



Galiano Island Local Trust Committee Regular Meeting Agenda

Date: March 1, 2021
Time: 12:30 pm
Location: Electronic Meeting

			Pages
1.	CALL TO ORDER	12:30 PM - 12:50 PM	
2.	APPROVAL OF AGENDA		
3.	TRUSTEE REPORT		
4.	CHAIR'S REPORT		
5.	TOWN HALL AND QUESTIONS	12:50 PM - 1:10 PM	
6.	COMMUNITY INFORMATION MEETING		
	None		
7.	PUBLIC HEARING		
	None		
8.	MINUTES	1:10 PM - 1:20 PM	
8.1.	Local Trust Committee Minutes Dated February 1, 2021 (for Adoption)		4 - 10
8.2.	Section 26 Resolutions Without Meeting Report Dated February 2021		11 - 11
8.3.	Advisory Planning Commission Minutes - None		
9.	BUSINESS ARISING FROM MINUTES		
9.1.	Follow-up Action List Dated February 2021		12 - 13
10.	DELEGATIONS		
11.	CORRESPONDENCE		
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>		
12.	MEETING BREAK - COMMUNITY UPDATE	1:20 PM - 1:30 PM	

13.	APPLICATIONS AND REFERRALS	1:30 PM - 2:00 PM	
13.1.	GL-RZ-2019.2 (GIGARHS) – Staff Memo (attached)		14 - 96
14.	LOCAL TRUST COMMITTEE PROJECTS	2:00 PM - 2:30 PM	
14.1.	LUB Technical Amendments – Staff Report (attached)		97 - 116
15.	REPORTS	2:30 PM - 2:40 PM	
15.1.	Work Program Reports (attached)		
15.1.1.	<u>Top Priorities Report Dated February 2021</u>		117 - 117
15.1.2.	<u>Projects List Report Dated February 2021</u>		118 - 120
15.2.	Applications Report Dated February 2021 (attached)		121 - 125
15.3.	Trustee and Local Expense Report Dated December 2020 (attached)		126 - 126
15.4.	Adopted Policies and Standing Resolutions (attached)		127 - 131
15.5.	Local Trust Committee Webpage		
15.6.	Islands Trust Conservancy Report Dated January 2021		132 - 134
16.	NEW BUSINESS	2:40 PM - 2:50 PM	
16.1.	2018 APC Affordable Housing Report Review (attached)		135 - 158
17.	UPCOMING MEETINGS		
17.1.	Next Regular Meeting Scheduled for April 12, 2021, Location: TBD		
18.	TOWN HALL	2:50 PM - 3:10 PM	
19.	CLOSED MEETING (Distributed Under Separate Cover)		
19.1.	Motion to Close the Meeting		
	<i>That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (d)(i) for the purpose of considering:</i>		
	<i>Adoption of In-Camera Meeting Minutes Dated October 5 and November 2, 2020</i> <i>Legal Advice</i>		
	<i>AND that the recorder and staff attend the meeting.</i>		
19.2.	Recall to Order		

19.3. Rise and Report

20. ADJOURNMENT

3:10 PM - 3:10 PM



Galiano Island Local Trust Committee

Minutes of Regular Meeting

Date: February 1, 2021
Location: Electronic Meeting (Zoom Webinar)

Members Present: Dan Rogers, Chair
Tahirih Rockafella, Local Trustee
Jane Wolverton, Local Trustee

Staff Present: Brad Smith, Island Planner
Robert Kojima, Regional Planning Manager
Maple Hung, Planning Team Assistant (host)
Carly Bilney, Recorder

Public: There were approximately 18 attendees in the Zoom Webinar.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 12:30 p.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Trustee Wolverton added the following comments:

- Land acknowledgements do not exist in a past tense;
- Colonialism is an ongoing problem; and
- The mandate of the Islands Trust includes preserving the cultural heritage of this area.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TRUSTEE REPORT

Trustee Wolverton reported on the following:

- Despite restrictions on non-essential travel, the Gulf Islands continue to receive an influx of visitors; and
- The Tourism Dashboard noted that there were almost 4,100,000 passengers travelling to the Gulf Islands (North and South) in 2020; this was compared to almost 3,600,000 to the Sunshine Coast, 6,210,000 to Victoria, Vancouver and Nanaimo; and
- In 2020 Gulf Islands traffic was down 24% and the main routes were down 47% over 2019.

Trustee Rockafella reported on the following:

- The 2021-2022 budget consultation is available online for comment.

4. CHAIR'S REPORT

Chair Rogers reported on the following:

- Development of the Trust Policy Statement continues, led by the Trust Programs Committee;
- Residents are encouraged to comment on the proposed Islands Trust budget; and
- Islands Trust's Speaker Series webinars for 2021 will focus on indigenous perspectives.

5. TOWN HALL AND QUESTIONS

Town hall was held and the following comments were made:

- Derelict cars, water tanks, stoves and other discarded metal are typically left on private properties where owners are rarely on the island and would be likely to do little about the matter without strong incentive; and
- A resident of Mayne Island has expressed interest in removing derelict vehicles for free and the CRD liaison will follow up.

6. COMMUNITY INFORMATION MEETING

6.1 Galiano Island Local Trust Committee Proposed Bylaw No. 275

Planner Smith reviewed proposed bylaw No. 275.

7. PUBLIC HEARING

7.1 Galiano Island Local Trust Committee Bylaw No. 275 - STVR Project

Public Hearing Binder under separate cover.

8. MINUTES

8.1 Local Trust Committee Minutes Dated November 28, 2020 & December 7, 2020 (for Adoption)

By general consent the Local Trust Committee meeting minutes of November 28, 2020 were adopted.

Discussion was held regarding the Local Trust Committee (LTC) December 7, 2020 minutes that state, "No red and blue listed species have been identified on the proposed affordable housing site, according to data available to staff."

It was noted that the environmental assessment for the affordable housing proposal (GL-RZ-2019.1) has been recently received by staff and the matter will be clarified.

By general consent the Local Trust Committee meeting minutes of December 7, 2020 were adopted.

8.2 Section 26 Resolutions Without Meeting Report

None

8.3 Advisory Planning Commission Minutes Dated December 11, 2019, October 1 & November 26, 2020, January 7, 2021 (for Receipt)

Received for information.

9. BUSINESS ARISING FROM MINUTES

9.1 Follow-up Action List Dated January 2021

Received for information.

10. DELEGATIONS

None

11. CORRESPONDENCE

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

12. MEETING BREAK - COMMUNITY UPDATE

Item 12, Meeting Break - Community Update, was moved to follow Item 13.

13. APPLICATIONS AND REFERRALS

13.1 GL-RZ-2020.1 (King) Preliminary Staff Report

Planner Smith reviewed the staff report related to GL-RZ-2020.1 (King) as included in the package.

Discussion was held and the following comments were made:

- There is potential for a bike network and public trail through the property, though no specific route has been identified;
- As the property is a managed forest under the Private Managed Forest Land Program, the LTC is limited in what bylaws may be applied to the property if they affect forestry;
- There is opportunity to potentially use covenants to achieve the goals of the existing Development Permit Areas on the property;
- There is an existing easement for Porlier Pass Road (a Section 42 Road that was never dedicated), and full width dedication of the road is one of the issues for consideration as a condition of rezoning; and
- The owners have potential to build three dwellings on the property, and/or take steps to subdivide the property into up to 3 parcels.

GL-2021-001

It was Moved and Seconded,

that the Galiano Island Local Trust Committee direct staff to proceed with application GL-RZ-2020.1 (King) and to prepare a draft bylaw.

CARRIED

A break was called at 2:35 p.m. followed by a Community Update.

The meeting reconvened at 3:00 p.m.

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 STVR Review - Post Public Hearing - Staff Report

The following comments were made by LTC members:

- There is a wide variety of opinions on this issue within the community;
- There is clearly no consensus on this issue on Galiano, as in other communities;
- This bylaw strikes a fair balance between the range of sentiments expressed by community members;
- Other jurisdictions have arrived at a wide range of solutions and processes;
- Each community is working towards the equilibrium with which it feels comfortable;
- Longer term rentals (greater than 30 days) enable visitors to become more involved in the community;
- Research is beginning to show that when STVR use is restricted properties begin to open for long-term use;
- It is likely that a number of property owners who operate STVR will not rent out their space to long-term tenants; and
- Some additional housing stock may be made available to islanders.

GL-2021-002

It was Moved and Seconded,

that the Galiano Island Local Trust Committee proposed Bylaw No. 275, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1", be read a third time.

CARRIED

GL-2021-003

It was Moved and Seconded,

that the Galiano Island Local Trust Committee proposed Bylaw No. 275 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

CARRIED

GL-2021-004

It was Moved and Seconded,

that the Galiano Island Local Trust Committee proposed Bylaw No. 275 be forwarded to the Minister of Municipal Affairs for approval.

CARRIED

14.2 Groundwater Sustainability Project

RPM Kojima described information related to the draft project charter for the implementation phase of the Groundwater Sustainability Project, as included in the package.

Chair Rogers introduced Planner Narissa Chadwick who commented on the development of a freshwater sustainability strategy and related implementation projects.

GL-2021-005

It was Moved and Seconded,

that the Galiano Island Local Trust Committee approve the project charter for the implementation phase of the Groundwater Sustainability Project.

CARRIED

15. REPORTS

15.1 Work Program Reports

15.1.1 Top Priorities Report Dated January 2021

Discussion was held about priorities identified over the past twelve months.

GL-2021-006

It was Moved and Seconded,

that the Advisory Planning Commission Report on affordable housing be brought to the Local Trust Committee agenda in March for consideration of Top Priorities.

CARRIED

15.1.2 Projects List Report Dated January 2021

Received for information.

15.2 Applications Report Dated January 2021

Planner Smith reviewed the Applications Report and made the following comments:

- The applicant for GL-RZ-2019.2 (Gauvreau) continues to work towards securing potable water supply; and
- Applicants for GL-RZ-2005.2 (Romagnoli-Smith) are engaged with the Galiano Conservancy Association regarding establishment of a covenant.

15.3 Trustee and Local Expense Report Dated October 2020

Discussion was held about how the LTC expenses might be adjusted to more accurately reflect spending.

15.4 Adopted Policies and Standing Resolutions

It was noted that the annual letter to First Nations from all Southern Local Trust Committees is being drafted.

15.5 Local Trust Committee Webpage

None

15.6 Islands Trust Conservancy Report - November 24, 2020

None

16. NEW BUSINESS

16.1 Salt Spring Island STVR – Letter

Trustee Wolverton agreed to attend discussions related to STVRs with the Southern Gulf Island Local Trust Committees.

16.2 APC Members Update - Expression of Interest – Update

Planner Smith noted that an expression of interest has been distributed to fill the vacant APC position.

16.3 APC Referral - Communication Strategies for LTC Outputs

Discussion was held about communication strategies for LTC outputs and the following comments were made:

- The LTC has received several important reports relating to climate and the environment;
- The current pandemic restricts the ability of community members to come together in person to discuss reports;
- The LTC might seek recommendations from the APC as to how best to engage Galiano residents in reviewing and discussing these reports;
- While communication with community members is encouraged, hesitation was expressed in giving the APC more work than it currently has; and
- The LTC considered asking the APC to provide guidance on what LTC priorities should be going forward.

17. UPCOMING MEETINGS

17.1 Next Regular Meeting Scheduled for March 1st, 2021 - Location: Zoom

18. TOWN HALL

None

19. CLOSED MEETING

None

20. ADJOURNMENT

By general consent the meeting was adjourned at 3:44 p.m.

Dan Rogers, Chair

Certified Correct:

Carly Bilney, Recorder



Resolutions Without Meetings Log

Galiano Island

Resolution Number	Action	Date
2021-001 That the Galiano Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directive Policies Checklist and determined that proposed Bylaw No. 275 is not contrary to or at variance with the Islands Trust Policy Statement.	Carried	17-Feb-2021

Follow Up Action Report

Galiano Island

05-Oct-2020

Activity	Responsibility	Dates	Status
1 13.1 GL-RZ-2019.1 (CMS) Amend draft bylaws 256 and 257 to reflect current proposal	Brad Smith Jas Chonk	Target: 19-Mar-2021	In Progress
2 13.1 GL-RZ-2019.1 (CMS) Include a definition of tent platforms in draft bylaw 257	Brad Smith	Target: 19-Mar-2021	In Progress

02-Nov-2020

Activity	Responsibility	Dates	Status
1 12.3 GIGAHRS - Establish cost recovery agreement with applicant for legal review of housing agreement following receipt of housing agreement details from applicant	Brad Smith	Target: 15-Mar-2021	In Progress

07-Dec-2020

Activity	Responsibility	Dates	Status
1 15.2 New Business - support LTC in on-island maildrop of 2 pager CDF pamphlet	Brad Smith Maple Hung Robert Kojima	Target: 19-Feb-2021	Completed

01-Feb-2021

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Galiano Island

01-Feb-2021

Activity	Responsibility	Dates	Status
1 8.1 LTC November 28, 2020 and Dec 7, 2020 meeting minutes adopted as presented.	Maple Hung	Target: 22-Feb-2021	Completed
2 13.1 GL-RZ-2020.1 (King) instruct applicant to proceed and undertake process of drafting amending bylaw	Brad Smith Jas Chonk	Target: 01-Apr-2021	In Progress
3 14.1 STVR Review Project - BL 275 given 3rd reading by LTC, send to Executive Committee and then to Ministers Office for approval	Brad Smith Jas Chonk	Target: 26-Feb-2021	In Progress
4 15.3 Follow-up with Finance re: LTC request to review amount allocated to LTC communications in future budgets	Robert Kojima	Target: 19-Feb-2021	Completed
5 14.2 Groundwater Sustainability Project - project charter approved - staff directed to commence initial stage of review, also need to update GL priorities projects list, project webpage etc.	Maple Hung Narrisa Chadwick William Shulba	Target: 26-Feb-2021	In Progress
6 15.1 Add 2018 APC Affordable Housing report to March 1 LTC agenda for review under 15.1 and include report in agenda package	Jas Chonk Maple Hung	Target: 22-Feb-2021	Completed
7 14.1 Review and amend LTC standings resolutions related to STVRS after bylaw 275 amendment finalized	Brad Smith Maple Hung	Target: 01-Apr-2021	In Progress

DATE OF MEETING: March 1, 2021

TO: Galiano Island Local Trust Committee

FROM: Brad Smith, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: Rezoning Application GL-RZ-2019.1 – Affordable Housing Bylaw

Applicant: Gulf Islands Galisle Affordable Rental Housing Society (GIGARHS)

Location: District Lots 30/31 (Community Forest), Galiano Island

RECOMMENDATION

- 1. That the Galiano Island Local Trust Committee direct staff to draft a bylaw authorizing the Local Trust Committee to enter into a housing agreement with the applicant that is based on the proposed terms and conditions described in the March 1, 2021 staff report on application GL-RZ-2019.1 (GIGARHS).**

REPORT SUMMARY

The purpose of this staff report is to provide an update on to the Galiano Island Local Trust Committee (LTC) on application GL-RZ-2019.1 (GIGARHS), and to provide draft housing agreement content for LTC consideration of next steps.

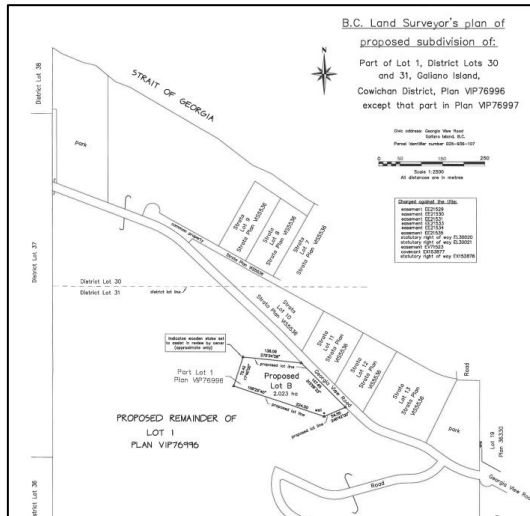
The above recommendations are supported as:

- A bylaw would be required in order for the LTC to enter into a housing agreement with the applicant;
- LTC passed a resolution at the November 2, 2020 meeting directing staff to enter into a cost-recovery agreement with the applicant for legal review of a housing agreement, if deemed necessary;
- The applicant has been working to address the requirements of the Islands Trust housing agreement template and is now ready to bring proposed terms and conditions forward for LTC consideration;
- Staff have reviewed the proposed terms and conditions and have identified no significant issues; and
- Moving on to the next step of legal review based on this content will allow for greater certainty that terms and conditions being proposed are legal and appropriate.

BACKGROUND

A rezoning application was submitted to the Islands Trust in September 2019 by the Gulf Islands Galisle Affordable Rental Housing Society (GIGARHS), which is acting as an agent for the Galiano Club. The intent of this rezoning application is to allow for the development of up to 12 units of affordable housing in the community forest property located at the terminus of Georgia View Road (Figure 1).

Figure 1 – Proposed Location of Subject Property in Community Forest



After a period of application abeyance that was requested by GIGARHS, the LTC reconsidered the application at the September 8, 2020 LTC meeting and directed staff to proceed with drafting OCP and LUB bylaw amendments.

Draft bylaws No. 276 and 277 were received by LTC at the November 2, 2020 meeting, and subsequently the draft bylaws were presented at the November 28, 2020 Community Information Meeting (CIM).

With proposed content of the housing agreement having now been provided by the applicant, staff are bringing the proposed terms and conditions forward for LTC consideration and seeking direction on next steps.

Background information, including previous staff reports, professional reports and correspondence for the application can be found here: <http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/current-application-documents/>

ANALYSIS

November 28, 2020 Community Information Meeting

A Community Information Meeting (CIM) was conducted electronically via Zoom on November 28, 2021. At that meeting, staff provided a general overview of the rezoning application process and the current status of the application. Staff also presented draft bylaw No. 276 and 277 (included as Attachment 1).

Following the staff presentation, the applicants provided an overview of their proposed project, including a summary of hydrogeological analysis and ecological assessment from their hired professionals.

A question and answer period followed the presentations. The meeting was well attended with approximately 53 members of the public in attendance. Minutes of the meeting are included for reference as Attachment 2.

Draft Bylaws – Consistency with OCP

At the November 2, 2020 LTC, staff presented draft Bylaw No. 276 and 277 to LTC. At that time, staff concluded that the proposed bylaw amendments are generally consistent with the policies of the OCP; although a commitment was made to undertake further analysis of Section 1.6 (b)(i) and (ii) of the OCP which states that:

Applications for rezoning to a higher density than permitted by current zoning shall be considered where the application would result in the provision of seniors, affordable or special needs housing, subject to the following:

- i) All additional density greater than that permitted by current zoning shall be in the form of units reserved exclusively for occupancy as affordable, seniors or special needs housing.
- ii) Applications shall include provision of a housing agreement ensuring that for affordable housing the rental, lease, sale or share prices are fixed below average rates within the region, and the agreement may limit occupancy of the dwellings to rental, lease, co-housing or cooperative tenure, and may limit occupancy.

After further analysis of the Community Housing policies within the OCP, staff conclude that it is reasonable to consider that the proposed bylaw amendments can be broadly interpreted as consistent with the policies of the OCP as a whole as:

- A primary intent of the OCP Community Housing land use policy section is to provide “*residents of low to middle incomes to secure safe, accessible and permanent housing*” which these bylaw amendments are aiming to achieve;
- While not all of the units are reserved exclusively for *affordable housing* as per the definition provided in the OCP, the proposal is consistent with the funding program conditions of BC Housing that requires a mix of deep subsidy (20% of units), rent geared to income (RGI – 50%) and affordable housing at market rate (30%) to help offset the costs of subsidized units;
- The applicants are a not-for-profit society and if approved, the management and operation of the facility will be governed by a housing agreement that does fix the rental rates of the higher subsidy and RGI affordable units below average rates in the region; and,
- The bylaw amendments limit occupancy of all units to 100% rental only and this would be further reflected in the housing agreement if rezoning is approved.

Definition of Affordable Housing Gabriola OCP

At the November 2, 2020 meeting, LTC directed staff to explore the approach taken by the Gabriola Island Local Trust Committee with respect to affordable housing rezoning proposal GB-RZ-2020.1, where a similar definition of *affordable housing* to Galiano Island has been deemed to be outdated.

The Gabriola Island OCP currently provides the following definition for Affordable Housing:

“Affordable housing” is housing that costs no more than 30% of a household’s gross income applied to those households with incomes at or below 60% of the median household income for Gabriola Island (using Canada Census information);

The Gabriola Island LTC has given first reading to bylaw amendments that would amend the definition of *affordable housing* in the Gabriola Island Local Trust Area to mean:

“Affordable housing” is a deed restricted and/or rent controlled dwelling unit that is secured by a housing agreement registered on title.

The Galiano Island OCP currently provides the following definition for Affordable Housing:

Affordable housing describes rental or owned housing that can be acquired without exceeding 30 per cent of the median gross income of low to moderate income families on Galiano.

The BC Housing definition of [affordable housing](#) is as follows:

Affordable (housing): Housing is considered affordable when 30 per cent or less of your household's gross income goes towards paying for your housing costs.

As the current definition of affordable housing on Galiano Island is consistent with the BC Housing definition, and the bylaw amendments appear to be consistent with the policies of the OCP, staff are not recommending any additional OCP amendments that would follow the approach taken on Gabriola Island.

Housing Agreement

At the November 2, 2020 LTC meeting LTC passed a resolution directing staff to enter a cost-recovery agreement with the applicant to recover legal costs of developing a housing agreement. Staff are now seeking direction from LTC to draft the housing agreement bylaw that, if adopted by LTC, would authorize the LTC to enter into a housing agreement with the applicant.

The [Islands Trust Housing Agreement Guide](#) (Attachment 3) includes process steps for developing a housing agreement. The GIGARHS application is currently at the LTC review phase of the preliminary process:

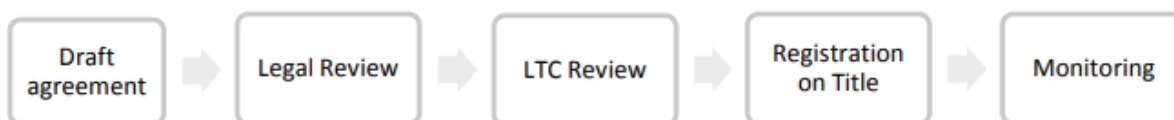
Preliminary process (before the first draft begins)

Drafting a housing agreement can be a long and complicated process. In order to streamline the process the following steps should occur before starting the first draft.



Once LTC reviews and approves the proposed content of the housing agreement, the process moves to the next steps of drafting the agreement, which includes staff time to work with the applicant in further developing the draft contents, and legal review:

The Housing Agreement Draft Process



The applicant has provided the following **Operational Overview** for the proposed housing development (also included as Attachment 4):

In its Constitution, the Gulf Islands Galisle Affordable Rental Housing Society (“GIGARHS”) purpose is to “relieve poverty by building and managing affordable rental housing for low and moderate income residents of Galiano Island.” The need for such housing is well documented in the 2018 Southern Gulf Islands Housing Needs Assessment commissioned by the Capital Regional District.

The proposed development at 1663 Georgia View (the “Development”) will provide secure and affordable rental accommodation for singles, couples, and families, in two six-plexes for a total of 12 homes. Individuals resident on Galiano who are part of marginalized groups such as indigenous, women and children, and/or youth are included in the target population. The development will follow BC Housing’s Community Housing Fund current rent structure: 20% Deep Subsidy, 50% Rent Geared to Income (“RGI”) and 30% Affordable Market rent. 20% of the units will be accessible for those living independently with disabilities. Some of the units will also be adaptable to provide flexibility for residents wishing to age in place.

The Society will have an Operating Agreement with BC Housing and/or CMHC, which will include details on the following: the operating subsidy, any forgivable and repayable loans, maintenance and repair schedule, safety inspection(s) schedule, operational review schedule, annual budget submissions, capital reserve funding and planning, and the rent contributions following BC Housing’s rent structure. GIGARHS will establish written policies and procedures for effective control of finances for the Development with the support and guidance of their funding partners. Record-keeping and financial statements will be prepared in accordance with Canadian Accounting Standards as well as funding partners. Annual financial review will be conducted by BC Housing or other partner, as per the Operating Agreement.

Once construction is complete, operations will be managed by a working group known as the Housing Management Committee of GIGARHS, supported by a part-time Property Manager. The Housing Management Committee and Property Manager will follow a comprehensive Operations Management Plan. The Committee and Property Manager will have several responsibilities, including the following: assisting potential residents in the application process to BC Housing (as should this be a BC Housing project, residents must qualify and be placed on the BC Housing Registry to be eligible); selecting applicants from the BC Housing Registry, following the eligibility criteria outlined in the Housing Agreement and the income criteria established by BC Housing and CMHC; acting as an information resource for future and current residents; managing the Residential Tenancy Agreements; and providing initial and ongoing support to residents.

The applicant has also provided proposed terms and conditions specific to the requirements of the Islands Trust Housing Agreement template (template is included as Attachment 5). Staff have reviewed this content and have identified no significant concerns. Legal review would further help to verify this, if LTC decides to move forward.

Table 1. Proposed Terms and Conditions of Housing Agreement

Article/Requirement	Proposed Terms and Conditions
Definitions and Interpretation	Standard terms of housing agreement template will generally apply with some amendments to definitions to ensure this section of consistent with the overall agreement
Agreement over the lands on use and development,	The Owner covenants and agrees that:

including property maintenance	a. the Lands must not be used and no building or structure may be constructed on the Lands except in accordance with any bylaw and covenant conditions established at time of rezoning by the Local Trust Committee, any building permit issued by the Capital Regional District and this Agreement; b. the Lands must at all times be used and occupied in compliance with all statutes, laws, regulations, orders of any authority having jurisdiction, and this Agreement; and c. the Owner will design, construct, and maintain the Affordable Housing Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Lands.
Affordable rental housing eligibility;	Rental units will only be occupied under all of the following criteria: a. the household's Annual Household Income meets the criteria specified by an Affordable Housing Funder. b. Affordable Housing Unit will be used or occupied only pursuant to a Tenancy Agreement; c. the household is composed of at least one Qualified Occupant; d. the household will occupy the Affordable Housing Unit as its permanent, principal, and sole residence; A Qualified Occupant means a person aged 19 years or older who fits into at least one of the following categories, which are not listed in any particular priority order: 1) Has been living on Galiano for a minimum of one year; or 2) Has been living on Galiano for less than a year but more than 6 months, and has been commuting to Victoria, Vancouver, or other Southern Gulf Islands for at least half-time work (20 hours per week); or 3) Is registered or is eligible to be a registered member of the Penelakut, Lamalcha or Hwlitsum First Nations, as well as other Hul'qumi'num, and SENCŌTEN speaking peoples and any others with rights and responsibilities in and around what is known as Galiano, or, is considered by members of these First Nation communities to be part of the First Nation community, but prevented from being a registered member due to particular clauses of the <i>Indian Act</i>, regardless of current location of residence or work. Except that where there are no persons meeting the categories specified in clause I, ii, or iii, who make an application to rent an available unit and the lack of applications would result in the unit being vacant for more than one month, then a Qualified Occupant may be a person aged 19 years or older who fits into a least one of the following categories, which are not listed in any particular priority order: a. Previous resident of Galiano who has lived away from the island for a maximum of three consecutive years; or b. Non-resident who is hired to begin at least half-time work (20 hours per week) on Galiano; or c. A person who has worked at least half-time on Galiano (20 hours per week) for less than one year; or d. Person with immediate family already living on Galiano. Immediate family means a daughter/son/parent/sibling, to whom the person is related by blood, or by marriage, or common-law relationship, or by adoption.

	Except that where there are no persons meeting the categories specified in clause I, ii, or iii, nor a , b, c, or d who make an application to rent an available unit and the lack of applications would result in a unit being vacant for more than one month, then a Qualified Occupant may be any person permitted by an Affordable Housing Funder.																																
Rental Rates	The Owner covenants and agrees that it will: a. not charge any tenant a monthly rent, exclusive of utilities, that is greater than 30% of the gross monthly Household Income of the Qualified Renter, except in the case of an Affordable Market Unit; b. not require any tenant under a Tenancy Agreement to pay any extra charges or fees for use of any well or septic system, or property taxes. For clarity, this limitation does not apply to parking, cablevision, telecommunications, laundry, or gas or electricity utility fees or charges. Sample Rental Rates Table <table><tr><th colspan="4">Budget estimates pending updates from BC Housing, CMHC, + other authorities</th></tr><tr><th colspan="4">Rental Rates by Unit Type</th></tr><tr><th colspan="4">Please do NOT rely on these placeholder values.</th></tr><tr><th colspan="4">Budget Year 2023 (1st possible rental year)</th></tr><tr><th>Unit Type</th><th>Deep Subsidy</th><th>Rent Geared to Income (RGI) @ 70% HILs</th><th>Affordable Market (Victoria based; TBD)</th></tr><tr><td>1 bedroom</td><td>\$ 375</td><td>\$ 810</td><td>\$ 1,075</td></tr><tr><td>2 bedroom</td><td>\$ 570</td><td>\$ 1,083</td><td>\$ 1,400</td></tr><tr><td>3 bedroom</td><td>\$ 660</td><td>\$ 1,429</td><td>\$ 1,800</td></tr></table> 2% Inflation assumption for RGI rates only; Nov 2020 estimates subject to change	Budget estimates pending updates from BC Housing, CMHC, + other authorities				Rental Rates by Unit Type				Please do NOT rely on these placeholder values.				Budget Year 2023 (1st possible rental year)				Unit Type	Deep Subsidy	Rent Geared to Income (RGI) @ 70% HILs	Affordable Market (Victoria based; TBD)	1 bedroom	\$ 375	\$ 810	\$ 1,075	2 bedroom	\$ 570	\$ 1,083	\$ 1,400	3 bedroom	\$ 660	\$ 1,429	\$ 1,800
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2 bedroom	\$ 570	\$ 1,083	\$ 1,400																														
3 bedroom	\$ 660	\$ 1,429	\$ 1,800																														
Rules governing the establishment of rental policies	The Owner is authorized to make and administer rules, regulations and policies necessary to fully implement and achieve the policy goals set out in this Agreement. Such rules, regulations and policies may include, but are not limited to, the following: a. Establishing and maintaining a wait list of potential Qualified Renters; and b. Establishing, administering, and enforcing a rental policy applicable to the terms of this Agreement and in accordance with the <i>Residential Tenancy Act</i>.																																
Restrictions on subletting or assignment	Each Tenancy Agreement will include a clause prohibiting subletting including short-term vacation rentals, a clause requiring the Qualified Renter to comply with the use and occupancy restrictions contained in the Agreement, and a provision entitling the Owner to terminate the rental agreement in accordance with the <i>Residential Tenancy Act</i> in the event of any breach of these use and occupancy clauses																																
Monitoring and reporting requirements to the LTC	The Owner must deliver to the LTC once each year on or before July 1, a completed statutory declaration, sworn by the Owner. Additionally, the LTC may request this statutory declaration up to four times in any calendar year, and the Owner must complete and supply the completed statutory declaration within 10 Business Days of receiving a request from the LTC. The Owner irrevocably authorizes the LTC to make reasonable inquiries it considers necessary in order to confirm compliance with this Agreement.																																
General legal terms	Standard terms of housing agreement template will apply																																

The housing agreement is attached to the bylaw, and is a contract between the parties to provide affordable housing. If a housing agreement bylaw is approved by LTC, notice of the housing agreement would be registered on title.

Ecological Impact Assessment Report

As requested by the LTC at the November 2, 2020 meeting, the applicant has undertaken an ecological assessment of the 7.5 hectare ‘Affordable Housing Zone’ and has submitted a professional report from Keith Erickson, RP.Bio, dated January 18, 2021 and entitled “*Ecological Assessment Report for Proposed Affordable Housing Property in the Galiano Community Forest*” (Attachment 6).

The report includes a site description and background, a review of existing literature and spatial data, site inventory by ecological community type, recommendations and conclusions.

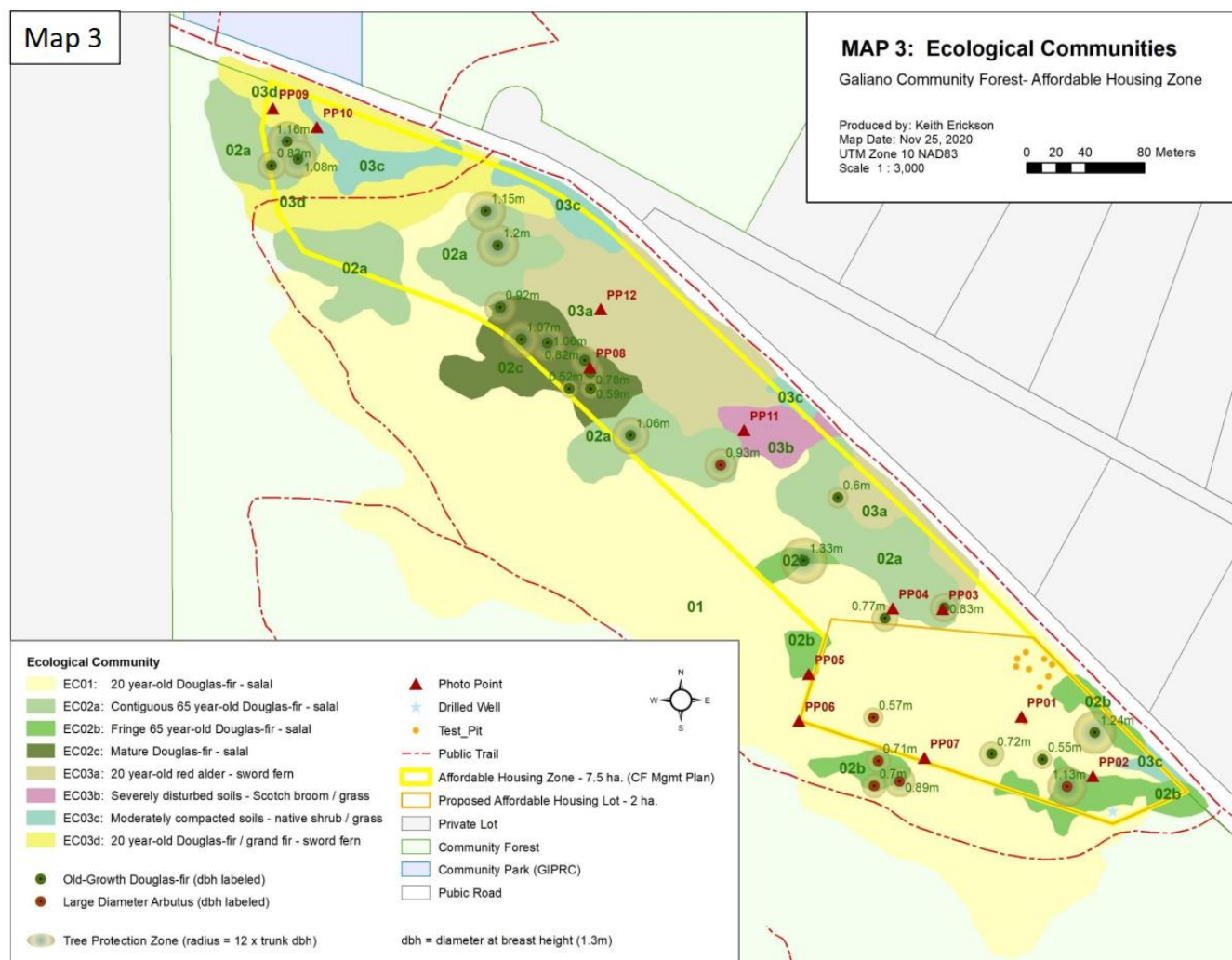
In general, the report concludes “*there are no ecological concerns that appear to constrain an application for rezoning and development of the proposed Lot B for affordable housing.*” The report describes five specific lot siting recommendations and analyses the proposed 2 hectare ‘Lot B’ configuration against those recommendations (Figure 2).

Figure 2. Lot Siting Recommendations and Results of Proposed Lot Configurations

Lot Siting Recommendation	Results of Proposed Lot B Configuration
1) Minimize landscape fragmentation by locating development in areas adjacent to existing residential lots and use. Avoid locating development in the northwestern portion of the ‘Affordable Housing Zone’.	Proposed Lot B is in the southeast corner of the Affordable Housing Zone adjacent to existing residential development.
2) Minimize encroachment into young, 65-year-old forest ecosystems found in Ecological Communities 02a and 02b.	• Ecological Community 2b accounts for 0.3 ha. or 15% of Proposed Lot B. • Ecological Communities 02a/b account for 2.05 ha. or 27% of the Affordable Housing Zone.
3) Avoid Ecological Community 02c where remnant old-growth tree density is highest and mature forest structure is emerging.	Proposed Lot B does not include any portion of Ecological Community 02c.
4) Minimize encroachment into the slightly more diverse immature forest ecosystems found in Ecological Community 03a and 03d.	Proposed Lot B does not include any portion of Ecological Communities 03a or 03d.
5) Focus development within areas of least structural and species diversity - Ecological Community 01, where a dense, single-storied, Douglas-fir dominated stand is regenerating.	• Ecological Community 01 accounts for 1.67 ha. or 83.5% of Proposed Lot B. • Ecological Community 01 accounts for 2.6 ha. or 35% of the Affordable Housing Zone.

The report includes the map in Figure 3 to reference the various *Ecological Community* types along with significant features. The report also includes a site inventory within each *Ecological Community*.

Figure 3. Map of Affordable Housing Zone with Ecological Community Types



The report flags several limitations to the assessment:

- 1) The scope of this report does not include any targeted species-at-risk surveys of the site.
- 2) The scope of this report does not include any targeted wildlife surveys of the site.
- 3) Vegetation inventory of the site is not comprehensive and is limited to species that are identifiable in late Fall.
- 4) Features of the site were mapped using a Trimble GeoXH 6000, with horizontal accuracy generally within 1m, but can be up to 5m

As the ecological assessment report and underlying datasets do not identify specific concerns within the proposed 2 hectare lot, and the site chosen appears to mitigate impacts on biodiversity within the 7.5 hectare affordable housing zone as much as possible, staff are not recommending additional studies.

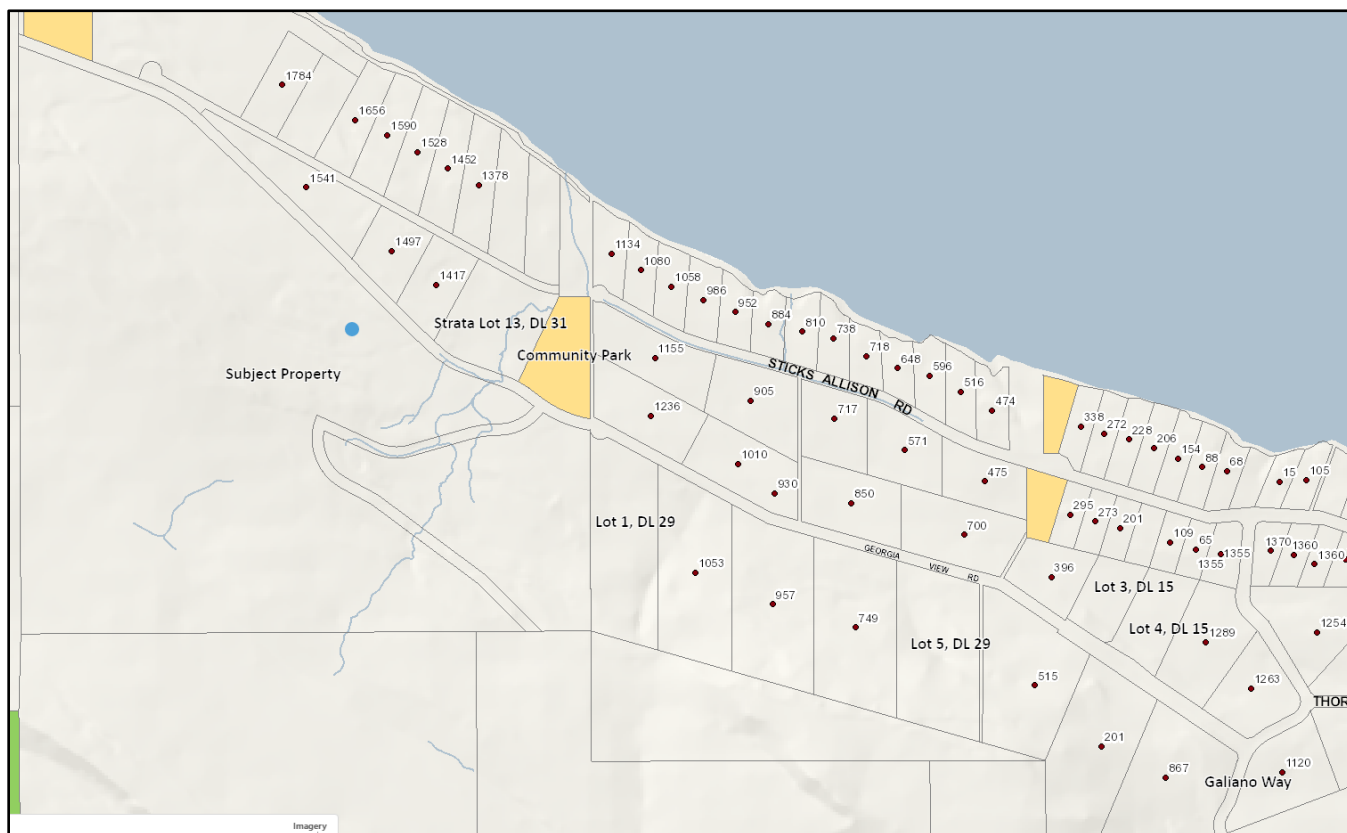
The report includes several recommendations for minimizing the ecological impacts of the proposed development and are meant to inform the design of the detailed site plan and the construction process. LTC may consider including some or all of these recommendations within a *Land Title Act* s. 219 covenant required as condition of rezoning approval.

Traffic Assessment

There are 15 residential properties on Georgia View Road (Figure 4). Of those 15 properties, 8 are currently occupied with at least one dwelling, according to a review of BC Assessment data. There are four more properties on Galiano Way near the beginning of Georgia View Road. All four of these properties have at least one dwelling.

There are four properties that front Sticks Allison Road whose rear property lines run parallel to the Georgia View extension and more or less adjacent to the proposed development site. Three of the four of these properties have at least one dwelling.

Figure 4. Map of Adjacent Properties to the Proposed Subject Property



While difficult to estimate the actual increase in traffic, if fully built-out with 12 units, and assuming approximately 4-5 outings/day per household would result in 50-60 round trips by car/day.

Georgia View Road is built to provincial standard and is maintained by the Ministry of Transportation and Infrastructure through a contracted service. The Georgia View extension is dedicated highway and is identified in the OCP Road Network Plan. The applicant would be required to build out the newly opened portion of the Georgia View extension to provincial standard as part of subdivision approval.

The applicants are proposing alternatives such as ride and electric bike share programs to increase transportation alternatives for residents and minimize traffic impacts.

Water Management Planning

The applicant has hired a professional consultant to support the development of a water management plan, as required by the LTC. The report will be provided to LTC when available.

Septic Analysis

The applicant has recently completed additional septic analysis. Results will be presented to LTC once finalized.

Island Health has reviewed the associated MOTI subdivision referral and has identified no concerns with the proposed subdivision (Attachment 7).

Fire Risk

Concerns have been raised in the community about the potential for increased risk in the Community Forest if the development is approved. Staff have referred the application to Galiano Island Fire Rescue and are following up directly with the southern fire hall to discuss these concerns. Results of this discussion will be reported back to LTC in due course.

The applicant has submitted fire smart design principles as part of their application (Attachment 8). Staff have forwarded these documents to the fire hall to be included as part of their referral considerations.

Engineering Drawings

The applicant has provided updated preliminary engineering drawings that more accurately align the driveway access and development footprint with the proposed boundary of the 2 hectare parcel (Attachment 9). Previous drawings provided by the applicant were to scale but did not align with the proposed lot boundary.

MOTI requires these drawings with respect to potential subdivision approval.

Bylaws No. 276 and 277 – Timing of First Reading

There are no other proposed changes to draft Bylaw No. 276 or 277 resulting from the CIM or agency/First Nation referrals to date. Staff recommend proceeding with first reading to both draft Bylaw No. 276 and 277 after referrals have been completed and a housing agreement has been drafted for LTC consideration.

Consultation

Statutory Requirements

In accordance with regular statutory requirements, a public hearing would be required as part of the bylaw amendment process to rezone the property. Should the application proceed to public hearing, public hearing notice would be posted as per statutory and bylaw requirements in advance of any public hearing.

CIM

Given the complexity of the application and the significant community interest, staff recommend a second CIM be considered by LTC should the bylaws proceed to first reading, and prior to the holding of a public hearing.

Agency Referrals

Draft Bylaw No. 276 and 277 have been referred to the following agencies/organizations:

Provincial Agencies

- Ministry of Forests, Lands & Natural Resource Operations – Water Licensing Branch
- Ministry of Attorney General and Minister responsible for Housing
- Ministry of Municipal Affairs
- Ministry of Transportation and Infrastructure

Adjacent Local Trust Committees

- Mayne Island Local Trust Committee
- Salt Spring Island Local Trust Committee
- Thetis Island Local Trust Committee

Regional Agencies

- CRD, Planning and Protective Services, Building Inspection
- CRD, Planning and Protective Services, Regional Housing
- CRD, Integrated Water Services
- CRD, Galiano Island Parks and Recreation Commission
- Island Health
- Galiano Island Fire Rescue – South Department

Non-Agency Referrals

- BC Hydro and Power Authority
- Telus
- Galiano Trails Society
- BC Assessment Authority
- BC Housing

The 30 day referral period closes on February 25, 2020. Staff are following up directly with some agencies including Galiano Island Fire Rescue and CRD Regional Housing. Staff are also in contact with provincial staff regarding related water license and subdivision applications, as the Islands Trust is a referral agency in both of those provincial authorization processes.

A full summary of referral responses will be included in a future staff report.

First Nations

Draft Bylaw No. 276 and 277 have been referred to the following First Nations:

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

- Musqueam Indian Band

This referral is a follow-up to an introductory letter sent to these First Nations in December 2020. First Nation referral results will be summarized in a future staff report.

Rationale for Recommendation

Based on the foregoing, the recommendations on page 1 are supported as:

- A bylaw would be required in order for the LTC to enter into a housing agreement with the applicant;
- LTC passed a resolution at the November 2, 2020 meeting directing staff to enter into a cost-recovery agreement with the applicant for legal review of a housing agreement, if deemed necessary;
- The applicant has been working to address the requirements of the Islands Trust housing agreement template and is now ready to bring proposed terms and conditions forward for LTC consideration;
- Staff have reviewed the proposed terms and conditions and have identified no direct conflicts; and
- Moving on to the next step of legal review based on this content will allow for greater certainty that terms and conditions being proposed are legal and appropriate.

ALTERNATIVES

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

1. Request additional amendments to draft Bylaw No. 276 and/or 277 prior to consideration of an authorizing bylaw for the housing agreement.

The LTC may request that additional amendments be made to the existing draft bylaws.

Resolution:

That the Galiano Island Local Trust Committee direct staff to make the following amendments to draft Bylaws No. 276 and 277 _____.

2. Request changes from applicant on proposed housing agreement content prior to consideration of an authorizing bylaw for the housing agreement.

The LTC may request that changes be made to the proposed housing agreement content.

Resolution:

That the Galiano Island Local Trust Committee direct staff to make the following amendments to draft Bylaws No. 276 and 277 _____.

3. Request further information

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

Resolution:

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

4. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study or OCP process, etc.

Resolution:

That the Galiano Island Local Trust Committee hold application GL-RZ-2019.1 (GIGARHS) in abeyance.

5. Deny the application

The LTC may deny the application.

Resolution:

That the Galiano Island Local Trust Committee proceed no further with application GL-RZ-2019.1 (GIGARHS).

NEXT STEPS

1. With direction from the LTC, Staff will draft a housing agreement bylaw for LTC consideration and proceed with housing agreement preparation by legal counsel.
2. Report back to the LTC for consideration of First Reading of Bylaw 276 and 277, along with any referral responses.

Submitted By:	Brad Smith, Island Planner	February 17, 2021
Concurrence:	Robert Kojima, Regional Planning Manager	February 18, 2021

ATTACHMENTS

1. Draft Bylaws No. 276 and 277
2. November 28, 2020 CIM minutes
3. Housing Agreement Guide
4. GIGARHS Operational Overview
5. Housing Agreement Template
6. January 2021 Ecological Assessment Report
7. Island Health Subdivision Referral
8. Proposed Fire Smart Design Principles
9. Updated Engineering Drawings, February 2021

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 276

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, 2020”.

2. SCHEDULES

Galiano Island Official Community Plan 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	_____	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. 276**

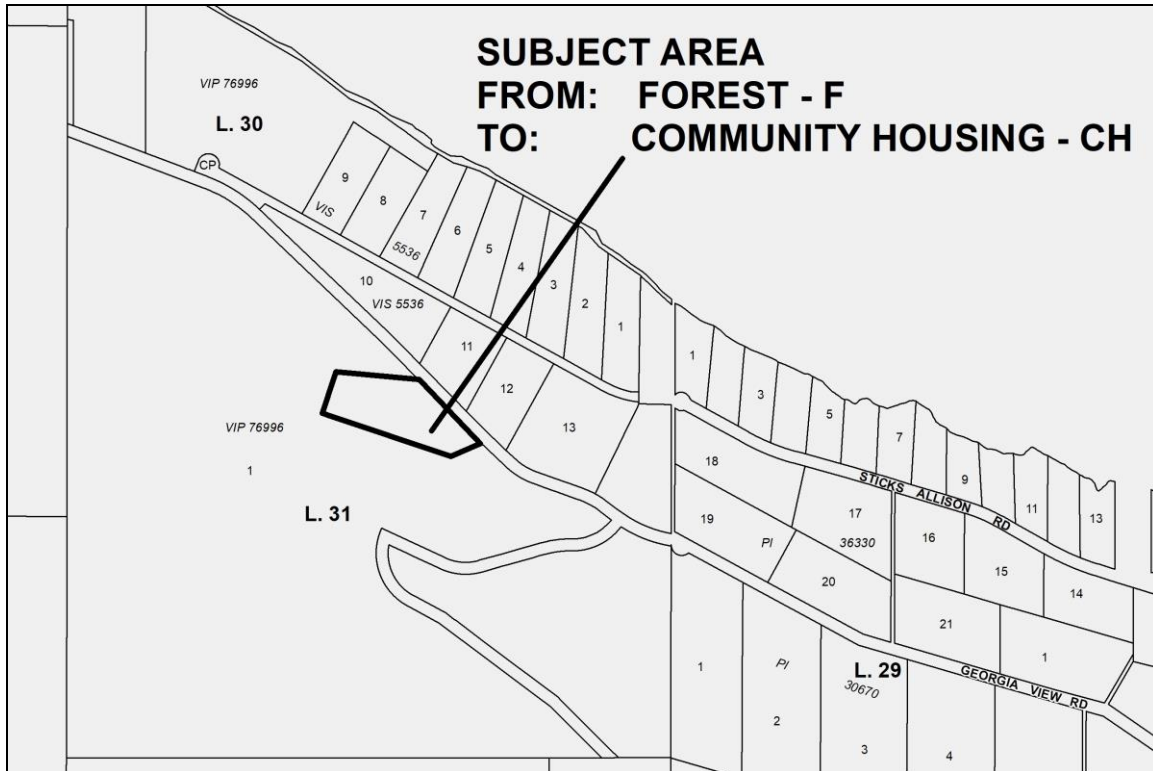
SCHEDULE 1

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 the lands legally described as Lot 1 District Lots 30 and 31 Galiano Island Cowichan District Plan VIP76996 except that part in plan VIP76997 from Forest – F to Community Housing – CH as shown on Plan No. 1 attached to and forming part of this bylaw.

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 276

Plan No. 1



DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 277

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 No. 127, 1999, Amendment No. 1, 2020”.

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

- a) By adding “Community Housing 2 (CH2) in Section 4.1 immediately following Community Housing 1 (CH1)”
- b) By adding the following after Section 8.6:

“8.7 Community Housing 2 – CH2

Permitted Uses

8.7.1 In the Community Housing 2 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.

- 8.7.1.1 Dwellings for the provision of affordable housing
- 8.7.1.2 Communal/services building
- 8.7.1.3 Home occupations

Permitted Density

8.7.2 A maximum of 12 dwellings are permitted on each lot.

8.7.3 Maximum floor area of a dwelling must not exceed

- 8.7.3.1 65 square metres for a 1 bedroom unit
- 8.7.3.2 151 square metres for a 2 bedroom unit
- 8.7.3.3 184 square metres for a 3 bedroom unit

8.7.4 One communal/services building is permitted on each lot.

8.7.5 Maximum floor area of communal/services building must not exceed 75 square metres

8.7.6 Lot coverage must not exceed 25%.

Permitted Height

8.7.7 No building or structure for a use permitted by this section may exceed 9 metres in height.

Minimum Setbacks

8.7.8 Buildings and structures must be sited at least 7.5 metres from all lot lines.

Minimum Lot Size

8.7.9 No lot having an area less than 2 hectares may be created by subdivision.

Form of Tenure

8.7.10 100% of the dwelling units in the Community Housing 2 zone shall be limited to residential rental tenure

c) Section 13.22 is amended by adding the words “or Community Housing 2” immediately following the words “or in an area zoned Community Housing 1”.

d) Section 17.1 is amended by adding the following definition:

17.1.42 “residential rental tenure” means the granting of a right to occupy a dwelling unit as living accommodation where the minimum occupancy period is thirty consecutive days, and where the dwelling unit is not owned by a dwelling unit occupant, but where regular payments are made to the owner for the use of the dwelling unit.

And the subsequent definitions are re-numbered accordingly

e) Map Schedule “B”, is amended as follows:

(i) By changing the zoning of a portion of the lands legally described as Lot 1 District Lots 30 and 31 Galiano Island Cowichan District Plan VIP76996 except that part in plan VIP76997 from Heritage Forest – HF to Community Housing 2 – CH2 as shown on Plan No. 1 attached to and forming part of this bylaw.

(ii) By adding Community Housing 2 (CH2) to the map legend.

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 _____ 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____

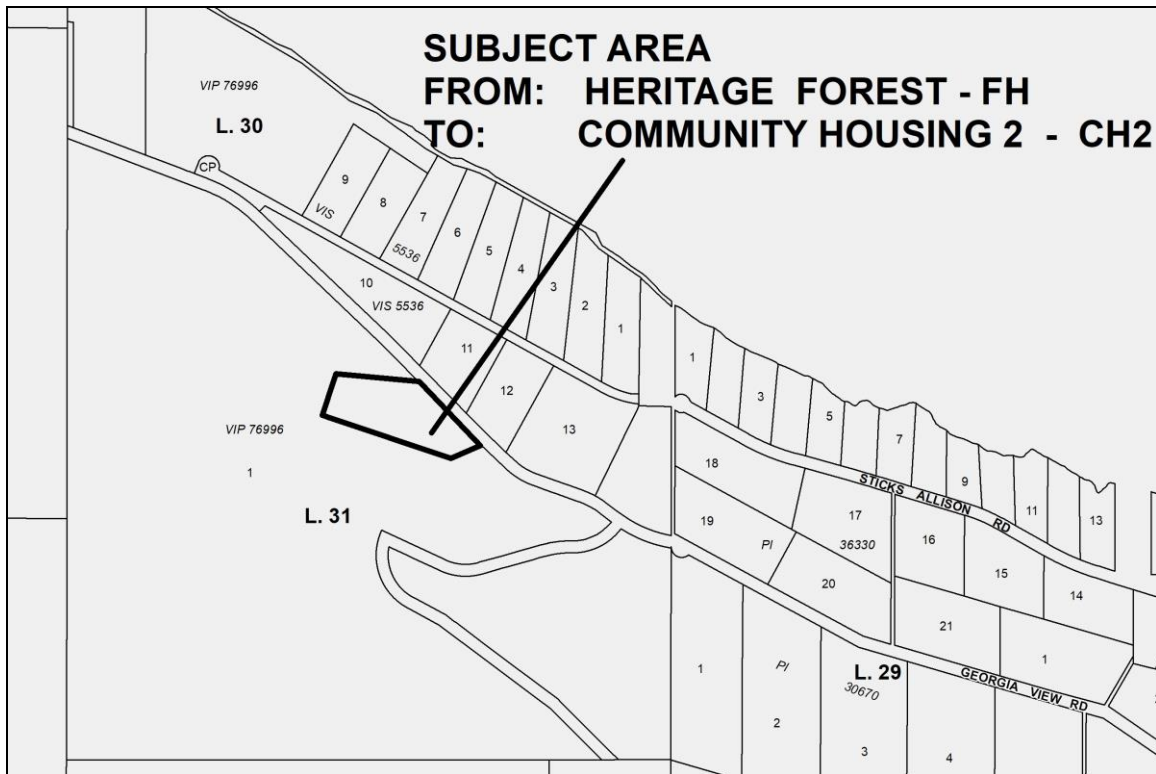
CHAIR

SECRETARY

DRAFT

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 277**

Plan No. 1



Adopted



Galiano Island Local Trust Committee

Minutes of Special Meeting

Date: November 28, 2020
Location: Zoom Webinar (Zoom Webinar)

Members Present: Dan Rogers, Chair
Tahirih Rockafella, Local Trustee

Staff Present: Brad Smith, Island Planner
Carly Bilney, Recorder
Maple Hung, Planning Team Assistant (Host)

Public: There were approximately 53 members of the public.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 1:02 p.m. He acknowledged that the meeting was being held in the traditional territories of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. COMMUNITY INFORMATION MEETING RE: Proposed Rezoning for Affordable Housing in Community Forest - Galiano Island Galisle Affordable Rental Housing Society (GIGARHS)

3.1 Rezoning Process Overview and Presentation of Draft Bylaws 276 & 277 – Staff

Islands Trust staff reviewed rezoning application GL-RZ-2019.1 from the Gulf Islands Galisle Affordable Rental Housing Society (GIGARHS) including background information, a status update and next steps in rezoning.

3.2 Affordable Housing Proposal Summary and Current Status – GIGARHS

Representatives of GIGARHS provided an overview of the affordable housing proposal highlighting details of the step layout and design, operating agreement, housing agreement and amenities.

The following comments were made:

- There is a high need for affordable housing on Galiano;
- In 2018 the APC noted the need for purpose-built affordable rental housing on Galiano;
- BC Housing defines the income and rental criteria for the project;
- The housing agreement would authorize the owner to manage and define a list of qualified renters;
- Galiano residency will be a requirement of those living in the affordable housing units;

Al Kohut, senior hydrogeologist at Hy-Geo, summarized his report related to groundwater analysis in the application and noted:

- Based on water tests, the well is an exceptionally good potable well; and
- The well is more than capable of meeting the long-term demand of the proposed housing project.

Keith Erickson, Registered Professional Biologist, provided an ecological assessment of the proposed affordable housing zone and noted logistical and ecological considerations that led the applicants to choose the site, including:

- proximity to existing public roads;
- proximity to existing residential areas;
- desire to minimize forest fragmentation on the property;
- avoiding sensitive and rare ecological areas; and
- avoiding protected stand network reserved for nature.

3.3 Q&A (Questions & Answers) Session

Members of the community were invited to comment and the following questions and comments were made:

Note: “Q” is questions/comments from the members of the public. “A” means answers from the applicants, hired professionals or Islands Trust staff.

- Q. How many meters from the current gate at the end of Georgia View Rd would it be to the proposed new gate?
- A. A little more than 500 metres.
- Q. Why was the land near the end of Georgia View removed from possible locations for the affordable housing site as shown in the presentation given by Keith Erickson?
- A. The area under question contains an active eagle nest and richer habitat features including a riparian stream corridor.
- Q. How was the number of occupants (32) achieved for use in water tests?
- A. The applicants deemed 32 to be a reasonable number based on BC Housing’s parameters of number of residents per household type.

- Q. Is it possible to know if the wells at the proposed site are connected to neighbouring wells and may therefore impact the availability of water?
- A. The aquifer at the proposed site is a fractured bedrock aquifer system and the only way to understand how it connects with neighbouring wells is to increase monitoring in the area; the project well is far enough from the neighbouring community well that it is unlikely to have a major impact on the overall water supply for water system users.
- A. Why was the location for the affordable housing site selected?
- Q. Affordability; as part of the community forest, the land can be purchased by GIGARHS for \$10. It is also a site that is reasonably easy to build on.
- A. Why did the well in the neighbouring strata have such a slow recharge rate (three days) during the past two summers whereas previously it has recovered more quickly?
- Q. A low recovery rate is not unusual; groundwater wells can recharge differently in the winter as opposed to the summer; recharge rates depends on the nature and timing of the event.
- A. Why did a high rate of arsenic appear in the neighbouring well in April 2019?
- Q. A collapse of a bedrock well, or a ground tremor, could reduce the overall capacity of the well and change the water quality, sometimes liberating a small amount of arsenic that gradually moves through the system; the proposed affordable housing site had no arsenic in its well.
- Q. Why was well testing done in December and not in the driest part of the year?
- A. The lowest (driest) time of water for aquifers is late October or early November; December is the initial recharge time and the wettest groundwater time is February. The best time to test is in the late summer or early fall when wells are at their lowest.
- Q. How is GIGARHS addressing the lack of cell service and internet in the area?
- A. High speed internet is being introduced to the area by a new local company – Galiano Association for Internet Access (GAIA), though not all residents will necessarily be working from home; cell service is limited in areas all over Galiano.
- Q. What is the recommended well depth for a single family residential development and a multi-family development?
- A. Well-depth is site specific and depends on factors such as the elevation of the property; in a multi-housing development professional hydrogeologists have more tools, such as assessments prior to drilling and three dimensional modelling, to determine the impact of the development.
- Q. Will there be a wildlife assessment done on the site that specifically addresses sooty grouse populations?
- A. The environmental assessment that was undertaken includes an ecological mapping of the area and an inventory of vegetation communities and ecological value; it looks at habitat features that would support wildlife rather than observing wildlife and their patterns.

- Q. Is developing an emergency response plan part of the proposal?
- A. BC Housing mandates a strict outline of what needs to happen within the buildings for fire management, including sprinkler systems, building codes and fire drills with tenants; the cistern water supply would be an asset to the area; the CRD has a statutory right-of-way to an emergency access route through District Lot 37.
- Q. Why has water-related information gathered by the Capital Regional District (CRD) for the Sticks Allison community well not been included in the report?
- A. The application is currently under review by the provincial water licensing branch that has access to data across the province; additionally, staff will contact CRD water management to determine what kind of water information has been collected.

4. ADJOURNMENT

By general consent the meeting was adjourned at 3:48 p.m.

Dan Rogers, Chair

Certified Correct:

Carly Bilney, Recorder



Islands Trust

Guide to Housing Agreements

Before you Begin

Before starting an application for a housing agreement it is important to understand what affordable housing is, including how it is defined in the Local Trust Area where the property is to be located. The Islands Trust Affordable and Special Needs Housing Guide provides further information on the application and approval process for a new development.

(<http://www.islandstrust.bc.ca/trust-council/projects/housing/>)

Localized affordable housing provisions can be found in the Official Community Plan for each island.

As of 2018 the Islands Trust has housing agreements on Denman, Galiano and Salt Spring Islands. These agreements are available on the Islands Trust website however, note that the formatting and terms may have changed since these agreements were finalized.

Introduction

Housing agreements are a tool to encourage and enforce affordable housing developments. If you are considering an affordable housing development, or even a suite or single unit, this guide will explain the application process and provide important information regarding housing agreements. Information may also be useful for potential tenants or owners interested in learning more about the agreement on the property.

What is a Housing Agreement?

The primary purpose of a Housing Agreement is to ensure affordability for current and future renters and owners. The property may be a single home, a suite, or multiple rental or strata units. While terms and conditions of the agreement vary between properties, a housing agreement usually serves to limit rental rates or sale prices, and may also stipulate who may reside at, or purchase, the property. Terms of the agreement may also include administrative requirements, property management, and an allowance for monitoring to ensure compliance. Specific terms, such as rental amounts and other charges, are determined individually at the time the Housing Agreement is drafted, with allowable increases. These may be specific rental amounts, rent geared to income, or another amount based on local statistics.

There are three parts to a housing agreement.

1. Bylaw. The Local Trust Committee will establish a bylaw, authorizing them to enter into a housing agreement.
2. Housing Agreement. This is attached to the bylaw, and is a contract between the parties to provide affordable housing. A Notice of Housing Agreement is placed on the title of the property.
3. Covenant. A covenant may also be placed on the title of the property, with additional items that support the housing agreement.

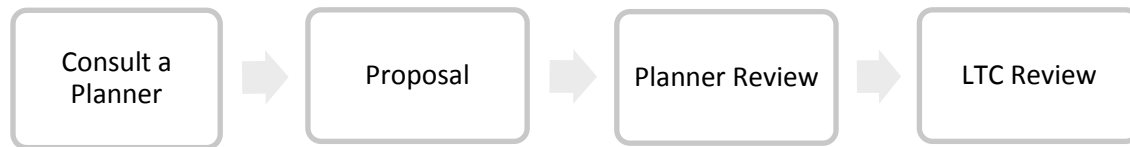
How long does it take to draft a housing agreement?

A housing agreement can take up to a year to draft, although more complicated agreements or those with multiple revisions can take longer. It is important to realize that no building and no selection of tenants can occur until the

agreement is finalized. The Islands Trust will provide you with a housing agreement template that is designed to minimize the number of edits and revisions required.

Preliminary process (before the first draft begins)

Drafting a housing agreement can be a long and complicated process. In order to streamline the process the following steps should occur before starting the first draft.



Step 1 — Consult a Planner

Before you start work on your proposal for a housing agreement, contact the planning office for your island. Contact details are available below, or on the Islands Trust website. Discussing your project with the planner could help to avoid delays or mistakes later on. It will also help you to establish a timeline for the project.

Step 2 - Proposal

You will be required to provide the planner with a detailed proposal for the affordable housing development which includes items such as: proposed rate structure, calculation of rate increases, and a description of who is considered to be an eligible tenant and how those tenants will be selected. The proposal should include a timeline to completion of the building, and indicate funding that has been secured or is pending. Thought should be given to how the building will be managed, including an estimated budget for ongoing maintenance and repairs. This budget must be shown to be feasible under the proposed rate structure for the units. A checklist for this proposal is provided as Appendix 1.

This proposal establishes the basis for the planner's report to the Local Trust Committee, from which they will decide whether to go forward with the agreement.

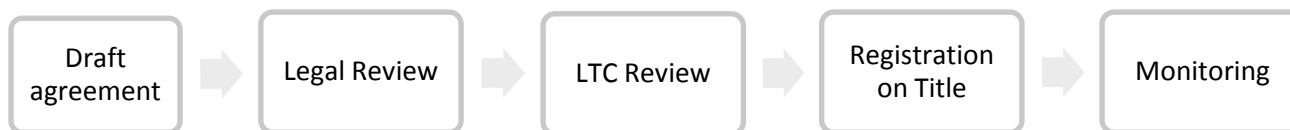
Note: the proposal for a single unit (such as a suite or cottage) may be much more basic than one for a multi-unit building. If you have a single suite, please talk to the planner about what information they require.

Steps 3 and 4 — Planner and Local Trust Committee Review

The planner will review the proposal and contact you if they have any questions or concerns. The proposal will form the basis for the planner report to the Local Trust Committee.

You will be informed when the report will be going to the Local Trust Committee, and will have the opportunity to attend to answer questions or provide clarity. The Local Trust Committee may ask for revisions to the proposal or request more information, or they may decline to proceed further with the agreement. If the Local Trust Committee is willing to move forward with the agreement they will direct the planner to work with you on the first draft.

The Housing Agreement Draft Process



Step 1 — Draft Agreement

When you are ready to begin drafting a housing agreement, a planner will provide you with an agreement template. This document contains the standard terms and wording for Islands Trust housing agreements, and is designed to minimize the need for extensive edits and legal review. Information should be taken directly from your proposal.

You will be responsible for entering the following information into the Housing Agreement:

- **Owner/Society and Site Specific Information** – Follow the template to insert information specific to the owner or management information, as well as site-specifics such as number and type of units etc.
- **Fees and Charges** – Ensure that the housing agreement clearly outlines fees, such as rent amounts, strata or leasehold fees, and additional charges. Include specific information regarding rate increases.
- **Qualified Occupants** – Ensure that a fair practice for determining who is a qualified occupant is clearly defined. Review the Residential Tenancy Act to ensure compliance with current laws.
- **Roles and Responsibilities** – The agreement should define the roles and responsibilities of each party, including external funding sources if applicable.
- **Terms and Conditions** – Most of the terms and conditions of the housing agreement template are standard, and should not be edited or removed. Any questions regarding these terms should be directed to legal counsel.

Step 2 — Legal Review

Once you have entered the information into the housing agreement template it should be sent to the Islands Trust planner for review. The planner will make any suggestions and provide you with an updated copy.

- It is recommended that you obtain your own legal review of the agreement, after the planner has made any edits. It is important that your lawyer **track changes** on the document and that all edits are made to one copy of the agreement only.
- After legal review send the document, showing any tracked changes, to the planner. The planner will then send it to the Islands Trust lawyers for review. At any time during this process the either you or the planner may refer the agreement to the Local Trust Committee for review and comment.
- Once the Islands Trust legal review is complete the planner will send you information about any further changes, for final approval.

Step 3 — LTC Review

Once the draft agreement is completed the planner will prepare a staff report for the Local Trust Committee. You may be requested to provide additional information. A public hearing is not necessarily required, but may be requested by the Local Trust Committee. If this Local Trust Committee accepts the Housing Agreement they will “read” (or pass) the bylaw portion, and the agreement will be considered complete. No further edits can be made.

Step 4 — Registration on Title

Upon final approval from the Local Trust Committee you will be required to register the Housing Agreement and associated documents with the Land Title office. Once registration is complete you must provide confirmation and any final copies to the Islands Trust.

Step 5 — Monitoring and Enforcement

As outlined in the housing agreement, the Local Trust Committee will ask for a completed schedule (form) on an annual basis to ensure compliance with the terms, conditions, and assigned fees. The Islands Trust will also investigate any complaints received about the property, regarding the terms of the Housing Agreement. Should the property be found in a state of non-compliance, the Islands Trust will work with you through methods laid out in the agreement to return the property to compliance.

For further information:

This information is intended to provide general guidance only and should not be interpreted as a right to a housing agreement if the steps indicated are followed. For further information, please contact the Islands Trust.

Islands Trust Victoria Office 200-1627 Fort Street Victoria, BC V8R 1H8 Phone: 250.405-5151 Fax: 250.405-5155 Email: information@islandstrust.bc.ca	Islands Trust Northern Office 700 North Road Gabriola Island, BC V0R 1X3 Phone: 250.247.2063 Fax: 250.247.7514 Email: northinfo@islandstrust.bc.ca
Islands Trust Salt Spring Office 700 North Road Gabriola Island, BC V0R 1X3 Phone: 250.247.2063 Fax: 250.247.7514 Email: ssiinfo@islandstrust.bc.ca	

Appendix 1

Housing Agreement Proposal Checklist

Before work begins on a draft housing agreement you must provide the Islands Trust planner with the following information. This information will create the basis for the draft agreement, and will be provided to the Local Trust Committee as they make their decisions whether to proceed with the agreement. Further information may be requested by the Islands Trust and/or Local Trust Committee.

Items to Include:

- Information regarding previous or ongoing development or rezoning applications
 - Details on availability of water/septic etc. may be required
- Number and type of units
- Proposed rate structure, including calculation of rate increases
- Description of eligible tenants and tenant selection process
- Management plan*
- Funding (including any special conditions of funding such as time limits)
- Roles and responsibilities list, noting any partner agencies or involved parties (such as BC Housing, Capital Region Housing Corporation, etc.)

*A management plan indicates who will be running the property in the long-term, whether it is a society, business, or individual. It should also include an estimate of costs associated with ongoing management of the property. It is important to note that a housing agreement will limit the rent or sale prices of each unit, therefore the building must be able to operate within the limits of that income. Operations include, but are not limited to, repairs, insurance, landscaping, general maintenance, employee salaries and reimbursements, and other related expenses.

February 15, 2021

GIGARHS – Operations Overview

In its Constitution, the Gulf Islands Galisle Affordable Rental Housing Society (“GIGARHS”) purpose is to “relieve poverty by building and managing affordable rental housing for low and moderate income residents of Galiano Island.” The need for such housing is well documented in the 2018 Southern Gulf Islands Housing Needs Assessment commissioned by the Capital Regional District.¹

The proposed development at 1663 Georgia View (the “Development”) will provide secure and affordable rental accommodation for singles, couples, and families, in two six-plexes for a total of 12 homes. Individuals resident on Galiano who are part of marginalized groups such as indigenous, women and children, and/or youth are included in the target population. The development will follow BC Housing’s Community Housing Fund current rent structure: 20% Deep Subsidy, 50% Rent Geared to Income (“RGI”) and 30% Affordable Market rent. 20% of the units will be accessible for those living independently with disabilities. Some of the units will also be adaptable to provide flexibility for residents wishing to age in place.

The Society will have an Operating Agreement with BC Housing and/or CMHC, which will include details on the following: the operating subsidy, any forgivable and repayable loans, maintenance and repair schedule, safety inspection(s) schedule, operational review schedule, annual budget submissions, capital reserve funding and planning, and the rent contributions following BC Housing’s rent structure.² GIGARHS will establish written policies and procedures for effective control of finances for the Development with the support and guidance of their funding partners. Record-keeping and financial statements will be prepared in accordance with Canadian Accounting Standards as well as funding partners. Annual financial review will be conducted by BC Housing or other partner, as per the Operating Agreement.

Once construction is complete, operations will be managed by a working group known as the Housing Management Committee of GIGARHS, supported by a part-time Property Manager. The Housing Management Committee and Property Manager will follow a comprehensive Operations Management Plan. The Committee and Property Manager will have several responsibilities, including the following: assisting potential residents in the application process to BC Housing (as should this be a BC Housing project, residents must qualify and be placed on the BC Housing Registry to be eligible); selecting applicants from the BC Housing Registry, following the eligibility criteria outlined in the Housing Agreement and the income criteria established by BC Housing and CMHC; acting as an information resource for future and current residents; managing the Residential Tenancy Agreements; and providing initial and ongoing support to residents.

¹ Accessed at: https://www.crd.bc.ca/docs/default-source/housing-pdf/housing-planning-and-programs/sgi-housing-needs-assessment-feb-2018-final.pdf?sfvrsn=5c8e1eca_2

² Deep Subsidy, RGI, Affordable Market



700 North Road, Gabriola Island, BC V0R 1X3
Telephone **250-247-2063** Fax 250-247-7514

Toll Free via Enquiry BC in Vancouver 604.660.2421 Elsewhere in BC **1.800.663.7867**

Email northinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

Islands Trust Housing Agreement Template

for properties where the housing agreement applies to RENTALS ONLY

This template is designed as a tool to assist in the drafting of Housing Agreements, for properties where the affordable housing units will be **rented**. Separate templates exist for properties that will be leased or sold, or for properties with a combination of rental and owned units.

It is important to note the following:

1. This template contains the standard housing agreement wording accepted by the Local Trust Committee. Minimal edits should be made. Should more substantial edits be requested the planner must be informed before work begins. A cost recovery agreement may be required to cover extensive changes and review. Extensive revisions to this document will not be accepted.
2. ALL edits and changes must be made using tracked changes.
3. Definitions and wording in this template should be edited as required to reflect the nature of the specific housing agreement. Some clauses may need to be amended, removed, or added to address the specific nature of the property.
4. Fields indicated by square brackets “[]” or “XX” highlight fields where information must be added.
5. Schedules, particularly those intended for annual monitoring, should be finalized in a format where the date and other information such as names and addresses can easily be changed.
6. The draft housing agreement should be sent for legal review by both the owner/applicant and the Local Trust Committee, before being sent to the Local Trust Committee to be adopted. If further changes are made after the initial legal review, a second review may be required.

XXX ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. XXX

A Bylaw to Authorize a Housing Agreement

WHEREAS the XXX Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the XXX Island Local Trust Area, pursuant to the *Islands Trust Act*;

AND WHEREAS Section 483 of the Local Government Act and Section 29 of the *Islands Trust Act* permit the Local Trust Committee to enter into a housing agreement;

AND WHEREAS the XXX Island Local Trust Committee wishes to enter into a Housing Agreement;

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

1. This Bylaw may be cited for all purposes as “XXX Island Housing Agreement Bylaw No. XXX, year”.
2. Any one Trustee of the XXX Island Local Trust Committee are authorized to execute an agreement in the form attached to this Bylaw with [owner]

READ A FIRST TIME this X day of month, year

READ A SECOND TIME this X day of month, year

READ A THIRD TIME this X day of month, year

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this

 X day of month, year

ADOPTED this X day of month, year

Preserving *Island* communities, culture and environment

Bowen Denman Hornby Gabriola Galiano Gambier Lasqueti Mayne North Pender Salt Spring Saturna South Pender Thetis

SECRETARY

CHAIRPERSON

Housing Agreement and Section 219 Covenant

THIS AGREEMENT DATED FOR REFERENCE THE [day] OF [month], [year] is BETWEEN:

[land owner], a society incorporated under the laws of the province of British Columbia under number [S-_____] and having its office at [address]

(the “Owner”);

AND:

XX ISLAND LOCAL TRUST COMMITTEE, a corporation under the *Islands Trust Act*, having an office at 2nd Floor, 1627 Fort Street, Victoria, B.C., V8R 1H8

(the “Trust Committee”)

WHEREAS:

- A. The Owner is the registered owner of the Lands situated at [address] on [Island], British Columbia and legally described as: [PID, Legal description], commonly known as [name of development], (the “Lands”);
- B. The Lands [are zoned/have been rezoned] by the [Island] Local Trust Committee by means of [Island] Land Use Bylaw [year] Amendment No. [#] to permit the development of a [development type here];
- C. The Owner intends to rent the units on the Lands, by way of a rental agreement, at an affordable rate to Qualified Occupants (as defined in section 1.1);
- D. The Trust Committee may, pursuant to Section 29 of the *Islands Trust Act* and Section 483 of the *Local Government Act*, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure and availability to specified classes of persons of dwelling units located on those lands;
- E. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the Trust Committee in respect of the use of land or construction on land;
- F. The Owner and the Trust Committee wish to enter into this Agreement to provide affordable housing on the Lands on the terms and conditions of this Agreement to have effect as both a covenant under section 219 of the *Land Title Act* and a housing agreement under section 483 of the *Local Government Act*; and
- G. The Trust Committee has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement.

THIS AGREEMENT is evidence that in consideration of \$1.00 paid by the Trust Committee to the Owner (the receipt of which is acknowledged by the Owner), and in consideration of the promises exchanged below, the Trust Committee and the Owner agree, as covenants granted by the Owner to the Trust Committee under Section 219 of the *Land Title Act*, and as a housing agreement between the Owner and the Trust Committee under Section 483 of the *Local Government Act*, as follows:

Article 1: Definitions and Interpretation

1.1 Definitions – In this Agreement:

“Affordable Housing Unit” means a [insert unit type here (e.g. Apartment, single family dwelling, suite etc.)] on the Lands in respect of which the construction, tenure, rental and occupancy are restricted in accordance with sections 2.1 through 2.6 of this Agreement;

“Annual Household Income” means the combined gross income of all adult members of a Household, as shown on line 150 of the preceding year’s T1 General Income Tax and Benefit return.

“Business days” means Monday to Friday inclusive except for those excluded days declared by lawful authority as holidays.

“CPI” means the All-Items Consumer Price Index for British Columbia as calculated by Statistics Canada, or its successor in function.

“Dwelling Unit” means a dwelling unit as defined in the [island] Land Use Bylaw [year], as amended or replaced from time to time.

“Household” means one or more individuals occupying the same Dwelling Unit.

“Lands” means that parcel of land legally described as [PID and legal description from title search print].

“Maximum Monthly Rent” means the monthly rent agreed to by the Owner and a Qualified Renter to rent an Affordable Housing Unit which shall not exceed [XX percent (XX%)] of the total monthly household income of the Qualified Renter(s) at the time the Affordable Housing Unit is occupied by the Qualified Renter(s).

“Moderate Income” means an annual income that is less than 90% of the median income of the [area] Electoral Area calculated from the most recent census data published by Statistics Canada and as adjusted annually by the Yearly CPI Change.

“Qualified Renter” means a Household which meets the eligibility criteria for a residential tenancy of a Rental Unit, as set out in Section 2.2 Affordable Rental Housing Eligibility of this Agreement.

“Residential Tenancy Act” means the *Residential Tenancy Act* (British Columbia).

“Tenancy Agreement” means a tenancy agreement, lease, license or other agreement granting rights to occupy an Affordable Housing Unit.

“Yearly CPI Change” means the percentage change in CPI from the CPI for January of the immediately preceding calendar year, to the CPI for January of the then present calendar year.

1.2 Interpretation –

Reference in this Agreement to:

- a. a “party” is a reference to a party in this Agreement;
- b. a particular numbered “article” or “section” or to a particular lettered “schedule” is a reference to the corresponding numbered or lettered article, section, or schedule of this agreement;
- c. an “enactment” is a reference to an enactment as defined in the *Interpretation Act* and is a reference to any revision, amendment or re-enactment of, or replacement for, that enactment;
- d. wherever the singular or the masculine is used in this Agreement, it shall be deemed to include the plural or the feminine, or the body politic or corporate, where the context or the parties so require;
- e. the Local Trust Committee includes a reference to its successors in function, including a municipality.

1.3 Headings – The division of this Agreement into articles, sections and schedules is for convenience of reference only and does not affect its interpretation. The article and section headings used in this Agreement are for convenience of reference only and do not affect the interpretation of this Agreement.

1.4 Entire Agreement – This is the entire agreement among the parties concerning its subject and may be amended only by a document executed by all parties.

Article 2 – Affordable Housing

2.1 Agreement over the Lands – Pursuant to section 219 of the *Land Title Act* and section 483 of the *Local Government Act*, the Owner covenants and agrees that:

- a. the Lands will not be developed, and no building or structure will be constructed on the Lands unless, as part of and concurrently with the development on the Lands, the Owner also constructs and completes the [number] Affordable Housing Units on the Lands [and in accordance with the building design guidelines attached as Schedule “C”];
- b. no building on the Lands may be subdivided by means of a strata plan without prior approval of the Trust Committee; and
- c. the Owner will maintain the Affordable Housing Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Lands.

2.2 Affordable rental housing eligibility - The Owner covenants and agrees not to rent or lease any Affordable Housing Units except to a Qualified Renter and in accordance with the following additional requirements:

- a. the Affordable Housing Unit will be used or occupied only pursuant to a Tenancy Agreement;

- b. the Qualified Renter's Annual Household Income at the time of signing the Tenancy Agreement does not exceed [insert figure or calculation here];
- c. the Qualified Renter will occupy the Affordable Housing Unit as its permanent, principal, and sole residence;
- d. each Tenancy Agreement will include a clause prohibiting subletting including short-term vacation rentals, a clause requiring the Qualified Renter to comply with the use and occupancy restrictions contained in this Agreement, and a provision entitling the Owner to terminate the rental agreement in accordance with the *Residential Tenancy Act* in the event of any breach of these use and occupancy clauses;
- e. the Owner will deliver to the Trust Committee a true copy of every Tenancy Agreement entered into in respect of any Affordable Housing Unit within 10 business days of any request do to so;
- f. the Owner will include in every Tenancy Agreement notice of the existence of this Agreement and the occupancy restrictions applicable to the Affordable Housing Unit, and will provide to each Qualified Renter upon their request, a copy of this Agreement; and
- g. each Tenancy Agreement will provide that if one of the individuals comprising a Qualified Renter who rents an Affordable Housing Unit dies, that individual's spouse or adult child residing in the Affordable Rental Unit at the time of the Qualified Renter's death may continue to rent the Affordable Rental Unit until the later of:
 - i. the balance of the fixed term under the Tenancy Agreement; or
 - ii. twelve (12) months on the same terms, including monthly rent, set out in the Tenancy Agreement.

2.3 Rental rates - The Owner covenants and agrees that it will:

- a. not charge any tenant a monthly rent, exclusive of utilities, that is greater than the Maximum Monthly Rent, except that the Owner may, subject to the provisions of the *Residential Tenancy Act* increase the rent payable for the Affordable Housing Unit annually;

[*Alternate wording*: not allow the total monthly payment amounts for an Affordable Housing Unit to exceed those amounts shown in the table attached as Schedule "B", provided however that the maximum monthly payment listed for the specific type of Affordable Housing Unit may be adjusted each year by the Yearly CPI Change, with prior written notice to the Local Trust Committee of the amount of the adjustment;] and

- b. not require any tenant under a Tenancy Agreement to pay any extra charges or fees for use of any common area, or for sanitary sewer, storm sewer, water utilities, property taxes and similar services. For clarity, this limitation does not apply to cablevision, telecommunications, laundry, or gas or electricity utility fees or charges.

2.4 Policies/Rules and Regulations/Administration by Owner –The Owner is authorized to make and administer rules, regulations and policies necessary to fully implement and achieve the policy goals set

out in this Agreement. Such rules, regulations and policies may include, but are not limited to, the following:

- a. Establishing and maintaining a wait list of potential Qualified Renters; and
- b. Establishing, administering, and enforcing a rental policy applicable to the terms of this Agreement and in accordance with the *Residential Tenancy Act*.

2.5 No Sublease or Assignment – Except as set out in this Agreement, the Owner will not permit the interest in an Affordable Housing Unit to be subleased or a Tenancy Agreement to be assigned.

2.6 Monitoring and Reporting to the Local Trust Committee - The Owner must deliver to the Local Trust Committee once each year on or before July 1, a completed statutory declaration, substantially in the form attached as Schedule “A”, sworn by the Owner. Additionally, the Local Trust Committee may request this statutory declaration up to four times in any calendar year, and the Owner must complete and supply the completed statutory declaration within 10 Business Days of receiving a request from the Local Trust Committee. The Owner irrevocably authorizes the Local Trust Committee to make reasonable inquiries it considers necessary in order to confirm compliance with this Agreement.

Article 3 – General Terms

3.1 Order to Comply - If the Owner is in default of the performance or observance of this Agreement, the Trust Committee may give the Owner a notice of default requiring the Owner to comply with this Agreement within the time stated in the notice. The Owner agrees that any breach or default in the performance of this Agreement on its part must be corrected, to the satisfaction of the Trust Committee, within the time stated on the notice of default provided to the owner by the Trust Committee.

3.2 Management – The Owner covenants and agrees to furnish good and efficient management of the Lands and the Affordable Housing Units on the Lands. If and when the Trust Committee has reasonable grounds to believe that a continuing breach of this Agreement exists, the Trust Committee may authorize its representatives to inspect the Lands at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act* and subject to the concurrent delivery of such a notice to the Owner.

3.3 Society Standing – If the Owner is a society, the Owner must maintain its standing as a society under the *Society Act* and must not amend its Constitution in any manner that would prevent, or adversely affect, the ability of the Society to perform its obligations under this Agreement.

3.4 Specific Performance of Agreement – The Owner agrees that the Trust Committee is entitled to obtain an order for specific performance of this Agreement and a prohibitory or mandatory injunction in respect of any breach by the Owner of this Agreement, in view of the public interest in restricting the occupancy of the Affordable Housing Unit. The Owner further acknowledges that a breach of this Agreement may constitute a breach of the Trust Committee’s Land Use Bylaw, as amended from time to time.

3.5 Assignment – The Owner acknowledges that the Trust Committee may delegate or assign the administration and management of this Agreement to a third party, and, in that event, any reference in this Agreement to the Trust Committee shall be interpreted as a reference to that party provided that the Trust Committee has so advised the Owner.

- 3.6 Indemnity** – The Owner shall indemnify and save harmless the Trust Committee and each of its elected officials, officers, directors, employees, and agents from and against all claims, demands, actions, loss, damage, costs, and liabilities for which any of them may be liable by reason of any act or omission of the Owner or its officers, directors, employees, agents or contractors or any other person for whom the Owner is at law responsible, including breaches of this Agreement. This clause will survive the termination of this Agreement.
- 3.7 Release** – The Owner releases and forever discharges the Trust Committee and each of its elected officials, officers, directors, employees, and agents and each of their heirs, executors, administrators, personal representatives, successors and assigns from all claims, demands, damages, actions, or causes of action arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Affordable Housing Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.
- 3.8 Trust Committee Powers Unaffected** – This Agreement does not limit the discretion, rights, duties or powers of the Trust Committee under any enactment or the common law, impose on the Trust Committee any duty or obligation, affect or limit any enactment relating to the use or subdivision of the Lands, or relieve the Owner from complying with any enactment.
- 3.9 No Public Law Duty** – Wherever in this Agreement an act, determination, consent, approval or agreement of the Trust Committee is provided for, such act, determination, consent, approval or agreement may be done or made in accordance with the terms of this Agreement and no public law duty, whether arising from the principles of procedural fairness or the rules of natural justice shall have any application.
- 3.10 No Waiver** – No condoning, excusing or overlooking by the Trust Committee of any default under this Agreement, nor any consent, approval, or agreement whether written or otherwise shall be taken to operate as a waiver by the Trust Committee of any subsequent default or of the necessity for further consent, approval or agreement in respect of a subsequent matter requiring it under this Agreement, or in any way to defeat or affect the rights or remedies of the Trust Committee.
- 3.11 Arbitration** – Any matter in dispute between the parties under this Agreement, including any disputes as to whether a particular individual is eligible to occupy a Affordable Housing Unit, must be referred to a single arbitrator if the parties can agree on one, and otherwise to three arbitrators, one to be appointed by each of the parties and the third by those two so appointed, and the matter must be resolved in accordance with the provisions of the *Arbitration Act* (British Columbia).
- 3.12 Notice on Title** – The Owner acknowledges and agrees that this Agreement constitutes both a covenant under Section 219 of the *Land Title Act* and a housing agreement under Section 483 of the *Local Government Act*, the Trust Committee is required to file a notice of housing agreement in the Land Title Office against title to the Lands, and once such a notice is filed, this Agreement binds all persons who acquire an interest in the Lands as a housing agreement under Section 483 of the *Local Government Act*.
- 3.13 Covenant Runs with the Land** – Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the Trust Committee in accordance with section 219 of the *Land Title Act* in respect of the Lands and this Agreement burdens

the Lands and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including, by subdivision or by strata plan.

3.14 Limitation on Owner's Obligations – The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands.

3.15 Amendment and Termination – This Agreement may not be modified or amended except by bylaw of the Trust Committee, upon an agreement in writing between the Trust Committee and the Owner.

3.16 Notices – Any notice required to be given pursuant to this Agreement shall be in writing and shall be given to the Owner or the Trust Committee, as the case may be, at the address first above written, or to any other address of which either the Owner or the Trust Committee may advise the others in writing in accordance with this paragraph. Notice to the Trust Committee must be addressed to the Secretary of the Islands Trust. If given in person or by facsimile transmission, such notice will be deemed to be received when delivered and, if mailed, such notice will be deemed to be received only when actually received by the party to whom it is addressed.

3.17 Enurement – This Agreement is binding upon and enures to the benefit of the parties and their respective successors and permitted assigns.

3.18 Remedies Cumulative – The remedies of the Trust Committee specified in this Agreement are cumulative and are in addition to any remedies of the Trust Committee at law or in equity. No remedy shall be deemed to be exclusive, and the Trust Committee may from time to time have recourse to one or more or all of the available remedies specified herein or at law or in equity.

3.19 Severability – If any term or provision of this Agreement, or its application to any person or circumstance shall to any extent be found to be invalid and unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected, and each term and provision of this Agreement shall be valid and shall be enforced to the extent permitted by law.

3.20 Joint and Several – In the case of more than one Owner, the grants, covenants, conditions, provisions, agreements, rights, powers, privileges and liabilities of the Owner shall be construed and held to be several as well as joint.

3.21 Further Acts - The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

3.22 Governing Law – This Agreement shall be governed by and construed in accordance with the laws of the province of British Columbia.

3.23 Joint Venture – Nothing in this Agreement shall constitute the Owner as an agent, joint venture or partner of the Trust Committee or give the Owner any authority or power to bind the Trust Committee in any way.

3.24 Time of Essence – Time is of the essence in this Agreement.

3.25 Further Assurances – The parties shall execute and do all such further deeds, acts, things and

assurances as they reasonably require to carry out the intent of this Agreement.

3.26 Priority – The Owner agrees to do everything necessary at the Owner’s expense to ensure that this Agreement is registered against title to the Lands with priority over all financial charges, liens and encumbrances registered or pending at the time of application for registration of this Agreement.

3.27 Deed and Contract – By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

SCHEDULE "A"

OWNER STATUTORY DECLARATION

CANADA

PROVINCE OF BRITISH COLUMBIA

IN THE MATTER OF A HOUSING AGREEMENT
WITH THE XXX ISLAND LOCAL TRUST
COMMITTEE ("Housing Agreement")

I, _____

declare that:

1. I am the _____ [director, officer, employee] of the [Owner's], the owner of the land known as _____, XXX Island, legally described as: _____ (the "Lands")
2. I make this declaration to the best of my personal knowledge.
3. This declaration is made pursuant to the Housing Agreement registered against the Lands.
4. For the period from _____ to _____, the Affordable Housing Units were used only by Qualified Renters (as defined in the Housing Agreement).
5. At no time during the last year were any of the Affordable Housing Units used as a short-term vacation rental.
6. The rental payments charged for the Affordable Housing Unit were in compliance with the Housing Agreement and are listed in the attached list.
7. No subletting of the Lands has been permitted.
8. I acknowledge and agree to comply with all of the Owner's obligations under the Housing Agreement, and other charges registered against the Lands and confirm that the Owner has complied with all of its obligations under these Agreements.
9. I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and pursuant to the *Canada Evidence Act*.

DECLARED BEFORE ME at _____, British Columbia, this ____ day of _____.

A Commissioner for taking Affidavits
in British Columbia

Signature of person making declaration

SCHEDULE "B"

Maximum Monthly Rent

Size/Type of Unit	Maximum Monthly Rent



ECOLOGICAL ASSESSMENT REPORT FOR PROPOSED AFFORDABLE HOUSING PROPERTY IN THE GALIANO COMMUNITY FOREST

Proposed Lot B - Part of Lot 1, DL30/31, Galiano
Island, Cowichan District, VIP76996
Except that part in Plan VIP76997
January 18th, 2021

Prepared For
Gulf Islands Galisle Affordable Rental Housing Society (GIGARHS)
Lisa Gauvreau (President)

Keith Erickson R.P.Bio. (#2132)
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355 Melissa Road, Galiano Island, BC, V0N 1P0

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Introduction

Keith Erickson (R.P.Bio.) was retained by the Gulf Islands Galisle Affordable Rental Housing Society (GIGARHS) to complete a baseline ecological assessment and report as part of its pre-development planning and rezoning application for Proposed Lot B - Part of Lot 1, DL30/31, Galiano Island, Cowichan District, VIP76996, Except that part in Plan VIP76997. It is understood that the Islands Trust is the local government jurisdiction for Galiano Island and is the approving body for the rezoning application.

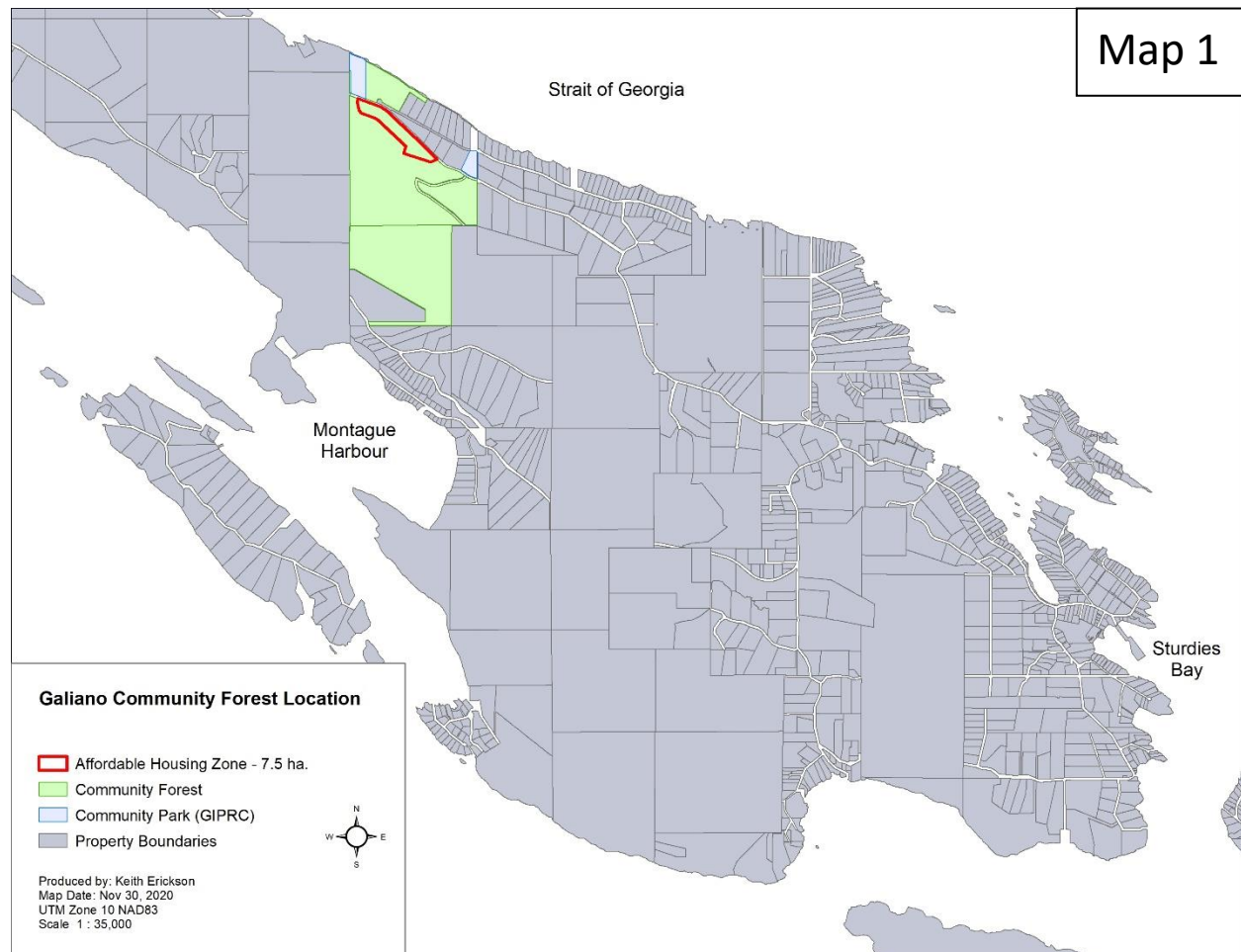
Study Area

The Proposed Lot B (the Lot), is two hectares in size and is located within a broader 7.5 hectare 'Affordable Housing Zone' that is designated as such by the 'Community Forest (Heritage Forest) Management Plan - November 15, 2020' (CFMP). The CFMP has been adopted by the owners of the Property, the Galiano Club, as the governing document for the use of the land. The CFMP states:

In December of 2005, The Galiano Club took ownership of just over 126 hectares or 311 acres of Community Forest. The Community Forest Lands are held in trust by the Galiano Club for the benefit of the Galiano Community, present and future.

The lands will be managed in a manner that maintains or enhances the integrity of ecosystems while contributing to the economic and social well being of the Galiano community.

The area of study for this report is the 7.5 hectare 'Affordable Housing Zone'.



Scope of Work

This report is being prepared with the understanding that the 'Affordable Housing Zone' is an agreed upon location where affordable housing use may occur. The report is focused on ecological considerations for the siting of a two-hectare lot within the 'Affordable Housing Zone' and the development of the proposed affordable housing infrastructure.

This report documents the current ecological conditions and values found within the 'Affordable Housing Zone', including sensitive elements that should be considered in determining the location of an affordable housing lot and that could constrain how such a lot might be developed. The report provides a list of recommended measures for reducing, mitigating, and/or minimizing the impacts of an affordable housing development on the ecosystems within and around the 'Affordable Housing Zone'. At the time the assessment was completed, plans for the development were in a conceptual design stage, waiting to be informed by recommendations from this report.

Site characteristics were mapped, inventoried, and described during two site visits on November 18th and 19th 2020. The assessment was also informed by the following documentation and mapping:

- Historical aerial photography (2005, 2009, 2013 and 2017)
- Baseline Report for REM 1, DL30 and 31 Plan VIP76997 and REM DL32, Plan 77822 Galiano Island, Cowichan Land District, British Columbia (2006, Erickson, Galiano Conservancy Assoc.)
- Community Forest (Heritage Forest) Management Plan – District Lots 30, 31, 32 Galiano Island, BC (2020, Community Forest Management Committee on behalf of the Galiano Club)
- Terrestrial Ecosystem Mapping of the Coastal Douglas-fir Biogeoclimatic Zone (2008, Madrone Environmental Services)
- Critical Habitat for Federally Listed Species-At-Risk. 03-Nov-2020. Environment and Climate Change Canada. (<https://catalogue.data.gov.bc.ca/dataset/critical-habitat-for-federally-listed-species-at-risk-posted->)
- B.C. Conservation Data Centre. 2020. BC Species and Ecosystems Explorer. B.C. Ministry of Environment, Victoria B.C. Available: <http://a100.gov.bc.ca/pub/eswp/> (30 Nov 2020).
- Galiano Island OCP Bylaw No. 108 Development Permit Areas Compilation Map.
- Islands Trust Conservancy Regional Conservation Plan 2018-2027. 2018.
- Contiguous Forest Mapping in the Islands Trust Area. 2020. Cabin Resource Management.
- GIGARHS Community Information Meeting Presentation Slides (November 28, 2020)

Report Limitations

- 1) The scope of this report does not include any targeted species-at-risk surveys of the site.
- 2) The scope of this report does not include any targeted wildlife surveys of the site.
- 3) Vegetation inventory of the site is not comprehensive and is limited to species that are identifiable in late Fall.
- 4) Features of the site were mapped using a Trimble GeoXH 6000, with horizontal accuracy generally within 1m, but can be up to 5m.

Communications with GIGARHS confirm that the development is in the conceptual planning phase. GIGARHS has identified and surveyed a two-hectare site at the eastern end of the 'Affordable Housing Zone' which is the subject area of their application for rezoning to the Islands Trust (Map 2). In addition to the preliminary layout (no pins established) of the proposed lot, GIGARHS has dug a series of test pits in aid of locating a suitable site for a septic system and has established a drilled well (locations shown on Map 3).

- A single two-hectare lot that is rezoned for the purpose of affordable community housing.
- 12 affordable rental housing dwellings along with associated infrastructure and services. Affordable rental housing will include a mix of one, two, and three-bedroom units. Use will be guided by a legally registered 'Housing Agreement'.
- 12 dwellings will be housed within two primary "six-plex" structures.
- Supporting services and infrastructure include a common building, cistern, parking lots, drilled well, driveway, power lines, septic tanks, a septic field, community garden.
- Forested buffer around edges of development area and property boundary.

Figure 1: Preliminary Site Development Plan

Adjacent Land Uses

The 'Affordable Housing Zone' is a designation of the Community Forest Management Plan (2020). The Management Plan has designated all of the area surrounding the 'Affordable Housing Zone' as 'Sustainable Forestry Zone' where low impact recreation (hiking / horseback riding etc.), educational activities, ecological restoration and sustainable forestry activities can take place. Though not directly abutting the 'Affordable Housing Zone', a large area to the southeast has been designated as 'Protected Stand Network' where nature protection is the primary goal with low impact recreation, educational and ecological restoration activities also permitted.

The entire northeast boundary of the 'Affordable Housing Zone' is also the boundary of the Community Forest and abuts a Public Road Dedication. There is a gravel road running the length of the subject area that was used as the primary route for logging activity that spanned the entire length of Galiano Island's east side. The gravel road is not currently constructed to public standard and is blocked from public vehicular traffic use by a gate at the end of Georgia View Road proper. The road is used regularly as a walking route by local residents and visitors. On the other side of the Road Dedication there is a residential strata subdivision zoned Rural Residential in the Galiano Island Land Use Bylaw (Bylaw 127, 1999). The strata lots adjacent to the 'Affordable Housing Zone' have been developed for residential and related purposes including the construction of houses, cottages, gardens, driveways, power lines and other clearings and related services.

There are CRD Community Parks located directly to the north (northwest) of the Affordable Housing Zone, on the other side of the Road Dedication, and a couple of hundred meters to the east. These are managed by the Galiano Island Parks and Recreation Commission for low impact recreation and include hiking trails.

The large District Lots to the west are zoned for Forestry use.

Locations of adjacent land uses are shown on Map 2 below.

Proposed Affordable Housing Lot - Galiano Community Forest



 Proposed Affordable Housing Lot (2 ha.)

Community Forest (Management Plan Zone)

 Protected Stand Network

 Sustainable Forestry

 Affordable Housing Zone (7.5 ha.)

Neighbouring Properties

 Private Lot

 Community Park (GIPRC)

 Public Shore Access (GIPRC)

 Crown (Public Land)

 Pubic Road

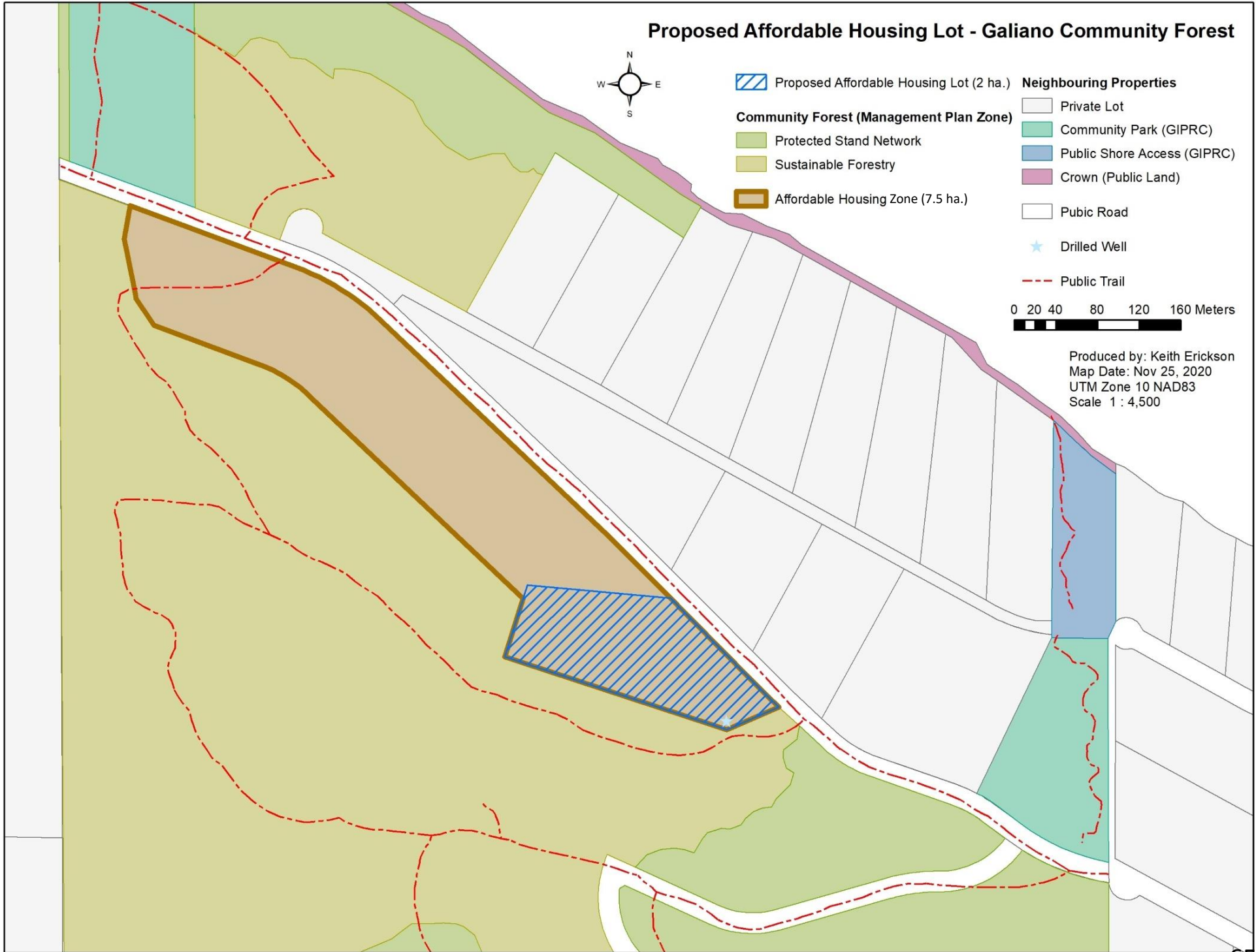
 Drilled Well

 Public Trail

0 20 40 80 120 160 Meters



Produced by: Keith Erickson
Map Date: Nov 25, 2020
UTM Zone 10 NAD83
Scale 1 : 4,500



Ecological Assessment

Landscape Level Ecological Context

Islands Trust Contiguous Forest Ecosystem Mapping

Ranks the forest cover in the 'Affordable Housing Zone' as "Recruitment Forest – Class 2". It is located on the margin of a tract of 'Anthropogenic Area' synonymous with the residential strata subdivision to the northeast.

'Recruitment Forest' is defined as a forested area stands in early structural stages and includes forests in stages of development up to the pole/sapling stage.

'Class 2' is defined as moderate disturbance, where road coverage and density of structures is moderate.

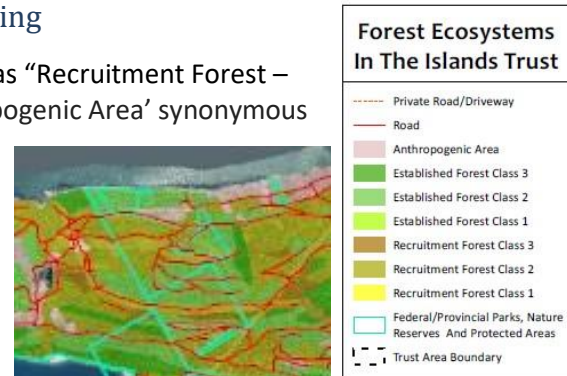


Figure 2: Crop from ITC Contiguous Forest MapBook_V3_LowRes

The Islands Trust Conservancy Regional Conservation Plan 2018-2027

Shows the 'Affordable Housing Zone' as part of the Heritage Forest which has been classified as "Protected Area". Portions of the residential strata subdivision immediately to the northeast are shown as medium relative ecological value, while areas along the shoreline are shown as high ecological value.

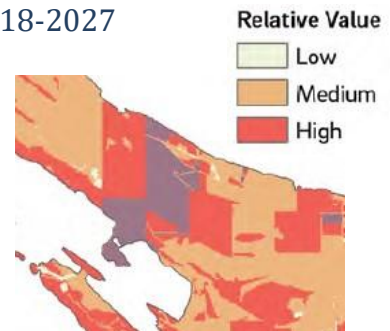


Figure 3: Crop from ITC Regional Conservation Plan 2019 – 2027 – P72

Galiano Island Official Community Plan

There are no sensitive ecosystems documented within the study area by Islands Trust Conservancy Sensitive Ecosystem Mapping (MAPIT), nor by the Galiano Island Official Community Plan Schedule H DPA 5 Sensitive Ecosystems, Bylaw No. 108, 1995.

There is a small sliver identified as a 'moderate hazard' in Development Permit Area 7 – Steep Slope Hazard (Galiano Island OCP Bylaw No. 108 DEVELOPMENT PERMIT AREAS COMPILATION MAP).

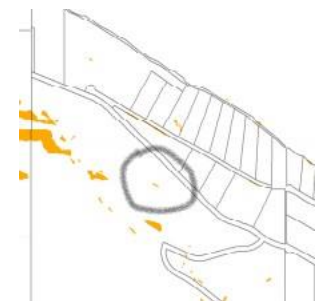


Figure 4: Crop from Schedule I Development Permit Area 7 Steep Slope Hazard Bylaw No. 108, 1995 - sliver circled in black

Community Forest (Heritage Forest) Management Plan (CFMP)

The 'Affordable Housing Zone' was delineated within the CFMP according to both practical and ecological criteria. The selection criteria prevented the Affordable Housing Zone from including ecosystems deemed to be of high ecological and wildlife value, at a property-wide scale. According to the CFMP (2020, Galiano Club):

The Affordable Housing Zone includes areas of the Properties that satisfy all the following criteria:

1. *Access: Must have frontage on Public Road Dedication.*
2. *Minimize forest fragmentation.*
3. *Not within the Protected Stand Network.*
4. *Adjacent to existing rural residential areas and related services.*

The Protected Stand Network is composed of areas characterized by one or more of the following criteria:

1. *Rare and sensitive ecosystems: streams, wetlands, mature forest, cliffs, rocky outcrops, shoreline shrub/herb dominated areas, steep slopes > 55%*
2. *Ecosystem types with wet soils.*
3. *Ecosystem types with dry, poor and relatively shallow soils*
4. *Riparian zones – 50m buffer around all aquatic features*
5. *Ridge and scree slope zones – 20m buffer around all cliff areas*
6. *Areas providing connectivity with neighbouring Parks or Protected Areas and between areas characterized by criteria 1 through 5 within the Properties.*

Common or zonal ecosystems found within the Properties but not included within the Protected Stand Network as a result of criteria 1 through 5 constitute areas that provide connectivity under criteria 6.

These criteria were applied to 'Ecosystem Type' mapping and associated data provided in the Baseline Report. The data was analyzed using a Geographic Information System.

Ecosystems-At-Risk

Small, patchy microsites characterized by a developing Douglas-fir / dull Oregon-grape Ecological Community (*Pseudotsuga menziesii* / *Berberis nervosa*) were observed within the patches of 65-year-old young forest in the study area (Ecological Community 2a shown on Map 3).

This BC Conservation Data Centre ranks the status of this community as "Critically imperilled" in BC and "imperilled" globally:

Scientific Name	English Name	Biogeoclimatic Units	Provincial	BC List	Global	COSEWIC	SARA
<i>Pseudotsuga menziesii</i> <i>Berberis nervosa</i>	Douglas-fir / dull Oregon-grape	CDFmm/01	S1 (2018)	Red	G2	N/A	N/A

The small occurrences within the study area are not included in the BC Conservation Data Centre mapped occurrence (Occurrence ID 8621, Shape ID 55731) that covers a substantial portion of Galiano Island. This is likely due to the extent of fragmentation from roads, deforestation, converted lands and residential development in and around the study area.

Species-At-Risk

No red or blue listed species-at-risk were directly observed, and no occurrences were identified for the Affordable Housing Zone by the BC Conservation Data Centre or by iNaturalist. No targeted species-at-risk surveys were completed as part of this assessment.

There is no critical habitat for Federally listed species-at-risk shown to occur within the Affordable Housing Zone. Source: iMAP, compiled by the Canadian Wildlife Service on behalf of Environment and Climate Change Canada (<https://catalogue.data.gov.bc.ca/dataset/critical-habitat-for-federally-listed-species-at-risk-posted->)

The Community Forest (Heritage Forest) Management Plan lists species that were observed or are certain to occur within the Community Forest lands. The list was compiled in 2005 and is applicable broadly to the entire Community Forest, including riparian, wetland, stream, cliff, ridge, and other habitats that are not found within the 'Affordable Housing Zone'. The 2005 list includes several species designated as 'at-risk' by the BC Conservation Data Centre. These are listed below with their relevant at-risk status along with an assessment of their potential use or, presence within the study area. Potential use of the study area is based on interpretation of species habitat requirements found in B.C. Conservation Data Centre Species Summaries (accessed December 3rd, <https://a100.gov.bc.ca/pub/eswp/>).

Scientific Name	English Name	Prov.	BC List	COSEWIC	SARA	Potential use of Study Area
<i>Chordeiles minor</i>	Common Nighthawk	S4B (2015)	Yellow	SC (2018)	1-T (2010)	Not likely to occur
<i>Contopus cooperi</i>	Olive-sided Flycatcher	S3S4B (2015)	Blue	SC (2018)	1-T (2010)	May be present

Scientific Name	English Name	Prov.	BC List	COSEWIC	SARA	Potential use of Study Area
<i>Falco peregrinus anatum</i>	Peregrine Falcon, <i>anatum</i> subspecies	S2? (2011)	Red	NAR (2017)	1-SC (2012)	Not likely to occur
<i>Hirundo rustica</i>	Barn Swallow	S3S4B (2015)	Blue	T (2011)	1-T (2017)	Not likely to occur
<i>Patagioenas fasciata</i>	Band-tailed Pigeon	S3S4 (2015)	Blue	SC (2008)	1-SC (2011)	May be present
<i>Rana aurora</i>	Northern Red-legged Frog	S3 (2016)	Blue	SC (2015)	1-SC (2005)	Foraging Non-breeding

In addition there is one nearby element occurrences documented on iMAP shown to occur within Montague Provincial Park

<i>Megascops kennicottii</i>	Western Screech-Owl	S4 (2015)	No Status	T (2012)	1-T	Not likely to occur
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Hydrology

Generally, the 'Affordable Housing Zone' is located on the mid to lower portion of a gentle northeast facing slope and is characterized by well drained sandy soils with a high coarse fragment content over top of sandstone bedrock. There are no stream channels or other evidence of concentrated surface water flow observed within the area. A ditch was mapped along the upslope side of the lower portion of an old logging road bisecting Proposed Lot B, but no water was observed. Surface water was observed at points along the ditch located within the Public Road dedication (Georgia View extension). There were also a few small puddles observed within Ecological Community 3c where soils were particularly compacted and rutted from previous disturbance. Sub-surface water flow is slowing and accumulating in these areas associated with the lower portion or toe of the slope. This is compounded by further flow restriction from compacted soil layers associated with the constructed public road and disturbed areas within Ecological Community 3c.

Ecosystem Description

Methodology

For the purposes of this report, the study area was divided into 3 primary ecological communities according to slope position, soils, disturbance history and observed vegetation. Each community and its variation are described and documented based on field observations from site visits conducted on November 18th and 19th, 2020. Documentation includes mapping, inventory, and photographs. Documentation also includes the identification, mapping and measuring of all observed remnant old-growth and large diameter (>60cm) trees. The locations of the ecological communities are shown in relation to photo points, other mapped features, and proposed property boundaries on Map 3 below. The inventory was focused within the area defined as the “Affordable Housing Zone”, delineated with the Galiano Club’s ‘Community Forest (Heritage Forest) Management Plan (2020).’ The field survey at times extended slightly beyond the boundaries of the “Affordable Housing Zone” and GIS based ecosystem mapping extended to the natural boundary of the communities to provide context for the subject area.

The format for the description of ecosystem types has been adapted from the Field Manual for Describing Terrestrial Ecosystems - Site and Vegetation forms (Land Management Handbook #25 2nd Edition, BC Ministry of Environment, Lands, and Parks / BC Ministry of Forests, 2008. Percent cover estimates for vegetation provide a general sense of the relative abundance of species. Site series were determined from an examination of soils and vegetation and are based on the Field Guide to Site Identification and Interpretation for the Vancouver Forest Region (Land Management Handbook #28, BC Ministry of Forests Research Branch, 1994). Site Series were also referenced with data from the ‘Terrestrial Ecosystem Mapping of the Coastal Douglas-fir Biogeoclimatic Zone’ (2008, Madrone Environmental Services). A Trimble GeoXH 6000 GPS was used to accurately identify boundaries and other features such as roads and large diameter trees.

General Description

The Affordable Housing Zone is a roughly 200-meter wide strip that runs along side the Georgia View public road extension. It is located on a gradual northeast facing slope that transitions from the toe of a narrow bench where the public road is located up through to the mid slope position. Generally, the area is characterized by rapidly to well drained, sandy soils with a high content of platy, sandstone coarse fragments, over fractured sandstone bedrock. Soil depth is variable, from very shallow (<20cm to bedrock) to moderate (1m to bedrock). The forest is considered ‘zonal’ in the Coastal Douglas-fir Biogeoclimatic Zone and is classified by the 2008 Terrestrial Ecosystem Mapping (TEM) as follows:

- Lower bench portion: Shrubby CDFmm/01s forest: Douglas-fir – salal, with shallow soils¹, and trees generally less than 10m tall.

¹ s = shallow soils: 20–100 cm to bedrock

- Mid-slope portion: 70% shrub (less than 10m tall) CDFmm/01ks forest: Douglas-fir – salal on a cool aspect² and with shallow soils, and 30% young (30 to 80-years-old) CDFmm/01ks forest.

The Douglas-fir – salal (CDFmm/01) ecosystem is the most common on Galiano Island and comprises over 60% of the forested Coastal Douglas-fir Zone landscape.

Ground based field observations generally confirms the TEM mapping classification, identifying two primary age classes of forest, ~20-years-old (5.1 ha or 68%) and ~65-years-old (2.4 ha or 32%).

The immature 20-year-old forest has been further divided according to slight variation in soil moisture, consisting of a dryer Douglas-fir – salal dominated component (2.6 ha. / 35%) along with moister red alder – sword fern dominated component (2.5 ha / 33%). Within the slightly moister area, the survey picked up further variation associated with disturbance to the soils, delineating two small areas where soils are compacted (0.37 ha.) and one small area that appears to have been subject to soil and gravel extraction (0.2 ha.).

The young 65-year-old Douglas-fir dominated forest includes scattered remnant old-growth Douglas-fir trees along with several large diameter arbutus trees.

² k = cool aspect: occurs on aspects 285°–135°, on moderately steep slopes (35%–100% in the CWH and CDF)

Map 3

MAP 3: Ecological Communities

Galiano Community Forest- Affordable Housing Zone

Produced by: Keith Erickson

Map Date: Nov 25, 2020

UTM Zone 10 NAD83

Scale 1 : 3,000

0 20 40 80 Meters

Ecological Community

- EC01: 20 year-old Douglas-fir - salal
- EC02a: Contiguous 65 year-old Douglas-fir - salal
- EC02b: Fringe 65 year-old Douglas-fir - salal
- EC02c: Mature Douglas-fir - salal
- EC03a: 20 year-old red alder - sword fern
- EC03b: Severely disturbed soils - Scotch broom / grass
- EC03c: Moderately compacted soils - native shrub / grass
- EC03d: 20 year-old Douglas-fir / grand fir - sword fern

Old-Growth Douglas-fir (dbh labeled)

Large Diameter Arbutus (dbh labeled)

Tree Protection Zone (radius = 12 x trunk dbh)

Photo Point

Drilled Well

Test_Pit

Public Trail

Affordable Housing Zone - 7.5 ha. (CF Mgmt Plan)

Proposed Affordable Housing Lot - 2 ha.

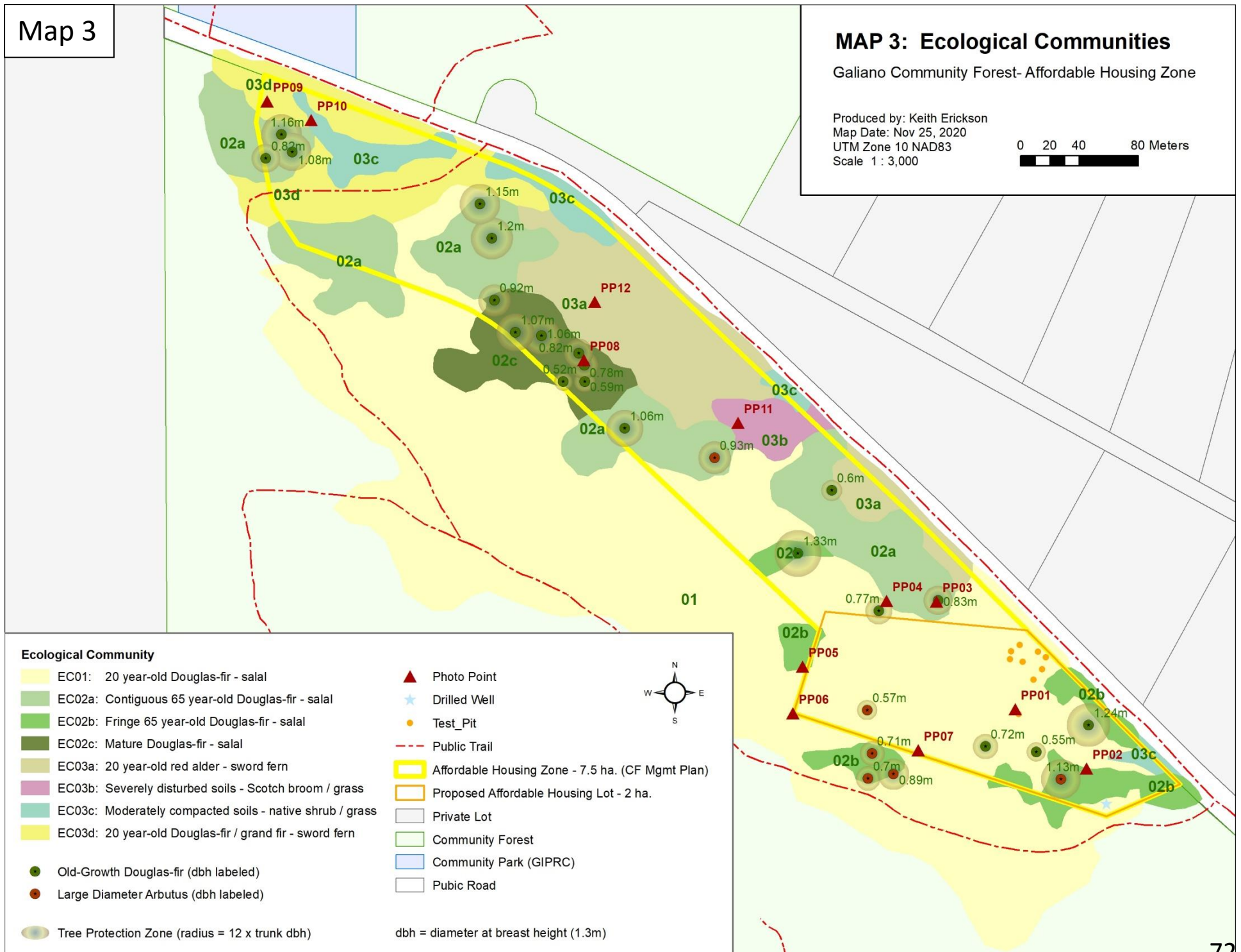
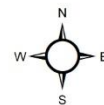
Private Lot

Community Forest

Community Park (GIPRC)

Public Road

dbh = diameter at breast height (1.3m)



Ecological Community 1

Description: Ecological Community 01 is characterized by a gentle, northeast slope with medium to shallow depth, rapidly drained soils and a regenerating, Douglas-fir dominated, pole forest canopy. Salal and Oregon-beaked moss dominate the understory, occurring alongside scattered evergreen huckleberry shrubs and climbing Western trumpet honeysuckle vines. The forest remains somewhat patchy, with a matrix of dense trees and relatively sparse understory interwoven with open canopy gaps where shrub and moss growth are plentiful. The community also includes scattered individual or small clusters of remnant trees that were not cut during the most recent logging. These include young Western redcedar, Douglas-fir and Arbutus trees, some older Arbutus trees with exceptionally large trunk diameters and a few old-growth Douglas-fir trees.

There are patches scattered throughout where bedrock approaches the surface and soils are shallow. Vegetation in these areas transitions from Oregon-beaked moss as a dominant moss cover to step moss with patches of electrified cattail moss. While salal persists, there is occurrence of Oregon-grape. Soils in these areas are slightly drier and poorer than deeper sites.

This community was logged roughly 20 years ago. It was part of a larger clear-cut that left small patches and individual young trees that were generally not large enough for commercial purposes. The logging also spared a few remnant veteran trees, likely for seeding purposes. It appears logging was completed with extensive machine use resulting in widespread soil compaction of varying degrees with shallow soil areas being most severely affected.

If left to natural succession, this community will continue as a dense Douglas-fir dominated canopy with little understory diversity as it becomes a young forest. As it ages it will naturally thin during the stem exclusion phase, slowly opening over the next century and moving into a more diverse, Douglas-fir dominated zonal mature forest.



Photo Point 01 @ 0°: Representative of EC01 with a septic test pit in the foreground showing the sandy soils with high platy sandstone coarse fragment content.



Photo Point 06 @ 75°: Representative of EC01 taken from the southwest corner of the proposed Lot B



Photo Point 07 @ 0°: Representative of EC01 salal dominated gap on a steeper 25% mid slope grade.

EC	01	Slope:	15–25%	Aspect:	30°
Structural Stage:	Pole	Meso-slope Position:	Mid-lower	Site Series:	CDFmm/01
Soil Nutrients	Poor-med	Soil Moisture	2 - 3	Canopy Closure:	50%

Vegetation Species	A1	A2	A3	B1	B2	C	D	Notes
<i>Pseudotsuga menziesii</i> (Douglas-fir)	1		1	45	T			
<i>Thuja Plicata</i> (Western red cedar)				T	T			
<i>Arbutus menziesii</i> (arbutus)			1	2				
<i>Tsuga heterophylla</i> (Western hemlock)				T	T			
<i>Abies grandis</i> (grand fir)				T	T			
<i>Gaultheria shallon</i> (salal)				1	30			
<i>Alnus rubra</i> (red alder)			T					
<i>Berberis nervosa</i> (dull Oregon-grape)					T			
<i>Vaccinium ovatum</i> (evergreen huckleberry)				T	5			
<i>Polystichum munitum</i> (sword fern)						T		
<i>Vaccinium parvifolium</i> (red huckleberry)					T			
<i>Lonicera ciliosa</i> (Western trumpet honeysuckle)				T	T			

<i>Rubus ursinus</i> (trailing blackberry)								
<i>Pteridium aquilinum</i> (bracken fern)						T		
<i>Trientalis latifolia</i> (western star flower)						T		
<i>Rubus leucodermis</i> (blackcap)					T			
<i>Cytisus scoparius</i> (Scotch broom)					T			
<i>Galium triflorum</i> (sweet-scented bedstraw)						T		
<i>Rubus discolor</i> (Himalayan blackberry)				T	T			
Grass spp.						T		
<i>Eurhynchium oreganum</i> (Oregon beaked-moss)							40	
<i>Rhytidiadelphus triquetrus</i> (electrified cat's-tail moss)							T	
<i>Hylocomium splendens</i> (step moss)							2	
<i>Dicranum sp.</i>								
<i>Polytrichum juniperinum</i> (Juniper haircap moss)								
Cover by Layer (%)	Tree:	50	Shrub:	35	Herb:	<1	Moss:	40

Soils: Rapidly drained. Thin Ah over variable depth of sandy B horizon with high content of coarse fragments, over fractured sandstone bedrock.

Recommendations/notes:

- Avoid disturbance to veteran trees and root zones.
- Dense Douglas-fir areas would benefit from thinning treatments and limbing dead branches to 2m. This will reduce fire hazard and increase biodiversity.

Ecological Community 2

Description: Ecological Community 02a is an older version of Ecological Community 01, characterized by young Douglas-fir dominated canopy roughly 65 years in age, with a salal, evergreen huckleberry and Oregon-beaked moss dominated understory. Site conditions are consistent with Ecological Community 01, a gentle, northeast slope with medium to shallow depth, rapidly drained soils. Arbutus and Western redcedar are scattered throughout in the sub-canopy along with the odd dominant, remnant old-growth Douglas-fir tree.

Ecological Community 02b is a minor variant of 2a with less of a uniform Douglas-fir dominated canopy. These are fringe sites with more edge and less interior area and more influence from Ecological Community 01. There is a higher percentage of Arbutus and Western redcedar interspersed with 'encroaching' younger 20-year-old Douglas-fir.

Ecological Community 02c is another variant. It is distinguished by a higher density of old-growth Douglas-fir trees, giving the community more of a mature forest character. There is a larger component of coarse woody debris along with a slightly more diverse herb and moss layers.



Photo Point 03 @ 310°: Representative of EC02a.



Photo Point 05 @ 310°: Representative of EC02b.



Photo Point 02 @ 230°: Representative of EC02b



Photo Point 08 @ 180°: Representative of EC02c – mature forest characteristics.

EC	02	Slope:	15-20%	Aspect:	35°
Structural Stage:	Young Forest	Meso-slope Position:	Mid-lower	Site Series:	CDFmm/01
Soil Nutrients	Poor - medium	Soil Moisture	2 - 3	Canopy Closure:	60%

Vegetation Species	A1	A2	A3	B1	B2	C	D	Notes
<i>Pseudotsuga menziesii</i> (Douglas-fir)	1	55	2	1	T			
<i>Thuja Plicata</i> (Western redcedar)		T	2	T				
<i>Arbutus menziesii</i> (arbutus)		T	1	T				
<i>Salix scouleriana</i> (Scouler's willow)				T				
<i>Abies grandis</i> (grand fir)				T	T			
<i>Gaultheria shallon</i> (salal)					40			
<i>Alnus rubra</i> (red alder)			T	T				
<i>Berberis nervosa</i> (dull Oregon-grape)					T			
<i>Polystichum munitum</i> (sword fern)						T		
<i>Vaccinium ovatum</i> (evergreen huckleberry)				T	5			
<i>Lonicera ciliosa</i> (Western trumpet honeysuckle)				T	1			
<i>Lonicera hispidula</i> (hairy honeysuckle)					T			
<i>Rubus ursinus</i> (trailing blackberry)					T			
<i>Pteridium aquilinum</i> (bracken fern)						T		
<i>Trientalis latifolia</i> (western star flower)						T		
<i>Digitalis purpurea</i> (foxglove)						T		
<i>Cytisus scoparius</i> (Scotch broom)				T	T			
<i>Calypso bulbosa</i> (fairyslipper)						T		
<i>Goodyera oblongifolia</i> (rattlesnake plantain)						T		
<i>Grass spp.</i>						T		
<i>Eurhynchium oreganum</i> (Oregon beaked-moss)							35	
<i>Rhytidiadelphus triquetrus</i> (electrified cat's-tail moss)							1	
<i>Hylocomium splendens</i> (step moss)							10	
<i>Dicranum sp.</i>							T	
<i>Polytrichum juniperinum</i> (Juniper haircap moss)							T	
Cover by Layer (%)	Tree:	60	Shrub:	45	Herb:	1	Moss:	45

Soils: Rapidly drained. Thin Ah over variable depth of sandy B horizon with high content of coarse fragments, over fractured sandstone bedrock.

Recommendations/notes:

- Avoid disturbance to small patches of red listed Douglas-fir – Oregon-grape community on shallow soiled slightly convex (raised) microsites.
- Avoid disturbance to veteran trees and root zones.
- Avoid disturbance to EC02c with high concentration of veteran trees and mature characteristics.
- Opportunity for modest thinning treatments of young Douglas-fir to achieve more desirable density to maintain understory diversity as surrounding pole forest grows up and reduces light penetration from edges. This could also reduce fire risk.

Ecological Community 3

Description: Ecological Community 03 is characterized by well-drained soils on a flat to gentle, moisture receiving, lower or toe slope. Soils are slightly moister and slightly richer than those in Ecological Community 01. **Ecological Community 03a** is dominated by a roughly 20-year-old red alder canopy with scattered, suppressed Douglas-fir in the sub-canopy. Scouler's willow, bitter cherry, big-leaf maple, grand fir and Western redcedar are also peppered throughout the stand. Sword fern is the dominant cover in the understory with dense salal patches mixed in, along with scattered salmonberry and evergreen huckleberry plants.

The community includes significant variation mainly due to differences in soil disturbance. **Ecological Community 03b** appears to have been used for gravel extraction, with exposed bedrock observed throughout the site and steep cut bank slopes around its edges. Organic material was scraped off and mineral soil was removed for road building purposes. Remaining soil is also now severely compacted. Vegetation in EC03b is dominated by Scotch broom (25% cover) and agronomic grasses (35% cover) and includes a patch of gorse. There are a few scattered red alder trees and Douglas-fir seedlings and saplings growing on the site, with both increasing in cover towards the edges where soils are less compacted.

Areas characterized by **Ecological Community 03c** exhibit compacted soils and were likely used as landing or sorting areas during past logging events. These disturbed sites are dominated by agronomic grasses (50% cover) with patches of salal (15%), sword fern (15%) scattered throughout. There is modest pole and sapling tree cover including red alder (15%), Scouler's willow, bitter cherry, Western redcedar, Douglas-fir (5%) and grand fir. Scotch broom (1%) and Himalayan blackberry were also observed. Some pooling of surface water was observed in the odd depression in these sites – moisture moving through the soil column accumulates due to the toe slope position combined with the soil compaction.

Ecological Community 03d is characterized by a conifer dominated canopy with scattered patches of red alder. Douglas-fir is the primary species occurring alongside grand fir and Western redcedar and the odd bitter cherry. Sword fern and salal are co-dominant in the understory.



Photo Point 12 @ 325°: Representative of EC03a – red alder dominated canopy.



Photo Point 11 @ 270°: Representative of EC03b – broom and grass dominated gravel extraction site.



Photo Point 10 @ 135°: Representative of EC03c – old landing / sorting areas with compacted soils.



Photo Point 09 @ 290°: Representative of EC03d – Douglas-fir, grand fir dominated canopy.

EC:	03	Slope:	2-10%	Aspect:	10-20°
Structural Stage:	Mixed	Meso-slope Position:	Knoll	Site Series:	CDFmm/01-04
Soil Nutrients	C-D	Soil Moisture	3-4	Canopy Closure:	60%

Vegetation Species	A1	A2	A3	B1	B2	C	D	Notes
<i>Thuja Plicata</i> (western red cedar)	T			T	T			
<i>Pseudotsuga menziesii</i> (Douglas-fir)	T	T		10	T			
<i>Acer macrophyllum</i> (big-leaf maple)		T						
<i>Abies grandis</i> (grand fir)		T		1	T			
<i>Tsuga heterophylla</i> (western hemlock)		T		T				
<i>Alnus rubra</i> (red alder)		50		10				
<i>Prunus emarginata</i> (bitter cherry)		T						
<i>Salix scouleriana</i> (Scouler's willow)		T		T				
<i>Rubus spectabilis</i> (salmon berry)				T	T			
<i>Cytisus scoparius</i> (Scotch broom)				1	T			
<i>Gaultheria shallon</i> (salal)				T	10			
<i>Ilex aquifolium</i> (English holly)					T			
<i>Polystichum munitum</i> (sword fern)						40		
<i>Mahonia aquilinum</i> (tall Oregon-grape)					T			
<i>Lonicera hispidula</i> (hairy honeysuckle)				T				
<i>Rubus discolor</i> (Himalayan blackberry)				T	T			
<i>Rubus ursinus</i> (trailing blackberry)					T			
<i>Pteridium aquilinum</i> (bracken fern)						1		
<i>Fragaria vesca</i> (woodland strawberry)						T		
<i>Rosa nootkensis</i> (Nootka rose)				T				
<i>Vaccinium ovatum</i> (evergreen huckleberry)					T			
<i>Achlys triphylla</i> (vanilla leaf)						1		
<i>Digitalis purpureum</i> (foxglove)						T		
<i>Trientalis latifolia</i> (broad-leaf starflower)						T		
<i>Senecio jacobaea</i> (tansy ragwort)						T		
<i>Hypochaeris radicata</i> (hairy cats-ear)						T		
<i>Grass spp.</i>						5		
<i>Cirsium arvense</i> (Canada thistle)						T		
<i>Cirsium vulgare</i> (bull thistle)						T		
<i>Eurhynchium oregonum</i> (Oregon beaked moss)							10	
<i>Rhytidiadelphus loreus</i> (lanky moss)							T	
<i>Hylocomium splendens</i> (step moss)							T	
<i>Dicranum sp.</i>							T	
Cover by Layer (%)	Tree:	60	Shrub:	25	Herb:	50	Moss:	10

Soils: Soils are well to moderately well drained. Moderate Ah over sandy B horizon with moderate content of coarse fragments, over fractured sandstone bedrock. Soils in EC03b and 03C are compacted.

Recommendations/notes:

- Ecology and hydrology of EC03b and EC03c would benefit from 'rough and loose' soil decompaction treatment. More information on this technique can be found @ <https://www.cclmportal.ca/resource/making-sites-rough-and-loose-soil-adjustment-technique>

Distribution of Ecosystem Types

The table below summarizes the size of each Ecological Community within the entire study area (Affordable Housing Zone), within Proposed Lot B, and within the remainder of the Affordable Housing Zone if Lot B were to be subdivided and removed.

Ecological Community	Affordable Housing Zone		Proposed Lot B		Remainder	
	Area (ha.)	% of Zone	Area (ha.)	% of Lot B	Area (ha.)	% of Remainder
01	2.6	35%	1.67	83.5%	0.93	17%
02a	1.66	22%			1.66	30%
02b	0.39	5%	0.3	15.0%	0.09	2%
02c	0.38	5%			0.38	7%
03a	1.21	16%			1.21	22%
03b	0.2	3%			0.2	4%
03c	0.37	5%	0.03	1.5%	0.34	6%
03d	0.69	9%			0.69	13%
TOTAL	7.5		2.0		5.5	

Summary of Significant Ecological Values

Biological Legacies

While the entire area has been logged at different times, there remains about two dozen old-growth Douglas-fir trees and large diameter arbutus that are relatively rare and highly valued on Galiano. These features generally occur within and on the edges of the small 65-year old-forest patches described as Ecological Community 02. The highest concentration of these veteran trees is found in Ecological Community 2c, where cumulatively they result in more of a mature or old forest character.

There are a couple of small microsites on shallow soiled, slightly convex shaped microsites within Ecological Community 2a where examples of the red listed, Douglas-fir – dull Oregon-grape plant community appear to be developing.

Wildlife Habitat

By nature of the property level planning that determined the extent of the ‘Affordable Housing Zone’, there are no highly valued wetland, stream or riparian forest areas within the study area, nor are there any rare habitats such as woodlands.

While formal inventory of wildlife was not included within the scope of this study, a general assessment of wildlife habitat has been derived from the ecological conditions present on the site. The following summarizes excerpts from a paper *Diversifying Forest Structure to Promote Wildlife Biodiversity in Western Washington Forests* (Washington State University Extension - EM044. 2012. Kevin W. Zobrist, Thomas M. Hinckley. Washington State University) which provides a distillation and summary of the extensive body of scientific literature on the subject (direct quotes in italics):

To meet the ecological needs of a broad range of species, structural diversity is needed, both in individual stands of trees and in the broader landscape, to provide a variety of habitat elements. This means having a three-dimensional variety of shapes, sizes, structures, and spatial arrangements in the forest.

Dense, even aged, single species stands support few wildlife species due to sparse understory vegetation and lack of structural complexity. Open, mixed species, mixed age stands tend to support a robust and diverse understory cover and layered forest canopy, providing habitat for more wildlife species.

Species diversity also plays a major role in determining the quality of wildlife habitat.

A mixture of different conifer species, especially shade-tolerant species such as western hemlock and western redcedar, provides different tree sizes, live-crown lengths, and shapes. A mix of both conifer and hardwood species provides a broader variety of shelters and food sources for wildlife.

Hardwoods provide particularly important habitat elements for all sorts of wildlife including small mammals and birds. Even small amounts of hardwood canopy cover in an otherwise coniferous forest

can greatly increase the abundance of birds. Hardwood species that produce hard and soft mast (nuts and berries, respectively) are particularly important wildlife food sources. This includes both tree and understory shrub species.

Areas of highest wildlife significance within the study area are where structural and species diversity are highest. These include:

- Areas around large remnant old-growth trees, considered as legacy structures which hold valuable genetic diversity, likely include refugia for remnant soil flora and fauna in and around their root systems, and provide dominant structural components as large live trees and throughout their full cycle as large snags and ultimately large woody debris on the ground.
- Areas characterized by EC 03 where there is a higher diversity of tree species, there are large stands of red alder (hardwood), and the understory is robust and diverse. This includes the shrub and grass dominated compacted areas (EC03b and EC03c) which provide more open, non-treed gaps utilized by birds, bats, and other species.
- Areas along the edges of the young forest patches where the 65-year-old stands meet the immature, 20-year-old stands. These areas provide slightly higher structural diversity due to the varied canopy heights along the edges.

Of least value to wildlife are the dense, single aged, Douglas-fir dominated conditions described within EC 01. This stand is entering into the 'stem exclusion stage' when the canopy quickly closes, understory vegetation cover and diversity is reduced, and the salal dominated gaps diminish in size or disappear.



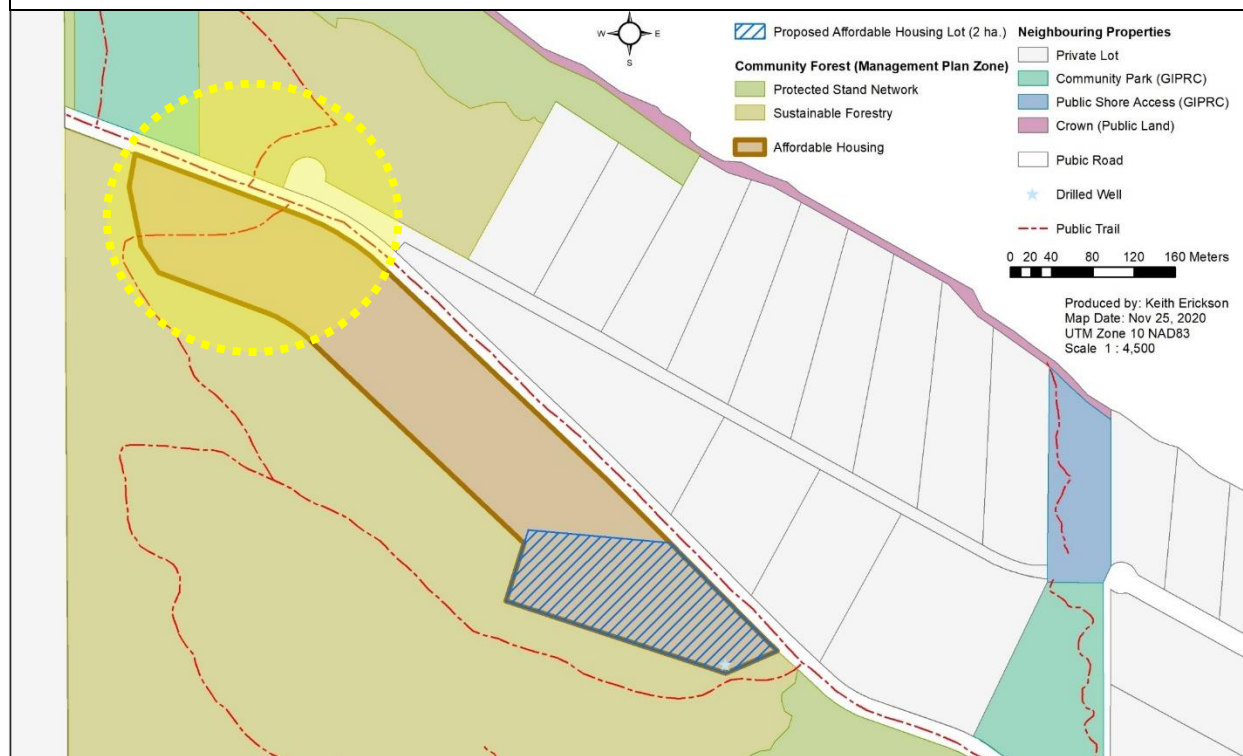
Photo Point 04 @ 310°: Shows structural diversity found in transitional edges between EC02a on right, to EC01 on left. Dominant old-growth Douglas-fir trees in background rise up above the canopies of both communities.

Recommendations

Site Plan

- 1) Minimize landscape fragmentation by locating development in areas adjacent to existing residential lots and use. Avoid locating development in the northwestern portion of the 'Affordable Housing Zone' (see yellow highlighted area in Figure 5 below) where there is a contiguous tract of undeveloped forest land (with exception of the Road Dedication) extending from the southern portion of the Community Forest through the CRD Community Park and northern shoreline portion of the Community Forest to the Georgia Strait. It is also noted that this area contains an established public foot trail.

Figure 5: Minimize Fragmentation - Yellow circle shows area where development should not occur



- 2) Minimize the encroachment of the development footprint into young, 65-year-old forest ecosystems found in Ecological Communities 02a and 02b.
- 3) Avoid any disturbance to Ecological Community 02c where remnant old-growth tree density is highest and mature forest structure is emerging.
- 4) Minimize encroachment of the development footprint into the slightly more diverse immature forest ecosystems found in Ecological Community 03a and 03d.
- 5) Focus development within areas of least structural and species diversity, in this case Ecological Community 01, where a dense, single-storied, Douglas-fir dominated stand is regenerating.

- 6) Focus the development footprint on established roads and areas where soils are already heavily disturbed and compacted as much as possible.
- 7) Reduce fragmentation of the forest by keeping the development compact and minimizing the required footprint for structures and services. For example, place gardens to the north of buildings so tree clearing required for the building footprint also provides light for garden.
- 8) Protect biological legacies. Retain, and establish a Tree Protection Zone around old-growth Douglas-fir trees and large diameter arbutus trees.
 - a) Tree Protection Zone areas indicated on Map 3 represent the Critical Rooting Zone around each mapped tree. The 'trunk diameter method' was used, creating a protection zone radius that is equal to 12 centimeters for every one centimeter of trunk diameter measured at breast height (1.3m).
 - b) **Recommend consulting with a certified arborist** to determine the health of all old-growth or large diameter trees within the development area, to assess the impacts to these trees from the proposed development, and to provide specific recommendations for protection and establishment of the critical rooting zones.
- 9) Retain as much forest structure and natural vegetation cover as possible within the development area. Retain large diameter coarse woody debris and dead standing trees (snags) within undeveloped areas of the proposed Lot to provide wildlife habitat.
- 10) Within the development, minimize the area of impervious surfaces. Consider use of permeable materials for parking lot construction. "Permeable pavement surfaces are made of either a porous material that enables stormwater to flow through it or nonporous blocks spaced so that water can flow between the gaps. Stormwater flows into and is stored in an underlying stone reservoir. Permeable pavement is commonly used on roads, paths and parking lots subject to light vehicular traffic, such as cycle-paths, service or emergency access lanes, road and airport shoulders, and residential sidewalks and driveways." (https://en.wikipedia.org/wiki/Permeable_paving)
- 11) Minimize soil compaction and disturbance required for development through design that narrows or focuses required movement between buildings and infrastructure and reduces need for clearings.
- 12) Minimize soil compaction to areas outside of the infrastructure footprint during the construction phase. Restore any areas outside of the development footprint where soils were temporarily compacted due to construction using the 'rough and loose' method. Also consider restoring areas that were previously compacted (skid roads, logging landing sites) from logging activities. More information on the 'rough and loose' technique can be found @ <https://www.cclmportal.ca/resource/making-sites-rough-and-loose-soil-adjustment-technique>
- 13) Create bioswales along driveways and downslope from parking areas and other impervious surfaces to manage surface runoff and promote infiltration back into the groundwater system. Consider

construction of a rain garden or retention wetland in series with bioswales to provide additional capture of excess runoff from impermeable surfaces (roofs, parking areas) and promotion of infiltration.

- 14) Install rainwater catchment and storage systems to reduce roof runoff and reduce pressure on groundwater resources.
- 15) Incorporate 'wildlife zones' into the design where no ongoing use occurs. Restoration and wildlife enhancement measures should be focused in these areas.

Construction Management

- 16) Establish temporary high visibility fencing around the perimeter of each Tree Protection Zone prior to any site preparation or construction.
- 17) Minimize impacts to vegetation during the construction process, and immediately revegetate/restore any areas where temporary damage is necessary for construction purposes. Include measures such as the erection of temporary fencing (snow fence) to ensure construction activities and storage materials do not encroach into areas that are to remain natural.
- 18) Retain any large diameter coarse woody debris material from areas that are cleared for the development footprint to use for restoration or enhancement of natural areas outside the footprint.
- 19) Any soils exposed or deposited for a period of greater than two (2) weeks should be covered and maintained by means of tarps in good repair and/or hydromulch (without seeds).
- 20) The use of machinery and equipment should be restricted to the minimum area for the construction of the development.
- 21) Control invasive exotic vegetation – remove Scotch broom, holly and Himalayan blackberry within the development area. 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 on a regular basis.
- 22) All machinery and equipment should be inspected for leaks prior to operation.
- 23) Machinery and equipment should ideally be refuelled offsite or at a designated location on an impermeable surface where spills can be contained. 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.

Timing and Monitoring

- 24) Site clearing should not be completed during sensitive breeding season, generally from late February through August for most species.
- 25) Site clearing should be undertaken during dry weather and not during periods of prolonged rainfall.
- 26) Monitor, evaluate, and if necessary, employ further mitigation measures during all phases of the development and construction process.

Conclusion

In conclusion and further to the assessment, there are no ecological concerns that appear to constrain an application for rezoning and development of the proposed Lot B (seen on Map 2) for affordable housing. The proposed configuration directly addresses recommendations #1 through #5 (see table below). Remaining recommendations provide guidance for minimizing the ecological impacts of the proposed development and are meant to inform the design of the detailed site plan and the construction process.

Lot Siting Recommendation	Results of Proposed Lot B Configuration
1) Minimize landscape fragmentation by locating development in areas adjacent to existing residential lots and use. Avoid locating development in the northwestern portion of the 'Affordable Housing Zone'.	Proposed Lot B is in the southeast corner of the Affordable Housing Zone adjacent to existing residential development.
2) Minimize encroachment into young, 65-year-old forest ecosystems found in Ecological Communities 02a and 02b.	• Ecological Community 2b accounts for 0.3 ha. or 15% of Proposed Lot B. • Ecological Communities 02a/b account for 2.05 ha. or 27% of the Affordable Housing Zone.
3) Avoid Ecological Community 02c where remnant old-growth tree density is highest and mature forest structure is emerging.	Proposed Lot B does not include any portion of Ecological Community 02c.
4) Minimize encroachment into the slightly more diverse immature forest ecosystems found in Ecological Community 03a and 03d.	Proposed Lot B does not include any portion of Ecological Communities 03a or 03d.
5) Focus development within areas of least structural and species diversity - Ecological Community 01, where a dense, single-storied, Douglas-fir dominated stand is regenerating.	• Ecological Community 01 accounts for 1.67 ha. or 83.5% of Proposed Lot B. • Ecological Community 01 accounts for 2.6 ha. or 35% of the Affordable Housing Zone.



February 10, 2021

Via E-mail: Haley.Leech@gov.bc.ca

Attention: Haley Leech
Development Officer
Ministry of Transportation and Infrastructure
240 – 4460 Chatterton Way
Victoria, BC V8X 5J2

Our File #: 21/19
Your File #: 2019-06684

Dear Ms. Leech:

**Re: Subdivision Application for Lot 1, District Lots 30 and 31, Galiano Island, Cowichan District,
Plan VIP76996, Except that Part in Plan VIP76997**

We have no objections to the above-noted two lot subdivision proposal.

Please quote our file number **21/19** when contacting this office.

Sincerely,

Doug Watters, CPHI(C)
Environmental Health Officer

DW/rb

cc: Glen Mitchell, glen@mittchellsurvey.ca

February 16, 2021

Fire Smart Principles – Design Features

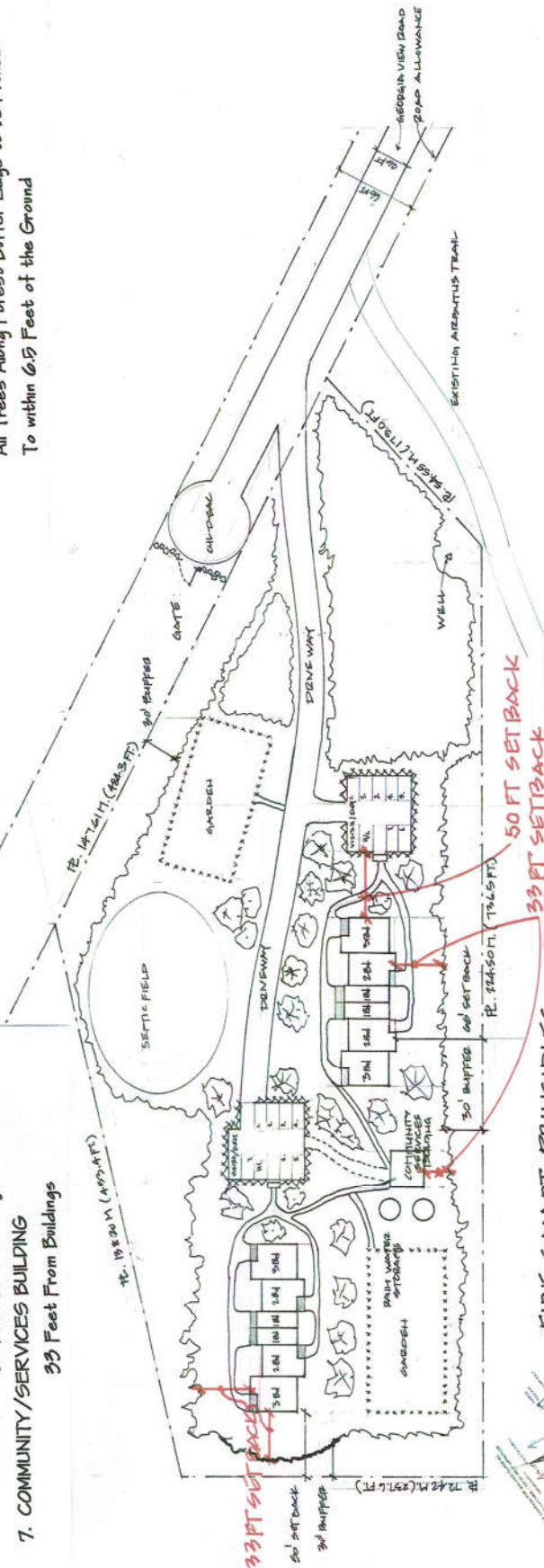
No.	Feature	Fire Smart Principles
1	Roof	Metal Screened gutter Screened vents
2	Siding	Hardiplank or non-combustible fibre cement boards
3	Windows	Double-glazed
4	Doors	Solid wood core 20 minute fire rating
5	Decks	Non-combustible fibre cement boards
6	Fences around parking lots	50 ft from buildings
7	Community Services Building	33 ft set-back from trees
8	Landscaping	Low density planting Fire resistant plants & shrubs No bark mulch
9	Feature Trees	To the south of the buildings – deciduous Small 12-ft high conifers with 10 ft separation
10	Rain Water Storage Tanks	With Quick Fire Department Quick Connections One dedicated storage tank for fire-fighting purposes, certified for fire-protection
11	Power Lines	Underground from Community/Services Building to each unit
12	Set-backs	Minimum 33 ft from forest buffer to buildings
13	Forest Pruning	All trees along forest buffer edge to be pruned within 6.5 ft of the ground
14	Parking Lots	Muster area for emergencies, sized to accommodate turn-around for fire-trucks

FIRE SMART PRINCIPLES - DESIGN FEATURES

1. ROOF
 - Metal
 - Screened Gutter
 - Screened Vents
 - Hardiplank
 - Non-Combustible Fibre Cement Boards
2. SIDING
 - Double Glazed
 - Solid Core Wood
 - 20 Minute Fire Rating
3. WINDOWS
 - Trex Deck
 - Non-Combustible Fibre Cement Boards
4. DOORS
 - Non-Combustible Fibre Cement Boards
5. DECKS
 - Non-Combustible Fibre Cement Boards
6. FENCES Around the Parking Lots
 - 50 Feet From Buildings
7. COMMUNITY/SERVICES BUILDING
 - 33 Feet From Buildings

8. LANDSCAPING

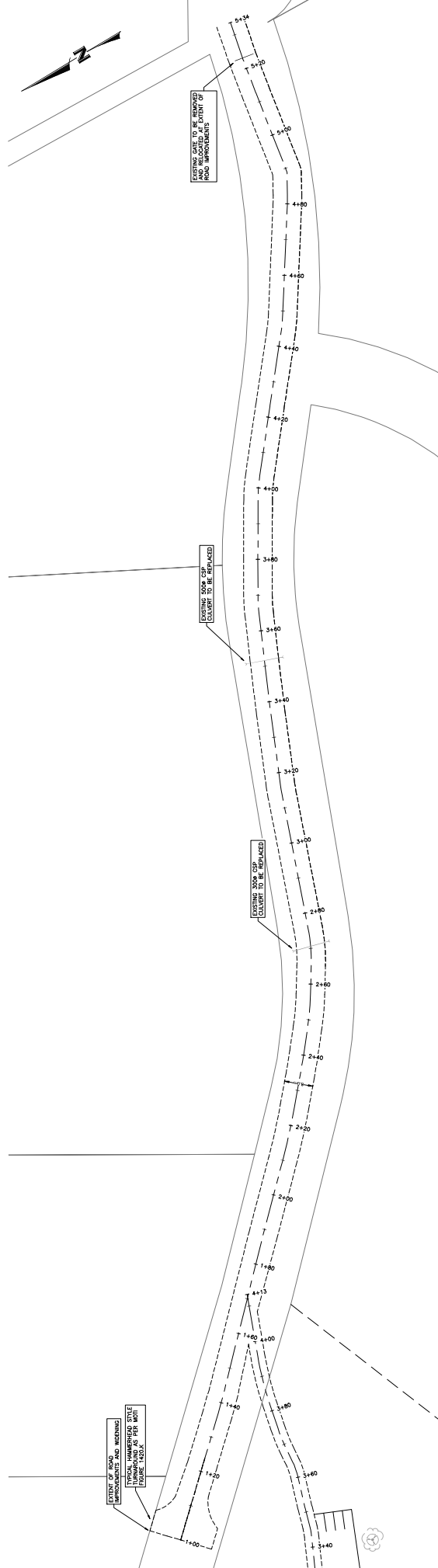
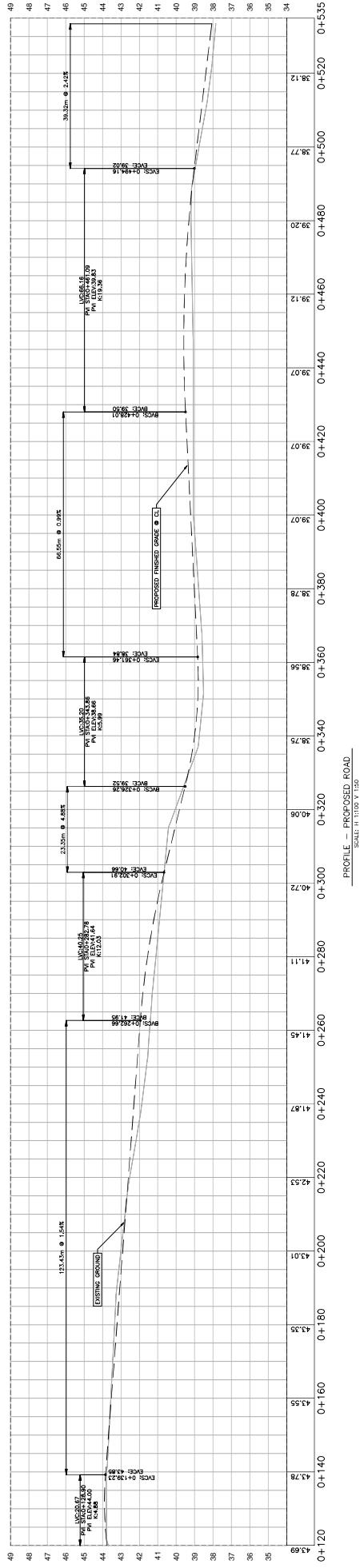
- Low Density Planting
 - Fire Resistant Plants & Shrubs
 - No Bark Mulch
9. FEATURE TREES
 - To the South of the Buildings - Deciduous
 - Small 12-Foot High Conifers with 10 Foot Separation
 10. RAIN WATER STORAGE TANKS
 - With Quick Fire Department Quick Connections
 11. POWER LINES
 - Underground From Community/Services Building to each Unit
 12. SET BACKS
 - Minimum 33 Feet From Forest Buffer to Buildings
 13. FOREST PRUNING
 - All Trees Along Forest Buffer Edge to be Pruned
 - To within 6.5 Feet of the Ground



FIRE SMART PRINCIPLES

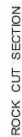


SKA-1 Sheet of Sheets	Job Drawn Scale Date	PRELIMINARY SITE DEVELOPMENT PLAN	AFFORDABLE RENTAL HOUSING GALIANO ISLAND for the GISHARH SOCIETY	■ Gerald ■ Longson ■ Architect as Alter Map 604-673-1111 B.C. 604-673-1111 B.C. gisharh@telusnet.com	Revisions Date
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PLAN - PROPOSED ROAD EXTENSION

[illegible]



These are typical gravel and asphalt deaths to be used in the absence of geotechnical investigation.

- MINIMUM 150 mm S.G.S.B. on Coarse Grained Subgrades (Unified Soils Classification System - GW/GP/GM/GC/SW/SP/SM/SC)

where groundwater does not pose a drainage problem and frost penetration does not affect the structure.

MINIMUM 300 mm S.G.S.B. or Fine Grained Substrates (Unified Soils Classified System - M/C/CI/MH/CH/OH)

No S G S B is resulted in conventional circumstances where the following criteria have been met:

Structural Design Criteria is satisfied

and

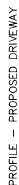
Subgrade material consists of clean granular deposits that satisfy S.G.S.B. gradation and construction criteria (i.e. rutting criteria) in accordance with the latest version of the B.C. MoT Standard Specifications for Highway Construction - Section 202 "GRANULAR SURFACING BASE AND SUB-BASES"

- MINIMUM 150 mm S.G.S.B. in Rock.

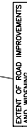
- All levelling materials applied directly to blasted rock cuts shall be of S.G.S.B. quality.

- THE FINAL S.G.S.B. THICKNESS MUST BE APPROVED BY THE REGIONAL GEOTECHNICAL AND MATERIALS ENGINEER.

GRAVEL SUBDIVISION ROAD DETAIL



SCALE: H 1:100 V 1:50



GENERAL NOTES

11. PARKING LOT IS TO BE CONSTRUCTED TO SAME MOT
DESIGN STANDARDS AS GEORGIA VIEW ROAD
EXTENSION

PLAN - PROPOSED DRIVEWAY

SCALE: 1:500



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ISLANDER PROJECT No. 2155
SHEET 3 OF 3 REV. C03



1500



25m

DESIGN APPROVED

GALLIANO ISLAND

DESIGN No. 000
REV. No. 000
DATE 14/02/2018
F.I.T. No. 000

LEGEND — PROPOSED SERVICES SHOWN DASHED

REVISIONS

PROPOSED DRAINAGE

REVISIONS		DESCRIPTION		DESIGNATION		APPROVED BY		DATE	
NO.	DESCRIPTION	DATE	BY	NO.	DESCRIPTION	DATE	BY	NO.	DESCRIPTION
1	ADD NEW DRAINAGE	14/02/2018	ARH	1	ADD NEW DRAINAGE	14/02/2018	ARH	1	ADD NEW DRAINAGE
2	ADD NEW DRAINAGE	14/02/2018	ARH	2	ADD NEW DRAINAGE	14/02/2018	ARH	2	ADD NEW DRAINAGE
3	ADD NEW DRAINAGE	14/02/2018	ARH	3	ADD NEW DRAINAGE	14/02/2018	ARH	3	ADD NEW DRAINAGE
4	ADD NEW DRAINAGE	14/02/2018	ARH	4	ADD NEW DRAINAGE	14/02/2018	ARH	4	ADD NEW DRAINAGE
5	ADD NEW DRAINAGE	14/02/2018	ARH	5	ADD NEW DRAINAGE	14/02/2018	ARH	5	ADD NEW DRAINAGE
6	ADD NEW DRAINAGE	14/02/2018	ARH	6	ADD NEW DRAINAGE	14/02/2018	ARH	6	ADD NEW DRAINAGE
7	ADD NEW DRAINAGE	14/02/2018	ARH	7	ADD NEW DRAINAGE	14/02/2018	ARH	7	ADD NEW DRAINAGE
8	ADD NEW DRAINAGE	14/02/2018	ARH	8	ADD NEW DRAINAGE	14/02/2018	ARH	8	ADD NEW DRAINAGE
9	ADD NEW DRAINAGE	14/02/2018	ARH	9	ADD NEW DRAINAGE	14/02/2018	ARH	9	ADD NEW DRAINAGE
10	ADD NEW DRAINAGE	14/02/2018	ARH	10	ADD NEW DRAINAGE	14/02/2018	ARH	10	ADD NEW DRAINAGE

THE DRAWING AND LAYOUT OF THE PROPOSED SERVICES ON THE EXISTING LANDSCAPE AND THE EXISTING SERVICES ARE THE PROPERTY OF ISLANDER ENGINEERING. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF ISLANDER ENGINEERING. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF ISLANDER ENGINEERING. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF ISLANDER ENGINEERING.

LEGEND — PROPOSED SERVICES SHOWN DASHED

PROPOSED DRAINAGE



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

DATE OF MEETING: March 1, 2021
TO: Galiano Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Galiano Island Land Use Bylaw Technical Review Project

RECOMMENDATIONS

1. That the Galiano Island Local Trust Committee Bylaw No. 278, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2021”, be read a first time.
2. That the Galiano Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directive Policies Checklist and determined that proposed Bylaw No. 278 is not contrary to or at variance with the Islands Trust Policy Statement.
3. That the Galiano Island Local Trust Committee direct staff to schedule a Public Hearing for Bylaw No. 278 following the completion of agency and First Nations referrals.
4. That the Galiano Island Local Trust Committee direct staff to schedule a Community Information Meeting in conjunction with the Public Hearing for Bylaw No. 278.

REPORT SUMMARY

The purpose of this report is to introduce draft Bylaw No. 278 for Galiano Island Local Trust Committee (LTC) consideration and to seek direction on next steps.

The recommendations above are supported as:

- Addressing technical issues and errors in the bylaw will improve clarity and consistency of application;
- The bylaw amendments are consistent with direction provided by LTC at the November 2, 2020 meeting;
- The amendments are not contrary to with the Islands Trust Policy Statement; and,
- Completing agency and First Nation referrals will allow for additional input on the proposed revisions prior to the scheduling of a community information meeting (CIM) and Public Hearing.

BACKGROUND

A technical review of the Galiano Island Land Use Bylaw No.127, 1999 (LUB) has been on the list of LTC projects since 2014. In April 2020, LTC established the LUB technical review as a priority project, and a project charter was subsequently endorsed by LTC at the June 1, 2020 LTC meeting. Process steps in the project charter include:

1. Review LUB for additional potential technical amendments
2. Develop recommendations for consideration by LTC

3. Draft bylaw amendments based on LTC direction
4. Conduct public consultation on proposed amendments
5. First Reading
6. Legislative process

At the November 2, 2020 LTC meeting, LTC reviewed a list of proposed technical amendments and then directed staff to draft an amending bylaw in consideration of those recommendations. Staff are now seeking further direction from LTC on next steps regarding draft Bylaw No. 278 (Attachment 1).

Additional project information, including the project charter, is located here:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/projects-initiatives/lub-technical-review/>

ANALYSIS

November 2020 Proposed Amendments

Staff provided LTC a list of suggested technical amendments at the November 2, 2020 meeting. The table included as Attachment 2 summarizes the direction LTC provided on whether to make each amendment.

Additional Amendments

As staff drafted the bylaw, a number of additional potential amendments were identified, as summarized in Table 1. Staff have included these amendments in draft Bylaw No. 278 for LTC consideration.

Table 1. Additional Technical Amendments for LTC Consideration

LUB Reference	Description of Issue	Proposed Amendment
6.1.11 , 6.13	Zone name incorrect	Amend to read 'Agriculture Zone'
7.1.2	Typo	Amend in to on
7.2.2	Incorrect reference sections	Amend to reference 2.9-2.13 (takes into account that a new 2.13 is being added)
7.3.1.2	References definition Article # that is being deleted re: highway access	Amend to just reference 'highway access'
7.3.4	Accessory structures no clear separation between forestry use versus residential	Amended to be consistent with 7.2.4 that considers separation of forestry/Ag use structures vs residential accessory use
7.4.7	OCP reference no longer relevant	Obsolete OCP reference removed
7.5.3	Administration	Amend to refer to Section as Article #s removed
7.5.3	Incorrect reference sections	Amend to reference 2.9-2.13 (takes into account that a new 2.13 is being added)
8.5.5.1	Imperial reference	Delete reference to 5 ft
8.5.5.2	Typo – 'At least' used twice –	Remove 2 nd instance of 'at least'

12.2.1.1	Clarity of use of walkways - current wording causes uncertainty regarding allowance of all walkways in Marine Zone	Add word 'associated' to more clearly link walkways as accessory to piers
13.2	Obsolete statutory references	Update references to LGA. s.510.1 and 510.3
13.3	Obsolete statutory references	Update LGA s. 946 to s.514
13.12	Incorrect reference	Amend to reference s.13.11
13.22	Section 13.22 does not fit under 'standards for potable water supply' very well - causes confusion	Create new header above 13.22 termed "Water Management Area"
13.29	Incorrect reference	Update reference from VIHA to Island Health
17.1.21	Administration	Update of Drinking Water Guidelines to 2020 standard
17.1.22	Height definition is confusing and redundant – 'Average finished grade' definition not used in bylaw	Definition amended to be simpler with same intent achieved – diagram added - redundant 'Average finished grade' definition deleted
17.1.35	Obsolete statutory references	Update to <i>Liquor Control and Licensing Act</i>

Policy/Regulatory

Islands Trust Policy Statement:

Draft Bylaw No. 278 is not contrary with the Islands Trust Policy Statement as the amendments are generally technical in nature and do not change the intent or scope of the bylaws (checklist provided as Attachment 3).

Official Community Plan

The proposed technical amendments are consistent with the policies of the OCP.

Consultation

Statutory Requirements

In accordance with regular statutory requirements, a Public Hearing would be required as part of the bylaw amendment process. Should draft Bylaw No. 278 proceed to Public Hearing, public hearing notice would be posted as per statutory and bylaw requirements in advance of any public hearing.

CIM

In this case, given the proposed amendments are largely technical in nature, staff recommend holding a CIM in conjunction with a Public Hearing.

Agency Referrals

Staff have identified the following agencies for referral of draft Bylaw No. 278:

- CRD, Planning and Protective Services, Building Inspection
- CRD, Galiano Island Parks and Recreation Commission
- Mayne Island Local Trust Committee
- Salt Spring Island Local Trust Committee
- Thetis Island Local Trust Committee
- Gambier Island Local Trust Committee

LTC may identify additional agencies for referral.

First Nations

Staff have identified the following First Nations for referral of draft Bylaw No. 278:

- Stz'uminus First Nation
- Lake Cowichan First Nation
- Halalt First Nation
- Lyackson First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Pauquachin First Nation
- Tsartlip First Nation
- Tseycum First Nation
- Cowichan Tribes
- Tsawwassen First Nation
- Tsawout First Nation
- Musqueam Indian Band

Rationale for Recommendation

Based on the foregoing, the recommendations on page 1 are supported as:

- Addressing technical issues and errors in the bylaw will improve clarity and consistency of application;
- The bylaw amendments are consistent with direction provided by LTC at the November 2, 2020 meeting;
- The amendments are not contrary to with the Islands Trust Policy Statement; and
- Completing agency and First Nation referrals will allow for additional input on the proposed revisions prior to the scheduling of a CIM and Public Hearing.

ALTERNATIVES

1. Suggest additional amendments

The LTC could provide additional amendments or revisions.

Resolution:

That the Galiano Island Local Trust Committee direct the planner to make the following amendments or revisions_____.

2. Request further information

The LTC could ask for more information.

Resolution:

That the Galiano Island Local Trust Committee request that the planner provide further information on the following LUB sections... prior to giving direction.

3. Receive for information

The LTC could receive the report for information.

Resolution:

That the Galiano Island Local Trust Committee receive the report for information.

4. Proceed no further

The LTC could decide to proceed no further with the project.

Resolution:

That the Galiano Island Local Trust Committee proceed no further with the LUB Technical Amendments project.

NEXT STEPS

With LTC direction, staff will proceed with agency and First Nation referrals prior to the scheduling of a Public Hearing and CIM.

Submitted By:	Brad Smith, Island Planner	Feb 11, 2021
Concurrence:	Robert Kojima, RPM	Feb 12, 2021

Attachments

- 1) Draft Bylaw No. 278
- 2) November 2020 List of Proposed Amendments
- 3) ITPS Checklist

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 278**

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW, 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 127, 1999, Amendment No. 1, 2021”.

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

2.1. Part 2 (General Regulations) is amended by the insertion of a new Section 2.13 as follows:

“2.13 Unless a building or structure on a lot is attached to a principal building on the lot by a completely enclosed structure having walls, roof and floor, it is for the purposes of this Bylaw deemed not to be part of the principal building, but is deemed to be an accessory building or structure.”

2.2. Part 2 (General Regulations) Section 2.14 is amended by inserting “and for stairway structures located in the Park Zone” such that it reads “Buildings and structures must be sited at least 7.5 metres from the natural boundary of the sea, and at least 15 metres from any lake, a swamp and any other natural watercourse. This setback from the sea does not apply to structures located on a highway and for stairway structures located in the Park Zone.”

2.3. Part 2 (General Regulations) Section 2.25 is amended by inserting “to the closest point of the building or structure” such that it reads ““If this bylaw requires buildings, structures and uses to be sited a stated distance from another building, a watercourse or well or the sea, or a zone boundary or lot line, the distance must be measured horizontally to the closest point of the building or structure as illustrated in the following sketch:”

2.4. Part 3 (Home Occupation Regulations) is amended by renumbering the second instance of Section 3.7 that reads “No restaurant, cafe, commercial water bottling enterprise, boarding kennel, fur farm, feed lot or manure-based mushroom growing enterprise is permitted as a home occupation” to Section 3.8.

2.5. Section 5.4 (Rural Residential Zone) Subsection 5.4.6 is amended by:

- i) renumbering Article 5.4.3.1 to 5.4.6.1
- ii) renumbering Article 5.4.3.2 to 5.4.6.2
- iii) renumbering Article 5.4.3.3 to 5.4.6.3.

2.6. Section 5.4 (Rural Residential Zone) Subsection 5.4.7 is amended by:

- i) renumbering Article 5.4.3.1 to 5.4.7.1
- ii) renumbering Article 5.4.3.2 to 5.4.7.2

- iii) renumbering Article 5.4.3.3 to 5.4.7.3.
- 2.7. Section 5.5 (Rural 2 Zone) Subsection 5.5.6 is amended by:
- i) renumbering Article 5.5.3.1 to 5.5.6.1
 - ii) renumbering Article 5.5.3.2 to 5.5.6.2
 - iii) renumbering Article 5.5.3.3 to 5.5.6.3
- 2.8. Section 6.1 (Agriculture Zone) Subsection 6.1.5 is amended by deleting “use for timber production and harvesting must not exceed a height of 9 metres” and replacing it with “used for timber production and harvesting must not exceed a height of 9 metres and agricultural buildings and structures must not exceed two storeys” such that it reads “Accessory buildings and structures must not exceed one storey and a height of 5 metres, except that agricultural buildings and structures and those used for timber production and harvesting must not exceed a height of 9 metres and agricultural buildings and structures must not exceed two storeys.”
- 2.9. Section 6.1 (Agriculture Zone) Subsection 6.1.6 is amended by
- i) renumbering Article 6.1.5.1 to Article 6.1.6.1
 - ii) renumbering Article 6.1.5.2 to Article 6.1.6.2.
- 2.10. Section 6.1 (Agriculture Zone) Subsection 6.1.11 is amended by deleting “AG (Agricultural)” and replacing it with “AG (Agriculture)”.
- 2.11. Section 6.1 (Agriculture Zone) Subsection 6.1.13 is amended by:
- i) deleting “my” and replacing it with “may”
 - ii) deleting “AG (Agricultural)” and replacing it with “AG (Agriculture)”.
- 2.12. Section 7.1 (Forest 1 Zone) Subsection 7.1.2 is amended by deleting the first instance of “in” and replacing it with “on” such that it reads “7.1.2 A single non-residential unenclosed building or structure with a floor area not exceeding 93 square metres is permitted on each lot and every such building or structure must be screened by a landscape screen not less than 9 metres in height and complying with the requirements of subsection 15.1.1 of this bylaw.”
- 2.13. Section 7.2 (Forest 2 Zone) Subsection 7.2.2 is amended by deleting “Section 2.8 - 2.13” and replacing it with “Section 2.9 - 2.13”.
- 2.14. Section 7.3 (Forest 3 Zone) Subsection 7.3.1 Article 7.3.1.2 is amended by deleting “as defined in subsection 17.1.16” such that it reads “7.3.1.2 dwellings accessory to timber production and harvesting uses and home occupations, on lots having an area of 20 hectares and more and highway access”.
- 2.15. Section 7.3 (Forest 3 Zone) Subsection 7.3.4 is amended by deleting in its entirety “No building or structure for a forestry use permitted by this section and no dwelling or accessory building may exceed 9 metres in height” and replacing it with “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, except that agricultural buildings and structures and

those uses for timber production and harvesting must not exceed a height of 9 metres.”

- 2.16. Section 7.4 (Forest 3 Zone) Subsection 7.4.7 is amended by deleting “unless the lot is being created subsequent to the rezoning of a F1 zoned parcel pursuant to Forest policy d) iii) of the Galiano Island Official Community Plan Bylaw No. 108, 1995” such that it reads “7.4.7 No lot having an area less than 65 hectares may be created by subdivision.”
- 2.17. Section 7.5 (Forest Land Reserve Zone) Subsection 7.5.1 Article 7.5.1.2 is amended by deleting “subsection 17.1.16” and replacing it with “section 17.1”.
- 2.18. Section 7.5 (Forest Land Reserve Zone) Subsection 7.5.3 is amended by
 - i) deleting “subsection 17.1.16” and replacing it with “section 17.1”
 - ii) deleting “Section 2.8 - 2.13” and replacing it with “Section 2.9 - 2.13”.
- 2.19. Section 7.5 (Forest Land Reserve Zone) Subsection 7.5.5 is amended by renumbering Article 7.5.5.4 to Article 7.5.5.2
- 2.20. Section 8.5 (Environmental Education and Nature Protection Zone) Subsection 8.5.5 Article 8.5.5.1 is amended by deleting “(5 ft.)”
- 2.21. Section 8.5 (Forest Land Reserve Zone) Subsection 8.5.5 Article 8.5.5.2 is amended by deleting the first instance of “at least” such that it reads “8.5.5.2 Buildings and structures used for human habitation or occupancy and not located within the Agriculture (AG) zone must be at sited at least 15 metres from the boundary of the Agriculture (AG) zone”.
- 2.22. Section 12.2 (Marine Zone) Subsection 12.2.1 Article 12.2.1.1 is amended by inserting “associated” such that it reads “12.2.1.1 docks, private floats, wharves, piers and associated walkways accessory to the residential use of an abutting upland lot and providing access to that lot”.
- 2.23. Part 13 (Subdivision and Development Regulations) Section 13.1 is amended by inserting “and may exempt a boundary adjustment from minimum average lot size requirements” such that it reads “13.1 Subdivision applications must comply with the minimum and average lot size regulations set out in Parts 5 through 12 of this bylaw except that the approving officer may approve a subdivision creating a single parcel not complying with those regulations for park use only and may exempt a boundary adjustment from minimum average lot size requirements.”
- 2.24. Part 13 (Subdivision and Development Regulations) Section 13.2, Subsection 13.2.1 is amended by
 - i) deleting both instances of “s.941(1)” and replacing them with “s.510(1)
 - ii) deleting “s.941(5)” and replacing it with “s.510(3)
- 2.25. Part 13 (Subdivision and Development Regulations) Section 13.3 is amended by deleting “s.946” and replacing it with “s.514”.

- 2.26. Part 13 (Subdivision and Development Regulations) Section 13.5 (Lot Width) is amended by:
- iii) renumbering Section 13.5 to Section 13.6
 - iv) inserting “exclusive of any panhandle access strip” such that it reads “13.6 No lot may have a width less than one quarter of its depth exclusive of any panhandle access strip”
 - v) renumbering subsequent Part 13 (Subdivision and Development Regulations) sections and subsections accordingly.
- 2.27. Part 13 (Subdivision and Development Regulations) Section 13.9 is amended by deleting “The creation of a lot lying within two or more zones must be is prohibited” and replacing it with “The creation of a lot by subdivision that is lying within two or more zones is prohibited.”
- 2.28. Part 13 (Subdivision and Development Regulations) Section 13.12 is amended by deleting “section 13.12” and replacing it with “section 13.11”.
- 2.29. Part 13 (Subdivision and Development Regulations) is amended by
- i) deleting the section header above Section 13.22 that reads “Standards for Potable Water Supply” and reinserting it above Section 13.23
 - ii) inserting a new section header above Section 13.22 that reads “Water Management Area”.
- 2.30. Part 13 (Subdivision and Development Regulations) Section 13.29 is amended by deleting “Vancouver Island Health Authority” and replacing it with “Island Health”.
- 2.31. Part 14 (Parking Regulations) Section 14.1 is amended by renumbering the second instance of Subsection 14.1.16 that reads “Dwellings for the provision of affordable housing in the SH1 zone” to Subsection 14.1.17.
- 2.32. Part 14 (Parking Regulations) Section 14.6 is amended by deleting “3.5 metres” and replacing it with “5.5 metres”.
- 2.33. Part 16 (Sign Regulations) Section 16, Subsection 16.5 is amended by deleting “section 3.4” and replacing it with “section 3.5.”
- 2.34. Part 16 (Sign Regulations) Section 16.6 is amended by
- iv) renumbering subsection 16.3.1 to subsection 16.6.1
 - v) renumbering subsection 16.3.2 to subsection 16.6.2
 - vi) renumbering subsection 16.3.3 to subsection 16.6.3
 - vii) renumbering subsection 16.3.4 to subsection 16.6.4
 - viii) renumbering subsection 16.3.5 to subsection 16.6.5
- 2.35. Part 17 (Interpretations) Section 17, Subsection 17.1, Article 17.1.21 is amended by deleting “the 6th edition of the Guidelines for Canadian Drinking Water Quality published by Health and Welfare Canada in 1996” and replacing it with “the Health Canada 2020 Guidelines for Canadian Drinking Water Quality - Summary Table.”

2.36. Part 17 (Interpretations) Section 17, Subsection 17.1 is amended by

- i) Deleting Article 17.1.4 “average finished grade” in its entirety
- ii) Replacing 17.1.22 in its entirety with: “Height” means the vertical distance between the highest point of a building or structure and the average natural grade, being the average undisturbed elevation of the ground at the perimeter of the building or structure calculated by averaging the elevations at the midpoints of all the exterior walls.”
- iii) Inserting Figure 1-1 directly below the updated definition within Article 17.1.22 and above Article 17.1.23

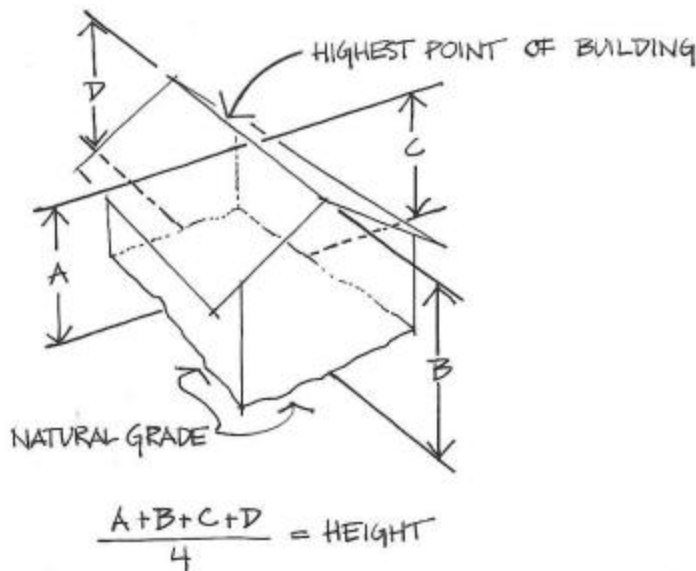


Figure 1-1 Illustration of calculation of height

2.37. Part 17 (Interpretations) Section 17, Subsection 17.1, Article 17.1.35 is amended by deleting “Liquor Control Act” and replacing it with “Liquor Control and Licensing Act.”

2.38. Part 17 (Interpretations) Section 17, Subsection 17.1 is amended by deleting Article reference numbers in their entirety.

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 _____ 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

DRAFT

Attachment 2. November 2020 LUB Technical Amendments and Recommendations

LUB Citation	Topic	Issue	Staff Comments	LTC Response
SECTION 2: GENERAL REGULATIONS				
General regulations		Clarity for additions versus separate building	Add a general regulation to require fully enclosed connections for additions to maintain a single dwelling (see North Pender 3.4.2)	Yes
2.3.1	RVs	Use of RVs as a temporary residence while building should be recognized and limited	Add clear language to permit Recreation Vehicles as 'Temporary Dwelling Units' only if a valid building permit has been issued for the construction of a dwelling unit and connection to sewer and water (similar to South Pender and Saturna LUBs). OR permit them as dwelling units or cottages similar to the Galiano LUB language (Section 3.9).	No – add to projects list
2.14	General Docks	Upland structures permitted in setback from sea	Consider exempting upland fixtures of docks in setbacks	No -LTC ok with current wording
2.14	Stairs in setback from sea	Stair accesses in parks	Amend setback from the sea by zone (or by land status) to permit stairs in setback in park zones.	Yes
2.15	Setbacks from watercourses	Setback from watercourses	Setback from watercourses language in general regulations should be consistent with RAR and not just reference “natural” watercourses	No -LTC ok with current wording
2.15	Sewage absorption field setbacks	30 m setbacks should be changed to 15 m	Should be consistent with Island Health setbacks (15 m in most cases) and 'swamp' is uncertain, ie has been interpreted to be a permanent as opposed to ephemeral wetland.	No -LTC ok with current wording
2.18	Setback exemptions	Wells should be exempted from setbacks	Current siting exemptions do not include “well” explicitly with “pumphouse”, being interpreted to be exempt as a utility line	No -LTC ok with current wording

2.25	Determination of setbacks	No written description of determination of setbacks to the closest point of the building	Add written description so there is not total reliance on drawing only	Yes
SECTION 3: HOME OCCUPATION REGULATIONS				
3.7	Numbering	Section 3.7 is followed by Section 3.7	Basic administrative amendment	Yes
SECTION 5: RESIDENTIAL ZONES				
5.4.6, 5.4.7, 5.5.6,	Numbering	Subsections are not in proper number sequence.	Basic administrative amendment	Yes
RR Zone	Agricultural buildings	Zone permits farm buildings but not keeping of animals	While the Rural 2 Zone (R2) explicitly permits farm use, the RR does not. However, the RR zone does contain a provision for buildings and structures for the accommodation of farm animals, and this may indicate that the intention was not to permit farm uses but horticulture as stated in the general regulations. Options – amend RR to allow Farm Use or remove 5.4.8	No - rearing of farm animals is permitted in RR zone as accessory residential use subject to s 2.1.3
RR zone	Corporate Co-ops/Dwellings equivalent to lots/ Accessory cottages	Accessory Cottages in corporate co-ops	Montague Heights/Therah: cottages and dwellings – cottages will not be accessory to dwellings as being marketed separately within a corporate co-op	No – has significant policy considerations
SECTION 6: AGRICULTURE ZONES				
6.1.5	Accessory building	Two storey farm buildings	Permit two storey agricultural buildings in AG zone as allowable building height is 9 m	Yes
6.1.6,	Numbering	Subsections are not in proper number sequence.	Basic administrative amendment	Yes
6.1.13	Typo	Should read “agri-tourism accommodation may include” not “my include	Basic administrative amendment	Yes
SECTION 7: FOREST ZONES				
7.5.1.2	cross- reference	refers to wrong subsection	Change to... “as defined in section 17.1.24”	Yes

7.5.5	Numbering	Subsections are not in proper number sequence.	Basic administrative amendment	Yes
SECTION 9: ECONOMIC ACTIVITY ZONES				
9.6	Numbering	9.6.B.7 should be B.6	Basic administrative amendment	Yes
SECTION 13: SUBDIVISION AND DEVELOPMENT REGULATIONS				
13.1	Clarity	Lot line adjustment exemption	Insert an exemption from minimum average lot area for boundary/lot line adjustments	Yes
13.5	Depth to width	exclude panhandle from depth to width calculations	eg: No lot in a proposed subdivision may have a depth greater than three times its width, exclusive of any panhandle access strip.	Yes
13.22	Cisterns	Section 13.22 requiring cisterns in water management areas is poorly worded and should focus the requirement on the owner not the Regional District	revise wording to focus requirement on owner via Islands Trust authority not issuance of CRD building permit, and provide clarity that it only applies to new buildings	No - added to LTC project list
1.9	Clarity	First sentence is confusing	Remove “must be” and “should”, add the creation of a lot “by subdivision”.	Yes
SECTION 14: PARKING REGULATIONS				
14.1.16	Numbering	Duplication of numbering	two occurrences of this subsection due to delay in bylaw 234	Yes
14.6	Parking	45o parking manoeuvring aisle width is too narrow to turn around, forcing vehicles to back into highway which is contrary to intent of precluding vehicles from backing onto the highway	Increase aisle width to 5.5	Yes
SECTION 16: SIGN REGULATIONS				
16.5	Correction	cross-reference	reference to section 3.4, should be section 3.5	Yes
16.6	Numbering	Subsections are incorrectly numbered.	Basic administrative amendment	Yes
Section 17: INTERPRETATION				
171	Definition	There is no definition for cistern	LTC could turn attention to providing clarity for staff and applicants on what defines a cistern – could potentially include description of associated catchment system infrastructure in definition	No - added to LTC project list

17.1.22	Administration	Definition of Height	Definition of height refers to “average finished grade”, average finished grade is defined as natural grade	Yes
17.1.48	Definition	Definition of structure	Amend to add exclusion for septic fields, tanks and related appurtenances, concrete and asphalt paving, wells and related appurtenances, landscaping, and retaining structures less than 1.2 metres in height, but amend setback from the sea to include these structures	No -LTC ok with current wording
	Definitions	Remove numbering of definitions	Numbering of definitions is unnecessary, and creates cross-referencing issues. Remove numbers.	Yes



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: 278 (LUB)
SA-6500-20 LUB Technical Amendments
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 a 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.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
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.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.

N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
✓	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.
✓	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
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:



Top Priorities Report

Galiano Island

1. Affordable Housing Strategy - STVR Review

Phase 1: STVR review: public hearing in February 2021

Brad Smith

Rec'd: 04-Mar-2019
Target: 31-Mar-2021

2. Groundwater Sustainability

Phase 1 and 2: mapping and data analysis - COMPLETING SPRING 2021

Phase 3: Implement of mapping and data analysis

- Project Charter - February 2021

Narrisa Chadwick

William Shulba

Rec'd: 02-Apr-2019
Target: 30-Sep-2022

3. 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).

LTC review in early 2021, public hearing in spring 2021

Brad Smith

Rec'd: 28-Apr-2020
Target: 31-Mar-2021



Projects Report

Galiano Island

1. *Parking Issues*

Responsible

Date Received

Issue for discussion with MoTI and public parking issues generated from associated islands.

23-Jul-2012

(see correspondence from P. Midgely on agenda of Apr/12)

2. *Light Industrial Zoning*

Responsible

Date Received

A review and inventory assessment of existing and potential light industrial zones.

18-Nov-2013

3. *Coastal Douglas-Fir Protection*

Responsible

Date Received

Review 'Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)' and provide recommendations from toolkit.

04-Feb-2019

- LPC is intending to develop a model bylaw in 2021-22.

Include review the Contiguous Forest Mapping in the Islands Trust Area Report.

4. *Cannabis Retail and production*

Responsible

Date Received

Consider review of policies and regulations to address cannabis retail sales and production

05-Mar-2019

5. *Dock review*

Responsible

Date Received

To review policies and regulations relating to private moorage, including suitable locations, siting and size, and incorporating First Nations sites

02-Apr-2019



Projects Report

Galiano Island

6. *Emergency Access Planning*

Responsible

Date Received

Follow-up from CRD emergency planning process - include consideration of developing driveway guidelines for emergency access within land use bylaw

02-Apr-2019

7. *Review of maximum house sizes*

Responsible

Date Received

To review policies and regulations to potentially establish maximum floor area(s) for dwellings

06-May-2019

8. *Review of forestry land designations, policies and community benefit approaches*

Responsible

Date Received

Project represents a consolidation of a number of previously identified projects with a similar theme related to forestry zoning on Galiano Island. Project scope within previous projects included: current and potential future approaches to community benefit agreements, use of split zoning, F1 forest lot issues, issues regarding lands without managed forest status, amendments to re-designate and rezone crown owned Forest lots (Bylaws 231, 232 at First Reading)

03-Feb-2020

9. *Review of Road Network Plan*

Responsible

Date Received

Review of Road Network Plan - include December 11th APC memo in review process - meet with MOTI

02-Mar-2020

Projects Report

Galiano Island

10. <i>Review of LUB tiny home/trailer regulations</i>	Responsible	Date Received
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02-Nov-2020

11. <i>Review of LUB water management and cistern regulations</i>	Responsible	Date Received
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02-Nov-2020



Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
GL-ALR-2021.1	FALK, JENNA	28-Jan-2021	620 Montague Road - Application for inclusion of land in the Agricultural Land Reserve

Planner: Phil Testemale

Planning Status

Status Date: 19-Feb-2021

Planner initiating review

Status Date: 05-Feb-2021

RPM assigned to Planner; emailed LTC, folder to Planner. - SR

Status Date: 04-Feb-2021

Created electronic and physical folders, emailed link to RPM for assignment to planner. - SR

Development Permit

File Number	Applicant Name	Date Received	Purpose
GL-DP-2021.1	ORLITZKY, ROXANNE	06-Jan-2021	743 Georgeson Bay Road - Application for a DP for development in a sensitive ecosystem DPA

Planner: Phil Testemale

Planning Status

Status Date: 19-Feb-2021

Planner initiating review

Status Date: 29-Jan-2021

Emailed Application package to LTC. - SR

Status Date: 28-Jan-2021

Re-sent e-folder link to RPM - assigned to planner; sent fee payment acknowledgment & planner contact info letter to Applicant; physical folder to Planner. - SR



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2020.2	Hotte, Brenda	09-Jun-2020	14475B Porlier Pass Road - Variance Permit for the existing stairs and the set back of the existing cottage

Planner: Brad Smith

Planning Status

Status Date: 19-Feb-2021

MOTI still assessing how to address covenant and whether to sign-off

Status Date: 11-Jan-2021

MOTI has responded to Planner with questions - information provided and awaiting final response from MOTI

Status Date: 20-Nov-2020

Applicant has provided Geotech report for stairs - vetted to MOTI for sign-off on covenant

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2005.2	Romagnoli	21-Mar-2005	Application to amend the LUB to rezone from F1 to F3

Planner: Brad Smith

Planning Status

Status Date: 19-Feb-2021

Applicant now engaged with Galiano Conservancy re discussions about finalizing forestry covenant

Status Date: 21-Jan-2021

Planner to contact Galiano Conservancy and applicant by end of Jan 2021

Status Date: 26-Nov-2020

Planner is having ongoing communication with applicant - seeking measurable progress by end of 2020



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2014.1	Crystal Mountain Society	28-Oct-2014	20300 PORLIER PASS RD: Application for rezoning to amend the OCP and LUB to allow for a Forest Retreat Centre

Planner: Brad Smith

Planning Status

Status Date: 11-Feb-2021

Follow-up meeting held with Planner and CMS project manager to discuss site plan changes

Status Date: 15-Jan-2021

Planner had phone discussion with new CMS project manager - targeting April 12 LTC meeting for next staff report with updated site plan

Status Date: 26-Nov-2020

CMS working on site plan details and other outstanding tasks

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2019.1	GIGAHS	11-Sep-2019	Georgia View rd: rezoning application for to amend the OCP and LUB to permit an affordable housing development

Planner: Brad Smith

Planning Status

Status Date: 19-Feb-2021

Staff report on March 1 agenda - re: housing agreement content for LTC consideration

Status Date: 22-Jan-2021

Planner sent draft Bylaws 276 and 277 out for First Nation and agency referrals

Status Date: 12-Jan-2021

Planner met with applicant to review outstanding items - targeting March 1 LTC meeting for next staff report



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2019.2	Gauvreau, Lisa	01-Oct-2019	Application to amend the LUB rezone to commercial

Planner: Brad Smith

Planning Status

Status Date: 19-Feb-2021

Applicant still working to address potable water supply and driveway access

Status Date: 29-Jan-2021

Well drilling report submitted - still waiting for pump test results (or other method) to confirm water quantity

Status Date: 12-Jan-2021

Planner contacted applicant to review outstanding items - hydrologist report expected by end of Jan 2021

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2020.1	KING, FRED & DEBBIE	27-Oct-2020	51 Galiano Way - Application for rezoning to amend the OCP to permit residential use.

Planner: Brad Smith

Planning Status

Status Date: 01-Feb-2021

Applicant directed to proceed with completing items in TOR

Status Date: 21-Jan-2021

Preliminary Report on Feb 1 LTC agenda

Status Date: 15-Jan-2021

DIA Terms of Reference provided to applicant



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2020.1	Mitchell, Glen	19-Dec-2019	GIGHARS - Proposed two lot conventional subdivision referral of Lot 1 District Lots 30 and 31

Planner: Brad Smith

Planning Status

Status Date: 19-Feb-2021

Applicant working on referral report items

Status Date: 15-Dec-2020

Referral report reviewed with applicant

Status Date: 11-Dec-2020

Referral report sent to MOTI and applicant

Islands Trust
LTC EXP SUMMARY REPORT F2021
Invoices posted to Month ending December 2020

625 Galiano	Invoices posted to Month ending December 2020	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-625	LTC "Trustee Expenses"	507.00	112.75	394.25
LTC Local				
65200-625	LTC - Local Exp - LTC Meeting Expenses	4,528.00	2,325.73	2,202.27
65210-625	LTC - Local Exp - APC Meeting Expenses	253.00	407.98	-154.98
65220-625	LTC - Local Exp - Communications	250.00	1,545.63	-1,295.63
65230-625	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>5,325.00</u>	<u>4,279.34</u>	<u>1,045.66</u>
Projects				
73001-625-2002	Galiano OCP/LUB	3,000.00	0.00	3,000.00
73001-625-4051	Galiano Affordable Housing	3,000.00	929.90	2,070.10
TOTAL Project Expenses		<u>6,000.00</u>	<u>929.90</u>	<u>5,070.10</u>

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2020-042 (Standing)	Carried	08-Sep-2020
That the Galiano Island Local Trust Committee request that development permit applications where a variance is requested be processed as a combined application with both a development permit and a development variance permit.		
2020-041 (Standing)	Carried	06-Jul-2020
that the Galiano Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications: a. Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and that staff are directed to continue with enforcement until the use is ceased. b. The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, cease. c. Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee; bylaw enforcement actions, including the issuing of notices, will continue. d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application.		

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2020-013 (Standing)	Carried	03-Feb-2020
that the Galiano Island Local Trust Committee request that prior to expiration of Advisory Planning Commission members terms of office, staff write to commissioners asking if they wish to be reappointed and also advertise for expressions of interest for new commissioners.		
2019-057 (Standing)	Carried	08-Jul-2019
that the Galiano Island Local Trust Committee initiate a moratorium on new TUP applications until the STVR project is completed and that bylaw enforcement is directed to require that unlawful STVRs comply with the land use bylaw.		
2019-053 (Standing)	Carried	03-Jun-2019
that the Local Trust Committee seek to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:		
a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;		
b) For various Local Trust Committee meetings, invite First Nations to attend meetings; as well as, provide a traditional welcome to their territory if they would like;		
c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history;		
d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;		
e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.		



Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2019-014 (Standing)	Carried	04-Mar-2019
that the Galiano Local Trust Committee adopt the following standing resolution with respect to the processing of non-medicinal cannabis retail license applications: - Proposed or amended licenses for non-medicinal cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - o Name of the applicant and a description of the proposal in general terms - o The location of the proposed establishment and the subject site - o The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. - o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - o How public comments may be submitted to the local trust committee.		
2018-064 (Standing)	Carried	04-Jun-2018
that the Galiano Island Local Trust Committee endorses the Telecommunication strategy Project Charter dated June 22, 2016		



Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2016-000 (Standing) 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.	Carried	05-Dec-2016
2014-029 (Standing) 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.	Carried	07-Apr-2014
2014-000 (Standing) 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.	Carried	03-Feb-2014

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2011-205 (Standing)	Carried	17-Oct-2011
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.		
2010-115 (Standing)	Carried	18-Oct-2010
That the Galiano Island Local Trust Committee will advertise Public Hearing Notices in the Active Page Magazine in addition to the legally required advertising in the Driftwood Newspaper.		
2009-085 (Standing)	Carried	11-May-2009
That staff refer all applications adjacent to a park or ocean access to the Galiano Island Parks and Recreation Commission for comment		



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality January 26, 2021

Islands Trust Conservancy Board News

Due to the COVID-19 pandemic, the Islands Trust Conservancy (ITC) Board continues to hold meetings electronically due to Ministerial Orders under the Emergency Program Act and requirements or recommendations under the Public Health Act. Meetings are live-streamed and recorded, and the public can participate by connecting to the link or the phone number provided in the meeting notice. Electronic meetings have resulted in cost savings to ITC as well as reductions in travel time and greenhouse gas emissions for Board members.

Staff have posted the ITC Board meeting schedule for 2021 here:

www.islandstrustconservancy.ca/about-us/meetings/.

The ITC Board directed staff to add “Public Comments and Delegations”, a town hall opportunity, to the standing agenda, allocating 15 minutes to this new section.

An election was held for Board Chair and Vice Chair positions as required by the ITC Meeting Bylaw. Trustee Kate-Louise Stamford was elected ITC Board Chair and Trustee Sue-Ellen Fast as Vice Chair. Both positions were election by acclamation.

An update regarding ITC staffing was provided, including notes as follows:

1. ITC Manager – Kate Emmings confirmed as permanent Manager Jan 11
2. Ecosystem Protection Specialist – posted internally, confirmed Kathryn Martell in the role Feb 16
3. Communications and Fundraising Specialist – position temporarily divided into two part-time roles: Communications Specialist (Erin Coulson) and a Fundraising Specialist (Carla Funk)
4. Species at Risk Program Coordinator role (see below) – hiring expected before end of March
5. Summer Co-op Student – Field work technician, job description in development

Regional Conservation Plan Updates

The science-based and community-informed Regional Conservation Plan guides the work of Islands Trust Conservancy (ITC). ITC continues to work towards four long-term goals and 25 objectives that further conservation in the entire Islands Trust Area. For more information, visit

www.islandstrustconservancy.ca/media/84821/itc_2018-11_rcp-2018-2027-web_final.pdf.

Goal 1 – Science-based Conservation Planning

The project charter for the Species at Risk (SAR) program was reviewed and approved as interim, pending a few adjustments as discussed by the Board. The project coordinator who will ultimately complete the planning and oversee the implementation of SAR at a detailed level is still being recruited.

Goal 2 – Strong relationships with First Nations

Staff continue to work to deepen relationships with First Nation communities and governments, notably through upcoming management planning for several nature reserves and participation in the Sidney

Island Ecological Restoration Project. Staff also participated in a January training session regarding residential schools.

Goal 3 – Protection of core conservation areas

Property Management

Currently, four management plans are in development and set to complete before the end of March, including two on Gabriola Island, one on Salt Spring Island, and one on Thetis Island. See reference to open house events below regarding these four for the current year.

Land Acquisition and Covenants

The Sandy Beach Nature Reserve on Lhek'tines/Keats Island became ITC's 30th in 30 years in December 2020 and the ITC Board received a donation of land on North Pender in February 2021 (see below). Management planning will begin in the next fiscal year to create the first management plan for these new nature reserves.

Staff continue negotiations on 144 ha of land: eight covenants (S. Pender, Salt Spring [3], Keats, Bowen, Thetis, and Lasqueti) and two land acquisitions.

Goal 4 – A strong voice for nature conservation

The ITC Fund Development Action Plan was reviewed and approved as drafted, with staff directed to implement the plan.

*Please feel free to contact Islands Trust Conservancy for more details.
Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca
Islands Trust Conservancy itcmail@islandstrust.bc.ca*

Activities by Local Trust Area/Island Municipality

Bowen – \$5,000 Opportunity Fund Grant paid out to Bowen Island Conservancy.

Gabriola – A management planning open house for the S’ul-hween X’pey/Elder Cedar Nature Reserve and the Coats Millstone Nature Reserve will be held on February 22, 2021. Two public surveys continue to March 15 – one for [Elder Cedar](#) and one for [Coats Millstone](#).

Galiano – ITC Manager Kate Emmings advised the Board of a declared conflict of interest regarding the Crystal Mountain conservation proposal on Galiano, and noted the file will be managed by Trust Area Services Director Clare Frater and Ecosystem Protection Specialist Kathryn Martell.

Gambier/Keats – The transfer of the Sandy Beach Nature Reserve, Keats Island, was completed on December 18, 2020, and marks the 30th nature reserve in 30 years of Islands Trust Conservancy history. News coverage of [the announcement](#) included local outlets, [Pacific Yachting](#), and the [Toronto Star](#). The ITC received a \$12,000 contribution as part of the land transfer and the ITC Board has allocated \$10,000 to create a property management fund.

Lasqueti – The ITC Board considered a response to the Lasqueti Official Community Plan referral. The Board resolution has been provided to planning staff for consideration by the Lasqueti Island Local Trust Committee.

Funded through grant programs, increased wetlands restoration work is being planned for the Salish View and John Osland nature reserves, in partnership with Lasqueti Island Nature Conservancy.

North Pender/Sidney – Funded through grant programs, restoration work is planned at Dragonfly Pond on Sidney Island. Work will pilot removal techniques for invasive parrot’s feather and American bullfrog.

The ITC received a land donation on North Pender Island in February. A formal announcement for this donation is pending.

Salt Spring – The Board approved both the 2020 update of the Deep Ridge Nature Reserve Management Plan and the Lower Mount Erskine Nature Reserve Management Plan. These will be posted to the ITC website shortly.

A management planning open house was held on February 11, 2021, with regards to the Ruby Alton Nature Reserve management plan refresh. [Public survey](#) continues to March 15.

Thetis - A management planning open house was held on February 10, 2021, with regards to the Moore Hill Nature Reserve management plan refresh. [Public survey](#) continues to March 15.

Please feel free to contact Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

Galiano Island Advisory Planning Commission

Referral Report: Affordable Housing

September 2018

MOVING FORWARD WITH MORE
AFFORDABLE HOUSING FOR GALIANO ISLAND

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EXECUTIVE SUMMARY

What We See:

- There is no purpose-built affordable rental housing on Galiano Island.
- Over half of the homes on Galiano Island are not lived in full-time and many of these homes are not available for rent or purchase.
- Most rental housing options are repurposed summer homes, cottages or other structures that are not currently being used by the owners; these are often not available year-round or long-term and many are not adequate in size, not well-winterized or in need of major repairs.
- Insecure housing has ripple effects in our community—from instability for families to unpredictable participation in the workforce, the school and the community with increasing numbers of people living precariously in unsafe structures or situations.
- Economic factors, combined with increasing destination tourism in the Southern Gulf Islands, has encouraged the use of properties for investment purposes and for commercial use as Short Term Vacation Rentals (STVRs).
- Galiano Island has a seasonal tourism-based economy; seasonal workers have fewer options to access affordable rental housing or home ownership markets.

What We Need:

- There is a need for increased awareness and ongoing education on the topic of housing affordability in the Trust area, within the Islands Trust and other Government Agencies.
- There is a need for a Trust Policy statement that supports access to affordable community housing for residents of the Trust area as a guiding principle in land use decisions.
- There is a need for a comprehensive Trust-wide working definition of “affordable housing” to guide land use planning.
- There is a need for the Islands Trust to be able to hold housing agreements on behalf of Local Trust Committees.
- Affordable housing approaches are needed that reflect the diversity in the community and that are integrated widely within various neighbourhoods throughout Galiano.
- A lens of affordability needs to be integrated into land use planning processes for all rezoning and subdivisions in order to better balance the needs of the applicant with the community’s needs.

- Planning for affordable community housing needs to be based on the ability of groundwater regions and ecosystems to support the development.
- Comprehensive up-to-date data and tools are needed in order to have better options for monitoring and controlling the amount of Short Term Vacation Rentals (STVRs).

What the Local Trust Committee Can Do:

- Add a statement to the Galiano Official Community Plan (OCP) Principles section that supports affordable year-round housing as a basic principle for the sustainability of our Island community.
- Review and update OCP policy to highlight an objective of increasing the stock of affordable housing and update existing relevant OCP policies and Land Use Bylaw (LUB) regulations to ensure that issues of affordable housing are addressed in all development applications.
- Update and add to the Subdivision and Development Regulations in the LUB(Section 13) to require a percentage of smaller, more affordable lots be created through subdivision rather than allowing the maximum number of view or oceanfront lots for the higher-end real estate market.
- Add policy that would ensure that any future rezoning for commercial visitor accommodations provides some on-site housing for non-resident seasonal staff.
- Add to the OCP Community Housing Policy, Section 1.6, to include additional models or designs of affordable housing, integrated within neighbourhoods, and that are close to utilities and infrastructure.
- Support initiatives that would enable Local Trust Committees (LTCs) to use licensing as a way to manage and limit the number of STVRs operating in each Local Trust Area.
- Implement efficient ways to better assess applications for STVRs based on the carrying capacity of groundwater regions, existing density of other visitor accommodations in that region and the impact on health, safety and community services.
- Advocate for, and encourage, the creation of an Islands Trust “Housing Land Trust” to hold donations of land for affordable housing modelled on the current Islands Trust’s Land Conservancy Trust which holds donations of land for conservation.
- Advocate for, and work with other government agencies, to create tax policies that allow property owners to receive tax relief in exchange for providing affordable rental housing. An Affordable Housing Reserve (AHR) could be created based on existing models such as the Agricultural Land Reserve (ALR) or Private Managed Forest Land (PMFL) which provide tax relief in return for retaining and protecting agricultural land or forest lands.

1.0 INTRODUCTION:

This report is intended to describe the recommendations of the Galiano Island Advisory Planning Commission (GIAPC) to the Galiano Island Local Trust Committee (GILTC) regarding options for addressing the lack of long-term affordable housing in our community. These recommendations are guided by the Southern Gulf Islands Housing Needs Assessment (2018), APC research, Galiano Island's OCP, and the contributions of community members.

Our Official Community Plan (OCP) describes our Residential Objectives as:

"1) to maintain the rural character, minimize impacts to ecosystems and services they provide and support social diversity of the Galiano Island Local Trust Area, and

2) to encourage affordable, rental and special needs housing."

The GIAPC has kept these goals, among others set out in the OCP, in mind as we have developed the recommendations set out in this report. In addition, protecting groundwater resources is an important policy area central to all land use decisions, but especially important in cases of increased density.

2.0 SOUTHERN GULF ISLANDS HOUSING NEEDS ASSESSMENT- FEBRUARY 2018

The GIAPC reviewed and considered the findings of the *Southern Gulf Islands Housing Needs Assessment* ("HNA") by Janis Gauthier of JG Consulting Services Ltd which was submitted to the Capital Regional District (CRD) in February 2018.

The GIAPC agrees with the following summary contained in the report:

"All evidence clearly points to serious shortages in secure, appropriate and affordable housing for low to moderate income earners. Renters are particularly impacted as their incomes are insufficient to enter the homeownership market, and the limited number of rental properties is increasingly vacant seasonally or placed in the vacation rental market. Community members strongly described the housing situation as bordering on crisis, and as having serious impacts on themselves and their families, community well-being and economic sustainability" (Executive Summary – Page 1).

The GIAPC worked with the following definition of "housing affordability" taken from the HNA report which summarized the measures, often cited, to determine what constitutes affordable housing:

"Measuring housing affordability involves comparing total shelter costs with a household's ability to meet them, given their income. Shelter costs are considered to include basic utilities for renters, and for homeowners, this generally also includes taxes and insurance in

addition to mortgage payments. Typically, affordable shelter costs target 30% of a household's income.

For affordability calculations, housing is generally characterized as 'acceptable' if it is in good condition and is an adequate size for the household size and composition. While this is a somewhat subjective measure, Canada Mortgage and Housing Corporation (CMHC) defines acceptable housing as having three key features:

- *Adequate condition (not needing major repairs),*
- *Suitable size (given the size and composition of the household members), and*
- *Affordable (shelter costs less than 30% of before-tax household income)."* (Page 20)

The GIAPC reviewed the report and the following information, for Galiano Island and the Southern Gulf Island (SGI), was helpful in its deliberations:

Table 2-1: Notable Details from SGI Affordable Housing Report

Population 2016- Galiano Island	The total population is 1,040: 285 people are between ages of 25 to 54, and 580 people are between ages of 55 to 84. The population of our community is older than the general population in the CRD and in BC. (Tables 1 and 2 Pages 7 and 8)
Population Changes- SGI and Galiano Island	The population on Galiano has decreased from 2001 to 2016 by 3%, despite an increase of in-migration throughout the SGI. (Table 3-6 Pages 8-10)
Affordability by Household Type- Galiano Island	Household is defined in the HNA report as "a family", "a group of unrelated persons living together" or "a single person". The household is the "most relevant grouping for the analysis of housing affordability, as their composition and incomes are strongly related to housing need and affordability". On Galiano Island there are 565 households that are used as main residences. Of these, 205 are families without children and 240 are one-person households. There are 55 households of families with children and 40 households with lone-parent families. (Table 8 Page 11)
Accessibility by Household Type and Income-SGI	It is appropriate to look at what is affordable by the type of household. For example, one-person households (35% of the population in the SGI) have the lowest median income (\$30,528), which would enable this person to pay rent of \$763 or to purchase a home in the range of \$145,000. Similarly, families with children (10% of the population in the SGI) have a median income of \$74,069 allowing for the payment of rent of \$1,852 or the purchase of a home in the range \$420,000. Looking at low-income earners, less than \$29,999, 575 units are needed at a rental rent less than \$625 across the SGI. (Tables 22-23 Pages 21-22)
Rentals and Ownership Data-Galiano Island	In 2016, of the 560 households reporting to Statistics Canada, there were 430 homes occupied by the owner and 130 home being rented on Galiano Island. According to this statistic, 23% of the households are rental units. Within this grouping of 560 households, there are 240 single-person households and 240 two-person households. (Tables 9-13 Pages 12-13)

Regional Income Disparity-SGI, CRD and BC	As noted “(H)ousing income is the best income indicator for evaluating housing affordability, because it relates to all persons residing in a single dwelling”. Generally, those living in the SGI have lower median incomes than their counterparts in the CRD and BC. In the SGI, there is a concentration of incomes between \$20,000 and \$49,999. Generally, there are a higher number of residents with very low incomes compared to the CRD and BC. There are also a higher number of children and youth living in low-income families as compared to the CRD and BC. The number of low-income seniors living within the SGI is similar to those living in the CRD and BC. (Tables 14-17/20 Pages 14-17)
Data Discrepancies on Housing Costs-Galiano Island	In 2016, Statistics Canada reported that 54% of renters on Galiano Island spent more than 30% of their income on housing. However the resident survey, included in the HNA report, reflects that more of the renters may be paying much higher rents than reported through Statistics Canada. Similarly, 23% of those who own their own homes are paying in excess of 30% of their income on housing costs. (Tables 53-57 Pages 40-42)
Income Sources-SGI	In 2016, 19% of the population of the SGI received their incomes from government transfers, 37% received income from private investments and 44% received their incomes from employment. (Table 19 Page 17)
Projected Regional Population Growth-SGI	It is anticipated that, between 2016 and 2041, there will be an increase in population growth of 15.8%, distributed within the SGI. Based on the average household size of 1.9 persons, this population growth rate should help determine the number and types of future housing units needed. It was noted that, for a variety of reasons, seniors might not remain within their communities “due to the lack of appropriate supported housing options as they age, and/or the lack of appropriate housing for support workers”. Determining the number of dwellings, and the type of dwelling, is complex and changes over time. (Table 21 Pages 18-20)
Housing Types and Quality-SGI and Galiano Island	The majority of homes in the SGI are single-detached dwellings. In 2016, Statistics Canada reported that 9% of the “housing stock” on Galiano Island, taken from a sample of all dwellings, required major repairs. Generally, renters in the SGI resided in homes that required significant repairs and lived in unhealthy conditions. (Tables 25-27 Page 24)
Construction and Renovation-SGI and Galiano Island	The building of new homes on Galiano Island has declined since 1981. Generally, within the SGI, renovations have also declined. This has an adverse impact on the local economy in terms of those who work in the construction industry and the contributions such workers make to the local economy and services. (Tables 30-33 Pages 25-27)
Non-resident Ownership-Galiano Island	Non-resident ownership may have an adverse impact on the community, both in terms of the housing stock available for year-round rentals and on such things as school enrollment, volunteerism and the availability of employees. Between 2006 and 2016 the number of dwellings occupied by “usual” residents declined. (Table 35 Pages 28-29)
Data Discrepancy on Rental Rates-SGI and Galiano Island	There is no central system of rental listings in the SGI. In 2006, on Galiano Island, there were 130 rental units available and a similar number available in 2016. Generally, in the SGI, the rental stock has declined. Statistics Canada reported that on Galiano Island the rental rate in 2006 was \$615 and in 2016 this had increased to \$674. However, the resident survey reflected that actual rental rates were higher. (Tables 37-39 Page 30-31)

Housing Subsidies-Galiano Island	There are 22 social housing units on Galiano Island (reported as of 2018), 6 of which are provided through rent subsidies. (Table 40 Pages 31-32)
STVR Impacts-SGI and Galiano Island	Short-term vacation rentals (“STVRs”) have had, and continue to have, an adverse impact on the availability of affordable rental housing. STVRs increase during the summer months and generally decline in the fall and winter months. (Table 44 Pages 33-34)
Unattainable Home Ownership-Galiano Island	Statistics gleaned from the MLS listings reflect that homes with lower prices are in higher demand. However, given the median cost of a home, as it relates to the median income of those residing on Galiano Island, home ownership is unattainable. (Tables 45-48/59-60 Pages 35-37/42-43)
Housing Supply Gaps-SGI and Galiano Island	It is important to identify the gaps in the housing supply (<i>“the difference between the existing supply of both rental and homeowner housing, and what would be affordable to residents based on their incomes”</i>) to determine housing priorities. Those with different levels of income face different challenges, which might necessitate differing responses. Such responses might include accessing government rent subsidies, focusing on entry-level low cost (less than \$180,000 to \$235,000) purchase housing, developing multi-family style dwellings and townhomes and increasing density (Pages 48-51)

Included in the HNA report was information gathered from community consultations, including through resident and employer surveys, discussions and correspondence. This information confirmed the gathered statistics that there is a shortage of affordable rental housing in the SGI, that this impacts the local economy, the retention of employees, and that young families and those at the lower end of the income scale are the most affected.

There is a concern that seniors will be unable to age-in-place given the increasing shortage of workers to assist with home maintenance and their personal care.

STVRs are seen as putting strong pressure on the availability of long-term affordable rental accommodation.

Eight hundred and sixty-five households in the SGI responded to general survey. Of these, 163 were from Galiano Island. Employers also completed a separate survey, 6 of these employers were located on Galiano Island. The information gathered for Galiano Island was not separately set out. We summarize some of the general responses here:

Table 2-2: SGI Survey Results Summary

Housing Situation-SGI	Seventy-three percent of the respondents own their own homes, 17% live in rental accommodation, 78% reside in single-family dwellings, 13% reside in a cabin or cottage, and 4% reside in mobile homes and/or suites. (Survey Results Tables 14-15 Pages 7)
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Housing Preferences-SGI	Although many respondents preferred to live in single-family dwellings, many would accept living in a duplex, townhouse, apartment or secondary suite. (Survey Results Tables 29 Page 13)
Housing Difficulties-SGI	Fifty percent of renters reported paying more than 30% of their income on rent. A greater number of renters were unsatisfied with their housing, with unhealthy condition being ranked as the highest concern, followed by affordability, availability, location and security of tenure (Survey Results Tables 19/21-23 Pages 9-11);
Housing Solutions Ideas-SGI	Fifty-five percent of the respondents provided suggestions for solutions to the housing issues, which included the building of smaller housing units, building purpose-built rental housing, tax and regulatory incentives, and addressing issues with STVRs including regulating them. (Survey Results Table 30 Page 14);
Long-term Housing Viability-SGI	Seventy-two percent of the respondents, who said that they might not remain living in the SGI, cited housing as being a factor in their decision. (Survey Results Tables 25-26 Page 12); Seniors, 65 and over, responded that they are certain or very likely to remain living in the SGI, with housing being a factor in their decision to remain in the SGI as they age. (Survey Results Tables 27-28 Page 12);
Income and Employment-SGI	Sixty-one percent of the employee respondents had one job, 29% had two jobs, and 10% had three jobs. 15% of the employees work in the trades, construction, real estate and property services. 62% of the jobs are year-round and 19% are seasonal. (Survey Results Tables 11-13 Pages 6-7); Employees were grouped in age between the ages 45-54 (the largest) and ages 35-44 (second largest). Most of those employees under 35 were employed on a seasonal basis. Those between the ages 35-54 had year round employment. (Survey Results Tables 37-38 Page 17)
Employer Survey-SGI	A majority of the employers in the SGI said that the availability of housing adversely affects their ability to hire the “right number of suitable employees” (43% responded yes and 36% responded sometimes). A majority also said that if there was more affordable housing they might expand their business or hire more staff. (Survey Results Tables 35-36 Pages 16-17) Some employers reported a willingness to work with others to develop solutions to the housing issues. When asked what solutions might be appropriate, their responses included removing regulatory barriers to development, providing tax incentives, building tiny homes and cabins and reducing and/or regulating STVRs. (Survey Results Tables 48-50 Pages 21-22) Seventy-six percent of the employers who responded do not provide housing for their employees and some reported their employees having difficulty finding affordable and appropriate accommodation. Some employers reported the loss employees due to the unavailability of affordable housing. (Tables 41-45 Page 19-20)

The GIAPC met with groups and individuals from the community, including delegations from Page Drive's Galiano Housing Society, Galiano Community School Parents Advisory Committee and the SGI Community Economic Sustainability Commission. Information provided by community representatives who appeared before the GIAPC was generally consistent with the findings of the HNA report.

3.0 PROVIDING A FRAMEWORK FOR VIABLE AND SUSTAINABLE COMMUNITY HOUSING PROJECTS IN OUR RURAL COMMUNITY

3.1 Framework Policies and Commentary

The GIAPC recommends that strong policy be in place and respected during any land use decisions, the most critical of which is groundwater protection. OCP policy should be referred to for guidance about the size, location and design of future affordable housing development.

Galiano OCP Community Housing Policies do address a lot of what we agree is important. However, we have found a few areas that could be improved upon, and these are set out in the recommendations section 3.3 below.

3.2 The Need for more Seniors and Special Needs Housing in our Future

As noted in the HNA report, in 2016, 19% of the population of the SGI received their incomes from government transfers. It can be assumed that some, if not the majority, of the income is paid to seniors residing in the SGI.

Further, given it is anticipated that there will be a 15.8% increase in population between 2016 and 2041, it can be assumed that some of this growth will be within the senior population. The HNA report noted that, for a variety of reasons, seniors might not remain within their communities "due to the lack of appropriate supported housing options and they age, and/or the lack of appropriate housing for support workers". However, in the resident survey completed and included in the HNA report, seniors 65 and over responded that they are certain or very likely to remain living in the SGI but housing remains a factor in their decision to do so.

3.3 Recommendations

3.3.1 The GIAPC recommends that all housing proposals and related policies contain strong principles which support diversity and integration of all families and individuals within our community.

3.3.2 The GIAPC recommends that new proposals for affordable community housing be developed based on aquifer and groundwater regions.

3.3.3 The GIAPC recommends that new proposals for affordable community housing for working families and individuals need to stay small in scale, be low impact and be dispersed island wide, within proximity of public road and hydro service as opposed to trying to keep it all at the south end.

3.3.4 The GIAPC recommends that new proposals for affordable community housing projects specific to Seniors or Special Needs housing may need to be located somewhat closer to the services at the south end of the Island.

3.3.5 The GIAPC recommends that new proposals for affordable community housing projects be designed to integrate within existing and new residential areas and fit in with Galiano Island's rural identity.

4.0 SUSTAINING GROUNDWATER AQUIFERS WHILE INCREASING DENSITY FOR AFFORDABLE COMMUNITY HOUSING

The GIAPC has included a detailed section on groundwater in this report. This is because, while affordable housing for our community is critically important to its diversity, cultural and economic sustainability, maintaining the health of our aquifers is equally critical to the long-term viability of our community.

“Community Housing”, the term used in the Galiano Island OCP, is defined in this section as purpose-built, rental and other affordable housing which increases density and intensity of land use.

Affordable community housing development intersects directly with Islands Trust Directive Policy 4.4.2 which states, *“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.”*

The Crown's responsibility for groundwater is divested through several provincial and regional agencies that share management of water sources and supply. These include the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRO), Vancouver Island Health Authority (VIHA) and the Capital Regional District (CRD). The Islands Trust is responsible for the protection of groundwater from the effects of land use and must consult with a number of referral agencies, including First Nations. It does not have a role in approving water supply and systems.

The Waterline Galiano Groundwater Study of March 31, 2011 (Waterline Galiano 2011) and Galiano Groundwater Regulations Review of May 10, 2012 (Galiano Groundwater Regulations

2012) provide the most current review of groundwater conditions and guidance for land development that increases density and intensity of land use.

New BC water laws, evolving groundwater science, the public interest in groundwater protection, water supply regulations and the number of agencies involved all combine to create a daunting process for developing community housing proposals.

4.1 Expanding and Sharing Knowledge of Groundwater Resources:

A coordinated approach to groundwater protection is needed.

FLNRO, VIHA, the CRD and the Islands Trust need to increase collaboration; information needs to be shared across agencies. Criteria used by approval agencies to determine community housing water demand should be reviewed, updated and coordinated where possible. This is especially important given the increasing development pressures and demand for water, as well as environmental stressors such as lengthening periods of seasonal drought.

4.2 Groundwater Protection in Community Housing Rezoning Applications

The OCP's Water Supply section states this Objective as related to land development: *"to ensure that the local trust area develops only in a manner that utilizes the precautionary principle and the best information available regarding water resources, so that the resource will be preserved for current and future use"*

Community housing should be developed in reference to groundwater regions and the aquifer's capacity to support the number of dwelling units proposed. The Waterline Galiano Groundwater Report of 2011 provides a useful guide. Mapping shows groundwater recharge areas (Figure 2); areas where aquifers are stressed through overuse and saltwater intrusion (Figure 5); areas where water quality and well chemistry is a concern (Figure 9); and areas of the island where aquifers are rated at moderately high or at high risk of groundwater contamination (Figure 10).

Water supply should be the basis for planning community housing. Groundwater capacity should be confirmed prior to final adoption of rezoning bylaws. Where an unqualified statement cannot be made regarding the quantity and quality of groundwater available, there should be a "phased-in" approach to the number of dwelling units built. This would allow for groundwater capacity to guide land use. The option of controlling occupancy (density and intensity of land use) through legal mechanisms such as an affordable housing agreement or a restrictive covenant is not recommended because the Trust does not have a legislative tool to enforce occupancy.

Rainwater catchment is an effective and important conservation strategy and is recommended for supplementing non-potable water uses but should not be the prime, or sole, source of potable water for community housing. Current VIHA and CRD regulations for converting rainwater to potable water require engineering and other resources not easily available or affordable at this time.

The Galiano Groundwater 2012 recommends introducing a "Proposed Critical Groundwater Protection Development Permit Area (DPA)" in order to better plan land development and subdivision.

A groundwater DPA would provide clear guidelines for development of community housing in relation to the aquifer. It would also recognize the needs of ecosystems that rely on freshwater, promote measures that maintain groundwater recharge and protect the subsurface against possible pollution from land use activities.

4.3 Strengthening Governance of Aquifers

Groundwater is a natural resource that the Crown and its authorized agencies protect for the benefit of the public through a public trust framework. Groundwater cannot be alienated from the public interest for private and exclusive possession or purposes. *“Sustainability requires that decisions about groundwater are made transparently, through fully informed public participation and with full account taken of ecosystem needs, intergenerational equity, and the precautionary principle.”*—Linda Nowlan, Program on Water Governance, UBC.

The Islands Trust preserves the public’s interest through policy directives that require land development not cause damage to the groundwater resource. In the Trust area, land development is applicant-driven. A proposal is shaped with the applicant through a series of staff reports. The process allows for proposed land use bylaws and amendments to be included and presented almost simultaneously to Trustees and the public at public LTC meetings. This approach does not consider wider consultation and the sharing of knowledge in the early stages, or discussions and adequate review by Trustees prior to public presentation. Staff report recommendations are generally designed to keep the application moving forward. The process for engaging the community is at a public hearing that occurs towards the end of the process. At the close of public hearing, no further information may be heard by, or discussed with, the Trustees. Bylaws then receive final reading and approval. It is rare for bylaws to not be approved at this stage.

This process ensures orderly progress for the application but has obvious disadvantages. Gathering public comment at the end of a process does not achieve community engagement or adequate consideration of the public interest in community development and groundwater protection.

While the application process provides clear steps for a proposed development, there is no equally clear process for valuing ecosystems. “Cost-benefit” analysis is necessary for aquifers, otherwise the application process will tend to favour socio-economic interests over ecosystems and groundwater.

In light of these concerns the application process should be reviewed and amended.

4.4 Recommendations:

4.4.1 The GIAPC recommends that the GILTC request the Islands Trust engage in a review of Trust-wide groundwater protection policy to ensure that:

4.4.1.1 planning decisions are based on the best available groundwater data and best practices are in place for land development proposals, including community housing;

4.4.1.2 there is effective information sharing among agencies and clarity of water supply regulations for proponents of community housing;

4.4.1.3 groundwater mapping is updated and ongoing monitoring technology is expanded; and

4.4.1.4 groundwater data such as mapping and current research is made easily accessible to community organizations and persons involved in developing community housing proposals and the public commenting on those proposals.

4.4.2 The GIAPC recommends that the GILTC be briefed by the Hydrogeologist-on-staff regarding current groundwater research and issues on a regular basis so that the Trustees have the best available information on Galiano Island groundwater. This will enhance decision-making.

4.4.3 The GIAPC recommends that the GILTC require any site considered appropriate for community housing that allows increased density compared to the neighbourhood be located on land that has the carrying capacity for the number of dwellings proposed, and be able to provide adequate quantity of groundwater that will not endanger the long-term sustainability of the aquifer.

4.4.4 The GIAPC recommends that the GILTC require community housing not be located in groundwater regions where there is high risk for contamination of groundwater due to the characteristics of the aquifer, based on the “Galiano Island Intrinsic Groundwater susceptibility” map, Figure 10, page 22 of the Waterline Galiano 2011.

4.4.5 The GIAPC recommends that the GILTC require that where there is uncertainty of aquifer capacity due to factors beyond the scope of a hydrogeologist’s assessment, that the OCP’s precautionary principle be followed to require a “phased-in” approach to zone density and build out, with additional dwelling units added when groundwater monitoring evidence permits.

4.4.6 The GIAPC recommends that the GILTC review and adopt the Waterline Galiano 2011 recommendation that hydrogeology assessments for land development proposals that increase density and intensity of land use include cumulative, long-term (longer than 100 days) projections for groundwater withdrawals in order to address climate change impacts, in particular, lengthening periods of seasonal drought.

4.4.7 The GIAPC recommends that the GILTC require hydrogeology assessments include ongoing groundwater monitoring for contamination, overuse or failure to recharge.

4.4.8 The GIAPC recommends that GILTC adopt the Galiano Groundwater Regulation 2012 recommendation to introduce a Proposed Critical Groundwater Protection Development Permit Area (DPA).

4.4.9 The GIAPC recommends the GILTC review and amend the application process for land development, including community housing, before proposed bylaws are developed by staff, in order to:

4.4.9.1 support a consultative, collaborative approach and engagement of the public interest in community development and groundwater protection;

4.4.9.2 enhance decision-making through more timely, comprehensive information sharing with the GILTC and the public; and

4.4.9.3 include an assessment process for valuing ecosystem services (cost-benefit analysis) in order to address and balance socio-economic needs with sustainability of groundwater resources.

4.5 Conclusion:

Land use planning for community housing should be based on groundwater regions and aquifer capacity. Planning should be guided by best practices to protect groundwater. The application process should be refined to allow for more consultation and collaboration in the early stages of development proposal to support the public's interest in groundwater protection and community development.

Section 4 Notes:

The groundwater recommendations listed above are found in the Waterline Galiano 2011 and the Galiano Groundwater Regulation Review 2012 and are in accordance to standard hydrogeological practices.

The substance of Section 4.3 and recommendation 4.4.9 is based on a brief by the POLIS Water Sustainability Project – The Future of Water Law & Governance series, Legal Issues Brief 2010-1 by Oliver M. Brandes and Randy Christensen, in partnership with University of Victoria, and with the Program on Water Governance, Institute for Resources, the Environment and Sustainability and the Department of Geography, UBC.

5. PLANNING FOR AFFORDABILITY AND COMMUNITY HOUSING

5.1 Aiding the Acquisition of Land for Purpose Built Affordable Rental Housing:

5.1.1 Land Development as a Source

In the past, there have been efforts made to balance the need for community housing with development proposals for Forest zoned parcels. The first attempt was within the OCP Heritage Forest option. That land use option, now discontinued, allowed for a small percentage of the original Forest parcel area to be converted from Heritage Forest to affordable or seniors' housing. Since that option's removal, GILTCs have continued to support community housing through what is generally referred to as the 25/75 option for development on Forest land. In this type of proposal, modelled after the Heritage Forest concept, approximately 25% of the land goes to Residential zoning (RR) and 75% is protected from future development and kept as forestland. The GILTC's have allowed one extra serviced lot to be created from the 75% to be protected, and then sold by the applicant but the profits, after costs, are contributed to a community housing society on Galiano Island.

The GIAPC considered a variation on what has been done in the past. Instead of the applicant donating the profits from the sale of a newly developed extra lot, they could simply provide the serviced lot itself, by donation. The donated lot could be transferred directly to a community housing society and rezoned by the GILTC to a site-specific community-housing zone, or held in a holding zone for future use.

In another variation, the applicant is required to sell the extra serviced lot to the community housing society at cost. This way the applicant would not have any extra costs for the servicing infrastructure of a community housing lot. However, the disadvantage in this model is the possible delay until the land is transferred to a community housing society if funds to buy it need first to be raised.

Both these variations would serve to reduce the land and infrastructure costs for a community housing society. The housing society could then focus on raising funds for the construction of the dwelling or duplex on the lot, designing it to integrate or blend with the new residential neighbourhood area situated within Forest land.

5.1.2 Zoning to Designate and Hold Future Community Housing Land

The notion of creating a special zone in which to hold land for future use for community housing was discussed by the GIAPC. The consensus was that it might help to enable donations of land from all possible sources in support of community housing and to ensure it remained available for that purpose.

OCP policies would need to be developed to establish a set of criteria for suitable land donations for affordable housing. These criteria should include close proximity to an open public road, and to hydro and communications infrastructure. They should also include (and as per Section 4 of this report) a requirement that they NOT be in an area already identified to have groundwater quality or supply problems, or have highly susceptible aquifers.

The GIAPC agreed that a means by which donated land could be safely held in trust, until such time as a community housing project was funded and ready to proceed, would be extremely helpful. Lands held in trust for community housing could also be zoned accordingly in our LUB. Whether a donation of land arises from a rezoning for development in the Forest zone, or from some other private land source, it would be helpful to be able to accept the donation as a charitable donation. It was agreed that the Islands Trust should be encouraged to establish a Community Housing Land Trust with charitable status, and that the GILTC should create a zone for land held by such a land trust.

A rezoning process to put land into a zone for future affordable community housing projects is needed. Projects, when ready to proceed, would then need to be rezoned to a site-specific Community Housing zone.

5.2 Design Options to Reduce Development and Building Costs:

The GIAPC discussed and considered various housing type options that could increase affordability. The HNA report discussed these as well and those surveyed made suggestions for addressing housing options.

These housing options included tiny homes, cabins, co-op housing, co-housing, mobile home parks, employer-built accommodation for seasonal workers, purpose-built rental housing and secondary suites.

The OCP and LUB already allow secondary suites as an alternative to the cottage provision.

The current OCP Community Housing Policies for community housing proposals permit co-housing, co-op housing, clustered detached dwellings, duplexes or attached ground-oriented housing. Tenure can be by rent, lease, sale or shares but with fixed amounts below average rates within the region.

Mobile home parks specifically are not permitted. However, there could be exceptions in the case of community housing projects.

Tiny homes on wheels are not mentioned in the OCP. These should be considered for community housing and/or affordable rental housing purposes. The GIAPC considered whether, by special license (if and when the Islands Trust achieves that legislated tool), a tiny home on wheels could be permitted for a term of use if it met health and safety requirements. Such licensing could also be used in the case where recreational vehicles or travel trailers are being used for full time housing.

5.3. Creating Affordable Opportunities for Entry Level Residential Land Ownership

Under our LUB new subdivisions are expected to meet density of the lands zoning. Most residential zones have a lot size average and minimum lot size. There are also subdivision regulations in place for lot proportions.

However, if the Galiano Island community wants its residential lands to provide a diverse range of housing to reflect the diversity in its population, the community may need to guide the development processes of rezoning and subdivision with that goal specifically in mind. The subdivision regulations could direct that new lots be designed in a variety of sizes and values. At present this is an option, and possible, but not required.

Land development seeks to maximize profits by using attributes such as waterfront and/or views to the best advantage. Usually lot layout is designed so all lots benefit from higher valued attributes. Naturally, this influences the price. If the Galiano Island community wants to ensure some lots will be kept more affordable, OCP policy and LUB subdivision regulations could be revised to ensure a percentage of newly developed lots will be specifically designed for a lower price. This would mean requiring that some smaller lots be created within the permitted density average, and, if applicable, kept back from waterfront or views.

To ensure these newly created smaller lots remain more affordable over time, covenants could be used to restrict the size of dwelling and accessory buildings. This concept balances the needs of the proponent with the needs of the community. The impact on the profit margin may not be too significant as the lot averaging would mean that other lots with a view or waterfront would be larger and bring a higher price.

5.4 Dwelling sizes and affordability

The construction of excessively large homes in the Islands Trust region seems counter to many Islands Trust and local OCP provisions aimed at preserving the environment, the viability of communities and the affordability of housing for residents of the Trust Area. Now would be a good time to consider implementing an upper limit to the size of dwellings in the Galiano Trust Area.

But more directly relevant to affordable land and housing would be the addition of a means to have covenants on new lots that are developed to be more affordable, to limit the size of dwelling and accessory buildings. This measure could help preserve a base of more affordable starter homes in our residential land base.

5.5 Recommendations

5.5.1 The GIAPC recommends that the GILTC review and amend the OCP and LUB to direct that new subdivision proposals include a percentage or number of lots, to be donated, or sold at cost neutral, to an affordable housing society for building affordable rental housing.

5.5.2 The GIAPC recommends OCP 1.6 Community Housing be amended to allow mobile homes parks in the case of affordable community housing developments, provided scale and spacing are suitably limited to fit the rural characteristics of Galiano Island and that the LUB Prohibited Uses section 2.3.2 be amended to add an exemption for Community Housing.

5.5.3 The GIAPC recommends that the GILTC create policy and regulation directing that a percentage of any new lots being created must be designed to be more affordable, both in land price by way of NOT being waterfront or view, and/or by being on the smaller end of lot size for the average in the zone.

5.5.4 The GIAPC recommends that the GILTC consider using registered covenants to limit the building size/footprint on the required percentage of smaller, more affordable parcels as per recommendation 5.5.3.

5.5.5 The GIAPC recommends that the GILTC consider altering the lot proportion requirements for view and waterfront to improve the chances of an applicant keeping a percentage of new lots inland and more affordable.

5.5.6 The GIAPC recommends that the GILTC consider implementing policy and regulation to cap the size of dwellings, Island wide, proportionate to zoned lot size average.

5.5.7 The GIAPC recommends that the GILTC establish a special zone for land held in trust for future use as community housing.

5.5.8 The GIAPC recommends that the LTC advocate to Trust Council that the Islands Trust establish a Community Housing Land Trust with charitable status for the purpose of accepting land donations for community housing.

5.5.9 The GIAPC recommends that, as soon as licensing is available, policy and guidelines be made available to permit moveable tiny homes, motor homes or travel trailers to be used as affordable housing, and be subject to a term, and basic safety and health standards.

6. PLANNING FOR THE IMPACT OF COMMERCIAL ECONOMY, INCLUDING TOURISM, ON AFFORDABLE LONG-TERM RENTAL HOUSING AND COMMUNITY HOUSING.

In the Employer Survey, included in the HNA report, a majority of the employers in the SGI said that the availability of housing adversely affects their ability to hire the “right number of suitable employees” (43% responded yes and 36% responded sometimes). Seventy-six percent of the employers do not provide housing for their employees and some reported their

employees having difficulty finding affordable and appropriate accommodation. A majority of employers said that if there was more affordable housing they might expand their business or hire more staff.

Many of our local businesses are tourism-related and therefore seasonal. The peak demand period of June through September generates demand for seasonal workers, which is often only partly filled by local residents. Some businesses require additional staff and casual workers beyond what the Island resident community can provide so non-resident seasonal and regular employees are brought to the Island. This may put added pressure on our local long-term affordable rental housing resources during tourist season.

As noted in the survey, some employers reported a willingness to work with others to develop solutions to the housing issue.

6.1 Recommendations:

6.1.1 In all future rezoning or redevelopment tourism-related applications which create the need for off-island seasonal employees that the provision of staff accommodation should be a requirement.

7. CONSIDERATIONS FOR INCREASING THE AVAILABILITY OF LONG- TERM HOUSING RENTALS

The GIAPC considers STVR use of residential properties in the Galiano Trust Area to be a major contributing cause in the short supply of long-term rental opportunities in our community. While the shortage has been often felt over many years, it has seemed worse of late. The current provisions in our OCP and LUB have legalized STVR use as a home occupation, and made STVR uses by non-resident property owners possible by Temporary Use Permit (TUP). In the first five years of their use TUPs seem to have led to increased housing shortages. It seems to us that for the GILTC to take the housing shortage seriously it must take a closer look at STVRs and find ways to closely track, manage, and limit them.

Cottages were originally permitted as “guest cottages” only. Changes were subsequently made to our LUB to allow an increase in cottage size and also to legalize full time occupancy with the goal of increasing the affordable rental housing inventory. Further increases in the allowable size of cottages have since been made largely on the premise that this made a cottage more livable long term for a couple or even a small family. Increasing their appeal in the STVR market was never stated as a goal.

In 2013 further changes to our OCP and LUB made the use of cottages as STVRs legal as a home occupation. This seems to have coincided with an upswing in on-line advertising services such

as Airbnb. Online vacation rental sites have allowed property owners to access a large pool of tourists increasing their ability to offer STVRs with greater ease. This provides greater incentive to remove such properties from the general rental pool and, in particular, the more affordable rental cottages.

There are economic benefits to those operating STVRs. In some cases, STVRs allow property owners to enhance their incomes in the face of increasing costs and affordability. This may serve to infuse income into the Galiano Island economy both from tourists and/or from owners. However, this adversely affects the availability of long-term affordable rental housing. Many leases are now only available for off-season rentals of nine or ten months. (*Options for Affordable Housing: New Solutions to the Housing Crisis in the Islands Trust Area, Victoria 2013*). Our close proximity to large urban areas makes Galiano a convenient STVR destination. However, there is an urgent need to get control of STVR numbers and distribution before irreversible harm is done to our community diversity and culture.

The issue of availability of affordable, long-term rental housing is not a new issue on Galiano Island. Most of the members of the community, who made presentations to the GIAPC, noted that STVRs are having an adverse impact on the affordable and acceptable rental stock.

There are anecdotal stories of tenants being evicted, once the summer holiday arrives, as properties are rented for more money during peak tourist season. This anecdotal information was supported by the findings contained in the HNA report.

With increased tourism STVRs have increased in the recent years. However, affordable housing for those who work in the tourist industry has not increased. As noted in the HNA report, there is a shortage of seasonal rental accommodation.

In early 2017 the GIAPC considered the issue of STVRs in other referrals to it by the GILTC. The discussion of this issue continued in this referral. Our discussions and reports included the following observations:

- There has been no cumulative analysis of the impact of STVRs on the availability of affordable rental housing on Galiano Island.
- Data is required regarding the number of STVRs and where they are located on Galiano, and how many STVRs are operating without permit and in what areas.
- All STVRs should be licensed.
- To reduce impact on affordable rental housing, the GILTC may need to limit the number of STVRs generally and in specific areas. The GILTC should take steps to create maps illustrating the locations of all STVRs, which would provide the opportunity to regulate STVRs. The applicant for a TUP would be required to provide notice to neighbours of their application to operate a STVR. The purpose of limiting STVRs is to maintain the primary use of Galiano Island's residential zones.

- A complaint driven process to address STVR regulatory infractions is a problem. Galiano Island needs a proactive and funded system to investigate and enforce compliance.
- Owners of STVRs do not pay a commercial tax although they are using their dwelling(s) as a type of hotel accommodation. This is different from bed and breakfasts which are operated with the owner living in the dwelling.
- The GILTC should consider providing tax relief and/or financial incentives to owners providing long-term affordable rental accommodation similar to owners that keep natural areas or agricultural land intact.
- If there are two dwellings on one property, one dwelling is to be used as a residence, whether by a full-time renter or owner.

7.1 Recommendations

Our OCP contains Home Occupation Objectives. The second is *“to preserve the residential character of neighborhoods”*. In addition, our Commercial Objectives include *“3) to protect the character and integrity of quiet, residential and rural neighborhoods.”* The following recommendations strive to achieve those objectives by setting appropriate limits for STVR use of residential lands.

7.1.1 The GIAPC recommends that the GILTC immediately undertake a review and amend the current STVR TUP and Home Occupation STVR provisions.

7.1.2 The GIAPC recommends that the GILTC find means of establishing limits on the number of all types of STVR; and that the limits include a cap for the Galiano Trust Area, to ensure limits apply specifically to different neighbourhood areas, groundwater regions and Water Management Areas:

7.1.2.1 Limits could be established based on percentage of number of residential dwellings in Galiano Trust Area, set for a term (eg. 5 years , and reviewed at the end of that term;

7.1.2.2. Lower limits would be especially important in Water Management Areas and other areas that have water issues identified by the GILTC, the Galiano Waterline Study 2011, or by the community;

7.1.2.3 When an existing TUP expires the GILTC should not permit a renewal unless the total number of other STVR TUPs is under the cap set for the region or the island as a whole; and

7.1.2.4. A limit on the total number of years a given property can be used for STVR should be considered to give opportunities to other owners.

7.1.3 The GIAPC recommends that in order to monitor, gather data and enforce limits on STVRs, the GILTC consider requiring TUPs for ALL STVRs, including bed and breakfast accommodation until licensing becomes an option. (see for example the City of Nelson annual licensing and regulations).

7.1.4 The GIAPC recommends that the GILTC find resources to proactively enforce compliance with STVR limits and regulations. Fines should be sufficiently high to ensure compliance and/or act as a deterrent to others (for example the City of Nelson imposes fines of \$5000/day).

8.0 TAX INCENTIVES, FUNDING SOURCES AND SUPPORT

The GIAPC noted that STVRs provide an opportunity to homeowners to enhance their incomes. The GIAPC discussed that perhaps some form of tax incentive should be provided to those homeowners who provide affordable rental housing. In the surveys results reported in the HNA there was support for tax incentives to help improve the availability of affordable homes by providing home-owners with greater income. One community member made this suggestion in his presentation to the GIAPC. It was his view that this is a more effective approach than imposing penalties and may lead to a more stable and affordable rental housing market.

In the HNA Employers Survey, employers suggested that some options to address the shortage of affordable housing would be to both reduce regulatory barriers to development and to provide tax incentives to those providing affordable housing, including rental housing. The GIAPC noted that the “regulatory barriers to development” are not specified by these employers’ comments. Most regulations that apply to subdivision and development have a purpose linked to broad public interest.

An Affordable Housing Reserve (AHR) could be created. An AHR could provide tax incentives for landowners providing long-term affordable rental housing, similar to the way the Agricultural Land Reserve (ALR) and Private Managed Forest Land (PMFL) provide tax relief in return for protecting agricultural land or growing and harvesting timber on forest lands.

Tax breaks do exist already for non-profit societies that own and manage affordable or seniors housing. The GIAPC learned that they do not pay land taxes.

Community input received by the GIAPC informed us that:

- Having access to low mortgage rates for either improvements to, or purchasing of, affordable housing would be helpful.
- Creating a “Community Mortgage Investment Corporation”, would raise funds in the community that would be available to those on the island for the purchase of a home and/or for the building of affordable rental housing units.

- The CRD has a Regional Housing First Program in place and is working with other government agencies on funding new housing for the homeless.
- Creating a housing trust/society (or a similar type structure) may assist in protecting existing rental housing stock that is for sale.

The GIAPC also discussed establishing a “housing agency”, which would assist those both looking for, and those providing, affordable rental housing.

The GIAPC discussed the need to create an affordable housing society that could oversee the construction and management of affordable housing rental units and take advantage of available government funding. However, the difficulty is that Galiano Island is already heavily burdened with demands on our volunteer base for many of the community’s important functions. There is a concern that finding human resources in the community to keep affordable housing projects going will be difficult.

The GIAPC discussed the need for the Islands Trust to create an Islands Trust Community Housing Land Trust. This would affirm the principle that affordable housing is the basis for sustainable communities. It was also the first recommendation of the “Community Housing in the Trust area 2016-Final Recommendations” report.

8.1 Recommendations:

8.1.1 The GIAPC recommends that the GILTC support Trust-wide initiatives and Provincial tax incentives that benefit property owners who provide long -term affordable rental housing to residents.

8.1.2 The GIAPC recommends that affordable community housing projects or proposals should be designed to meet requirements to qualify for available CRD, Provincial and Federal funding support for affordable housing.

8.1.3 The GIAPC recommends that the GILTC explore taxation initiatives that would ensure STVR operators are taxed at a rate appropriate for the commercial use of their residential lands.

8.1.4 The GIAPC recommends that the GILTC advocate for the creation of an AHR – Affordable Housing Reserve. This would provide an incentive for landowners to rent long term affordable housing based on the models of the ALR and PMFL which provide tax relief for the protection of farmland and forest lands.