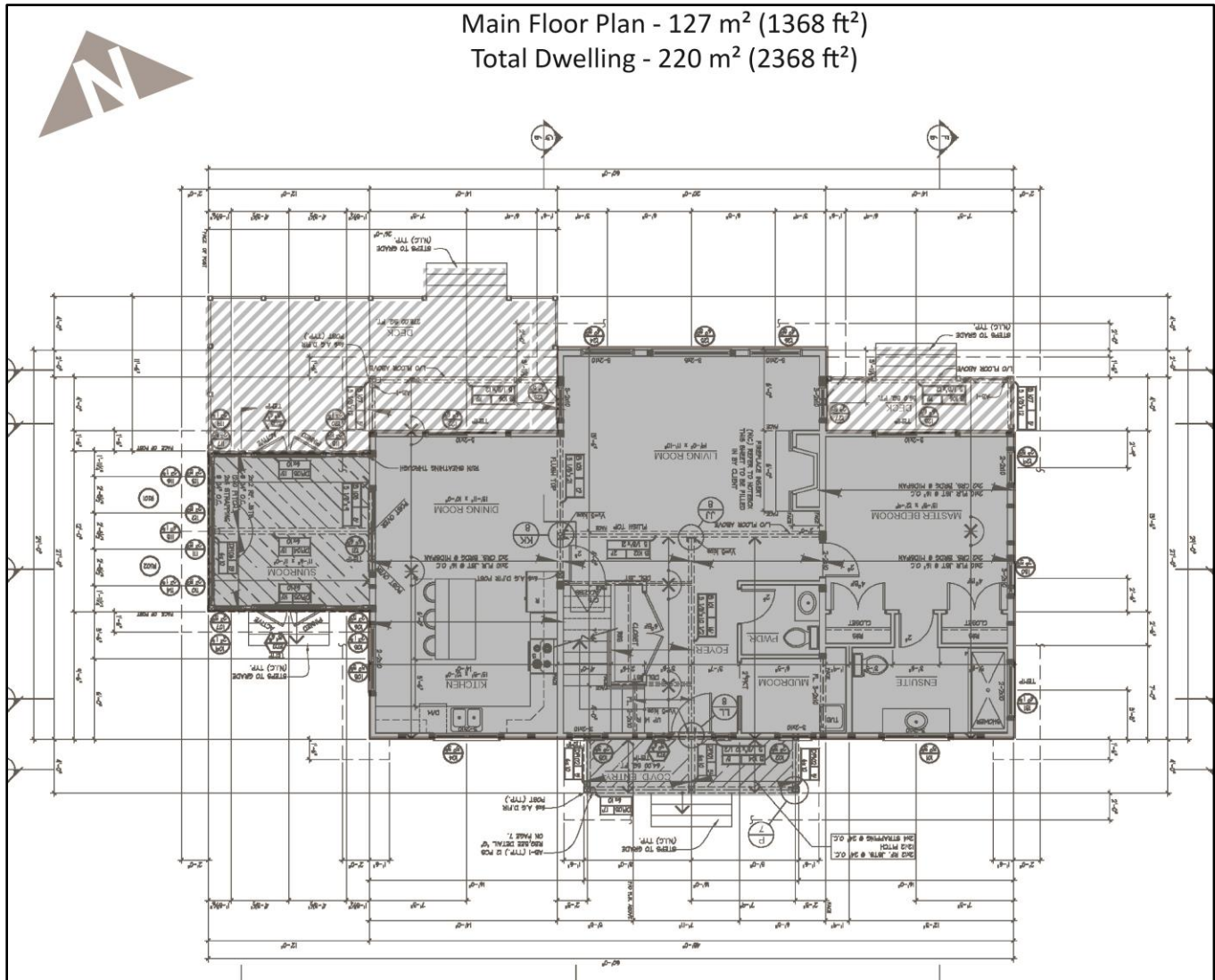
Ocean spray - *Holodiscus discolor*
Red Osier Dogwood - *Cornus stolonifera*
Saskatoon - *Amelanchier alnifolia*
Red Elderberry - *Sambucus racemosa*
Twinberry - *Lonicera involucrata*
Sweet Gale - *Myrica gale*
Hardhack - *Spirea douglasii*
Nootka Rose - *Rosa nutkana*
Red Flowering Currant - *Ribes sanguineum*
Stink Currant - *Ribes bracteosum*
Salmonberry - *Rubus spectabilis*
Thimbleberry - *Rubus parviflorus*
Pacific Ninebark - *Physocarpus capitatus*
Highbush Cranberry - *Viburnum edule*
Mock Orange - *Philadelphus lewisii*
Snowberry - *Symphoricarpos albus*
Salal – *Gaultheria shallon*
Sword fern - *Polystichum munitum*
Nootka Rose - *Rosa nutkana*
Evergreen Huckleberry - *Vaccinium ovatum*
Nodding onion - *Allium cernuum*

GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GL-DP- 2017.3

Schedule "E"

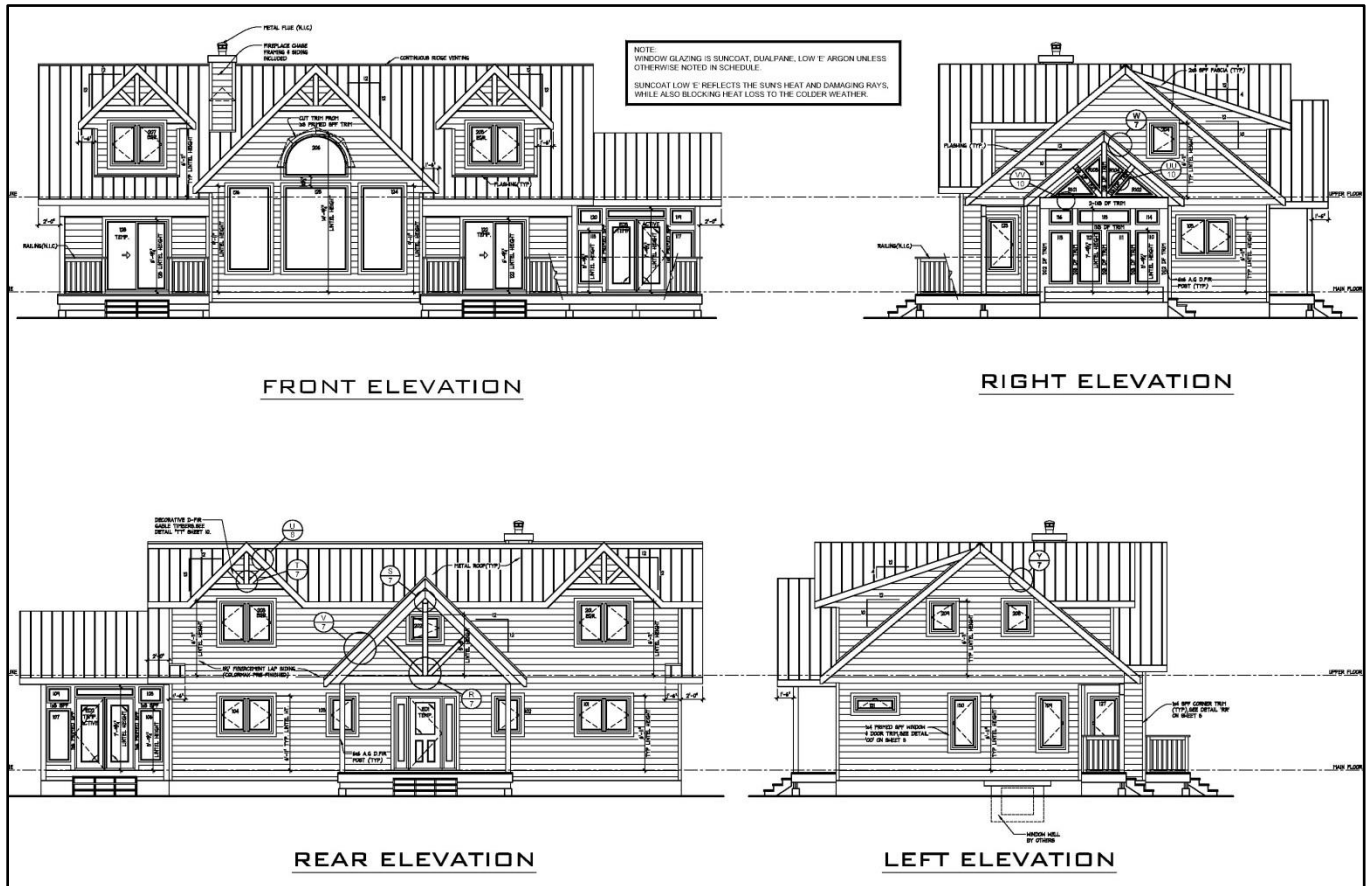
Main Floor Plan



GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GL-DP- 2017.3
Schedule "E" (Cont'd)

Elevations





Islands Trust

BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Ph: (250) 537-9144
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area Bylaw No.: 509 Date: November 28, 2017

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response by January 10, 2018. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Mrs. Mafalda Hoogerdyk, Salt Spring Tennis Association

PURPOSE OF BYLAW:

To rezone the subject property to permit a second indoor tennis court and outdoor tennis courts in the PR3(a) zone

GENERAL LOCATION:

805 Lower Ganges Road, Salt Spring Island, BC V8K

LEGAL DESCRIPTION:

PID 009-600-426 SECTION 6, RANGE 2 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, EXCEPT THE EASTERLY 6.75 CHAINS THEREOF; EXCEPT PARCEL B (DD 770361), AND EXCEPT PART IN PLAN 14185

SIZE OF PROPERTY AFFECTED:

16.27 ha (40.21 acres)

ALR STATUS:

Yes

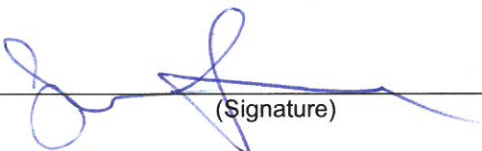
OFFICIAL COMMUNITY PLAN DESIGNATION:

Parks and Recreation

OTHER INFORMATION:

ALR non-farm use permission granted – Decision # 281/2017

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.


(Signature)

Name: Jason Youmans

Title: Island Planner

This referral has been sent to the following agencies:

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
BC Assessment Authority
Ministry of Transportation & Infrastructure

Regional Agencies

CRD – All Referrals & K. Campbell
CRD – SSI Parks and Recreation
Vancouver Island Health Authority

Non-Agency Referrals

North Salt Spring Waterworks District
SSI Fire-Rescue

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

(Signature)

(Date)

509
(Bylaw Number)

(Title)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

Suite 200, 1627 Fort Street
Victoria, B.C. BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Mayne Island Local Trust Area Bylaw No.: 172 Date: January 8, 2018

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Reef Bay Holdings Ltd
536 Bayview Drive
Mayne Island BC, V0N2J0

PURPOSE OF BYLAW:

The subject property is currently zoned C1(a) Settlement Commercial. C1(a) limits the commercial uses on this specific lot to professional businesses and offices. Draft Bylaw 172 is the result of a bylaw amendment application by the property owner requesting to allow all of the uses permitted in the C1 Settlement Commercial zone on the subject lot. The permitted uses in the C1 zone include: Restaurants, Retail Sales, Offices, Personal Services, Medical and Dental Clinics, Printers and Publishers, Appliance Repair and Servicing, Clubs and Halls, Freight Depots, Studio, Apartment Residential, and Accessory Dwelling. Draft Bylaw 172 also proposes to limit the lot coverage of buildings and structures on the subject lot to a maximum of 20%.

GENERAL LOCATION:

Mayne Island Local Trust Area

LEGAL DESCRIPTION:

Lot 36, Section 6, Mayne Island, Cowichan District, Plan 22057

SIZE OF PROPERTY AFFECTED:

0.23 hectares

ALR STATUS:

n/a.

OFFICIAL COMMUNITY PLAN DESIGNATION:

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Name: Gary Richardson

(Signature)

Title: Island Planner
Contact Info: Tel: 250-405-5157
Email: grichardson@islandstrust.bc.ca

PLEASE TURN OVER → 162

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Transportation & Infrastructure

Non-Agency Referrals

Village Point Improvement District

Regional Agencies

Capital Regional District – Building Inspection

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee

North Pender Island Local Trust Committee

Saturna Island Local Trust Committee

South Pender Island Local Trust Committee

Salt Spring Island Local Trust Committee

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Mayne Island Local Trust Area

(Island)

172

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

Top Priorities

Galiano Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Telecommunication Strategy	Review telecommunication options, including policies for telecommunication towers, on Galiano Island.	01-Feb-2016	Rob Milne	01-Dec-2017
2	Affordable Housing Strategy	Special APC to review options	07-Mar-2016	Rob Milne	31-Oct-2018
3	Dock Review	Review issues regarding docks and new shoreline information and whether changes are required to the LUB.	07-Mar-2016	Rob Milne	31-Oct-2018

**Projects****Galiano Island**

Description	Activity	R/Initiated
Soil Removal and Deposit Bylaw	Review need and options for implementation of soil removal and deposit bylaw	12-Sep-2011
Comprehensive Watershed Planning	?	01-Oct-2016
Commercial Vacation Rental (TUP) Review	Review the Temporary Use Permit (TUP) guidelines in the Official Community Plan in relation to commercial vacation rentals.	05-Dec-2016
Amendments to Forest designation and F1 zone -	Consider options for amendments to Forest Land Designation and policies and F1 zoning for lands without Managed Forest Status. Draft bylaws have been prepared, project deferred at meeting of April/12	16-Apr-2012
Parking Issues	Issue for discussion with MoTI and public parking issues generated from associated islands. (see correspondence from P. Midgely on agenda of Apr/12)	23-Jul-2012
Bike Trails and Camping	Letter dated July 8, 2013 received from Galiano Parks and Recreation Commission regarding bike safety on Galiano roads (See Transportation policy U of Section 1.1) and for the allowance of non-commercial camping on private lots.	15-Jul-2013
Ocean Based Geo-Exchange Systems	Review of regulations for geo-thermal exchange use.	18-Nov-2013
Information Note Addition	Add in Information Note on Archeological Sites under General Regulations	18-Nov-2013
Light Industrial Zoning	A review and inventory assessment of existing and potential light industrial zones.	18-Nov-2013



Projects

Galiano Island

Description	Activity	R/Initiated
Land Use Bylaw Amendments	To review LUB for: any technical/administrative bylaw amendments (e.g. definition references and numbering), shoreline zoning wording, crown lot rezonings, and review park zoning (specifically to allow stairs in setbacks).	07-Jul-2014
Community Benefit Review for Forest Lands	Staff to prepare preliminary report for new LTC	08-Sep-2014
Consider amendments to re-designate and rezone crown owned Forest lots.- Bylaws 231, 232 at First Reading	re-refer to FLNRO for comment	



Islands Trust

Print Date: January 29, 2018

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
GL-ALR-2017.1	Issac Kramer, Daysgoneby.org Land Stewards Ltd Planner: Rob Milne	08-Dec-2017	to include land in the ALR - cattle ranch
Planning Status			
Status Date: 04-Jan-2018 Applicant contacted by phone and advised that additional information would be required. Applicant advised that they will get back to staff on decision as to whether to proceed with application			
Status Date: 03-Jan-2018 Initial file review determined application is incomplete. No supporting information of any kind supplied with respect to stated objective to develop a cattle ranch. Application marked as incomplete in ALC portal.			
Status Date: 02-Jan-2018 circulated to LTC, planner assigned			

Development Permit

File Number	Applicant Name	Date Received	Purpose
GL-DP-2017.3	Ellen & Dan Walker Planner: Phil Testemale	27-Sep-2017	Combo DP/DVP application - see xref GL-DVP-2017.6
Planning Status			
Status Date: 26-Jan-2018 Permit on Feb 5 agenda for consideration.			
Status Date: 18-Oct-2017 Contacted applicant to assess timing with submission of required biologist's report.			
Status Date: 03-Oct-2017 \$55.00 received			

**Development Variance Permit**

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2017.6	Daniel & Ellen Walker	20-Sep-2017	Vary the 6m setback from the exterior side lot line on the westerly edge of the property to accommodate tanks and dispersal system.

Planner: Phil Testemale**Planning Status****Status Date:** 26-Jan-2018

Notification sent/delivered and on Feb 5, 2018 agenda for consideration of approval.

Status Date: 18-Oct-2017

Awaiting complete information for DP file to bring forward together.

Status Date: 27-Sep-2017

now a combo application will open DP file.

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2014.1	Crystal Mountain Society	28-Oct-2014	20300 PORLIER PASS RD To allow for year round use of the Forest Retreat Centre

Planner: Rob Milne**Planning Status****Status Date:** 22-Jan-2018

Meeting with Elizabeth McClelland in Galiano office. Discussion of next steps to move the application forward including discussion of information applicant needs to provide to Islands Trust staff including confirmation of engagement with neighbours regarding latest proposed changes.

Status Date: 05-Dec-2017

Email message sent to CMS suggesting meeting or telephone call to discuss next steps for the rezoning application.

Status Date: 21-Nov-2017

TFB accepts Crystal Mountain Society proposal for transfer of lands to the TFB, with conditions

File Number	Applicant Name	Date Received	Purpose
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**Applications**

GL-RZ-2016.2

GALIANO
CONSERVANCY
ASSOCIATION

08-Aug-2016

DL 57 10825 Porlier Pass Rd

Rezoning from Rural to Environmental Education use and Nature Protection.

Planner: Rob Milne**Planning Status****Status Date:** 24-Jan-2018

PH scheduled for February 5, 2018

Status Date: 04-Dec-2017

LTC direction to proceed to schedule public hearing

Status Date: 10-Nov-2017

Confirmation received from applicants that the CRD and the Parks and Recreation Commission had reviewed and approved the draft covenant agreements.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2017.1	DL37 Holdings, F. Stevens & I. Stevens	02-Aug-2017	Rezone DL37 from F1 to FLR

Planner: Rob Milne**Planning Status****Status Date:** 24-Jan-2018

Report placed on February 5th LTC agenda.

Status Date: 09-Jan-2018

staff report to RPM for review and approval.

Status Date: 12-Dec-2017

Meeting with MOTI and CRD staff as requested by LTC.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2017.2	BERNARD MIGNAULT	02-Nov-2017	Rezone from F1 to RR2

Planner: Rob Milne**Planning Status****Status Date:** 24-Jan-2018

Report placed on February 5th LTC agenda.

Applications

Status Date: 30-Nov-2017

Staff report approved. To be scheduled for Feb.5, 2019 LTC meeting.

Status Date: 29-Nov-2017

Fees received. 3 receipts issued 3754, 3755, 3756

Subdivision

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2017.2	Peter Thomson	22-Dec-2017	Proposed 20 lot bare land strata subdivision.

Planner: Rob Milne

Planning Status

Status Date: 12-Jan-2018

called applicant to send in fees

Status Date: 22-Dec-2017

referral received, processing application, await RPM planner assignment and fee request confirmation.

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
GL-TUP-2016.1	Jon & Connie Stettner	07-Mar-2016	2625 E. BEEKMAN PL Requesting a permit to use property as a STVR.

Planner: Phil Testemale

Planning Status

Status Date: 26-Jan-2018

Covenant rejected at LTO. Lawyer is addressing issue.

Status Date: 25-Sep-2017

Covenant completed waiting for confirmation that it has been executed and registered with LTO

Status Date: 26-Jul-2017

Lawyer has indicated that Covenant is close to being finalized

File Number	Applicant Name	Date Received	Purpose
-------------	----------------	---------------	---------



Islands Trust

Print Date: January 29, 2018

Applications

GL-TUP-2017.4

GARY M SIMPSON

13-Oct-2017

To permit the home as an STVR.

LORI J MCHATTIE

Planner: Rob Milne

Planning Status

Status Date: 24-Jan-2018

Report placed on February 5th LTC agenda.

Status Date: 15-Jan-2018

Application scheduled for February 5, 2018 LTC meeting

Status Date: 03-Jan-2018

Link sent to RPM for staff report review.

Islands Trust
LTC EXP SUMMARY REPORT F2018
Invoices posted to Month ending December 2017

625 Galiano	Invoices posted to Month ending December 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-625	LTC "Trustee Expenses"	750.00	150.61	599.39
LTC Local				
65200-625	LTC - Local Exp - LTC Meeting Expenses	5,500.00	3,256.10	2,243.90
65210-625	LTC - Local Exp - APC Meeting Expenses	500.00	731.28	-231.28
65220-625	LTC - Local Exp - Communications	500.00	739.68	-239.68
65230-625	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>7,000.00</u>	<u>4,727.06</u>	<u>2,272.94</u>
Projects				
73001-625-2002	Galiano OCP/LUB	5,000.00	982.69	4,017.31
73001-625-4065	Galiano Dock Review	4,500.00	0.00	4,500.00
73001-625-4081	Galiano Telecommunications Strategy	5,000.00	640.57	4,359.43
TOTAL Project Expenses		<u>14,500.00</u>	<u>1,623.26</u>	<u>12,876.74</u>

Galiano Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: December 5, 2016

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 11, 2009 / Amended February 3, 2014	GL-LTC-85-09 Amended:	Parks Commission Referral	That staff refer all applications adjacent to a park or ocean access to the Galiano Island Parks and Recreation Commission for comment
2.	October 18, 2010	GL-LTC-115-10	Publishing Notices beyond legal requirements	THAT the Galiano Island Local Trust Committee will advertise Public Hearing Notices in either the Active Page Magazine or Islands Tides Newspaper in addition to the legally required advertising in the Driftwood Newspaper.
3.	October 17, 2011	GL-LTC-205-11	Special Occasion Liquor Licenses	THAT where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property on which Galiano Island Land Use Bylaw No. 127, 1999 permits public assembly uses, such as restaurants or community halls, and where there have been no issues related to parking or past complaints for the preceding three years , staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.
4.	February 3, 2014		Applications with Open Bylaw Enforcement files	On properties where there is an open bylaw enforcement file, planning staff should refer planning applications to the Bylaw Enforcement Manager for comment where one or more of the following circumstances exist: 1. There have been significant delays or longer than typical timelines in the enforcement process 2. The LTC is considering on-going, relevant policy or regulatory changes that could impact enforcement 3. Litigation has been recommended 4. Legal counsel has been involved (beyond providing a basic interpretation) 5. There has been enforcement action beyond seeking voluntary compliance (e.g. a BEN warning or ticket, adjudication, a compliance agreement negotiated, etc.) 6. There has been, or is an expectation of, joint enforcement with other jurisdictions 7. There is potential for impact on other related enforcement files.

No	Meeting Date	Resolution No.	Issue	Policy
5.	April 7, 2014	GL-2014-029	Community Wells as a Community Benefit	That the Galiano Island Local Trust Committee will consider as a community benefit for all rezoning applications where there is an increase in density, the establishment of an instrumented observation well.
6.	December 5, 2016	By consent	TUP for Commercial Vacation Rentals	Without fettering its discretion, the LTC provided the following guidance with respect to its consideration of TUP applications for Commercial Vacation Rentals: 1. A Commercial Vacation Rental use should only be considered in one dwelling per lot 2. Permits being considered in Water Management Areas should include conditions requiring cisterns with a minimum capacity of 16,000 litres and a water meter. 3. In order to assist in assessing cumulative impacts, staff are requested to continue to provide an updated map showing the location, status, and maximum number of guests of all Commercial Vacation Rental TUP applications.

K:\LTC\Galiano\Standing Resolutions\Policies and standing resolutions.doc



Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality November 2017



TFB 2018 Meeting Dates

The Trust Fund Board finalized the 2018 TFB meeting dates. The dates are: January 30, April 3, May 29, July 17 (Annual meeting with the Executive Committee), September 25, and November 27.

Regional Conservation Plan (RCP)

The Trust Fund Board (TFB) reviewed a three-year work plan that builds on the approved draft Regional Conservation Plan (RCP) for 2018-2027. The RCP will be used by the TFB to evaluate conservation proposals, to direct communications and fundraising efforts and to guide property management work. The three-year work plans will be used by staff and board members to guide their work and measure progress towards achieving the larger goals of the ten-year RCP. The Board has referred the RCP to local trust committees and Bowen Island Municipality for review. (It has also been referred to partner agencies and First Nations and will be posted on the Islands Trust Fund (ITF) website with a mechanism to enable public feedback). The Board is expecting to consider final approval of the Regional Conservation Plan in January 2018.

Land Trust Alliance of BC National Land Summit

Trust Fund Board members and staff shared key lessons learned from their participation and attendance at the Land Trust Alliance of BC National Land Summit (Nov. 15-17). Staff presented at the conference on Conservation Planning.

Board Retreat

The Trust Fund Board discussed possible follow-up actions emerging from the October 2, 2017 retreat. Staff provided the board with summaries of key information about ITF for members to use in developing personalized messages for outreach and fundraising, as discussed at the retreat.

Property Monitoring

The Board has received detailed reports on the results of this year's monitoring of our 27 nature reserves, the 24 NAPTEP covenanted areas and the 51 other covenants we hold. A number of management issues have been identified which are now being addressed (see below for highlights by island). All follow-up correspondence related to 2017 monitoring has been provided to land holders and co-covenant holders. This year, covenant outreach communications were included with the monitoring letters.

Summary of Current Island-by-Island Activities

Denman

Invasive species removal, restoration, planting and monitoring continues on all three TFB nature reserves (Inner Islands Nature Reserve, Lindsay Dickson Nature Reserve, and Morrison Marsh Nature Reserve). Management plan revisions and species at risk surveys are being completed for Morrison March Nature Reserve. In addition, public consultation planning - including a questionnaire and open

house, are in progress for a revised management plan for Morrison Marsh Nature Reserve to be completed by April 2018.

Gabriola

The Trust Fund Board approved a request from a NAPTEP landholder to remove limbs from several trees to maintain a viewscape with the conditions that the work is carried out by a professional arborist, the work is done outside of nesting season for birds and the woody debris is left on site to decompose naturally.

The Elder Cedar Nature Reserve continues to suffer from the impacts of unpermitted mountain bikes and horses. ITF is working with GaLTT to address these and other issues. Construction is set to begin on a boardwalk around the large western red cedar tree in late November. A boardwalk is also being built over a wet area on one section of the existing trail.

Galiano

The TFB accepted an updated conservation proposal from the Crystal Mountain Society, agreeing to accept the transfer of approximately 18.3 hectares of land on Galiano Island, provided specified conditions are met. The proposed nature reserve will be further protected by a conservation covenant held by the Land Conservancy of BC. Invasive species removal and trail clearing is in progress on the Laughlin Lake and Vanilla Leaf Nature Reserves.

Lasqueti

Riparian restoration and nesting box maintenance is in progress at the John Osland Nature Reserve.

North Pender

Public consultation planning - including a questionnaire and open house, are in progress for a revised management plan for the Medicine Beach Nature Sanctuary to be completed by April 2018.

Please feel free to contact members of the Trust Fund Board or Islands Trust Fund staff for more details.

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Fund itfmail@islandstrust.bc.ca

File No.:

DATE OF MEETING: February 5, 2018
TO: Galiano Island Local Trust Committee
FROM: Rob Milne, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Request for Removal of Section 219 Restrictive Covenant

RECOMMENDATION

1. That the Galiano Island Local Trust Committee agrees to the release of Covenant FB81092 which is registered upon the title of property described as of Lot 4, Plan VIP83509, Section 2, 861 Bluff Road, Galiano Island (PID 027-151-247) and designate the chair to sign the release.

PROBLEM/ISSUE

On October 17, 2017 staff received email correspondence (Attachment 1) from the owner of Lot 4, Plan VIP83509, Section 2, 861 Bluff Road, Galiano Island (PID 027-151-247) inquiring as to the process involved in removing a Section 219, *Land Title Act* restrictive covenant on the parcel which has the effect of preventing residential development of that lot. Staff has reviewed the intent of the covenant in question and provide the following information for the review of the Galiano Island Local Trust Committee (LTC).

BACKGROUND

The subject property was created in 2007 as part of the process of creating Bluff Park (Attachment 2) which falls within the Capital Regional District's (CRD) jurisdiction and parks program. However, at the time that the subdivision was created an adequate water supply which met the Islands Trust requirements of 2275 L/day (1.59 L/min) for residential use was not achieved. As such a S. 219 restrictive covenant was placed upon the title of the property which effectively prevents any residential use of the lot (Attachment 3).

Attached to the email correspondence that was received on October 17, 2017 was a ground water report prepared by Hy-Geo Consulting which documented the results of a pump test that was performed on the subject property in the late summer of this year (Attachment 4). In that correspondence the owner requested direction upon the steps necessary to have the covenant removed from the title given the apparently successful outcomes of the testing and report.

It was the conclusion of the study that the well could safely be confirmed as being capable of producing water at a rate of 2,880 L/day (2.0 L/min) which exceeds the Galiano Island Land Use Bylaw (LUB) requirement of 2275 L/day (1.59 L/min) for residential use, which would preclude the need for the restrictive covenant. At the request of staff the Islands Trust Senior Freshwater Specialist reviewed the results of the ground water report and its underlying assumptions and methodology. The Specialist has confirmed the validity of the report and its conclusions.



Figure 1

A review of the covenant (Attachment 2) reveals it to contain the following language in clause 2(b) of the recitals:

b. the covenants set forth herein shall charge the said Lots pursuant to Section 219 of the Land Title Act and shall be covenants, the burden of which shall run with the said Lots. It is further expressly agreed that the benefit of all covenants made by the Covenantor herein shall accrue solely to the Covenantee and that this Agreement may be modified by agreement of the Covenantee with the Covenantor, or discharged by the Covenantee alone; [highlighting added]

Effectively what this clause is saying is that the covenant exists to benefit the 'Covenantee' (the Local Trust Committee) and that the covenant can be discharged at the Local Trust Committee's sole discretion should it be deemed appropriate to do so.

ANALYSIS

The benefit accrued to the Local Trust Committee through the existing covenant registered upon the title of the subject property is the assurance that a residence cannot be constructed on what was originally considered to be a lot without an adequate potable water supply until such time as an adequate supply of potable water could be proven. The recent pump test and groundwater report has confirmed and documented the existence of a water supply which meets the requirements of the Galiano Island LUB. As such, there would appear to be little need for the covenant to remain on title.

Submitted By:	Rob Milne, Island Planner	December 14, 2017
Concurrence:	Robert Kojima, Regional Planning Manager	January 22, 2018

1. Letter of request
2. Survey Plan
3. Section 219 Covenant
4. Hydrology Report

To: Galiano Island Local Trust Committee. c/o Rob Milne, Islands Trust
From: Dave Simone
Re: Well water covenant
Date: December 7, 2017

Dear Trustees,

I am writing with regards to the well water covenant on title relating to the property at:

861 Bluff Road East, Galiano Island.
Lot 4 Plan VIP83509 Section 2 Land District 16
PID: 027-151-247

This covenant between the CRD and the Islands Trust was put in place at the time of the subdivision as a water supply that met the requirements for subdivision could not be met. The covenant advises that:

No buildings or structures of any kind shall be occupied on a lot until a water well has been drilled on the lot and a duly qualified professional engineer has designed water treatment facilities or equipment suitable to provide potable water pursuant to the **Galiano Island Land Use Bylaw No. 127, 1999** and has advised the Covenantee in writing of such determination.

This past September we undertook an investigation to determine if there exists sufficient water quantity to meet the requirements outlined in the Sec 219 covenant dated June 26, 2007. Al Kohut at Hy-Geo Engineering produced a comprehensive hydrology report. It is our understanding that the report states that the well does meet the requirements and we would like to respectfully request that the covenant be discharged. Please don't hesitate to contact me if you have any further questions.

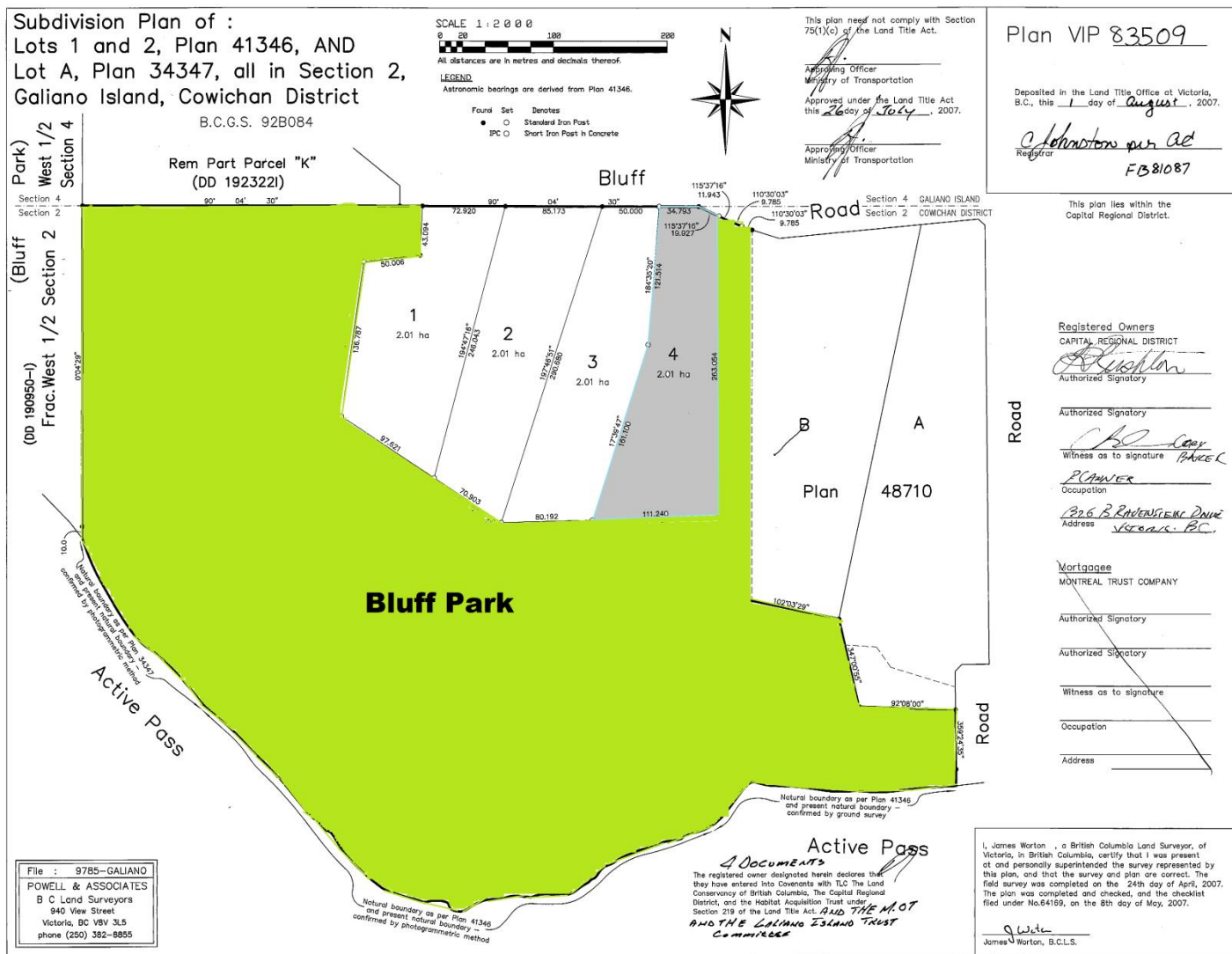
Regards,

Dave Simone
(250) 539-8733

Attachment 2

Subdivision Survey Plan

FILED VIVIP83509 C46800 2007-09-24-11:27:46:405835



original C1

LAND TITLE ACT
FORM C

-1 AUG 2007 10 38

FB081092

(Section 233)
Province of
British Columbia

GENERAL INSTRUMENT - PART 1 (This area for Land Title Office use)

Page 1 of 5 pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

Christine Condron
Capital Regional District,
P O Box 1000, 625 Fisgard Street,
Victoria, BC V8W 2S6
Tel: 250 360 3176

Agent -

File RP30-27 CX018.1009.12

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND: *

(PID)	(LEGAL DESCRIPTION)
27151 140	Lot 1, Section 2, Galiano Island, Cowichan District, Plan VIP
221	Lot 2, Section 2, Galiano Island, Cowichan District, Plan VIP
239	Lot 3, Section 2, Galiano Island, Cowichan District, Plan VIP
247	Lot 4, Section 2, Galiano Island, Cowichan District, Plan VIP

83509

3. NATURE OF INTEREST: *

DESCRIPTION	DOCUMENT REFERENCE (page and paragraph)	PERSON ENTITLED TO INTEREST
S.219 Covenant	Entire Document	Grantee

4. TERMS: Part 2 of this instrument consists of (select one only)

01 07/08/01 10:40:23 01 VI
CHARGE766850
\$65.65

- | | | | |
|-----|----------------------------|-------------------------------------|---------------------------------------|
| (a) | File Standard Charge Terms | ☐ | D.F. No. |
| (b) | Express Charge Terms | ☒ | Annexed as Part 2 |
| (c) | Release | ☐ | There is no Part 2 of this instrument |

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S) GRANTOR(S):

CAPITAL REGIONAL DISTRICT,
P. O. Box, 1000, 625 Fisgard Street, Victoria, BC V8W 2S6

6. TRANSFEREE(S) GRANTEE(S):

GALIANO ISLAND LOCAL TRUST COMMITTEE, a corporation under the Islands Trust Act of
British Columbia having an office at 200-1627 Fort Street, Victoria, BC V8R 1H8

Page 2 of 5 pages

7. ADDITIONAL OR MODIFIED TERMS: * N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Execution Date

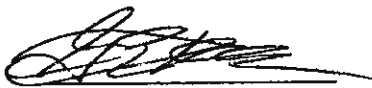
(Y/M/D)

Officer Signature(s)

Party(ies) Signature(s)

For the Transferor/Grantor

CAPITAL REGIONAL DISTRICT

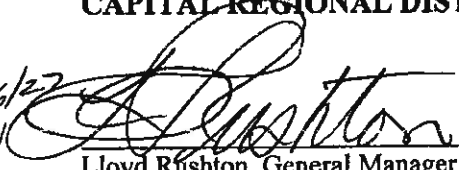


Gary E. Hinde

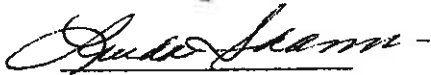
Capital Regional District

625 Fisgard St., Victoria BC V8W 1R7
A Commissioner for taking Affidavits
in the Province of British Columbia

07/06/27
11


Lloyd Rushton, General Manager
CRD Parks

For the Transferee/Grantee

GALIANO ISLAND LOCAL TRUST
COMMITTEE


07/07/06



LINDA JOAN ADAMS

Commissioner for Taking Affidavits
for British Columbia
200 - 1627 Fort Street
Victoria, BC V8R 1H8
Ph (250) 405-5151

/ /

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space sufficient, continue executions on additional page(s) in Form D.



TERMS OF INSTRUMENT - PART II**RESTRICTIVE COVENANT**

THIS AGREEMENT dated for reference this 26th day of June, 2007

BETWEEN:

CAPITAL REGIONAL DISTRICT

625 Fisgard Street
Victoria, BC
V8W 2S6
(Covenantor)

AND:

GALIANO ISLAND LOCAL TRUST COMMITTEE, a corporation
under the *Islands Trust Act* of British Columbia, having an office at 2nd
Floor, 1627 Fort Street, Victoria, R.C., V8R 1H8
("Covenantee")

WHEREAS:

A. The Covenantor is the owner in fee simple of lands on Galiano Island described as Lots 1, 2, 3 and 4, Galiano Island, Cowichan District Plan VIP 83509 (collectively referred to as the "Lots" and singularly as the "Lot");

B. The Galiano Island Local Trust Committee requires registration of this Covenant;

C. The *Land Title Act*, s. 219 provides *inter alia*, that a covenant including provision in respect to the use of land and buildings on land may be registered as a charge against title to the Lots in favour of the Covenantor;

D. There are wells drilled (the "Well") to service the Lots, but no proven supply of potable water approved by the Medical Health Officer has been proven from the wells servicing the lots.

NOW THEREFORE in consideration of the approval of subdivision by the Ministry of Transportation and Highways, the Covenantor pursuant to s. 219 of the *Land Title Act* grants the following covenant to the Covenantee on the terms and conditions herein:

I. No buildings or structures of any kind shall be occupied on a lot until a water well has been drilled on the lot and a duly qualified professional engineer has



Page 4 of 5 pages

designed water treatment facilities or equipment suitable to provide potable water pursuant to the ***Galiano Island Land Use Bylaw No. 127, 1999*** and has advised the Covenantee in writing of such determination.

2. IT IS MUTUALLY UNDERSTOOD, agreed and declared by and between the parties hereto that:

a. nothing contained or implied herein shall prejudice or affect the rights and powers of the Covenantee in the exercise of its functions under any public and private statutes, by-laws, orders and regulations, all of which may be fully and effectively exercised in relation to the said Lots as if this Agreement had not been fully executed and delivered by the Covenantor;

b. the covenants set forth herein shall charge the said Lots pursuant to Section 219 of the ***Land Title Act*** and shall be covenants, the burden of which shall run with the said Lots. It is further expressly agreed that the benefit of all covenants made by the Covenantor herein shall accrue solely to the Covenantee and that this Agreement may be modified by agreement of the Covenantee with the Covenantor, or discharged by the Covenantee alone;

c. wherever the singular or masculine is used herein, the same shall be construed as meaning the plural, feminine or the body corporate or politic where the context or the parties so require and, where the Covenantor consists of more than one person, the term "Covenantor" shall mean all such persons jointly and severally;

d. this Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns; and

e. the parties hereto shall do and cause to be done all things and execute and cause to be executed all documents which may be necessary to give proper effect to the intention of this Agreement.

This is the instrument creating the condition or covenant entered into under Section 219 of the ***Land Title Act*** by the registered owner(s) referred to herein and shown on the print of plan annexed hereto and initialed by me.

Approving Officer



VIP 83509

Subdivision Plan of :
Lots 1 and 2, Plan 41346, AND
Lot A, Plan 34347, all in Section 2,
Galeno Island, Cowichan District
B.C.G.S. 928084

Plan VIP _____

Deposited to the Land Title Office in Victoria,
B.C. this _____ day of _____, 2007

Register _____

SCALE: 1" = 200'

LEGEND:
 All dimensions are to centres and standard bearings
 All dimensions are to centres and standard bearings
 All dimensions are to centres and standard bearings

Plan No. _____
 Section _____
 District _____
 Registered under the Land Title Act
 Book _____ Folio _____

Map of _____
 Ministry of Transportation

Map of _____
 Ministry of Transportation

Bluff

Rem Port Parcel "K"
(DD 192322)

Plan 34347

Plan 41346

Active Pass

Section 4, GALENO ISLAND
Section 2, GALENO ISLAND

Road

Road

Road

Plan 34347

Plan 41346

Active Pass

Plan 48710

Road

Road

Plan 34347

Plan 41346

Active Pass

Plan 48710

Road

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Plan 34347

Plan 41346

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Plan 41346

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Plan 34347

File: 1708161

October 17, 2017

Dave Simone
Galiano Island BC

Attention: Dave Simone

Re: Groundwater Supply for Lot 4, Plan VIP83509, Section 2, 861 Bluff Road, Galiano Island

As requested, Hy-Geo Consulting has completed a review of a recent late summer pumping test conducted on the existing 520 foot (158.50 m) bedrock well (WID 16462) on the above property. The well was originally drilled in 2006 and reported by the driller to yield approximately 0.5 US gallons per minute (1.893 L/min). The well had been previously tested on December 13, 2006 for 12 hours at a average rate of 0.60 USgpm (2.271 L/min) and assessed by Hodge Hydrogeology Consulting (2006) to be **not** capable of sustaining a pumping rate of 0.35 lgpm (1.590 L/min) due to poor water level recovery and time of testing during a period of maximum or near maximum groundwater recharge.

The recent testing was conducted following a long dry summer period to ascertain if the well would be capable of sustaining a pumping rate of 0.35 lgpm (1.590 L/min) in order to meet the minimum standards for potable water supply under *Galiano Island Land Use Bylaw No. 127, 1999*, (Galiano Island Local Trust Committee, 1999). This water supply requirement for the property was set out under a covenant agreement between the Capital Regional District and the Galiano Island Local Trust Committee (2007).

Site Location

The property is situated at the southeastern end of Galiano Island approximately 1.5 kilometres south of Sturdies Bay (Figure 1). It encompasses PID 027151247 and occupies approximately 20050 m² in area. Reported well locations mapped under the *British Columbia Water Resources Atlas* (Ministry of Environment, 2017a), are also shown in Figure 1. The existing wells on neighbouring Lots 1,2,3 as well as Lot 4 do not currently appear in the Ministry of Environment WELLS database. These latter wells were therefore, field located as shown in Figure 1 for purposes of this report. Well WID 16462 is situated at an elevation of approximately 75 m above sea level along a northeastly draining slope (Figure 2). The well is completed below sea level within the South Galiano Groundwater Region delineated by Kohut and Johanson (1998).

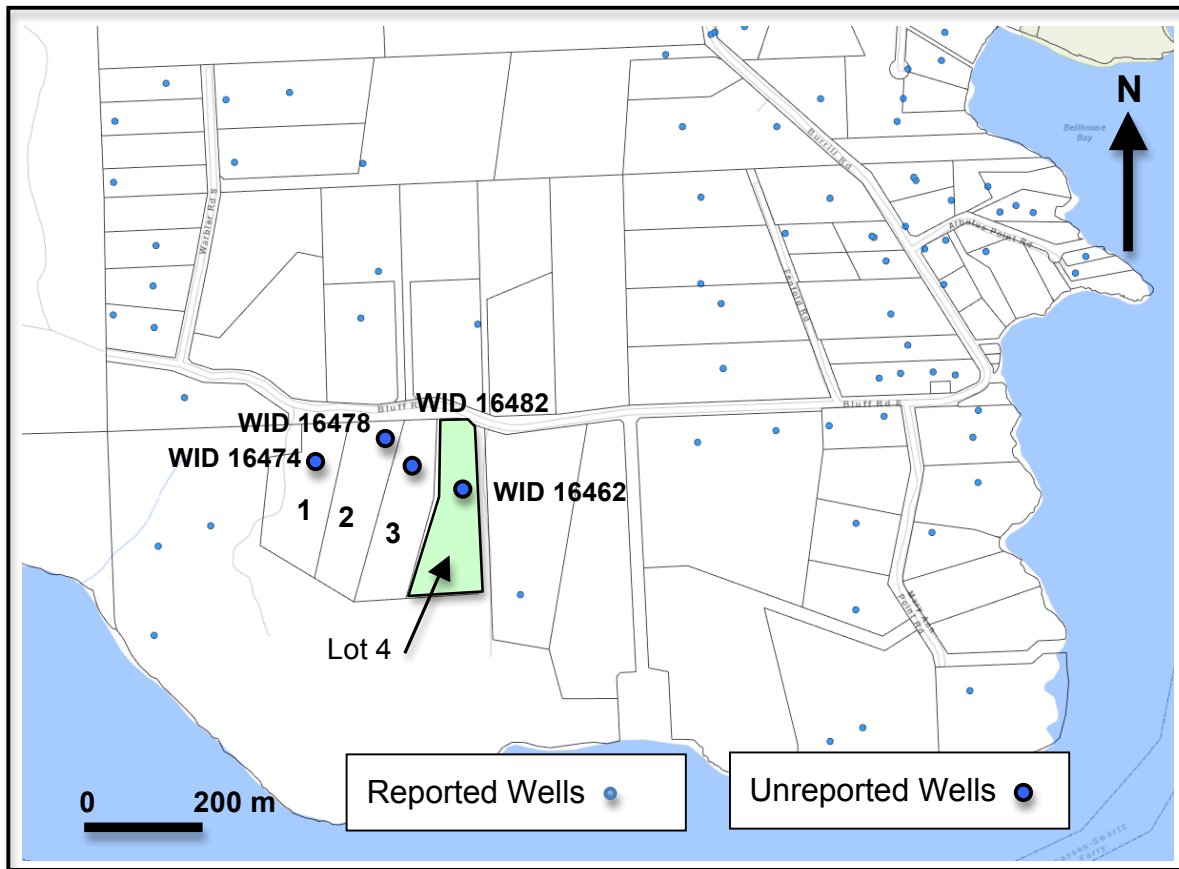


Figure 1. Location of subject property and neighbouring wells. Basemap from Ministry of Environment (2017a).

Climate

With the absence of a current climate station on Galiano Island, the Saturna Campon climate station (ID 1017098) may be considered representative of the general longer-term (monthly) precipitation patterns on Galiano (Figure 3). Table 1 indicates that the cumulative precipitation for the Saturna Campon CS climate station was 96.3 percent of normal from January to end of August 2017. It should be noted that the climate station is now (ID 1017099). The months of June, July and August 2017 were particularly dry with precipitation 70.2, 8.9 and 25.5 % of normal, respectively.

Hydrogeologic Setting

The general groundwater conditions of Galiano Island have been reported by several authors including Harrison (1994), Kohut and Johanson (1998) and Waterline Resources Inc. (2011). Galiano is comprised of sedimentary clastic rocks belonging to the Nanaimo Group of Late Cretaceous age (Muller and Jeletzky, 1970). These consist of alternating interbeds of sandstone, mudstone, siltstone, shale and some conglomerate. Groundwater on the island is found primarily in open fractures in the bedrock formations as they are encountered during drilling of water wells. These fractures constitute the major zones for groundwater storage and movement.

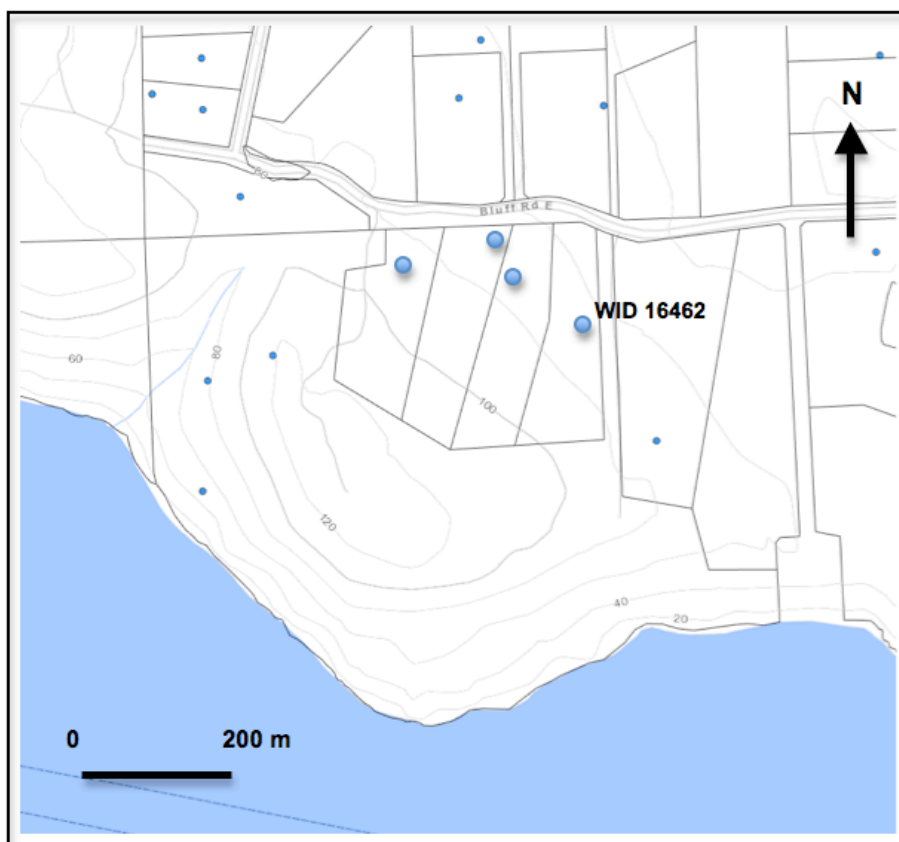


Figure 2. Topographic site conditions. Contour interval is 20 m. Basemap from Ministry of Environment (2017a).

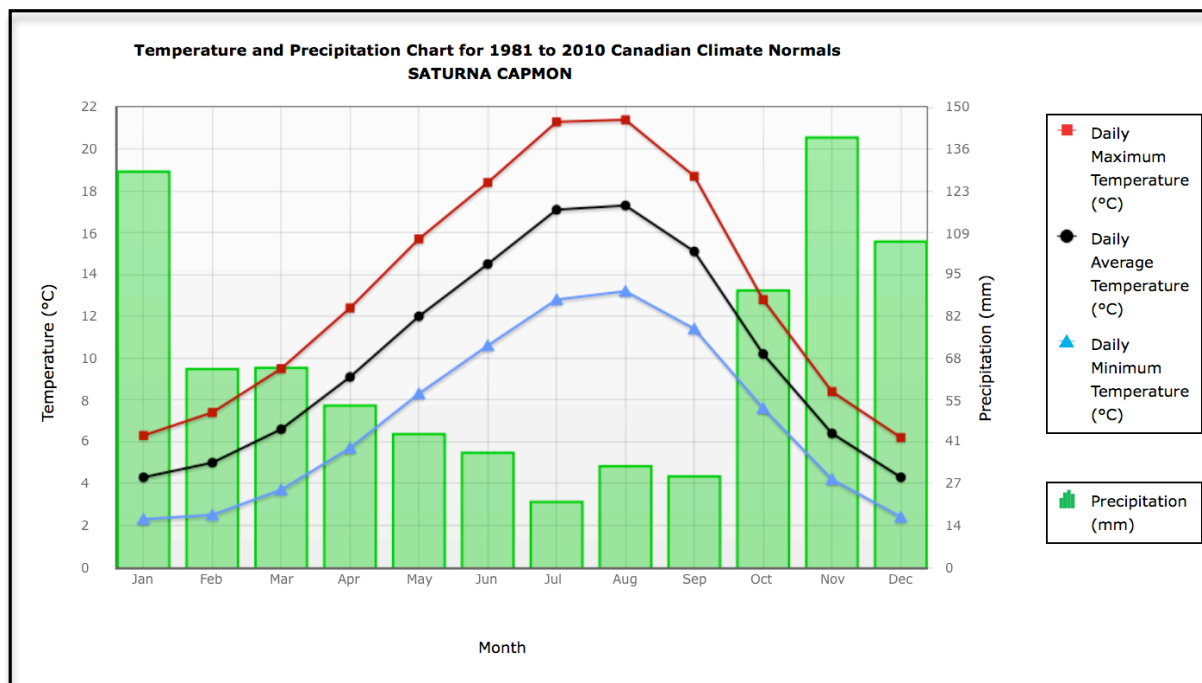


Figure 3. Graph of monthly normal precipitation for Saturna Campon station (Climate ID. 1017098). Graph from Government of Canada (2017a).

Table 1. Monthly precipitation data for Saturna Campon CS climate station (Climate ID. 1017099) in 2017 compared to 1981-2010 normals.

Month	Precipitation in 2017 (mm)	Monthly Precipitation Normal (mm)	Percent of Normal	Cumulative Percent of Normal
January	47.9	129.0	37.1	78.2
February	112.8	64.6	174.6	83.0
March	124.6*	65.0	191.7	110.3
April	67.1	52.7	127.3	113.2
May	44.4	43.4	102.3	111.9
June	26.2	37.3	70.2	107.9
July	1.9	21.3	8.9	102.8
August	5.0	32.9	25.5	96.3
up to September 18	8.6	29.6		

* Incomplete data.
Data from Government of Canada (2017b).

From historic observation well data in the Gulf Islands, groundwater levels in bedrock wells generally rise and fall with the seasons, in response to available precipitation, becoming highest during the late fall and winter months. Water levels then normally decline during the dry summer months reaching seasonal lows in the late fall months (Kohut *et al.*, 1984). Figure 4 shows the groundwater level trend for Provincial Observation Well 258, situated near Sturdies Bay for 2017 up to late September. Since July 2017 the groundwater levels have been following the historic mean trend at this location. Water levels in September 2017 were at their seasonal low when Well WID 16462 was pump tested.

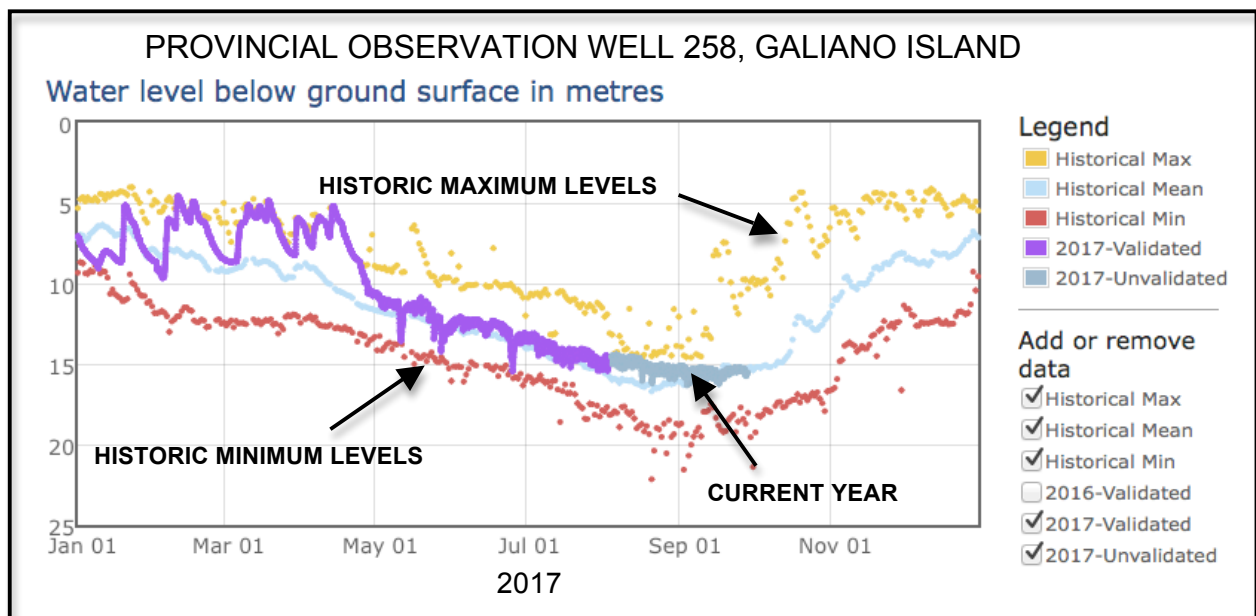


Figure 4. Groundwater level trend in 2017 compared to historic maximum and minimum data for Observation Well 258. From Ministry of Environment (2017b).

Well WID 16462

Information on Well WID 16462 was reported previously by Hodge Hydrogeology Consulting in 2006. The well was drilled November 3, 2006 by D.A. Smithson and Sons to a depth of 520 feet (158.496 m) and completed in hard medium-grey sandstone with a water bearing fracture at 485 feet (147.828 m) having an approximate yield of 0.5 gpm (1.893 L/min). While the final well depth was completed below sea level, the non-pumping (static) water level on December 13, 2006 was reported at 87.74 feet (26.742 m) or approximately 50 m above sea level. Well WID 16462 is likely completed within interbedded sandstone layers of the Geoffrey Formation (Muller and Jeletzky, 1970).

Testing Conducted

A pumping test of 12 hours duration is generally considered sufficient for determining the sustainable yield of a domestic residential well where the minimum requirements are 2275 L/day for a single residence, as set out under *Galiano Island Land Use Bylaw No. 127, 1999*, (Galiano Island Local Trust Committee, 1999). This quantity is equivalent to a pumping rate of 0.35 lpm (1.590 L/min).

A 12 hour constant rate pumping test was subsequently carried out on the Lot 4 Well WID 16462 on September 19, 2017 at rate of 0.44 lpm (2.00 L/min). The test was undertaken by David Gerlach of Galiano Island, utilizing an existing submersible pump set in the well at a depth of 200 feet (60.96 m). Pumped water was discharged down slope away from the wellhead towards the east. Manual water level readings were taken during the test at prescribed intervals (Ministry of Environment, 2010). A Diver™ water level datalogger was set in the well casing to record water levels at ten minute intervals. A second Diver™ datalogger was installed in the Lot 3 Well WID 16482 situated approximately 410 feet (125 m) northwest of the pumped well. Pumping was followed by manually measuring the recovery water levels at prescribed intervals for 8 hours and for 87 hours with the dataloggers. A Diver™ barologger was also employed at the site to record changes in barometric pressure and adjust the water level data obtained from the wells.

During the test, 9.3 mm of precipitation was recorded at the Saturna Campon CS climate station (Climate ID. 1017099) and 2.8 mm of precipitation was recorded during the 2 days prior to the start of the test. These amounts of precipitation would not have significantly affected water levels in the well.

Water samples were taken from the Lot 4 Well WID 16462 after 5 hours of pumping and delivered within 24 hours of sampling with ice packs to the Maxxam Analytics laboratory in Saanich for analysis of chemical and bacteriological parameters. One of the samples was also field filtered by A. Kohut for determination of dissolved metals. All samples were unadulterated and taken from Well WID 16462 and delivered to the laboratory by A. Kohut.

Results

Well test data, drawdown and recovery plots for Well WID 16462 are provided in Appendix A. Appendix B contains copies of the analytical laboratory reports from Maxxam Analytics and the previous 2006 quality results. Figure 5 illustrates the water level fluctuations in Well WID 16462 prior to, during and after pump testing at a rate of 0.44 lpm (2.00 L/min). The pumping test was initially started at 10:00 am on September 19 and stopped after 40 minutes due to sand/grit clogging the discharge valve. A sand filter was subsequently installed on the discharge line and the test was restarted at 11:30 am. Evident in Figure 5 is the full recovery of the well after pumping was stopped. Figure 6 shows the water level fluctuations in the Lot 3 Well WID 16482 prior to, during and after the pumping test. No discernable water level interference effects due to the Lot 4 Well WID 16462 pumping were observed. Water level fluctuations recorded in both Wells WID 16482 and 16462 show no tidal influences.

Figure 7 shows the drawdown in Well WID 16462 during pumping. At the end of the test, drawdown reached 17.880 m (58.66 feet) below the pre-pumping level of 30.050 m (98.59 feet) below the top of casing or 29.440 m (96.59 feet) below ground. Extrapolation of the drawdown curve to 100 days without recharge indicates the drawdown would reach 40 m (131.23 feet), utilizing 33.8 % of the available drawdown (118.388 m) in the well to the top of the water-bearing fracture at a depth of 147.828 m (485 feet). Based on the specific capacity of the well after 100 days of pumping (0.05 L/min per metre) and utilizing 70 percent of the available drawdown would suggest a potential long-term capacity of 4.14 L/min. It would be prudent, however to not rate the capacity of the well greater than the rate at which it was pumped (0.44 lpm or 2.0 L/min). **These results indicate, therefore, that the well is capable of meeting the minimum standards of 0.35 lpm (1.590 L/min) for potable water supply under *Galiano Island Land Use Bylaw No. 127, 1999*, (Galiano Island Local Trust Committee, 1999).**

Results of the recent water quality analyses are provided in Table 2 in comparison to the previous results of 2006. Based on the laboratory results of the September 19, 2017 sampling, the water quality of Well WID 16462 met or exceeded the *Guidelines for Canadian Drinking Water* (Federal-Provincial-Territorial Committee on Drinking Water, 2017) for all parameters analyzed except for elevated levels of turbidity at 17.0 NTU, fluoride at 2.00 mg/L, total iron at 2010 µg/L, total manganese at 105 µg/L and total coliforms at > 2800 CFU/100mL. Elevated turbidity is only a potential issue in cases of a surface water source or groundwater source under the direct influence of surface water. It is not uncommon for groundwater to contain elevated levels of turbidity from suspended particulate matter such as clays and silts. Preliminary indications are that sources of naturally occurring coliforms such as decaying organic matter may be present in the bedrock formations at depth and not necessarily linked to any surface water sources or sources of contamination.

The sample that was field filtered for dissolved metals showed significantly reduced levels of iron and manganese, well below the drinking water guideline indicating total levels of these constituents were due to particulates. These particulates may decrease with time as a well is pumped and can be readily removed with conventional filtering systems. Elevated levels of iron and manganese are aesthetic issues and not of a health concern. Elevated levels of fluoride and coliforms are of a health concern and can be treated with an appropriately designed and maintained point-of-entry (POE) water treatment system.

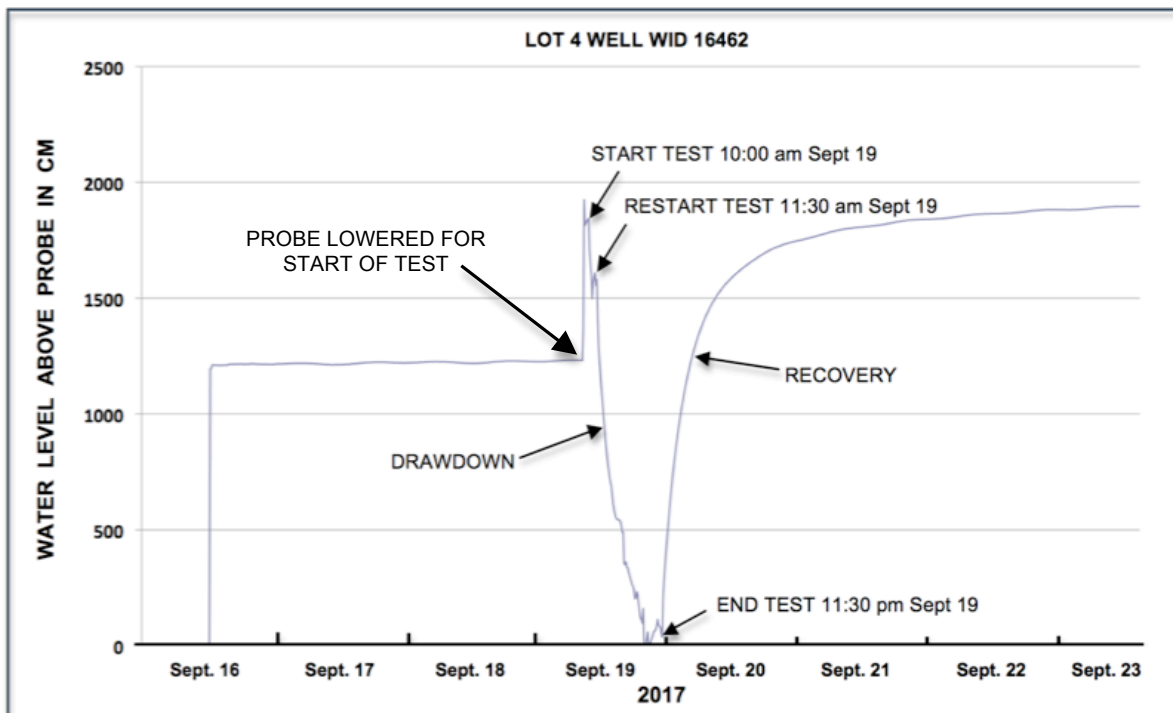


Figure 5. Water level in Lot 4 well during pumping and recovery of Lot 4 well.

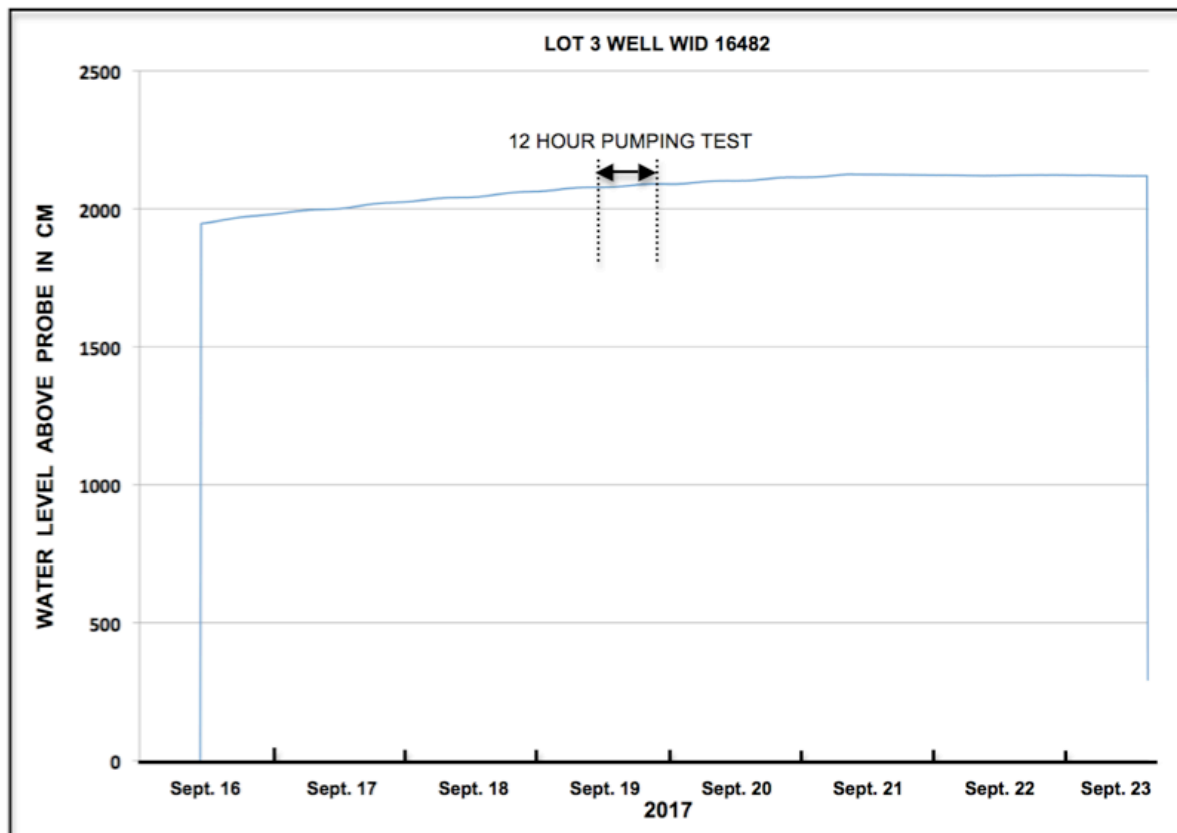


Figure 6. Water level in Lot 3 well during pumping and recovery of Lot 4 well.

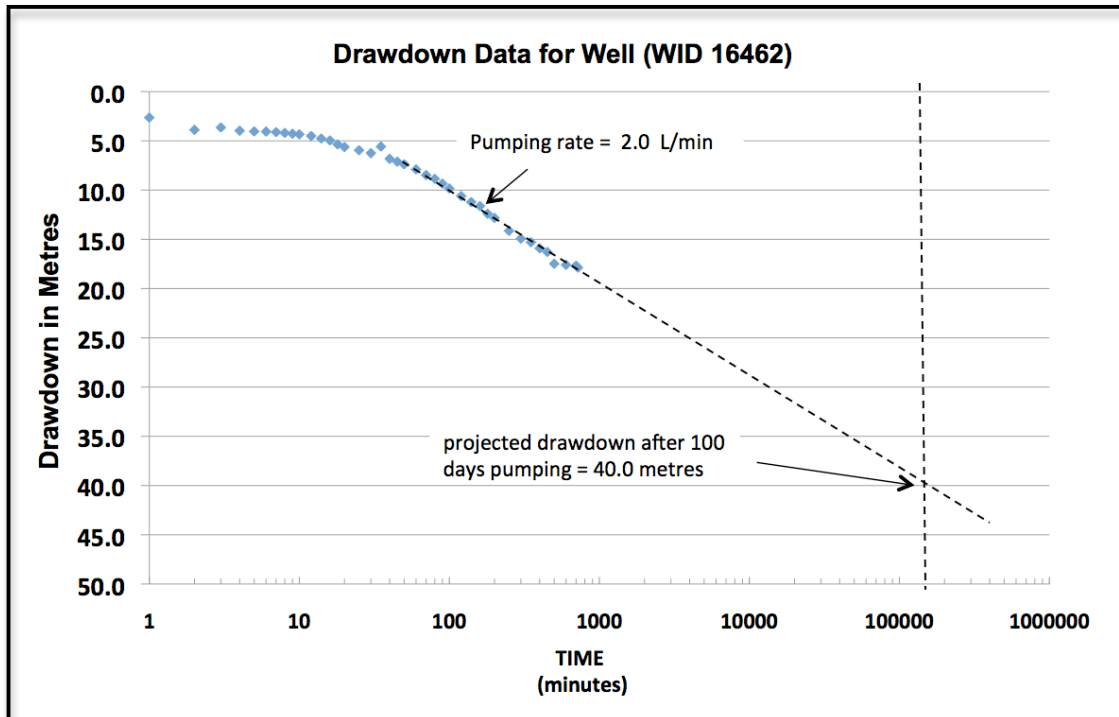


Figure7. Semi-log drawdown plot for Well WID 16462 pumping at 2.0 L/min.

Table 2. Summary of water quality analyses.

Parameters/Site and Sampling Date	WELL WID 16462 Dec 13/06	WELL WID 16462 Sept 19/17		WELL WID 16462 Sept 19/17	Canadian DWGuideline 2017	Units
PHYSICAL TESTS						
True Colour		5			< or =15	TCU
Conductivity	496	465				µS/cm
Total Hardness (CaCO ₃)	10	13.7	Dissolved Hardness	12.9		mg/L
pH	9.3	8.46			7.0-10.5	pH units
Total Dissolved solids (TDS)	271	251			< or = 500	mg/L
Turbidity	35.1	17.0			<1.0	NTU
DISSOLVED ANIONS						
Alkalinity (Total as CaCO ₃)	115	97.8				mg/L
Alkalinity (PP as CaCO ₃)		3.1				mg/L
Bicarbonate		112				mg/L
Carbonate		3.8				mg/L
Hydroxide		<1.0				mg/L
Chloride	68.4	60			< or = 250	mg/L
Fluoride	1.98	2.00			1.5	mg/L
Nitrate (N)	0.06	<0.020			10	mg/L
Nitrite (N)	0.007	<0.0050			1	mg/L
Total Organic Nitrogen (N)						mg/L
Total Ammonia (N)						mg/L
Nitrate plus Nitrite (N)		<0.020				mg/L
Total Nitrogen (N)						mg/L
Total Organic Carbon (C)						mg/L
Total Phosphorus (P)						mg/L
Sulphate	27.5	30.1			< or =500	mg/L
TOTAL METALS			DISSOLVED METALS			
Aluminum	1000	764		43		µg/L
Antimony	1	<0.50		<2.5	6	µg/L
Arsenic	4	1.05		0.69	10	µg/L
Barium	4	4.0		<5.0	1000	µg/L
Beryllium		<0.10		<0.50		
Bismuth		<1.0		<5.0		
Boron	4470	3270		3400	5000	µg/L
Cadmium	<0.02	0.024		<0.050	5	µg/L
Chromium	2	2.4		<5.0	50	µg/L
Cobalt		2.33		<1.0		µg/L
Copper	1	5.62		1.1	< or =1000	µg/L
Iron	1450	2010		56	< or = 300	µg/L
Lead	3	2.11		<1.0	10	µg/L
Manganese	18	105		<5.0	< or = 50	µg/L
Mercury	<0.02	<0.010		<0.025	1	µg/L
Molybdenum	4.3	3.3		<5.0		µg/L
Nickel	2	3.5		<5.0		µg/L
Selenium	<1	<0.10		<0.50	50	µg/L
Silicon	7100	7200		5200		µg/L
Silver	<0.5	<0.020		<0.10		µg/L
Strontium	28	21.1		17.7		µg/L
Thallium		0.018		<0.050		µg/L
Tin		<5.0		<25		µg/L
Titanium	41	51.6		<25		
Uranium	<0.5	<0.10		<0.50	20	µg/L
Vanadium	3	<5.0		<25		µg/L
Zinc	53	24.1		<25	< or = 5000	µg/L
Zirconium		0.34		<0.50		
Calcium	3.05	4.55		5.15		mg/L
Magnesium	0.51	0.573		<0.25		mg/L
Potassium	0.2	0.204		<0.25		mg/L
Sodium	93.6	89.7		90.6	< or = 200	mg/L
Sulphur		9.9		<15		mg/L
MICROBIOLOGICAL						
Total Coliforms	>1	>2800			ND	CFU/100mL
Escherichia Coli (E.Coli)	<1	0			ND	CFU/100mL

* Turbidity guideline applies to a surface water source or a groundwater source under the direct influence of surface water.

Red font indicates exceedances.

ND means none detectable. Dissolved levels considerably less than total levels.

Conclusions

The existing bedrock well (WID 16462) on Lot 4, Plan VIP83509 was recently pump tested for a period of 12 hours on September 19, 2017 following a relatively dry summer period and during a period when groundwater levels were seasonally low. Results of the testing indicates that the well can be safely rated at the rate at which it was pumped 0.44 Igpm (2.00 L/min) providing a significant safety factor in the well. This rating exceeds the minimum standard of 0.35 Igpm (1.590 L/min) for potable water supply under *Galiano Island Land Use Bylaw No. 127, 1999*, (Galiano Island Local Trust Committee, 1999). Based on the monitoring results for a nearby well during the pump testing, use of Well WID 16462 for domestic purposes should have no measureable adverse effects on neighbouring water sources.

Laboratory results of the September 19, 2017 sampling, indicates the water quality of Well WID 16462 met or exceeded the *Guidelines for Canadian Drinking Water* (Federal-Provincial-Territorial Committee on Drinking Water, 2017) for all parameters analyzed except for elevated levels of turbidity at 17.0 NTU, fluoride at 2.00 mg/L, total iron at 2010 µg/L, total manganese at 105 µg/L and total coliforms at > 2800 CFU/100mL. Elevated turbidity is only a potential issue in cases of a surface water source or groundwater source under the direct influence of surface water. Elevated levels of iron and manganese are aesthetic issues and not of a health concern. Indications are that these parameters in particulate form, can be reduced by filtering. Elevated levels of fluoride and coliforms are of a health concern and can be treated with an appropriately designed and maintained point-of-entry (POE) water treatment system.

Recommendations

1. As a precautionary measure against any future potential sources of coliform bacteria, water from the well should be treated with an appropriately designed and maintained ultraviolet irradiation (UV) treatment system.
2. For low yielding water wells, apart from utilizing a pressure tank for the distribution system, consideration should be given to installing a storage tank e.g. 1000 USgals, on the property to reduce frequent cycling of the well pump during high water use periods.
3. The current setting of the pump at a depth of 200 feet (60.96 m) is currently adequate and could be safely lowered a further 10 m if necessary to provide more available drawdown in the well if necessary.
4. Consideration should be given to equipping the discharge line from the well with a totalizing water meter to monitor and record the well use with time.

Closure

This report was prepared in accordance with generally accepted engineering, hydrogeological and consulting practices. It is intended for the prime use of D. Simone in connection with its purpose as outlined under the scope of work for this project. This report is based on data and information available to the author from various sources at the time of its preparation and the findings of this report may therefore be subject to revision. Data and information supplied by others has not been independently confirmed or verified to be correct or accurate in all cases. Any errors, omissions or issues requiring clarification should be brought to the attention of the author. The author and Hy-Geo Consulting accepts no responsibility for damages suffered by any third party as a result of any unauthorized use of this report.

Respectfully submitted,



Alan P. Kohut PEng
Principal and Senior Hydrogeologist

HY-GEO CONSULTING

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APPENDIX A

Pumping Test Data for Well (WID 16462)

Project: Lot 4, Plan VIP83509

Client: D. Simone

Location: Galiano Island

Date of Test: 19-Sep-17

Test Conducted by: D. Guerlach

Pumped Well: WID 16462

Pumping Rate: 2.0 L/min

Static Water Level: 30.050 m

Reference: all readings from top of well casing

Stick up: 0.61 m above ground

Observation Wells: Lot 3 Well WID 16482

Pump Start Time: 11:30 AM Sept. 19/17

Pump End Time: 11:30 PM Sept. 19/17

Analysis by: A. Kohut, P.Eng.

Drawdown Data:

Recovery Data:

Time (minutes)	Water Level (m)	Drawdown (m)	Time t (minutes)	Time t' (minutes)	Water Level (m)	t/t'	Residual Drawdown (m)
1	32.692	2.64	721	1	47.078	721.0	17.03
2	33.936	3.89	722	2	46.951	361.0	16.90
3	33.690	3.64	723	3	46.847	241.0	16.80
4	34.023	3.97	724	4	46.743	181.0	16.69
5	34.090	4.04	725	5	46.658	145.0	16.61
6	34.109	4.06	726	6	46.575	121.0	16.53
7	34.166	4.12	727	7	46.497	103.9	16.45
8	34.239	4.19	728	8	46.431	91.0	16.38
9	34.329	4.28	729	9	46.357	81.0	16.31
10	34.384	4.33	730	10	46.288	73.0	16.24
12	34.556	4.51	732	12	46.153	61.0	16.10
14	34.813	4.76	734	14	46.015	52.4	15.97
16	35.010	4.96	736	16	45.887	46.0	15.84
18	35.405	5.36	738	18	45.776	41.0	15.73
20	35.672	5.62	740	20	45.643	37.0	15.59
25	36.000	5.95	745	25	45.344	29.8	15.29
30	36.297	6.25	750	30	45.051	25.0	15.00
35	35.632	5.58	755	35	44.771	21.6	14.72
40	36.878	6.83	760	40	44.497	19.0	14.45
45	37.168	7.12	765	45	44.217	17.0	14.17
50	37.429	7.38	770	50	43.938	15.4	13.89
60	37.950	7.90	780	60	43.479	13.0	13.43
70	38.522	8.47	790	70	43.003	11.3	12.95
80	38.907	8.86	800	80	42.546	10.0	12.50
90	39.395	9.35	810	90	42.138	9.0	12.09
100	39.890	9.84	820	100	41.716	8.2	11.67
120	40.656	10.61	840	120	40.952	7.0	10.90
140	41.264	11.21	860	140	40.235	6.1	10.19
160	41.666	11.62	880	160	39.622	5.5	9.57
180	42.452	12.40	900	180	39.056	5.0	9.01
200	42.872	12.82	920	200	38.543	4.6	8.49
250	44.184	14.13	970	250	37.432	3.9	7.38
300	44.976	14.93	1020	300	36.455	3.4	6.41
350	45.343	15.29	1070	350	35.715	3.1	5.67
400	45.966	15.92	1120	400	35.065	2.8	5.02
450	46.329	16.28	1170	450	34.537	2.6	4.49
500	47.532	17.48	1220	500	34.098	2.4	4.05
600	47.639	17.59	1320	600	33.343	2.2	3.29
700	47.726	17.68	1420	700	32.833	2.0	2.78
720	47.929	17.88	1520	800	32.441	1.9	2.39
			1620	900	32.107	1.8	2.06

Data from transducer

Appendix A

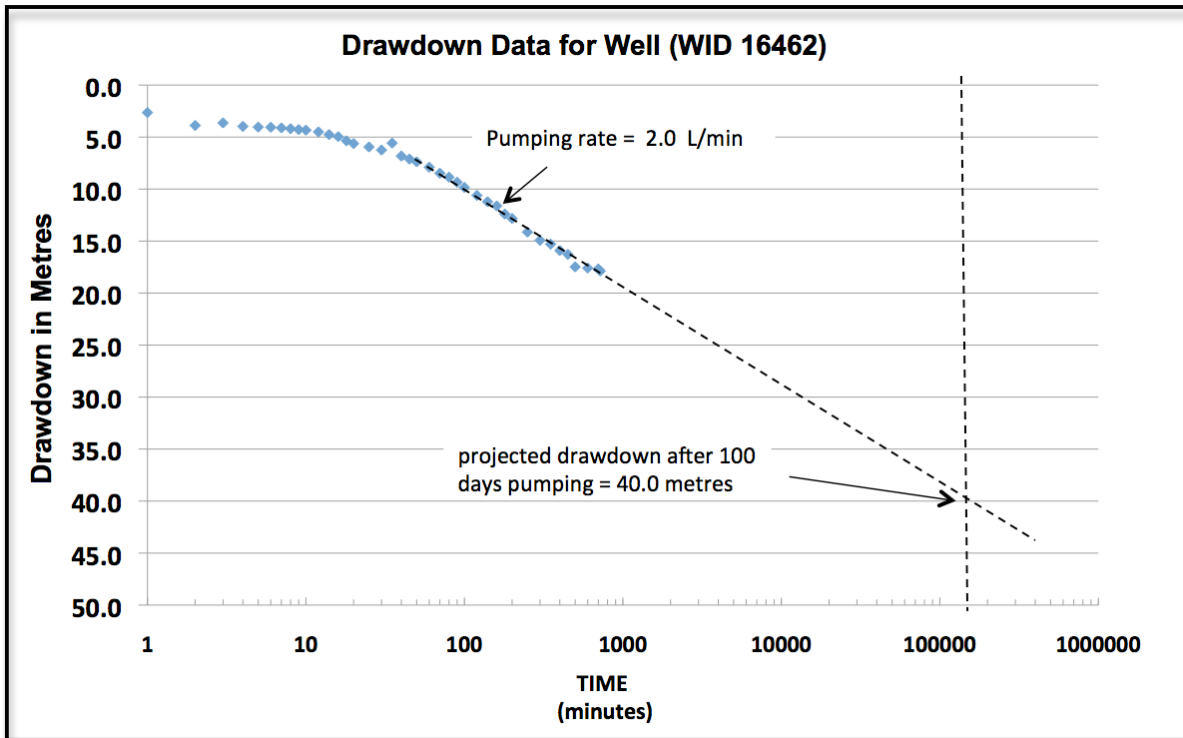


Figure 1. Semi-log drawdown plot for Well WID 16462 pumping at 2.0 L/min.

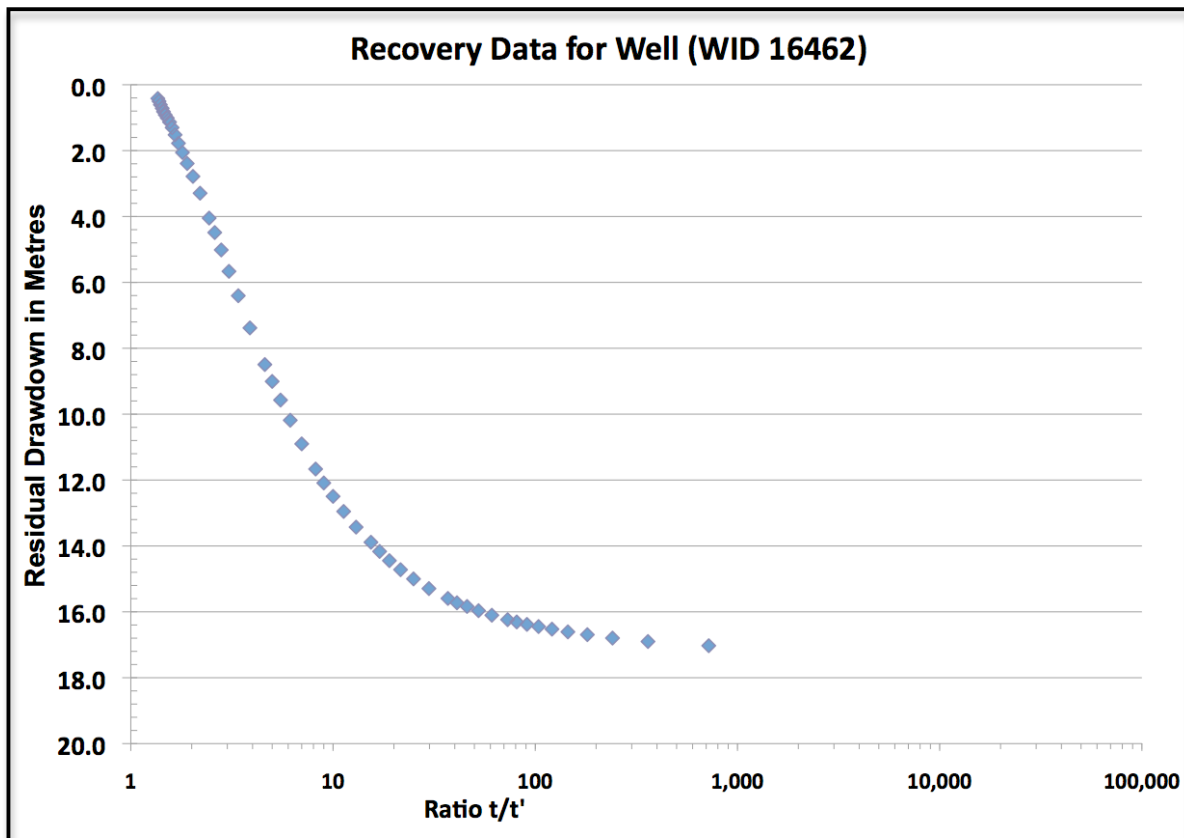


Figure 2. Semi-log recovery plot for Well WID 16462.

APPENDIX B

Your C.O.C. #: WI009495

Attention: Al Kohut

Hy-Geo Consulting
1041 Laburnum Rd
Victoria, BC
Canada V8Z 2M9

Report Date: 2017/09/27

Report #: R2450976

Version: 1 - Final

CERTIFICATE OF ANALYSIS

MAXXAM JOB #: B781246

Received: 2017/09/20, 09:31

Sample Matrix: Water
Samples Received: 1

Analyses	Quantity	Date Extracted	Date Analyzed	Laboratory Method	Analytical Method
Alkalinity - Water	1	2017/09/23	2017/09/24	BBY6SOP-00026	SM 22 2320 B m
Chloride by Automated Colourimetry	1	N/A	2017/09/22	BBY6SOP-00011	SM 22 4500-Cl- E m
True Colour (Single Wavelength) (1)	1	N/A	2017/09/21	VIC SOP-00010	SM 22 2120 C m
Conductance - water	1	2017/09/23	2017/09/24	BBY6SOP-00026	SM 22 2510 B m
Fluoride	1	N/A	2017/09/21	BBY6SOP-00048	SM 22 4500-F C m
Hardness Total (calculated as CaCO ₃)	1	N/A	2017/09/24	BBY WI-00033	Auto Calc
Hardness (calculated as CaCO ₃)	1	N/A	2017/09/24	BBY WI-00033	Auto Calc
Mercury (Total) by CVAf	1	2017/09/24	2017/09/24	BBY7SOP-00015	BCMOE BCLM Oct2013 m
Na, K, Ca, Mg, S by CRC ICPMS (diss.)	1	N/A	2017/09/24	BBY7SOP-00002	EPA 6020B R2 m
Elements by CRC ICPMS (dissolved)	1	N/A	2017/09/23	BBY7SOP-00002	EPA 6020B R2 m
Na, K, Ca, Mg, S by CRC ICPMS (total)	1	N/A	2017/09/24	BBY7SOP-00003,	BCLM2005,EPA6020bR2m
Elements by CRC ICPMS (total)	1	N/A	2017/09/23	BBY7SOP-00003,	BCLM2005,EPA6020bR2m
Nitrate + Nitrite (N)	1	N/A	2017/09/22	BBY6SOP-00010	SM 22 4500-NO ₃ - I m
Nitrite (N) by CFA	1	N/A	2017/09/22	BBY6SOP-00010	SM 22 4500-NO ₃ - I m
Nitrogen - Nitrate (as N)	1	N/A	2017/09/26	BBY WI-00033	Auto Calc
Filter and HNO ₃ Preserve for Metals	1	N/A	2017/09/20	BBY7 WI-00004	BCMOE Reqs 08/14
pH Water (2)	1	2017/09/23	2017/09/24	BBY6SOP-00026	SM 22 4500-H+ B m
Sulphate by Automated Colourimetry	1	N/A	2017/09/22	BBY6SOP-00017	SM 22 4500-SO ₄ 2- E m
Total Dissolved Solids (Filt. Residue) (1)	1	N/A	2017/09/27	VIC SOP-00008	Based on SM 2540C
Total Coliform & E.Coli by MF-Chromocult (1)	1	N/A	2017/09/20	VIC SOP 00112	Based on SM-9222
Turbidity (1)	1	N/A	2017/09/21	VIC SOP-00011	SM 22 2130B m

Remarks:

Maxxam Analytics' laboratories are accredited to ISO/IEC 17025:2005 for specific parameters on scopes of accreditation. Unless otherwise noted, procedures used by Maxxam are based upon recognized Provincial, Federal or US method compendia such as CCME, MDDELCC, EPA, APHA.

All work recorded herein has been done in accordance with procedures and practices ordinarily exercised by professionals in Maxxam's profession using accepted testing methodologies, quality assurance and quality control procedures (except where otherwise agreed by the client and Maxxam in writing). All data is in statistical control and has met quality control and method performance criteria unless otherwise noted. All method blanks are reported: unless indicated otherwise, associated sample data are not blank corrected.

Maxxam Analytics' liability is limited to the actual cost of the requested analyses, unless otherwise agreed in writing. There is no other warranty expressed

Your C.O.C. #: WI009495

Attention: Al Kohut

Hy-Geo Consulting
1041 Laburnum Rd
Victoria, BC
Canada V8Z 2M9

Report Date: 2017/09/27

Report #: R2450976

Version: 1 - Final

CERTIFICATE OF ANALYSIS

MAXXAM JOB #: B781246

Received: 2017/09/20, 09:31

or implied. Maxxam has been retained to provide analysis of samples provided by the Client using the testing methodology referenced in this report. Interpretation and use of test results are the sole responsibility of the Client and are not within the scope of services provided by Maxxam, unless otherwise agreed in writing.

Solid sample results, except biota, are based on dry weight unless otherwise indicated. Organic analyses are not recovery corrected except for isotope dilution methods.

Results relate to samples tested.

This Certificate shall not be reproduced except in full, without the written approval of the laboratory.

Reference Method suffix "m" indicates test methods incorporate validated modifications from specific reference methods to improve performance.

* RPDs calculated using raw data. The rounding of final results may result in the apparent difference.

(1) This test was performed by Maxxam Victoria

(2) The BC-MOE and APHA Standard Method require pH to be analysed within 15 minutes of sampling and therefore field analysis is required for compliance. All Laboratory pH analyses in this report are reported past the BC-MOE/APHA Standard Method holding time.

Encryption Key

Please direct all questions regarding this Certificate of Analysis to your Project Manager.

BC Env Customer Service, BC Environmental Customer Service

Email: Enviro.CS.BC@maxxam.ca

Phone# (604) 734 7276

=====

Maxxam has procedures in place to guard against improper use of the electronic signature and have the required "signatories", as per section 5.10.2 of ISO/IEC 17025:2005(E), signing the reports. For Service Group specific validation please refer to the Validation Signature Page.

Maxxam Job #: B781246
Report Date: 2017/09/27

Hy-Geo Consulting

RESULTS OF CHEMICAL ANALYSES OF WATER

Maxxam ID					SA0081		
Sampling Date					2017/09/19 16:20		
COC Number					WI009495		
	UNITS	MAC	AO	OG	WELL LOT 4 GALIANO	RDL	QC Batch
ANIONS							
Nitrite (N)	mg/L	1	-	-	<0.0050	0.0050	8768823
Calculated Parameters							
Filter and HNO3 Preservation	N/A	-	-	-	FIELD		ONSITE
Nitrate (N)	mg/L	10	-	-	<0.020	0.020	8764472
Misc. Inorganics							
Fluoride (F)	mg/L	1.5	-	-	2.00	0.020	8766931
Alkalinity (Total as CaCO3)	mg/L	-	-	-	97.8	1.0	8769011
Alkalinity (PP as CaCO3)	mg/L	-	-	-	3.1	1.0	8769011
Bicarbonate (HCO3)	mg/L	-	-	-	112	1.0	8769011
Carbonate (CO3)	mg/L	-	-	-	3.8	1.0	8769011
Hydroxide (OH)	mg/L	-	-	-	<1.0	1.0	8769011
Anions							
Dissolved Sulphate (SO4)	mg/L	-	500	-	30.1	1.0	8768981
Dissolved Chloride (Cl)	mg/L	-	250	-	60	1.0	8768969
MISCELLANEOUS							
True Colour	Col. Unit	-	15	-	5	5	8766788
Nutrients							
Nitrate plus Nitrite (N)	mg/L	-	-	-	<0.020	0.020	8768809
Physical Properties							
Conductivity	uS/cm	-	-	-	465	2.0	8769010
pH	pH	-	7.0:10.5	-	8.46		8769008
Physical Properties							
Total Dissolved Solids	mg/L	-	500	-	251	10	8771300
Turbidity	NTU	see remark	see remark	see remark	17.0	0.1	8748974
No Fill	No Exceedance						
Grey	Exceeds 1 criteria policy/level						
Black	Exceeds both criteria/levels						
RDL = Reportable Detection Limit							

Maxxam Job #: B781246
Report Date: 2017/09/27

Hy-Geo Consulting

MICROBIOLOGY (WATER)

Maxxam ID			SA0081	
Sampling Date			2017/09/19 16:20	
COC Number			WI009495	
	UNITS	MAC	WELL LOT 4 GALIANO	QC Batch
Microbiological Param.				
Total Coliforms	CFU/100mL	0	SEE NOTE (1)	8770039
E. coli	CFU/100mL	0	0	8770039
No Fill	No Exceedance			
Grey	Exceeds 1 criteria policy/level			
Black	Exceeds both criteria/levels			
(1) Due to confluent growth a calculated estimate of >2800 cfu/100 ml is given.				

Maxxam Job #: B781246
Report Date: 2017/09/27

Hy-Geo Consulting

CSR DISSOLVED METALS (NO CV-HG) IN WATER

Maxxam ID					SA0081		
Sampling Date					2017/09/19 16:20		
COC Number					WI009495		
	UNITS	MAC	AO	OG	WELL LOT 4 GALIANO	RDL	QC Batch
Misc. Inorganics							
Dissolved Hardness (CaCO3)	mg/L	-	-	-	12.9	0.50	8764427
Dissolved Metals by ICPMS							
Dissolved Aluminum (Al)	ug/L	-	-	100	43	15	8767154
Dissolved Antimony (Sb)	ug/L	6	-	-	<2.5	2.5	8767154
Dissolved Arsenic (As)	ug/L	10	-	-	0.69	0.50	8767154
Dissolved Barium (Ba)	ug/L	1000	-	-	<5.0	5.0	8767154
Dissolved Beryllium (Be)	ug/L	-	-	-	<0.50	0.50	8767154
Dissolved Bismuth (Bi)	ug/L	-	-	-	<5.0	5.0	8767154
Dissolved Boron (B)	ug/L	5000	-	-	3400	250	8767154
Dissolved Cadmium (Cd)	ug/L	5	-	-	<0.050	0.050	8767154
Dissolved Chromium (Cr)	ug/L	50	-	-	<5.0	5.0	8767154
Dissolved Cobalt (Co)	ug/L	-	-	-	<1.0	1.0	8767154
Dissolved Copper (Cu)	ug/L	-	1000	-	1.1	1.0	8767154
Dissolved Iron (Fe)	ug/L	-	300	-	56	25	8767154
Dissolved Lead (Pb)	ug/L	10	-	-	<1.0	1.0	8767154
Dissolved Lithium (Li)	ug/L	-	-	-	22	10	8767154
Dissolved Manganese (Mn)	ug/L	-	50	-	<5.0	5.0	8767154
Dissolved Mercury (Hg)	ug/L	1	-	-	<0.25	0.25	8767154
Dissolved Molybdenum (Mo)	ug/L	-	-	-	<5.0	5.0	8767154
Dissolved Nickel (Ni)	ug/L	-	-	-	<5.0	5.0	8767154
Dissolved Selenium (Se)	ug/L	50	-	-	<0.50	0.50	8767154
Dissolved Silicon (Si)	ug/L	-	-	-	5220	500	8767154
Dissolved Silver (Ag)	ug/L	-	-	-	<0.10	0.10	8767154
Dissolved Strontium (Sr)	ug/L	-	-	-	17.7	5.0	8767154
Dissolved Thallium (Tl)	ug/L	-	-	-	<0.050	0.050	8767154
Dissolved Tin (Sn)	ug/L	-	-	-	<25	25	8767154
Dissolved Titanium (Ti)	ug/L	-	-	-	<25	25	8767154
Dissolved Uranium (U)	ug/L	20	-	-	<0.50	0.50	8767154
Dissolved Vanadium (V)	ug/L	-	-	-	<25	25	8767154
Dissolved Zinc (Zn)	ug/L	-	5000	-	<25	25	8767154
Dissolved Zirconium (Zr)	ug/L	-	-	-	<0.50	0.50	8767154
Dissolved Calcium (Ca)	mg/L	-	-	-	5.15	0.25	8764428
Dissolved Magnesium (Mg)	mg/L	-	-	-	<0.25	0.25	8764428
No Fill	No Exceedance						
Grey	Exceeds 1 criteria policy/level						
Black	Exceeds both criteria/levels						
RDL = Reportable Detection Limit							

Maxxam Job #: B781246
Report Date: 2017/09/27

Hy-Geo Consulting

CSR DISSOLVED METALS (NO CV-HG) IN WATER

Maxxam ID					SA0081		
Sampling Date					2017/09/19 16:20		
COC Number					WI009495		
	UNITS	MAC	AO	OG	WELL LOT 4 GALIANO	RDL	QC Batch
Dissolved Potassium (K)	mg/L	-	-	-	<0.25	0.25	8764428
Dissolved Sodium (Na)	mg/L	-	200	-	90.6	0.25	8764428
Dissolved Sulphur (S)	mg/L	-	-	-	<15	15	8764428
No Fill	No Exceedance						
Grey	Exceeds 1 criteria policy/level						
Black	Exceeds both criteria/levels						
RDL = Reportable Detection Limit							

Maxxam Job #: B781246
Report Date: 2017/09/27

Hy-Geo Consulting

TOT. METALS W/ CV HG FOR DRINKING WATER (WATER)

Maxxam ID					SA0081		
Sampling Date					2017/09/19 16:20		
COC Number					WI009495		
	UNITS	MAC	AO	OG	WELL LOT 4 GALIANO	RDL	QC Batch
Calculated Parameters							
Total Hardness (CaCO3)	mg/L	-	-	-	13.7	0.50	876447
Elements							
Total Mercury (Hg)	ug/L	1	-	-	<0.010	0.010	8769118
Total Metals by ICPMS							
Total Aluminum (Al)	ug/L	-	-	100	764	3.0	8767246
Total Antimony (Sb)	ug/L	6	-	-	<0.50	0.50	8767246
Total Arsenic (As)	ug/L	10	-	-	1.05	0.10	8767246
Total Barium (Ba)	ug/L	1000	-	-	4.0	1.0	8767246
Total Beryllium (Be)	ug/L	-	-	-	<0.10	0.10	8767246
Total Bismuth (Bi)	ug/L	-	-	-	<1.0	1.0	8767246
Total Boron (B)	ug/L	5000	-	-	3270	50	8767246
Total Cadmium (Cd)	ug/L	5	-	-	0.024	0.010	8767246
Total Chromium (Cr)	ug/L	50	-	-	2.4	1.0	8767246
Total Cobalt (Co)	ug/L	-	-	-	2.33	0.20	8767246
Total Copper (Cu)	ug/L	-	1000	-	5.62	0.20	8767246
Total Iron (Fe)	ug/L	-	300	-	2010	5.0	8767246
Total Lead (Pb)	ug/L	10	-	-	2.11	0.20	8767246
Total Manganese (Mn)	ug/L	-	50	-	105	1.0	8767246
Total Molybdenum (Mo)	ug/L	-	-	-	3.3	1.0	8767246
Total Nickel (Ni)	ug/L	-	-	-	3.5	1.0	8767246
Total Selenium (Se)	ug/L	50	-	-	<0.10	0.10	8767246
Total Silicon (Si)	ug/L	-	-	-	7200	100	8767246
Total Silver (Ag)	ug/L	-	-	-	<0.020	0.020	8767246
Total Strontium (Sr)	ug/L	-	-	-	21.1	1.0	8767246
Total Thallium (Tl)	ug/L	-	-	-	0.018	0.010	8767246
Total Tin (Sn)	ug/L	-	-	-	<5.0	5.0	8767246
Total Titanium (Ti)	ug/L	-	-	-	51.6	5.0	8767246
Total Uranium (U)	ug/L	20	-	-	<0.10	0.10	8767246
Total Vanadium (V)	ug/L	-	-	-	<5.0	5.0	8767246
Total Zinc (Zn)	ug/L	-	5000	-	24.1	5.0	8767246
Total Zirconium (Zr)	ug/L	-	-	-	0.34	0.10	8767246
Total Calcium (Ca)	mg/L	-	-	-	4.55	0.050	8764712
Total Magnesium (Mg)	mg/L	-	-	-	0.573	0.050	8764712
No Fill	No Exceedance						
Grey	Exceeds 1 criteria policy/level						
Black	Exceeds both criteria/levels						
RDL = Reportable Detection Limit							

Maxxam Job #: B781246
Report Date: 2017/09/27

Hy-Geo Consulting

TOT. METALS W/ CV HG FOR DRINKING WATER (WATER)

Maxxam ID					SA0081		
Sampling Date					2017/09/19 16:20		
COC Number					WI009495		
	UNITS	MAC	AO	OG	WELL LOT 4 GALIANO	RDL	QC Batch
Total Potassium (K)	mg/L	-	-	-	0.204	0.050	8764712
Total Sodium (Na)	mg/L	-	200	-	89.7	0.050	8764712
Total Sulphur (S)	mg/L	-	-	-	9.9	3.0	8764712
No Fill	No Exceedance						
Grey	Exceeds 1 criteria policy/level						
Black	Exceeds both criteria/levels						
RDL = Reportable Detection Limit							

GENERAL COMMENTS

Each temperature is the average of up to three cooler temperatures taken at receipt

Package 1	9.3°C
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MAC,AO,OG: The guidelines that have been included in this report have been taken from the Canadian Drinking Water Quality Summary Table, February 2017.

Criteria A = Maximum Acceptable Concentration (MAC) / Criteria B = Aesthetic Objectives (AO) / Criteria C = Operational Guidance Values (OG)
It is recommended to consult these guidelines when interpreting your data since there are non-numerical guidelines that are not included on this report.

Turbidity Guidelines:

1. Chemically assisted filtration: less than or equal to 0.3 NTU in 95% of the measurements or 95% of the time each month. Shall not exceed 1.0 NTU at any time.
2. Slow sand / diatomaceous earth filtration: less than or equal to 1.0 NTU in 95% of the measurements or 95% of the time each month. Shall not exceed 3.0 NTU at any time.
3. Membrane filtration: less than or equal to 0.1 NTU in 99% of the measurements made or at least 99% of the time each calendar month. Shall not exceed 0.3 NTU at any time.

CSR DISSOLVED METALS (NO CV-HG) IN WATER Comments

Sample SA0081 [WELL LOT 4 GALIANO] Elements by CRC ICPMS (dissolved): RDL raised due to concentration over linear range, sample dilution required.

Results relate only to the items tested.

Maxxam Job #: B781246
Report Date: 2017/09/27

QUALITY ASSURANCE REPORT

Hy-Geo Consulting

QC Batch	Parameter	Date	Matrix Spike		Spiked Blank		Method Blank		RPD	
			% Recovery	QC Limits	% Recovery	QC Limits	Value	UNITS	Value (%)	QC Limits
8748974	Turbidity	2017/09/21			100	80 - 120	<0.1	NTU	0	20
8766788	True Colour	2017/09/21			99	80 - 120	<5	Col. Unit	NC	10
8766931	Fluoride (F)	2017/09/21	106	80 - 120	102	80 - 120	<0.020	mg/L	0	20
8767154	Dissolved Aluminum (Al)	2017/09/23	97	80 - 120	100	80 - 120	<3.0	ug/L	0.61	20
8767154	Dissolved Antimony (Sb)	2017/09/23	99	80 - 120	100	80 - 120	<0.50	ug/L	0.34	20
8767154	Dissolved Arsenic (As)	2017/09/23	104	80 - 120	101	80 - 120	<0.10	ug/L	0.68	20
8767154	Dissolved Barium (Ba)	2017/09/23	NC	80 - 120	103	80 - 120	<1.0	ug/L	0.76	20
8767154	Dissolved Beryllium (Be)	2017/09/23	99	80 - 120	102	80 - 120	<0.10	ug/L	NC	20
8767154	Dissolved Bismuth (Bi)	2017/09/23	93	80 - 120	99	80 - 120	<1.0	ug/L	NC	20
8767154	Dissolved Boron (B)	2017/09/23	92	80 - 120	102	80 - 120	<50	ug/L	1.8	20
8767154	Dissolved Cadmium (Cd)	2017/09/23	97	80 - 120	99	80 - 120	<0.010	ug/L	4.9	20
8767154	Dissolved Chromium (Cr)	2017/09/23	95	80 - 120	102	80 - 120	<1.0	ug/L	NC	20
8767154	Dissolved Cobalt (Co)	2017/09/23	95	80 - 120	101	80 - 120	<0.20	ug/L	1.0	20
8767154	Dissolved Copper (Cu)	2017/09/23	90	80 - 120	101	80 - 120	<0.20	ug/L	3.6	20
8767154	Dissolved Iron (Fe)	2017/09/23	104	80 - 120	104	80 - 120	<5.0	ug/L	NC	20
8767154	Dissolved Lead (Pb)	2017/09/23	97	80 - 120	103	80 - 120	<0.20	ug/L	NC	20
8767154	Dissolved Lithium (Li)	2017/09/23	NC	80 - 120	106	80 - 120	<2.0	ug/L	1.8	20
8767154	Dissolved Manganese (Mn)	2017/09/23	NC	80 - 120	100	80 - 120	<1.0	ug/L	2.9	20
8767154	Dissolved Mercury (Hg)	2017/09/23	95	80 - 120	96	80 - 120	<0.050	ug/L		
8767154	Dissolved Molybdenum (Mo)	2017/09/23	NC	80 - 120	101	80 - 120	<1.0	ug/L	0.75	20
8767154	Dissolved Nickel (Ni)	2017/09/23	95	80 - 120	101	80 - 120	<1.0	ug/L	5.8	20
8767154	Dissolved Selenium (Se)	2017/09/23	103	80 - 120	101	80 - 120	<0.10	ug/L	2.6	20
8767154	Dissolved Silicon (Si)	2017/09/23					<100	ug/L	8.3	20
8767154	Dissolved Silver (Ag)	2017/09/23	100	80 - 120	108	80 - 120	<0.020	ug/L	NC	20
8767154	Dissolved Strontium (Sr)	2017/09/23	NC	80 - 120	95	80 - 120	<1.0	ug/L	0.56	20
8767154	Dissolved Thallium (Tl)	2017/09/23	96	80 - 120	100	80 - 120	<0.010	ug/L	1.4	20
8767154	Dissolved Tin (Sn)	2017/09/23	98	80 - 120	98	80 - 120	<5.0	ug/L	NC	20
8767154	Dissolved Titanium (Ti)	2017/09/23	91	80 - 120	100	80 - 120	<5.0	ug/L	NC	20
8767154	Dissolved Uranium (U)	2017/09/23	102	80 - 120	103	80 - 120	<0.10	ug/L	1.2	20
8767154	Dissolved Vanadium (V)	2017/09/23	100	80 - 120	101	80 - 120	<5.0	ug/L	NC	20
8767154	Dissolved Zinc (Zn)	2017/09/23	95	80 - 120	104	80 - 120	<5.0	ug/L	NC	20
8767154	Dissolved Zirconium (Zr)	2017/09/23	92	80 - 120	97	80 - 120	<0.10	ug/L	NC	20

Maxxam Job #: B781246
Report Date: 2017/09/27

QUALITY ASSURANCE REPORT(CONT'D)

Hy-Geo Consulting

QC Batch	Parameter	Date	Matrix Spike		Spiked Blank		Method Blank		RPD	
			% Recovery	QC Limits	% Recovery	QC Limits	Value	UNITS	Value (%)	QC Limits
8767246	Total Aluminum (Al)	2017/09/23	99	80 - 120	98	80 - 120	<3.0	ug/L	3.1	20
8767246	Total Antimony (Sb)	2017/09/23	102	80 - 120	97	80 - 120	<0.50	ug/L	NC	20
8767246	Total Arsenic (As)	2017/09/23	106	80 - 120	105	80 - 120	<0.10	ug/L	NC	20
8767246	Total Barium (Ba)	2017/09/23	100	80 - 120	101	80 - 120	<1.0	ug/L	1.5	20
8767246	Total Beryllium (Be)	2017/09/23	102	80 - 120	100	80 - 120	<0.10	ug/L	NC	20
8767246	Total Bismuth (Bi)	2017/09/23	100	80 - 120	96	80 - 120	<1.0	ug/L	NC	20
8767246	Total Boron (B)	2017/09/23	99	80 - 120	99	80 - 120	<50	ug/L	NC	20
8767246	Total Cadmium (Cd)	2017/09/23	99	80 - 120	96	80 - 120	<0.010	ug/L	8.5	20
8767246	Total Chromium (Cr)	2017/09/23	103	80 - 120	101	80 - 120	<1.0	ug/L	NC	20
8767246	Total Cobalt (Co)	2017/09/23	101	80 - 120	100	80 - 120	<0.20	ug/L	NC	20
8767246	Total Copper (Cu)	2017/09/23	NC	80 - 120	100	80 - 120	<0.20	ug/L	0.042	20
8767246	Total Iron (Fe)	2017/09/23	106	80 - 120	111	80 - 120	<5.0	ug/L	1.0	20
8767246	Total Lead (Pb)	2017/09/23	102	80 - 120	98	80 - 120	<0.20	ug/L	0.40	20
8767246	Total Manganese (Mn)	2017/09/23	101	80 - 120	103	80 - 120	<1.0	ug/L	1.3	20
8767246	Total Molybdenum (Mo)	2017/09/23	101	80 - 120	97	80 - 120	<1.0	ug/L	NC	20
8767246	Total Nickel (Ni)	2017/09/23	101	80 - 120	101	80 - 120	<1.0	ug/L	NC	20
8767246	Total Selenium (Se)	2017/09/23	110	80 - 120	107	80 - 120	<0.10	ug/L	NC	20
8767246	Total Silicon (Si)	2017/09/23					<100	ug/L	6.9	20
8767246	Total Silver (Ag)	2017/09/23	107	80 - 120	104	80 - 120	<0.020	ug/L	NC	20
8767246	Total Strontium (Sr)	2017/09/23	NC	80 - 120	95	80 - 120	<1.0	ug/L	4.5	20
8767246	Total Thallium (Tl)	2017/09/23	100	80 - 120	96	80 - 120	<0.010	ug/L	NC	20
8767246	Total Tin (Sn)	2017/09/23	94	80 - 120	94	80 - 120	<5.0	ug/L	NC	20
8767246	Total Titanium (Ti)	2017/09/23	104	80 - 120	92	80 - 120	<5.0	ug/L	NC	20
8767246	Total Uranium (U)	2017/09/23	104	80 - 120	97	80 - 120	<0.10	ug/L	NC	20
8767246	Total Vanadium (V)	2017/09/23	103	80 - 120	100	80 - 120	<5.0	ug/L	NC	20
8767246	Total Zinc (Zn)	2017/09/23	107	80 - 120	102	80 - 120	<5.0	ug/L	NC	20
8767246	Total Zirconium (Zr)	2017/09/23	99	80 - 120	95	80 - 120	<0.10	ug/L	NC	20
8768809	Nitrate plus Nitrite (N)	2017/09/22	NC	80 - 120	107	80 - 120	<0.020	mg/L	0.16	25
8768823	Nitrite (N)	2017/09/22	96	80 - 120	99	80 - 120	<0.0050	mg/L	NC	20
8768969	Dissolved Chloride (Cl)	2017/09/22	NC	80 - 120	102	80 - 120	<1.0	mg/L	1.1	20
8768981	Dissolved Sulphate (SO4)	2017/09/22	NC	80 - 120	102	80 - 120	<1.0	mg/L	0.16	20
8769008	pH	2017/09/24			101	97 - 103			0.12	20

Maxxam Job #: B781246
Report Date: 2017/09/27

QUALITY ASSURANCE REPORT(CONT'D)

Hy-Geo Consulting

QC Batch	Parameter	Date	Matrix Spike		Spiked Blank		Method Blank		RPD	
			% Recovery	QC Limits	% Recovery	QC Limits	Value	UNITS	Value (%)	QC Limits
8769010	Conductivity	2017/09/24			99	80 - 120	<2.0	uS/cm	0.23	20
8769011	Alkalinity (PP as CaCO ₃)	2017/09/24					<1.0	mg/L	NC	20
8769011	Alkalinity (Total as CaCO ₃)	2017/09/24	NC	80 - 120	103	80 - 120	<1.0	mg/L	1.1	20
8769011	Bicarbonate (HCO ₃)	2017/09/24					<1.0	mg/L	1.1	20
8769011	Carbonate (CO ₃)	2017/09/24					<1.0	mg/L	NC	20
8769011	Hydroxide (OH)	2017/09/24					<1.0	mg/L	NC	20
8769118	Total Mercury (Hg)	2017/09/24	86	80 - 120	109	80 - 120	<0.010	ug/L	NC	20
8770039	E. coli	2017/09/20							NC	N/A
8770039	Total Coliforms	2017/09/20							NC	N/A
8771300	Total Dissolved Solids	2017/09/27			93	80 - 120	<10	mg/L	9.1	20

N/A = Not Applicable

Duplicate: Paired analysis of a separate portion of the same sample. Used to evaluate the variance in the measurement.

Matrix Spike: A sample to which a known amount of the analyte of interest has been added. Used to evaluate sample matrix interference.

Spiked Blank: A blank matrix sample to which a known amount of the analyte, usually from a second source, has been added. Used to evaluate method accuracy.

Method Blank: A blank matrix containing all reagents used in the analytical procedure. Used to identify laboratory contamination.

NC (Matrix Spike): The recovery in the matrix spike was not calculated. The relative difference between the concentration in the parent sample and the spike amount was too small to permit a reliable recovery calculation (matrix spike concentration was less than the native sample concentration)

NC (Duplicate RPD): The duplicate RPD was not calculated. The concentration in the sample and/or duplicate was too low to permit a reliable RPD calculation (absolute difference <= 2x RDL).

(1) Due to confluent growth a calculated estimate of >2800 cfu/100 ml is given.

Maxxam Job #: B781246
Report Date: 2017/09/27

Hy-Geo Consulting

VALIDATION SIGNATURE PAGE

The analytical data and all QC contained in this report were reviewed and validated by the following individual(s).



Rob Reinert, B.Sc., Scientific Specialist

Maxxam has procedures in place to guard against improper use of the electronic signature and have the required "signatories", as per section 5.10.2 of ISO/IEC 17025:2005(E), signing the reports. For Service Group specific validation please refer to the Validation Signature Page.

Company: HY-GED CONSULTING
 Contact Name: ALAN KOHUT
 Mailing Address: 4470 ARSEN'S PLACE
VICTORIA BC V8N 3T8
 Phone #: 250 744 7859
 E-mail: apkohut@telus.net
 After Hours Contact #: 250 477 3418

☒ Regular Turnaround Time (TAT) (5 days for most tests) ☐ RUSH Please contact the lab
 Surcharges will be applied

Date Required:

SPECIAL INSTRUCTIONS:

Return Cooler ☐ Ship Sample Bottles (please specify) ☐

If your drinking water source services two or more homes, we strongly recommend that you contact out how the Drinking Water Protection Act applies to this system. Please be aware that, in this situation, report results directly to local health authorities.

All information on this form must be completed before testing can commence

Please note your invoice may be subject to a \$60 minimum bill.

Payment Received: Yes ☒ No ☐

M:



B781246_COC

Sample Collection

For determining drinking water quality, samples should be representative of the water that will be consumed; therefore, we suggest sampling at the kitchen tap. However, other sampling locations may be used to determine pre-treatment water quality or for troubleshooting purposes.

1. Remove aerator/screen from faucet.
2. Let the water run for 5 minutes.
3. Label the bottle with your name, date and time you are taking the sample.
4. Fill all bottle(s) provided. Take care not to touch the inside of the bottle or underside of cap.
5. Cap the sample and place it in fridge or small cooler with icepack.

Remember: It is important that you do not contaminate the sample as you handle the container. Wash your hands before you start and be careful not to touch the rim of the bottle or the inside of the cap.

DON'T:

- Don't rinse or boil any bottle you receive from the lab.
- Don't let the sample sit out overnight, please refrigerate.
- Don't freeze the sample.

Sample Transportation & Delivery

1. Samples should arrive at the laboratories (Courtenay or Victoria) within 24 hrs of sampling. Ship samples between Monday and Thursday to avoid lab scheduling conflicts.
2. The sample should be kept cool during transit (<8°C - refrigerated or packed on ice).
3. Fill out the Chain of Custody (COC) form beside these instructions and submit with the sample. Incomplete or missing COC's will result in delays impacting turnaround time and the lab's ability to proceed with time sensitive tests.
4. Delivery Options:
 Personally deliver samples to Courtenay or Victoria
 Overnight shipping: If you ship a sample on the same day that it was collected you can use an overnight courier.
 Same day shipping: Available from Ken's Transfer, Ace Courier, and Greyhound (Courtenay only). Please contact the lab for details.

PLEASE CIRCLE				ANALYSIS REQUESTED PLEASE SELECT BELOW			
Samples from a Drinking Water Source? Y/N	Does source supply multiple households? Y/N	Are individuals drinking this water? Y/N	Are you on a boil water advisory? Y/N	Drinking Water Scan	Home Safety Scan	Total Metals Scan including Hardness & Hg	Total Coliform and E. Coli
Y	Y	Y	Y	✓	✓	✓	✓
N	N	N	N				
Y	Y	Y	Y				
N	N	N	N				
Y	Y	Y	Y				
N	N	N	N				
Y	Y	Y	Y				
N	N	N	N				

DISSOLVED METALS FIELD FILTERED

Sample Identification (Sample Location &/or Description)	Sample Location (eg. Tap, Wellhead)	Date/Time Sampled (24hr)
1 WELL LOT 4 GALIANO	WELL HEAD	2017/09/19 16:20
2		
3		
4		
5		

Print name and sign

Print name and sign

Relinquished By: <u>AP Kohut</u>	Date (yy/mm/dd): <u>2017/09/20</u>	Time (24 hr): <u>9:31</u>	Received by: <u>Shirley Green</u>	Date (yy/mm/dd): <u>2017/09/20</u>	Time (24hr): <u>09:31</u>	Time Sensitive ☐	Temperature on Receipt (°C) A) <u>8</u> B) <u>9</u> C) <u>11</u>	Custody Seal Present? ☐	Yes ☐ No ☐ N/A ☐
							Just sampled & rec'd on ice ☐	Intact? ☐	

Analysis Report



CANTEST LTD.

Professional
Analytical
Services

4808 Canada Way
Burnaby, B.C.
V5G 1K5

FAX: 604 731 2386

TEL: 604 734 7278

1 800 685 8588

REPORT ON: Analysis of Water Sample

REPORTED TO: B.C. Aquifer
5295 Trans Canada Hwy
Duncan, BC
V9L 5J2

Att'n: Jay Jaundraw

CHAIN OF CUSTODY: 2039109
P.O. NUMBER: CRD

NUMBER OF SAMPLES: 1

REPORT DATE: December 20, 2008

DATE SUBMITTED: December 14, 2008

GROUP NUMBER: 71214118

SAMPLE TYPE: Drinking Water

NOTE: Results contained in this report refer only to the testing of samples as submitted. Other information is available on request.

Aesthetic Objective Summary:

Aesthetic Objectives as set by "Guidelines for Canadian Drinking Water Quality, 6th Edition, 1995, including updates to April 1999. Aesthetic objectives apply to certain substances or characteristics of drinking water that can affect its acceptance by consumers or interfere with practices for supplying good quality water. For certain parameters, both aesthetic objectives and health-related guidelines have been derived. Where only aesthetic objectives are specified, these values are below those considered to constitute a health hazard

CLIENT SAMPLE ID	STATUS
CRD Gallano, Lot 4 Bluff Rd	Unacceptable

Max. Acceptable Concentration Summary:

Maximum Acceptable Concentrations (MAC) are put forth in the "Guidelines for Canadian Drinking Water Quality Summary Table" - March 2006. For the parameters tested, results are generally categorized by health concerns. Some parameters have no limit value denoted because: a) currently available data indicates no health risk, b) the compound is not permitted in Canada or is unlikely to occur in drinking water at levels of concern, or c) it refers to a family of compounds (see guideline).

CLIENT SAMPLE ID	HEALTH	HARDNESS
CRD Gallano, Lot 4 Bluff Rd	Unacceptable	Soft

TEST METHODS:

(Continued)

CANTEST LTD.

Richard S. Jernitz
Supervisor, Inorganic Testing

A Member of the CANAM Group
www.testing-labs.com

Page 1 of 8

REPORTED TO: B.C. Aquifer

CANTEST

REPORT DATE: December 20, 2006

GROUP NUMBER: 71214119

Potability (Aesthetic Criteria) In Water

CLIENT SAMPLE IDENTIFICATION:		CRD Gallano, Lot 4 Bluff Rd	
DATE SAMPLED:		Dec 13/06	
CANTEST ID:		512140347	Aesthetic Objective
			UNITS
Conventional Parameters			
Dissolved Chloride	Cl	68.4	250 mg/L
Dissolved Sulphate	SO ₄	27.5	500 mg/L
Conventional Parameters-Victoria Laboratory-			
pH, Laboratory		8.3 X	6.5 - 8.5 pH units
Turbidity		35.1 X	5 NTU
Total Dissolved Solids		271	500 mg/L
Alkalinity Total 4.8		115	mg/L
Total Metals Analysis			
Copper	Cu	0.001	1.0 mg/L
Iron	Fe	1.45 X	0.3 mg/L
Manganese	Mn	0.018	0.05 mg/L
Sodium	Na	93.6	200 mg/L
Zinc	Zn	0.053	5 mg/L

mg/L = milligrams per liter

NTU = nephelometric turbidity units

X = Result is outside the Aesthetic Objective

REPORTED TO: B.C. Aquifer

CANTEST

REPORT DATE: December 20, 2008

GROUP NUMBER: 71214119

Potability (Health Criteria at Point of Use) in Water

CLIENT SAMPLE IDENTIFICATION:		CRO Gallano, Lot 4 Bluff Rd	
DATE SAMPLED:		Dec 13/08	
CANTEST ID:		812140347	
Conventional Parameters		Max. Acceptable Concentration	UNITS
Dissolved Fluoride	F	1.98 X	1.5 mg/L
Dissolved Sulphate	SO ₄	27.5	- mg/L
Conventional Parameters-Victoria Laboratory-			
Conductivity		488	- µS/cm
Nitrite	N	0.007	1.0 mg/L
Total Metals Analysis			
Aluminum	Al	1.00	- mg/L
Antimony	Sb	0.001	0.008 mg/L
Arsenic	As	0.004	0.025 mg/L
Barium	Ba	0.004	1.0 mg/L
Boron	B	4.47	5 mg/L
Cadmium	Cd	< 0.0002	0.005 mg/L
Calcium	Ca	3.05	- mg/L
Chromium	Cr	0.002	0.05 mg/L
Lead	Pb	0.003	0.01 mg/L
Magnesium	Mg	0.51	- mg/L
Mercury	Hg	< 0.02	1 µg/L
Potassium	K	0.2	- mg/L
Selenium	Se	< 0.001	0.01 mg/L
Silver	Ag	< 0.00025	- mg/L
Uranium	U	< 0.0005	0.02 mg/L
Microbiological Analysis-Victoria Laboratory-			
Total Coliforms (Confirmed)		> 1 X	not detected Col./100 mL
Fecal Coliform		< 1	not detected Col./100 mL
E. coli		< 1	not detected Col./100 mL

mg/L = milligrams per liter

µg/L = micrograms per liter

< = Less than detection limit

> = Greater than

X = Result is outside the Max. Acceptable Concentration

µS/cm = microsiemens per centimeter

Col./100 mL = Colonies per 100 mL

REPORTED TO: B.C. Aquifer

CANTEST

REPORT DATE: December 20, 2006

GROUP NUMBER: 71214119

Conventional Parameters in Water

CLIENT SAMPLE IDENTIFICATION:	SAMPLE DATE	CANTEST ID	Hardness (Total) CaCO ₃
CRD Gallano, Lot 4 Bluff Rd	Dec 13/06	512140347	10
DETECTION LIMIT UNITS			1 mg/L

mg/L = milligrams per liter

REPORTED TO: B.C. Aquifer

CANTEST

REPORT DATE: December 20, 2008

GROUP NUMBER: 71214119

Metals Analysis in Water

CLIENT SAMPLE IDENTIFICATION:		CRD Gallano, Lot 4 Bluff Rd	
SAMPLE PREPARATION:		TOTAL	
DATE SAMPLED:		Dec 13/08	
CANTEST ID:		812140347	
		DETECTION LIMIT	
Beryllium	Be	<	0.001
Bismuth	Bi	<	0.001
Cobalt	Co	<	0.001
Lithium	Li	0.022	0.001
Molybdenum	Mo	0.0043	0.0005
Nickel	Ni	0.002	0.001
Phosphorus	P	<	0.15
Silicon	Si	7.1	0.25
Strontium	Sr	0.028	0.001
Tellurium	Te	<	0.001
Thallium	Tl	<	0.0001
Thorium	Th	<	0.0005
Tin	Sn	<	0.001
Titanium	Ti	0.041	0.001
Vanadium	V	0.003	0.001
Zirconium	Zr	<	0.01

Results expressed as milligrams per liter (mg/L)

< = Less than detection limit

REPORTED TO: B.C. Aquifer

CANTEST

REPORT DATE: December 20, 2006

GROUP NUMBER: 71214119

Conventional Parameters-Victoria Laboratory- In Water

CLIENT SAMPLE IDENTIFICATION:	SAMPLE DATE	CANTEST ID	Nitrate by UV NO3
CRD Gallano, Lot 4 Bluff Rd	Dec 13/06	512140347	0.06
DETECTION LIMIT UNITS			0.04 mg/L

mg/L = milligrams per liter

To: Galiano Island Local Trust Committee **For the Meeting of:** February 5, 2018
From: David Marlor, DLPS **Date Prepared:** December 4, 2017
SUBJECT: Housing Agreement Administration

PURPOSE:

This briefing is intended to inform the Galiano Island Local Trust Committee of existing housing agreements in the Islands Trust Area and the progress of work on a new program to hold and administer housing agreements.

BACKGROUND

At the September 2016 Trust Council meeting the following resolution was passed:

TC-2016-083 that the Islands Trust Council allocate \$15,000 in the 2017-2018 fiscal budget to allocate one staff day (based on Grid 24/Step 2) per week to explore and if feasible, design and implement a program to hold and administer housing agreements on behalf of local trust committees.

A Housing Agreement is a tool for local trust committees to encourage and enforce affordable housing developments. Housing agreements are covenants that are adopted by local trust committee bylaw; they may set the rates at which a housing unit can be rented or sold, and may stipulate the income threshold and types of the occupant(s). A housing agreement may be required for the owner to receive certain grants and funding.

1. Provisions to hold Housing Agreements

Section 483 of the *Local Government Act* authorizes local trust committees to enter into a housing agreement, which defines “terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions respecting one or more of the following:

- (a) the form of tenure of the housing units;
- (b) the availability of the housing units to classes of persons identified in the agreement or the bylaw under subsection (1) for the agreement;
- (c) the administration and management of the housing units, including the manner in which the housing units will be made available to persons within a class referred to in paragraph (b);

(d) rents and lease, sale or share prices that may be charged, and the rates at which these may be increased over time, as specified in the agreement or as determined in accordance with a formula specified in the agreement.”

2. Current Housing Agreements

The Galiano Green project is the only housing agreement on Galiano Island, and was registered on title in 2017. To date, no development has started on the property.

There are currently six other housing agreements in the Trust Area that are considered active (units are built and rented, or the housing agreement was recently finalized). These are located on Salt Spring Island (4) and Denman Island (2).

All housing agreements have a clause whereby the Islands Trust staff can monitor the property to ensure compliance, through the completion of schedules submitted annually or upon request. Staff completed monitoring for 2017 in October.

3. Managing and Administering Housing Agreements

In creating a Trust-wide program to hold and administer housing agreements the following points were considered,

- a. Housing agreements to date have been handled on an individual basis by the planner assigned to the island/application;
- b. Extensive revision and legal review is required for each housing agreement;
- c. Active monitoring was not undertaken on any agreements until October 2017, with the exception of the property on Denman Island;
- d. Planning and administrative staff with already full workloads need a system that does not add a lot of extra work;
- e. Enforcement issues have not been thoroughly planned for or addressed;
- f. Applicants for Housing Agreements are usually not-for-profit societies with limited budgets.

Based on these factors, the following changes to the way housing agreements are administered have been proposed:

a. Templates

Templates have been drafted for the various different types of housing agreements in an effort to decrease planner time and the need for multiple legal reviews. These templates combine legal advice and formats from recently established housing agreements to create a base draft. These templates are standard agreements, and owners/developers will be expected to keep changes and edits to a minimum.

b. New Staff Procedures

New procedures are currently under review for staff to use when developing housing agreements to streamline the process and avoid errors and omissions. In particular, these procedures will ensure that housing agreements are monitored, and that files and communications are kept up to date.

Procedures are also prepared regarding the monitoring and management of adopted housing

agreements.

c. Information Brochure for Owners/Societies/Developers

Staff will create an information brochure to outline the steps involved in creating a housing agreement, as well as specifying the limited edits that can be made to a template. This information, designed for those interested in entering into a housing agreement, will also be provided to Trustees for information.

Prepared By: Emily Kozak, Housing Agreement Project Coordinator

Reviewed By/Date: David Marlor, DLPS/December 4, 2017