

APRIL 8, 2013 LTC AGENDA

LATE ITEMS

STAFF REPORT

March 27 , 2013

File No.: GL-DP-2013.1 and
GL-DVP-
2013.2(CRD)

To: Galiano Local Trust Committee
For the April 8, 2013 Meeting

From: Kris Nichols
Island Planner

CC: Robert Kojima
Regional Planning Manager

Re: Development Permit Application Report

Owner: North Galiano Fire Protection Society
Applicant: Malcolm Cowley, Capital Regional District
Location: Lot 1, District Lot 83, Galiano Island, Cowichan District, Plan VIP69843
(Corner of Porlier Pass and Cook Roads)

THE PROPOSAL:

The proposal is for the construction of a 186 m² (2000ft²) North Galiano Fire Hall at the corner of Porlier Pass and Cook Roads. The property contains three Development Permit Areas: Development Permit Area 1 – Riparian Areas, Development Permit Area 5 – Sensitive Ecosystems and Development Permit Area 7 – Steep Slope Hazard Areas. Given the constraints on the site with the stream (Jack Creek) and associated riparian area the proposal includes variances for the location of the septic field and the location of a lock block retaining wall. The area that is being proposed for the new fire hall is located on cleared land (vacant) formerly used as a pasture lands, and is not located within a sensitive wetland or woodland ecosystems. As the fire hall construction will require a building permit it is exempt from meeting the requirement of a DP for Steep Slope Hazard Areas.

This is the second Development Permit application since the introduction of the Galiano Islands Development Permit Areas (DPA) last November. The applicant has hired a Registered Professional Biologist (RP Bio) to assess the Development Permit Areas, in particular the Riparian Areas and the Sensitive Ecosystem Areas. The watercourse (Jack Creek) falls under the Riparian Areas Regulation (RAR) and therefore requires a Qualified Environmental Professional to complete an assessment of the site (See Schedule A for a copy of the Assessment Report) and make recommendations on the development in the protection of the watercourse habitat.

In addition to help evaluate compliance with the DPAs, the biologist has filled in the DPA guideline checklist as Schedule 'B'. A draft Development Permit is attached as Schedule 'C' for the LTC's consideration.

Development Permits - Overview

British Columbia's *Local Government Act* (LGA) enables communities to designate parts of their planning area as Development Permit Areas (DPA) so they can set objectives and guidelines for development within those areas. No building construction, demolition, land alteration, or subdivision of land may occur in a Development Permit Area without a Development Permit unless addressed through specific exemptions. Development Permits are a planning tool for sites, buildings and structures in specific areas that warrant special protection or development control. These are different from zoning in that zoning outlines the land use (i.e. single family residential, etc.) whereas a development permit may be used to guide a specific development within that special area (development permit area) in that zone. The Development Permit Areas guidelines and maps are found in the Galiano Island Official Community Plan (OCP) Bylaw No. 108. There are seven (7) development permit areas designated in the OCP.

A development permit application is evaluated based on how it meets the objectives and guidelines in the OCP. The decision to grant a development permit is nondiscretionary providing it meets the Development Permit Area objectives and guidelines and is based on fact. Once they are issued, notice of the development permit is registered on title of the property.

It should be noted that while development permits are largely nondiscretionary in their approval if they meet the guidelines set out in the OCP, variances, however, requested as a part of the Development Permit application can be considered through a separate DVP application. This would be recommended where the variance would clearly not support or advance the objectives or other guidelines of the DPA, or where notification of neighbours was a concern. In this application, the DP guidelines allow for variances to be considered within the framework of the DP with the variance requests being in response to meeting the DP guidelines and constraints as a result of the watercourse (Jack Creek) on the property.

The Fire Hall Building:

The North Galiano Fire Commission has been working with the Capital Regional District (CRD) to develop a new fire hall. The proposed new fire hall is designed to provide long term fire protection services to North Galiano. It will also serve as the community's Emergency Operations Center (EOC) in the event of a disaster affecting North Galiano. It will contain communications and information technology equipment, as well as other supplies and materials for providing disaster relief in the North Galiano community. See Figures 3 and 4.

SITE CONTEXT:

The subject site is located at the corner of Porlier and Cook Roads at the northern end of Galiano Island. The lot is approximately 0.57 ha (1.42 acres) in size. The lot is zoned Emergency and Health Services (EHS). Staff conducted a site inspection on March 14, 2013, see pictures 1-7.

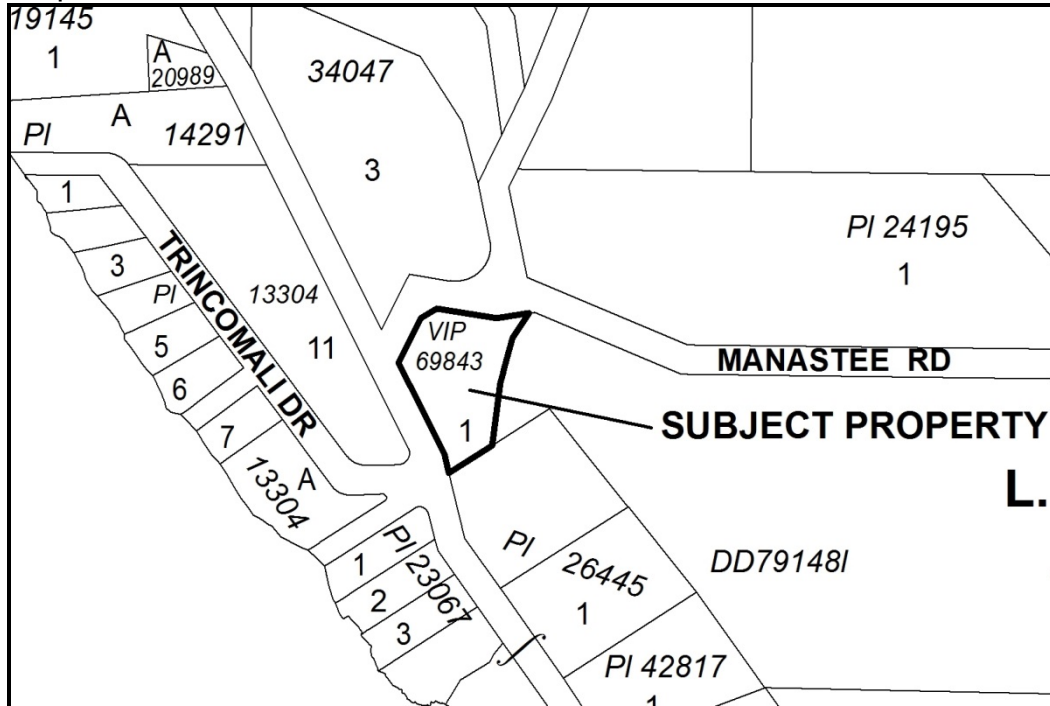


Figure 1 – Subject Property Location



Figure 2 – Orthophoto of Subject Property



Picture 1 – Jack Creek Riparian Area



Picture 2 – Jack Creek Riparian Area



Picture 3 – Building Site Location



Picture 4 – Building Site Location



Picture 5 - Upper pond – Jack Creek



Picture 6 - Cook Road Entrance



Picture 7 – Corner of Cook and Porlier Pass Road

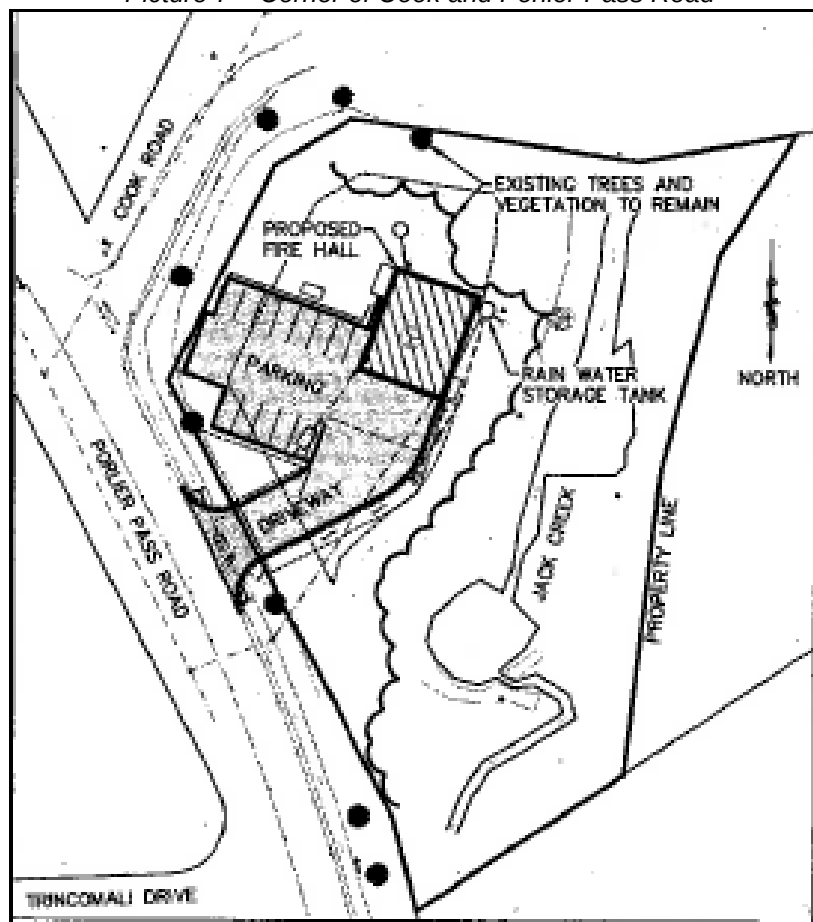


Figure 3 – Site Plan

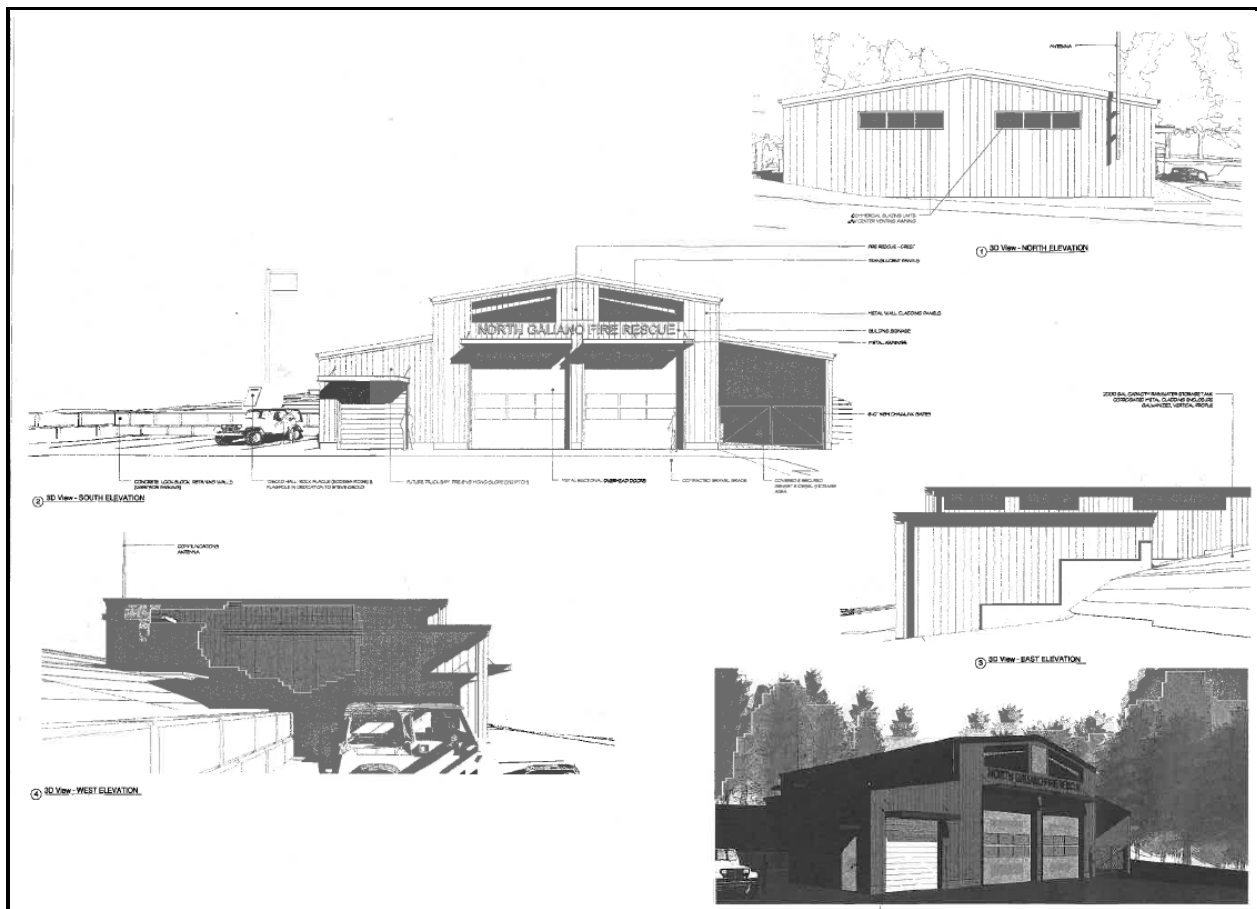


Figure 4 – Fire Hall Building Elevations

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

Two relevant policy statement sections are:

Section 3.3.2: *“Local trust committees...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 life.”*

Section 5.2.6: *“Local Trust Committees....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.”*

Official Community Plan

The subject property is designated Community Facility (CF). The property has three Development Permit Areas located in it: Development Permit Area 1 – Riparian Areas, Development Permit Area 5 – Sensitive Ecosystems and Development Permit Area 7 – Steep Slope Hazard Areas. See Figures 5-7.



Figure 5 – Riparian Area DPA

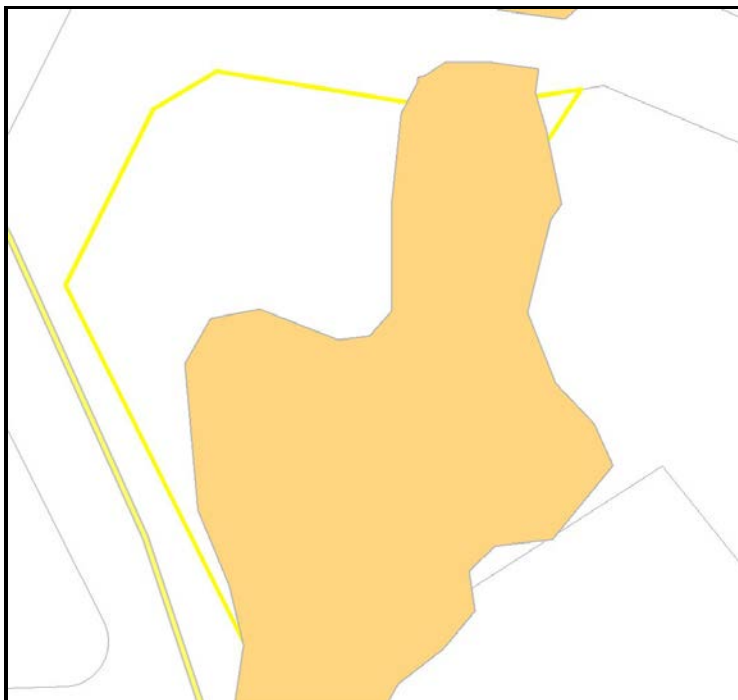


Figure 6 – Sensitive Ecosystem DPA

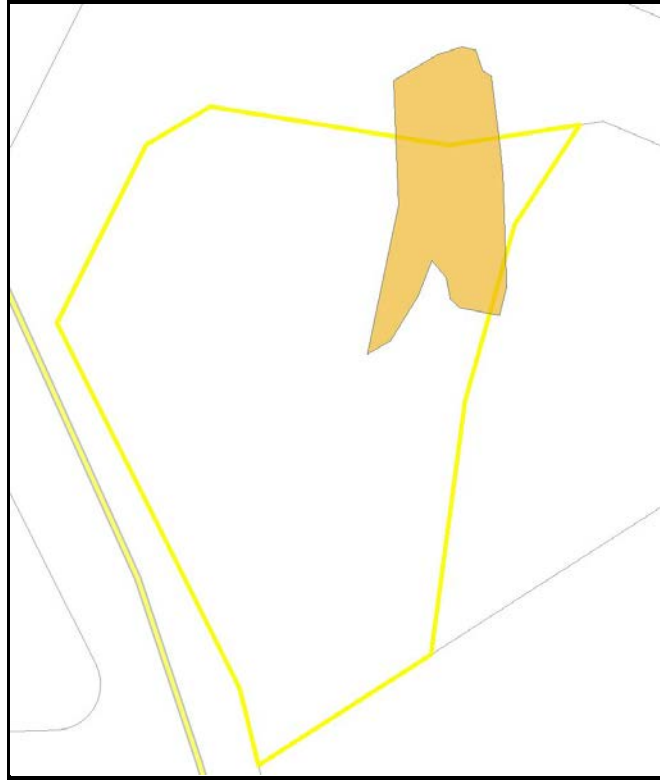


Figure 7 – Steep Slope DPA

Section 4.1 in the OCP states the objective of the Community Facility designation as:

“To promote the establishment of community facilities that enhance the social, economic, educational, environmental and cultural aspects of life on the island and in a manner that minimizes impacts on the natural environment.”

Land Use Bylaw

The subject property is zoned Emergency and Health Services Zone (EHS) which permits fire halls. The properties adjacent are zoned Small Lot Residential (SLR) to the south, Rural 2 (R2) to the north and Visitor Accommodation (Rural Resort) (C5) to the east. The front yard, rear yard and exterior yard setback is 7.5 metres (24.6 ft.) in the EHS zone. The applicant is requesting a zero lot line relaxation for the location of the septic field (fronting Porlier Pass Road) and a lock block wall adjacent to proposed parking area (Cook Road side).

Sensitive Ecosystems and Hazard Areas:

There is a riparian sensitive ecosystem area identified on the property. There is also a steep slope hazard identified on the property. The sensitive ecosystem will be addressed as part of this development permit application. The steep slope hazard is exempt from the DP consideration.

Archaeological Sites:

There are no archaeological sites on or in the vicinity of the subject property registered in the provincial database.

Covenants:

There are two covenants registered on title. One covenant (EK131773) was registered in 1996 on the parent parcel to protect the creek from development and uses which may harm it. The other covenant (EN108947) also is to prevent development with 15 m of the natural boundary of the creek and provides for flood protection elevation requirements for buildings.

Climate Change Mitigation and Adaption

The subject site had been used as pasture land and therefore the majority of the site being used for the building location will not have an impact on any existing vegetation removal. Most of the existing trees will be maintained as they are within the SPEA. The location of the fire hall will be more central to the North Galiano thereby reducing travel times and improving emergency response.

Other:

Riparian Areas Regulation Report:

A report by a Registered Professional Biologist (Kathy Reimer) evaluating the proposed development within the Sensitive Ecosystem and Riparian Areas DPA is attached as Schedule 'A'. The report outlines the ecological values of the property and briefly describes the proposed development and the intended impact.

A checklist indicating how the development will address the DPA guidelines for the Riparian DPA and the Sensitive Ecosystems DPA has been attached as Schedule B.

Ministry of Transportation:

As the requested setback relaxations are dealing with structures that would be less than 4.5 m from the road right-of-ways, a relaxation permit is required from the Ministry of Transportation. The applicant has contacted the Ministry to receive this permit.

COMMUNITY INFORMATION MEETING(S):

A community information meeting is not required nor recommended for development permit applications.

In October of last year two public open houses were held specifically on educating the community about the proposed fire hall proposal. Subsequently, on November 24, 2013 a referendum was held through which the community approved borrowing the necessary funds to build the fire hall.

RESULTS OF CIRCULATION:

Development Permit applications do not require circulation, nor do variances where they are being considered within the DP application.

STAFF COMMENTS:

The proposed development is the construction of a new 186 m² (2000ft²) North Galiano Fire Hall. There are three Development Permit areas located on the property. Both the Sensitive Ecosystem and the Riparian Areas DPA deal predominantly with the same issues and therefore will be addressed through the issuance of a development permit. The third DP is excluded as a building permit is required and the conditions will likely be addressed through that process. The applicant is also applying for two variances in support of the DP guidelines. Given the restrictions placed on building on the site as a result of the location of Jack Creek and the riparian area it is necessary to consider setback relaxations for the septic field and the lock block wall. The LUB states that a septic field must be at least 30 m from a watercourse (Section 2.15). The granting of the associated variances is discretionary whereas the issuance of the permit is nondiscretionary providing it meets the objectives and guidelines of the DPA.

Through the development proposal the applicants are ensuring that they do not impact the Riparian Area and Jack Creek. Such additions as an engineered bioswale constructed along the east side of the building and that the parking lot will be gravel will help to reduce any impact. By adhering to the Riparian Areas Regulation (RAR) and the protective covenants, including the storm water measures and the buffer strip provided by the Streamside Protection and Enhancement Area (SPEA) identified by the QEP report (See Figure 7), there should be adequate protection from any negative impacts for the stream and estuary sensitive environments.

A draft Development Permit (DP) is attached as Schedule 'C' for the LTC's consideration. It addresses conditions to be maintained during and after construction. It contains conditions for construction on the site such as the use of pervious surface parking, removal of invasive plants, protection of the SPEA, and adhering to the protection covenants. The DP will not address the longer term uses on the lot such as the use of toxic chemicals on the property that should be controlled so as to protect water quality in the downstream creek and estuary (e.g. use of non-toxic detergents for washing vehicles) and proper storage and use of toxic chemicals (e.g. oil, antifreeze). This is understood to be the responsibility of the Fire Hall itself.

Given the recommendations provided by the QEP in the RAR Assessment Report and the applicants shown acknowledgment of the riparian area through the use of a gravel parking lot and a bioswale at the edge of the development nearest Jack Creek, and that the project primarily meets the guidelines established in the OCP, staff are recommending approval of the Development Permit. The development permit is now ready for consideration for issuance by the LTC.

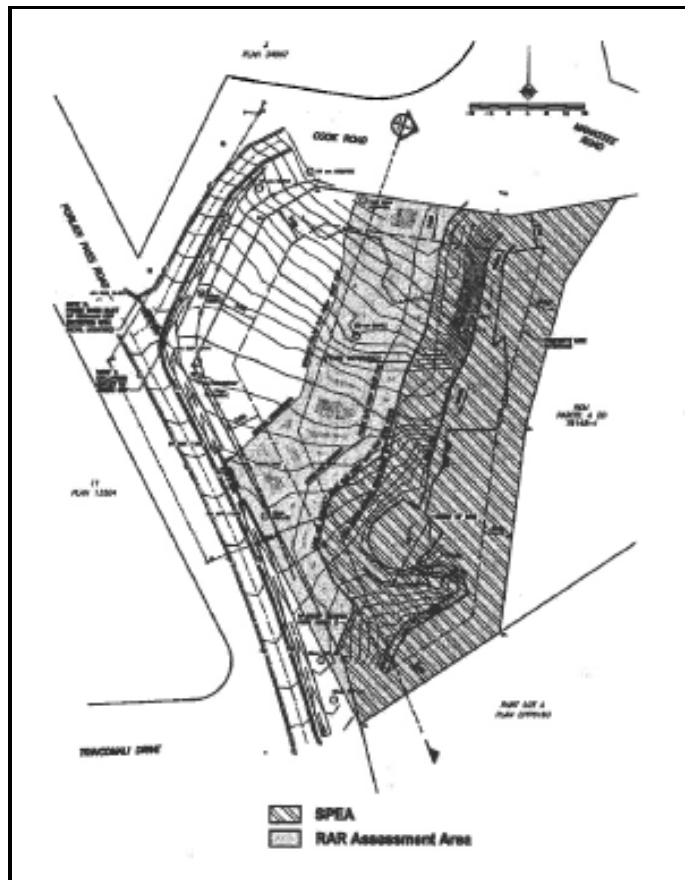


Figure 7- SPEA and RAR Assessment Area

RECOMMENDATIONS:

THAT Development Permit GL-DP-2013.1 (CRD) and Development Variance Permit GL-DVP-2013.2 (CRD) **BE APPROVED.**

Prepared and Submitted by:

Kris Dietrich

April 4, 2013
Date

Concurred in by:

R. Koj

April 4, 2013
Date

Schedule 'A' – Biologist's Report
Schedule 'B' – DPA Guidelines Checklist
Schedule 'C' – Draft Development Permit

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date 2011-06-01

I. Primary QEP Information

First Name	Kathleen	Middle Name	Elaine
Last Name	Reimer		
Designation	RPBiologist	Company:	Island Stream and Salmon Enhancement Society
Registration #	1728	Email:	kathyreimer@shaw.ca
Address	Box 289		
City	Salt Spring Island	Postal/Zip	V8K 2V9
Prov/state	BC	Country	Canada
		Phone #	250-537-8983

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name	Shane	Middle Name	William
Last Name	Moore		
Designation	P. Geo	Company :	Ryzuk Geotechnical
Registration #	30949	Email :	shane@ryzuk.com
Address	28 Crease Avenue		
City	Victoria	Postal/Zip	V8Z 1S3
Prov/state	BC	Country	Canada
		Phone #	250-475-3131

III. Developer Information

Owner Name	North Galiano Community Association		
Agent Name	Michael Cole. Email: MCole@crd.bc.ca		
Company	Capital Regional District . Phone 250.380.3174, 800.663.4425 Cell: 250.217.6978		
Address of property	Porlier Pass Road at Cook Road		
City	Galiano Island	Postal/Zip	VON 1PO
Prov/state	BC	Country	Canada

IV. Development Information

Development Type	Building Construction		
Area of Development (ha)	0.8 acres	Riparian Length (m)	130m
Lot Area (ha)	1.74 acres	Nature of Development	construction
Proposed Start Date	2011	Proposed End Date	2012

V. Location of Proposed Development

Street Address (or nearest town)	Porlier Pass Road at Cooke Rd.		
Local Government	Islands Trust	City	Victoria
Stream Name	Jack Creek		
Legal Description (PID)	024-652-512	Region:	Capital
Stream/River Type	stream	DFO Area	17-Nanaimo
Watershed Code	925-3050-00		
Latitude	48	58	24
Longitude	123	33	38

Completion of Database Information includes the Form 2 for the Additional QEPs, if needed.
Insert that form immediately after this page.

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Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

(Provide as a minimum: Species present, type of fish habitat present, description of current riparian vegetation condition, connectivity to downstream habitats, nature of development, specific activities proposed, timelines).

Jack creek flows south from the Galiano Ecological Reserve into Trincomali Channel (Map 1). It has a watershed of approximately 300 hectares. The Ecological Reserve near the top of the watershed has a peaty wetland and a large beaver pond . A beaver dam regulates the outlet. The riparian areas downstream are mainly an intact second growth forest.

A south branch of the stream originates in wetlands on what used to be a farm/resort with two large trout ponds. The previous owner had a trout pond licence and the reservoirs were stocked during the 1980s . For several years he also helped with a DFO volunteer Salmonid in the Classroom enhancement program and Coho Salmon were introduced. The owner maintained minimum year round flows in the stream. After the property sold, the enhancement project was discontinued, although there have been the occasional report of fish seen in the stream.

Because of the mostly pristine watershed, the possibility of stream flow enhancement and the good gravel substrate present, the stream has been designated "potential" fish habitat. There are two barriers to anadromous fish passage, one of which is manmade. When Cook Road and the driveway to the farm (Manastee Rd.) were constructed, the original channel was filled in and a culvert was installed over a bed rock outcrop creating a waterfall that is a barrier to fish. The other obstacle to fish passage upstream on the adjoining property is a small natural water fall.

Both barriers could be easily modified. So Jack Creek definitely has the potential of supporting a small but sustainable population of trout or Coho Salmon.

The subject property is part of the former farm and was once cleared as sheep pasture. The present development proposal is for the construction of a fire hall building and a parking area on the 1.74 acre lot at the junction of Cook Rd. and Porlier Pass Road.

The watercourse on the subject property is approximately 130 meters in length . The natural part of the stream near the southern boundary is only 37 meters long. It has an overall slope of 7% but there is also a lower gradient section of habitat with good gravel substrate.

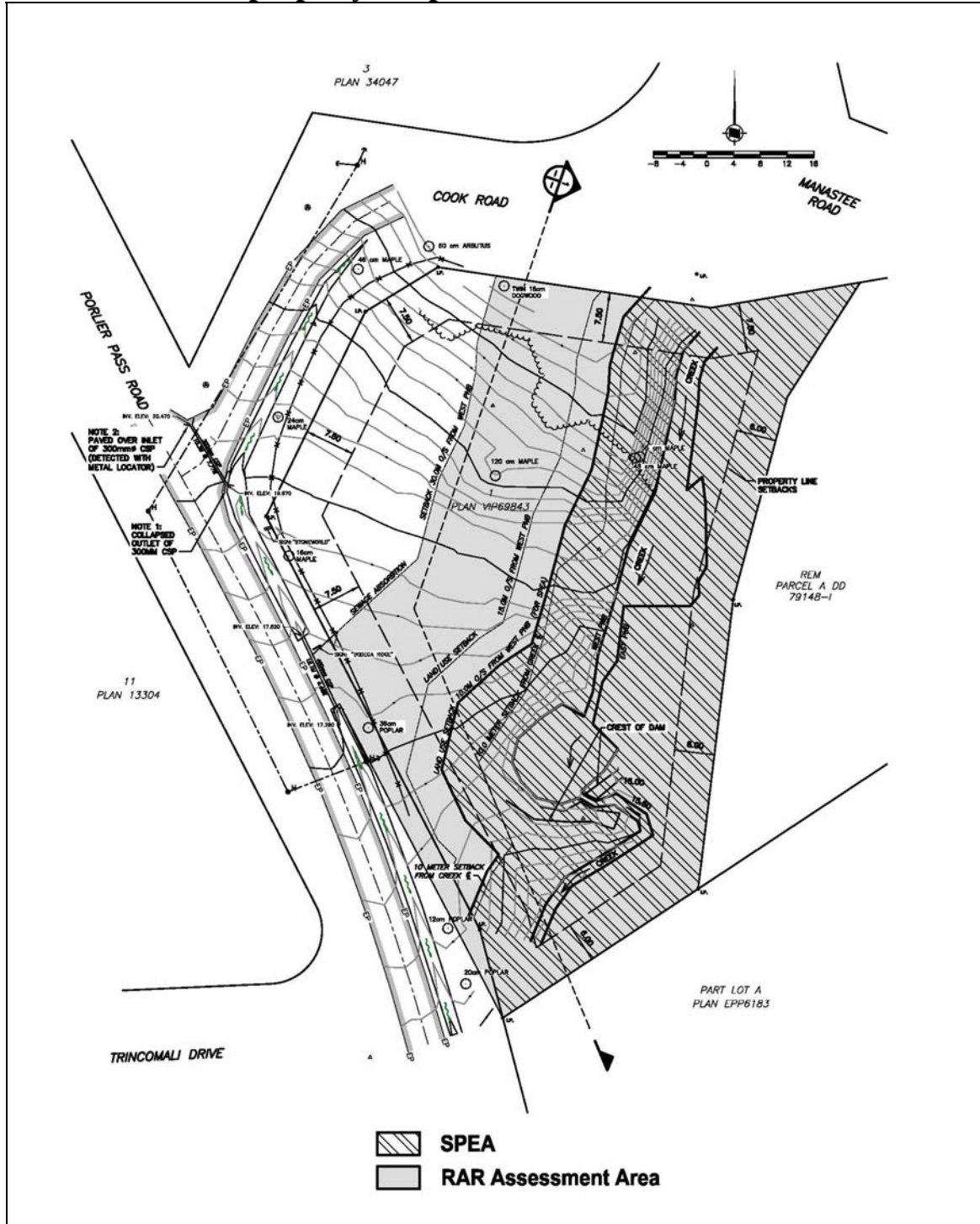
The rest of the water course is composed of two manmade ponds and their spillways. This step pool channel has a 10% gradient . The outlets of both ponds require regular maintenance in order to prevent debris build up in spillways.

There is an existing protective covenant on both sides of the stream. The agents for the property owners, (The CRD) wish to ensure that the firehall construction also meets the requirements of the Riparian Areas Regulation.

Map 1.
CRD Natural Areas Map showing General Area



Section 2. Fire hall property site plan and contours



See pages 6-11 for calculations of ZOS. Extending the SPEA to the east property boundary will add extra protection for the watercourse and will provide a better buffer strip in case of future development of the adjacent lands.

3. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: May 6, 2011

Description of Water bodies involved (number, type)

1

Stream	X
Wetland	
Lake	
Ditch	X
Number of reaches	2
Reach #	1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

Channel Width(m)		Gradient (%)	
starting point, lower pond	1.9	4	I, <u>Kathleen Reimer</u> , RPBiologist, hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developers, <u>the CRD and North Galiano Community Association</u> . I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and c) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
	2.1	2	
	2.2	2	
	2.0	4	
Downstream near fence	2.5	10	
Total:	10.7	22	
mean	2.2	5.4	
	R/P	C/P	S/P
Channel Type		x	

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes I, <u>Kathleen Reimer RP Biologist</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developers, <u>the CRD and North Galiano Community Association</u> . c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
Polygon No:			Method employed if other than TR
SPVT Type	LC	SH	
			X

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1a	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	10						
Litter fall and insect drop ZOS (m)	10						
Shade ZOS (m) max	6	South bank	Yes		No	X	

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)				
Ditch Fish Bearing	Yes		No		If non-fish bearing insert no fish bearing status report
SPEA maximum		(For ditch use table3-7)			

Segment No:	1b	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)	10				
Litter fall and insect drop ZOS (m)	10				
Shade ZOS (m) max	6				
SPEA maximum	10-30	(For ditch use table3-7)			

I, Kathleen Reimer, RPBiologist hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developers, the CRD and North Galiano Community Association. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

c) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Calculation of Zones of Sensitivity (ZOS)

Reach 1. Segment 1a. West side of the stream.

SPVT Type	Channel type	LWD, bank stability	Litter, insect drop	Shade	SPEA
Trees	C/P	10 m (minimum)	10m (minimum)	6	10m

Calculation of Zones of Sensitivity (ZOS)

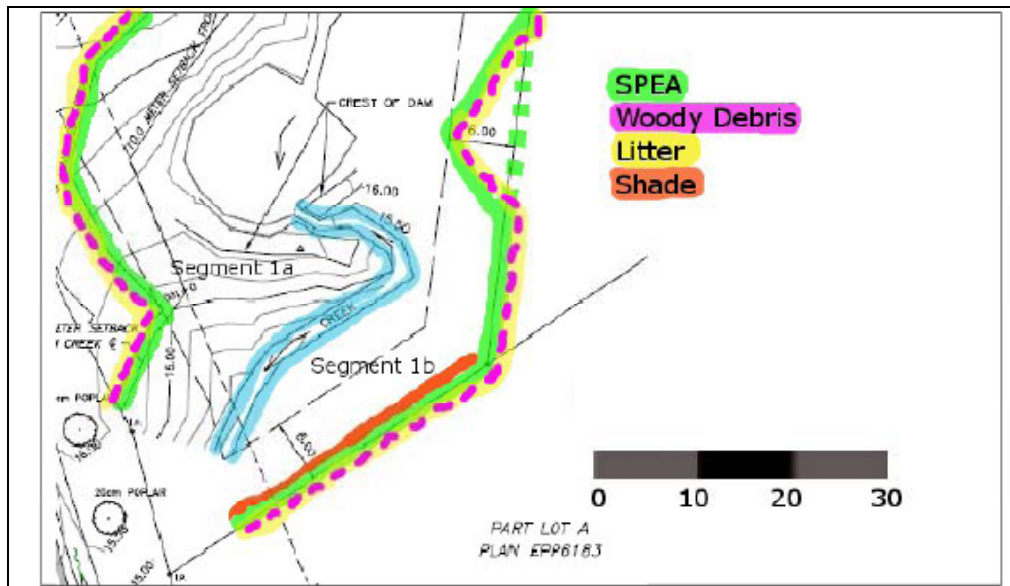
Reach 1. Segment 1b—South side of channel

SPVT Type	Channel type	LWD, bank stability	Litter, insect drop	Shade	SPEA
Trees	C/P	10 m (minimum)	10m (minimum)	30 South side	10m-to the south property boundary

Comments

This section of the stream has some good spawning and rearing habitat. Shade is important to maintain cooler summer water temperatures so the SPEA on the south side extends to the property boundary.

Section 3. Reach 1 showing ZOS and SPEA calculation.



3. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: May 6, 2011

Description of Water bodies involved (number, type)

One stream with two in-channel step ponds

Stream	X
Wetland	
Lake	
Ditch	
Number of reaches	2
Reach #	2

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

	Channel Width(m)	Gradient (%)
Near road	3	
	3	
	2	
	10 pool	10%
	2 spillway	
	2	
Lower pool	10	
Total:	32	
mean	4.3	
	R/P	C/P S/P
Channel Type		X

I, Kathleen Reimer, RPBiologist, hereby certify that:

- I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- I am qualified to carry out this part of the assessment of the development proposal made by the developers, the CRD and North Galiano Community Association. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes
			I, <u>Kathleen Reimer, RP Biologist</u>, hereby certify that: - I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; - I am qualified to carry out this part of the assessment of the development proposal made by the developers;; <u>the CRD and North Galiano Community Association</u>. - I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and - In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
SPVT Type	LC	SH	TR
			X

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	2a	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons				
LWD, Bank and Channel Stability ZOS (m)	10					
Litter fall and insect drop ZOS (m)	10					
Shade ZOS (m) max	6	South bank	Yes		No	X

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)					
Ditch Fish Bearing	Yes	X	No		If non-fish bearing insert no fish bearing status report	
SPEA maximum	10	(For ditch use table3-7)				
Segment No:	2b	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons				
LWD, Bank and Channel Stability ZOS (m)	10					
Litter fall and insect drop ZOS (m)	10					
Shade ZOS (m) max	6.0	South bank	Yes	X partly		
SPEA maximum	10	(For ditch use table3-7)				

I, Kathleen Reimer, hereby certify that:

- d) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
e) I am qualified to carry out this part of the assessment of the development proposal made by the developers the CRD and North Galiano Community Association. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
f) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Calculation of Zones of Sensitivity (ZOS) Segment 2a. West side.

SPVT Type	Channel type	LWD, bank stability	Litter, insect drop	Shade	SPEA
Trees	S/P	10 m (minimum)	10m (minimum)	N/A	10m

Calculation of Zones of Sensitivity (ZOS) Segment 2b- East /South side.

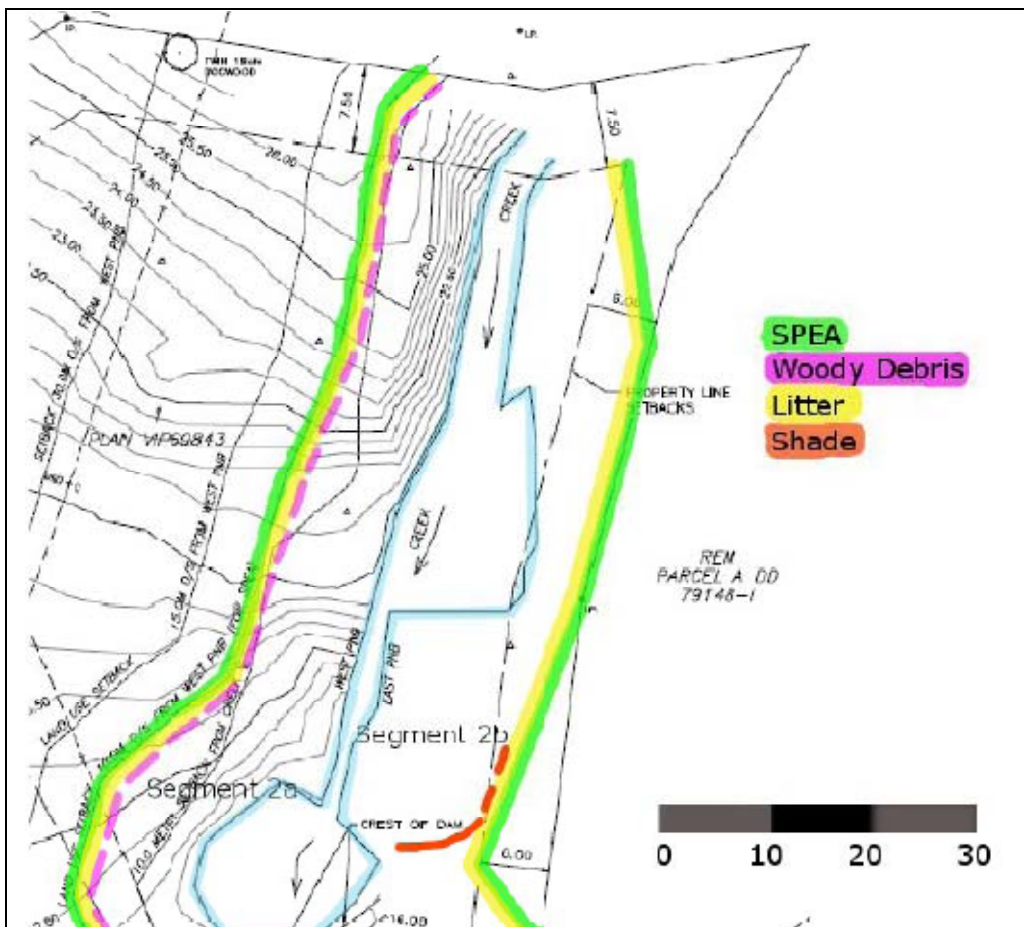
SPVT Type	Channel type	LWD, bank stability	Litter, insect drop	Shade	SPEA
Trees	S/P	10 m (minimum)	10m (minimum)	30, only on South Side	10m and a short 30 meter section on pool south side

Comments

The minimum setback is suitable for Segment 2a of this reach because it is on the west side of the water course, and woody debris and litter production are not necessary, as the spillways must be regularly cleared to prevent debris build up and possible wash out.

Segment 2b requires a wider SPEA for shade in one area below the larger pool. The entire east and south side of the stream will remain natural because the SPEA extends to the property line. See site plan Page 5 for the final SPEA recommendation.

Reach 2 showing ZOS and SPEA calculation



Section 4. Measures to Protect and Maintain the SPEA

This section is required for detailed assessments. Attach text or document files, as need, for each element discussed in chapter 1.1.3 of Assessment Methodology. It is suggested that documents be converted to PDF before inserting into the assessment report. Use your "return" button on your keyboard after each line. You must address and sign off each measure. If a specific measure is not being recommended a justification must be provided.

1. Danger Trees	The only trees that can be removed from the SPEA are those certified as Dangerous by a registered professional arborist
I, <u>Kathleen Reimer, RPBIOLOGIST</u> , hereby certify that:	
g) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;	
h) I am qualified to carry out this part of the assessment of the development proposal made by the developers, <u>the CRD and North Galiano Community Association</u> . I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Windthrow	Windthrow is not an issue at this site because almost all the clearing had been done for the old sheep pasture. Most of the other existing

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

	trees are all within the SPEA.
I, <u>Kathleen Reimer, RP Biologist</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developers, <u>the CRD and North Galiano Community Association</u>. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
3. Slope Stability	See the following Geotechnical report
I, <u>Shane Moore PGeo</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developers, <u>the CRD and North Galiano Community Association</u>. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4. Protection of Trees	All of the vegetation on the east and south side will be protected within the SPEA which extends to the property boundaries
I, <u>Kathleen Reimer, RP Biologist</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developers, <u>the CRD and North Galiano Community Association</u>. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
5. Encroachment	The SPEA on the west side of the watercourse must be clearly marked and preferably fenced to prevent encroachment, especially during the construction process. Access to the stream should be permitted as both spillways will require regular maintenance. A gate will also be necessary.
I, <u>Kathleen Reimer RPBiologist</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developers- <u>the CRD and North Galiano Community Association</u>. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
6. Sediment and Erosion Control	No sediment from the construction site should enter directly into the SPEA. All runoff must directed toward the western property boundary. There should be a silt fence and hay bales available on site in case of rainy weather. The drainage ditch along Porlier Pass Road should NOT be cleared of vegetation as it provides a useful filter for any run-off from the site..
I, <u>Kathleen Reimer RPBiologist</u> hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developers; <u>the CRD and North Galiano Community Association</u>. c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
7. Storm water Management	Impervious surfaces should be minimized, and a gravel parking area is preferable, in order to prevent polluted runoff from contaminating the lower stream areas and the estuary of Jack Creek. The construction plans for the new building should include a storm water catchment system. See also the following Geotechnical report.
I, <u>Kathleen Reimer RPBiologist and Shane Moore P.Geo</u>, hereby certify that: a. We are qualified environmental professionals, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. We are qualified to carry out this part of the assessment of the development proposal made by the developers; <u>the</u>	

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

<u>CRD and North Galiano Community Association.</u>	
c. We have carried out an assessment of the development proposal and our assessment is set out in this Assessment Report; and In carrying out our assessment of the development proposal, we have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
8. Floodplain Concerns (highly mobile channel)	There are no highly mobile channels at this site
I, <u>Shane Moore, P Geo.</u> hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;	
b. I am qualified to carry out this part of the assessment of the development proposal made by the developers; <u>the CRD and North Galiano Community Association.</u> I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

CRD staff members are qualified to monitor the site during construction. Any questions regarding protection of the SPEA can be relayed to the QEP.

Some stream restoration work may be required in the future and a QEP should advise if any permits are required. The CRD should consider future partnering with the local conservation group to improve fish access at this site.

The QEP may provide a post development report if it is required by the Islands Trust.

Geotechnical report

RYZUK GEOTECHNICAL

Engineering & Materials Testing

28 Crease Avenue, Victoria, BC, V8Z 1S3 Tel: 250-475-3131 Fax: 250-475-3611 www.ryzuk.com

June 22, 2011

File No: 8-797-27

CRD Environmental Services
PO Box 1000
Victoria, BC
V8W 2S6

Attn: Mr. Mike Cole, P.Eng., PMP, BCQ

Dear Sir,

Re: Proposed Fire Hall
Cook Road @ Porlier Pass Road – Galiano Island, BC

As requested, we attended the referenced site to assess the existing geotechnical conditions as such relate to contemplated future development. We understand that development details are uncertain at this time, but generally will consist of construction of a new fire hall, possible parking areas, as well as onsite septic disposal. Our work has involved a review of available surficial soils and bedrock geology mapping, topography generated from the recent site survey, available historical and digital imagery, as well as our site observations. Our associated comments and recommendations in this regard are provided herein, and our work has been undertaken in accordance with and is subject to the attached Statement of Terms of Engagement.

The subject site is bounded to the north, southwest, and west by road right of ways, and to the east by an undeveloped property. The topography is generally characterized by gentle to moderately southward inclined slopes, except for along the eastern portion where an existing stream channel is present. In this location the slopes vary from being quite steeply inclined in the northeastern portion to only gently inclined over the southeasterly portion. The stream channel is well confined, and then discharges into two either manmade or beaver assisted dams, before flowing beneath Porlier Pass Road.

Ryzuk Geotechnical

RYZUK GEOTECHNICAL

CRD Environmental Services

June 22, 2011

Cook Road @ Porlier Pass Drive – Galiano Island, BC

Although we did not undertake any subsurface investigations, on the basis of our past experience and local knowledge, we expect that the soils at the site consist generally of a thin layer of topsoil overtop silty material (either colluvial or marine in nature), with the depth to bedrock varying. Bedrock outcrop is identified at the northeastern extent of the property, with no indication of bedrock in the mid-portion or southern portions. The northern portion of the site is sporadically vegetated with large deciduous or coniferous trees, while elsewhere it is more typically comprised of scrub brush with the occasional larger coniferous or deciduous trees.

On the basis of our visual assessment, we believe that development at the site is viable provided that several geotechnical aspects are taken into account. The moderately to steeply inclined slopes along the stream channel (i.e. channel banks) may be prone to seismically induced slope failures. In addition, disruption to the vegetation of these materials can exacerbate stream bank erosion and sediment production. Accordingly, we recommend that a minimum geotechnical setback of 2 H : 1 V (horizontal : vertical) be maintained from the base of slope within these regions. We have shown on the attached drawing 8-797-27-1, Plan and Profile, the location of the 2 H : 1 V setback. In the mid-portion of the property as well as in the south portion, we perceive there to be less of a concern with a respect to slope instability during a seismic event. In these locations however, it is our professional opinion that the soils may be susceptible to erosion, with such resulting in sediment production into the stream channel. Accordingly, we recommend that a 10 m offset from the present natural boundary of the stream channel be maintained in which development is restricted including significant disturbance to the existing ground surface.

We understand that the proposed structure is conceptionally being considered in the northern portion where the ground elevation is considerably higher. There is a possibility that there will be a below grade component of the building, and we have been requested to comment on the potential for flooding to this lower level of the building in the event that elevated creek levels are experienced. Based on our visual observations, we expect that the groundwater regime will vary, however, we do not expect a significant connectivity of such between the creek and the proposed location of the building. In this regard, we would not anticipate elevated water levels within the creek channel to have any significant effect on the groundwater table within the region of the proposed building, particularly given that the building will be about 15 m away and the soil comprising the channel bank in between would not be excavated. It is possible however, that the groundwater table will be intercepted during the course of excavation and construction, although we foresee this easily being mitigated by installation of conventional perimeter drains around the building.

In summary, we believe that the site is suitable for the proposed development, provided that a geotechnical setback is maintained at a distance of 10 m from the present natural boundary. This is consistent with the recommendations provided by the biological consultant, to ensure protection of the ecological values within the stream channel area. In addition, we do not believe that there is risk of flooding of a proposed building located in the higher elevation western areas due to elevated water levels within the creek. Furthermore, we do not perceive there to be any

RYZUK GEOTECHNICAL

CRD Environmental Services

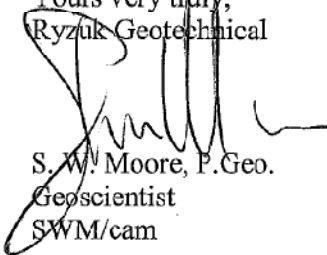
June 22, 2011

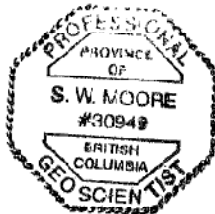
Cook Road @ Porlier Pass Drive – Galiano Island, BC

other geotechnical hazards such as slope stability, erosion, or rockfall hazard which could affect the proposed building in the location intended.

We hope the preceding is suitable for your purposes at present. If you have any questions with respect to the above, please contact us.

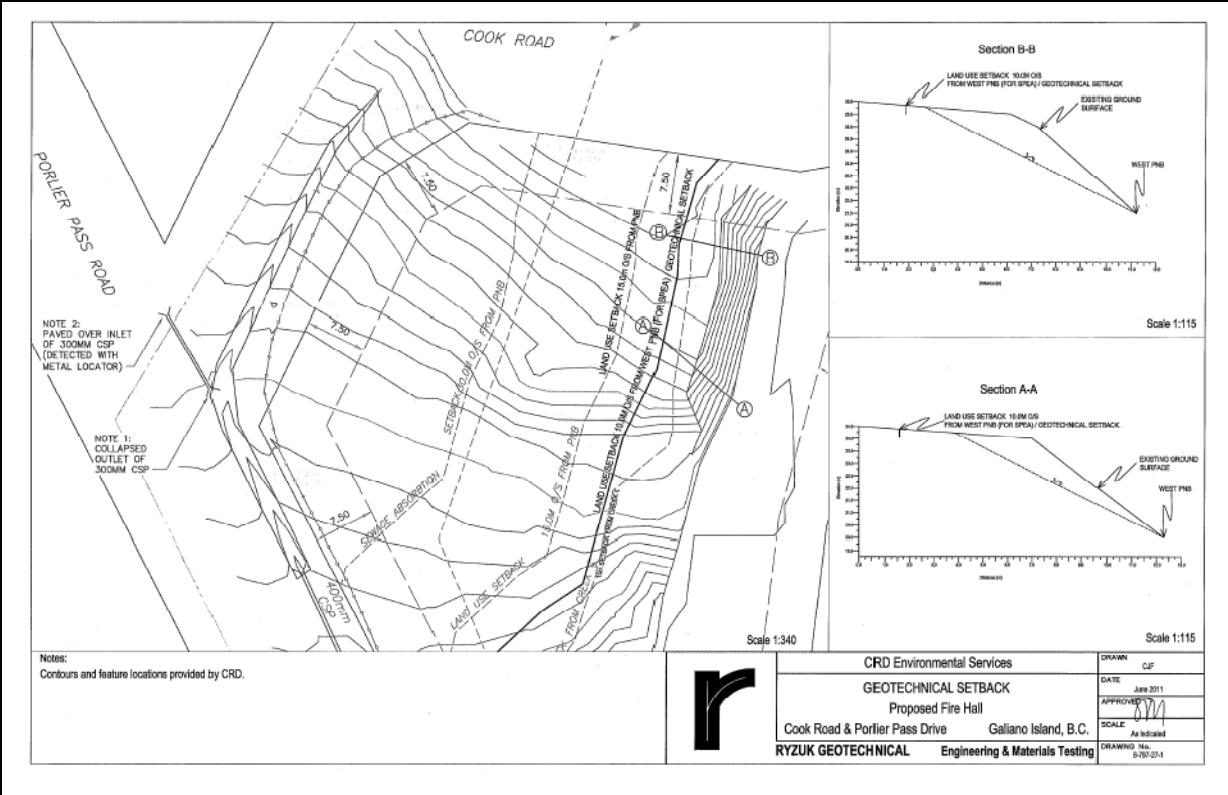
Yours very truly,
Ryzuk Geotechnical


S. W. Moore, P. Geo.
Geoscientist
SWM/cam



Attachment – Statement of Terms of Engagement
Drawing 8-797-27-1, Plan and Profile

FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



STATEMENT OF TERMS OF ENGAGEMENT

GENERAL

C.N. Ryzuk & Associates Ltd. (The Consultant) shall render the Services, as specified in the attached Scope of Services, to the Client for this Project in accordance with the following terms of engagement. The Services, and any other associated documents, records or data, shall be carried out and/or prepared in accordance with generally accepted engineering practices in the location where the Services were performed. No other warranty, expressed or implied is made. The Consultant may, at its discretion and at any stage, engage subconsultants to perform all or any part of the Services.

COMPENSATION

All charges will be payable in Canadian Dollars. Invoices will be due and payable by the Client on receipt of the invoice without hold back. Interest on overdue accounts is 24% per annum.

TERMINATION

Either party may terminate this engagement without cause upon thirty (30) days' notice in writing. On termination by either party under this paragraph, the Client shall forthwith pay to the Consultant its Charges for the Services performed, including all expenses and other charges incurred by the Consultant for this Project.

If either party breaches this engagement, the non-defaulting party may terminate this engagement after giving seven (7) days' notice to remedy the breach. On termination by the Consultant under this paragraph, the Client shall forthwith pay to the Consultant its Charges for the Services performed to the date of termination, including all fees and charges for this Project.

ENVIRONMENTAL

The Consultant's field investigation, laboratory testing and engineering recommendations will not address or evaluate pollution of soil or pollution of groundwater. The Consultant will cooperate with the Client's environmental consultant during the field work phase of the investigation.

PROFESSIONAL RESPONSIBILITY

In performing the Services, the Consultant will provide and exercise the standard of care, skill and diligence required by customarily accepted professional practices and procedures normally provided in the performance of the Services contemplated in this engagement at the time when and the location in which the Services were performed.

LIMITATION OF LIABILITY

The Consultant shall not be responsible for:

- (a) the failure of a contractor, retained by the Client, to perform the work required for the Project in accordance with the applicable contract documents;
- (b) the design of or defects in equipment supplied or provided by the Client for incorporation into the Project;
- (c) any cross-contamination resulting from subsurface investigations;
- (d) any damage to subsurface structures and utilities which were identified and located by the Client;
- (e) any Project decisions made by the Client if the decisions were made without the advice of the Consultant or contrary to or inconsistent with the Consultant's advice;
- (f) any consequential loss, injury or damages suffered by the Client, including but not limited to loss of use, earnings and business interruption;
- (g) the unauthorized distribution of any confidential document or report prepared by or on behalf of the consultant for the exclusive use of the Client

The total amount of all claims the Client may have against the Consultant or any present or former partner, executive officer, director, stockholder or employee thereof under this engagement, including but not limited to claims for

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

negligence, negligent misrepresentation and breach of contract, shall be strictly limited to the amount of any professional liability insurance the Consultant may have available for such claims.

No claim may be brought against the Consultant in contract or tort more than two (2) years after the Services were completed or terminated under this engagement.

DOCUMENTS AND REPORTING

All of the documents prepared by the Consultant or on behalf of the Consultant in connection with the Project are instruments of service for the execution of the Project. The Consultant retains the property and copyright in these documents, whether the Project is executed or not. These documents may not be used on any other project without the prior written agreement of the Consultant.

The documents have been prepared specifically for the Project, and are applicable only in the case where there has been no physical alteration to, or deviation from any of the information provided to the Consultant by the Client or agents of the Client. The Client may, in light of such alterations or deviations, request that the Consultant revise and review these documents.

The identification and classification as to the extent, properties or type of soils or other materials at the Project site has been based upon investigation and interpretation consistent with the accepted standard of care in the engineering consulting practice in the location where the Services were performed. Due to the nature of geotechnical engineering, there is an inherent risk that some conditions will not be detected at the Project site, and that actual subsurface conditions may vary considerably from investigation points. The Client must be aware of, and accept this risk, as must any other party making use of any documents prepared by the Consultant regarding the Project.

Any conclusions and recommendations provided within any document prepared by the Consultant for the Client has been based on the investigative information undertaken by the Consultant, and any additional information provided to the Consultant by the Client or agents of the Client. The Consultant accepts no responsibility for any associated deficiency or inaccuracy as the result of a misstatement or receipt of fraudulent information.

JOBSITE SAFETY AND CONTROL

The Client acknowledges that control of the jobsite lies solely with the Client, his agents or contractors. The presence of the Consultant's personnel on the site does not relieve the Client, his agents or contractors from their responsibilities for site safety. Accordingly, the Client must endeavor to inform the Consultant of all hazardous or otherwise dangerous conditions at the Project site of which the Client is aware.

The client must acknowledge that during the course of a geotechnical investigation, it is possible that a previously unknown hazard may be discovered. In this event, the Client recognizes that such a hazard may result in the necessity to undertake procedures which ensure the safety and protection of personnel and/or the environment. The Client shall be responsible for payment of any additional expenses incurred as a result of such discoveries, and recognizes that under certain circumstances, discovery of hazardous conditions or elements requires that regulatory agencies must be informed. The Client shall not bring about any action or dispute against the Consultant as a result of such notification.

Section 6. Photos

1. Jack Creek estuary



2. Lower reach 1. Looking downstream toward south property line



Photos cont'd.

3. Upstream of Photograph 2 looking North



4. Reach 1. Close up of gravel substrate-good fish habitat.



Photos cont'd

5. Reach 1, just downstream of lower pond, upstream of Photo 3.



6. Reach 2. Lower Pond. It is accessible for fish at most higher stream flows. The blackberries in the rear are growing on the spillway of the upper pond



7. The upper pond. Broom plants visible in SPEA areas.



8. Upstream of upper pond



FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

9. The waterfall under the Manastee Rd culvert



10. The area below the waterfall



FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

11. Jack Creek upstream of Manastee Road, the riparian area is an intact second growth forest



12. The wetland and beaver pond on the Ecological Reserve near the top of the watershed



Section 7. Professional Opinion**Assessment Report Professional Opinion on the Development Proposal's riparian area.**Date 2011-06-121. We, Kathleen Reimer, Registered Professional Biologist and Shane Moore, Professional Geotechnical Engineer _____

hereby certify that:

- a) We are qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) We are qualified to carry out the assessment of the proposal made by the developers which proposal is described in section 3 of this Assessment Report (the "development proposal"),
- c) We have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, we have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) ☐ if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**

(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)

- b) ☒ if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

[NOTE: "qualified environmental professional" means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if

(a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,

(b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and

(c) the individual is acting within that individual's area of expertise.]

Submission Instructions
Riparian Areas Regulation – Qualified Environmental Professional – Assessment Report
RAR-QEP-AR

Forms you will need to complete are

- Form 1 which has the database information, the description of the fisheries resources, development site plan, measures to protect and maintain the SPEA, and environmental monitoring.
- Form 2, if more QEPs are part of the project team.
- Either Form 3 the detailed assessment form(s) or Form 4 simple assessment form(s) which is for the results of the riparian assessment (SPEA width). Use enough copies of the form to complete the assessment of the site.
- Form 5 is the photo form(s). Duplicate for additional photos.

NB: See the Guidelines and the Assessment Methods for detailed instructions on the information required for completing the Assessment Report.

A complete Riparian Assessment Report based on the template forms must be converted to a *single* Portable Document Format PDF file prior to uploading onto the Notification System.

The Assessment Report must be complete, by submitting the information specified, and posted to provide notification to the local government, Ministry of Water, Land and Air Protection and the Department of Fisheries and Oceans Canada.

Tips for working with MS Word Template Forms

Using the forms

- Before beginning, print a hard copy of the form and the guidance files for reference
- Open the template
- Enter data into the shaded fields on the form
- Use TAB to move from one field to another; SHIFT-TAB to go in reverse
- Text and digital photos may be inserted from other applications
- The amount of text that can be entered in each box is limited and cannot be changed by the user; boxes with date information, for example, require input like: yyyy-mm-dd.

Saving the completed form

- Assign name to the completed form
- Save a word document (*.doc file)
- Do not overwrite the Template (*.dot file) with your completed form
- If you do overwrite the template, you can download a new copy from this web site



Kathleen Reimer MSc., RPBiologist
Island Stream and Salmon Enhancement Society
Box 289, Ganges P.O.
Salt Spring Island, B.C. V8K 2V9

e-mail : salmonkathy@gmail.com

To: The Islands Trust- Galiano Island
Attn. Trust Planners

March 27, 2013

Regarding Jack Creek Proposed Fire Hall Construction—discussion of DPA guidelines

Dear Planners.

I have reviewed the proposed fire hall development and the Galiano Community Plan guidelines for development near sensitive ecosystems.

As you are aware there is a sensitive riparian ecosystem on the Jack Creek proposed Fire Hall site (See the following Sensitive Ecosystem map). Jack Creek is a fish bearing stream and there has been a Riparian Areas Assessment report done for the property (June 2011). The two man in-stream water storage made ponds are not true wetlands because of the stream gradient, but have become naturalized and there is some wetland vegetation present, so I have reviewed these DPA development guidelines as well.

I have copied the guidelines in a table format and entered my observations and comments that deal with each section.

I am attaching information on the Jack Creek protective covenant, a page of the RAR assessment manual that deals with the issues of erosion control and storm water control and a corrected copy of the RAR report (Reimer and Moore, 2011).

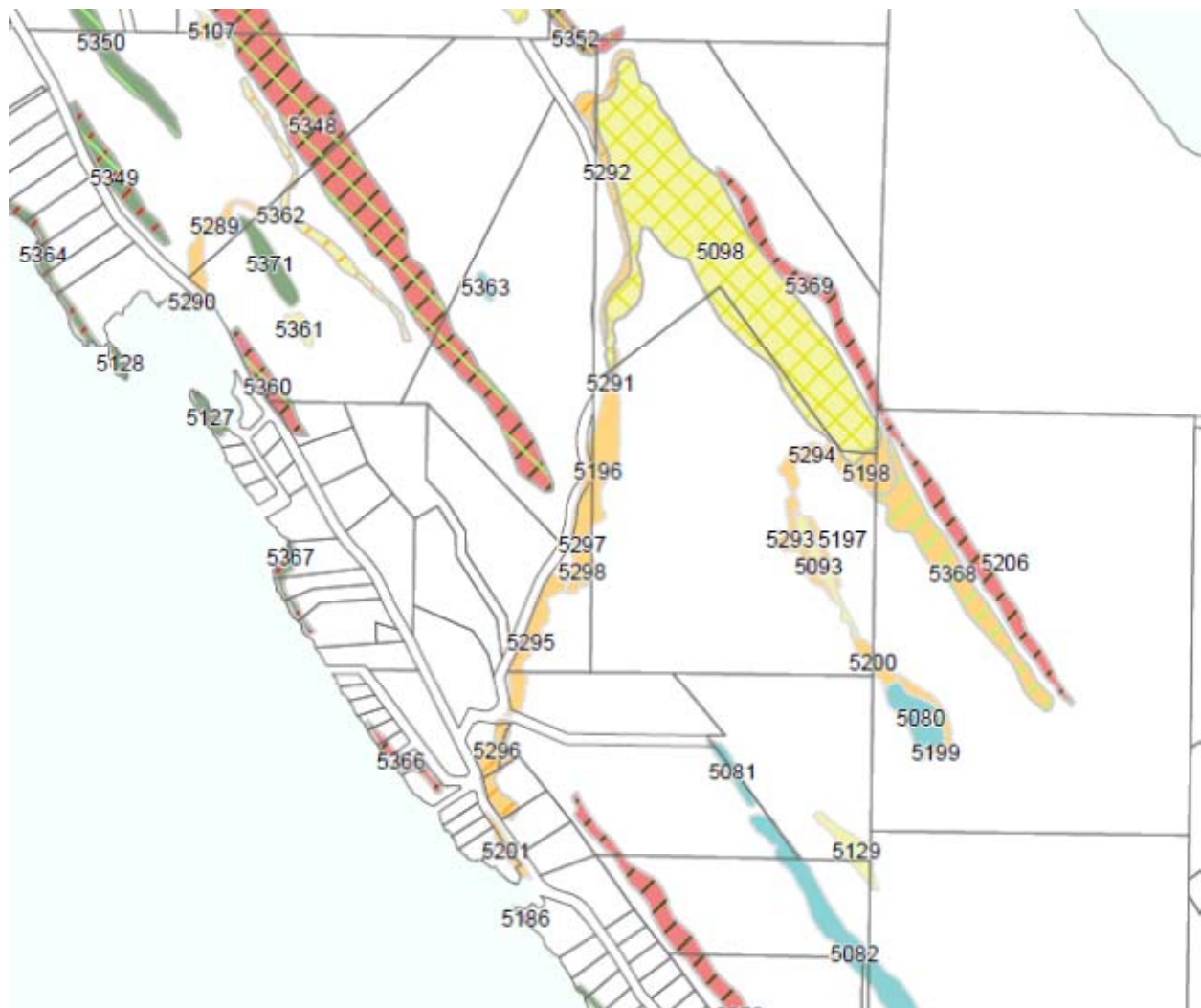
Please let me know if you need more information. Thank you for your help.

Kathleen Reimer Msc., RPBiologist

Riparian Areas Regulation (RAR) QEP

Galiano Island Sensitive ecosystems map showing Jack Creek riparian areas

(Ecosystem labels 5291-5296)



5295

CDFmm

10Rl:ff

5296

CDFmm

7Rl:ff

3Rl:fl

The Riparian Sensitive Ecosystem on the proposed fire hall property is labelled 5296.

Excerpt from Galiano Island Community Plan -DPA Guidelines regarding development near Riparian Ecosystems. QEP comments are added to each relevant section.

Guideline a: In general, all development in this DPA should be undertaken in a manner that minimizes impact on the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the protection of riparian areas and ecosystems consistent with the measures and recommendations described in the report.

****QEP Comments:** There has been a riparian areas assessment report completed for the site. The 10 meter Stream Protection and Enhancement Area (SPEA) has been defined. The most important measures for protecting the SPEA are related to prevention of erosion and silting during construction and the control of stormwater discharge from buildings and impervious surfaces after development. The following are excerpts from the RAR document (Reimer and Moore, 2011).

6. Sediment and Erosion Control	No sediment from the construction site should enter directly into the SPEA. All runoff must directed toward the western property boundary. There should be a silt fence and hay bales available on site in case of rainy weather. The drainage ditch along Porlier Pass Road should NOT be cleared of vegetation as it provides a useful filter for any run-off from the site..
7. Storm water Management	Impervious surfaces should be minimized, and a gravel parking area is preferable, in order to prevent polluted runoff from contaminating the lower stream areas and the estuary of Jack Creek. The construction plans for the new building should include a storm water catchment system. See also the following Geotechnical report.

The Site Plan (CO1-CO-2 Rev. A(1) Attached) shows that the parking lot surface will be gravel and there will be an engineered bioswale constructed along the east side of the new building. The Trust should ensure that the minimization of impervious surfaces and maintenance of vegetation in the ditches are conditions of the development permit.

The SPEA should be fenced off during construction to prevent any machine damage. After construction a more natural fence such as split rails could be used to define the protected area. Future access to the SPEA will be necessary to maintain the two dams and their associated spillways.

The SPEA area could be enhanced carefully in the future by gradually removing non native invasive plants and shrubs and replacing them with indigenous species.

It is also important to note that the Jack Creek Riparian Area is also protected by a provincial government covenant EK1311773 (see attached documents). Ministry of Environment permission would be required for any enhancement or restoration activities.

Guideline b: The development permit should not allow any development activities, including the storage or application of pesticides and other chemicals for non-essential cosmetic purposes, to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP or riparian buffer recommended by another professional adjacent to a non-RAR applicable watercourse, lake or wetland, and the owner should be required to implement a plan for protecting the SPEA or riparian buffer over the long term through measures that may be implemented as conditions of the development permit

****QEP comments.** There must be no storage or disposal of any toxic substances within the SPEA. The use of toxic chemicals on the property as a whole should be controlled in order to protect water quality in the downstream creek and the estuary. For example non toxic detergents should be used for washing the fire trucks. The CRD has all the necessary information for the proper use and storage of toxic chemicals such as antifreeze and oil.

Guideline c: Where the QEP or other professional's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.

**** QEP comments:** The development should be monitored during all phases of development. There should be a post development report submitted to the Islands Trust and to the Riparian Areas assessment site. CRD staff members are qualified to monitor the site with regular visits provided by a QEP at important phases of construction.

Guideline e: If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and DP conditions may be amended accordingly.

****QEP Comments:** Any future development within the 30 meter RAR assessment zone would require a new assessment report

Guideline f: The Local Trust Committee may consider variances to subdivision or siting or size regulations where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report

**** QEP comments—the defined SPEA is larger than required and extends to the eastern property boundary**

Excerpt from Galiano Island Community Plan -DPA guidelines regarding development near Sensitive Ecosystems

a)	Avoid development being located in areas containing important, rare or fragile sensitive ecosystems or habitat where reasonable alternative sites exist. **QEP comments: The fire hall site is zoned EHS. It is an essential service. This development is also a CRD government agency project that should be able to proceed without damaging the sensitive ecosystems. If the developers observe the Riparian Areas Regulations, including the recommended storm water measures and the buffer strip provided by the SPEA , there should be adequate protection from any negative impacts for the stream and estuary sensitive environments.
b)	Minimize the area cleared and disturbed for development. **QEP comments: As much as possible of the Fire Hall site should be landscaped and planted with suitable native species.
c)	Retain large, connected undisturbed areas, with connections and corridors providing continuity between sensitive ecosystems and important habitat. **QEP comments: The SPEA provides an essential wildlife corridor, and should not be deer fenced in order for wildlife to have access to the riparian areas.
d)	Site buildings and associated infrastructure to allow sufficient undisturbed space around significant mature or established trees to protect root systems. **QEP comments: The large trees have been identified on the attached building plan. Only one dead maple from will be removed from the building site. The area is a previous sheep pasture and has now been overgrown by blackberries.
e)	Retain undeveloped buffer areas around sensitive ecosystems, features or habitat where feasible. Buffer areas should be of sufficient width to limit access by invasive plants. **QEP comments: The SPEA extends all the way to the eastern property boundary
f)	Natural features may be retained through incorporation into the design of the development. In particular, unique or special natural features such as native grasses, rare plants, unique land forms, rock outcroppings, mature trees, spits and dunes should be protected. **QEP comments: See section b) above
g)	Preserve native grasses, rare plants, and wildflower ecosystems and associated soils. **QEP comments: See section b) above
h)	Avoid the planting or introduction of non-native plants. The use of drought resistant and native plants in landscaping should be encouraged. **QEP comments: See section b) above
i)	Avoid removal of mature and old trees, dead and declining trees and the root systems of trees. **QEP comments: There will be one dead maple tree removed from the building site. No dead trees should be removed from the SPEA.
j)	Protect denning and nesting sites of rare, threatened or endangered species. **QEP comments: N/A
k)	Minimize soil removal and deposit. **QEP comments: There must be no deposit of soil inside the protected riparian area
l)	Avoid alteration of natural drainage systems in ways that increase or decrease the amount of water available to a sensitive ecosystem. **QEP comments: all of these are prohibited activities under both the provisions of the protective covenant and the Riparian Areas Regulation (RAR).
m)	Locate septic fields in a manner that minimizes potential impacts on sensitive ecosystems or habitat. **QEP comments: The septic system will be located 30 meters from the PNB.
n)	Limit driveways and other accesses to the number required for safe access, with shared driveway access where feasible. Driveway lengths and widths should be limited to the minimum necessary. The use of impervious surfaces should be discouraged. **QEP comments: Restriction of paved parking lot surfaces could become part of the development permit conditions for the fire hall property.

DPA Guidelines regarding development near Wetland ecosystems

t)	In addition to the other guidelines, the following specific guidelines apply to applications within a wetland ecosystem: C
i)	Avoid filling or draining of permanent or seasonally wet areas. ** QEP comments- there will be no fill of any kind placed within the SPEA
ii)	Retain wetland vegetation and structure. ** QEP comments. The two man made dams may require maintenance
iii)	Avoid locating roads, driveways and utility corridors through wetland ecosystems; where crossings have to be located within the ecosystem the crossing should, to the extent feasible: ** QEP Comments .N/A
	• Be narrow and perpendicular to a wetland ecosystem;
	• Share facilities;
	• Minimize impacts on water bodies;
	• Conform to topography to minimize cut and fill;
	• Not restrict the natural movement of surface and groundwater;
	• Have appropriate native vegetation planted on shoulders to provide screening and assist soil stability.
iv)	Conduct construction involving disturbance of soil in such a manner as to avoid direct run-off into wetlands. **QEP comments. The issue of storm water and erosion control has been discussed above in the Riparian Ecosystems section
v)	Avoid disruption of natural hydrologic cycles and natural aquatic processes, including water flows, seasonal flooding, channel movements, windthrow or natural slope. **QEP comments: all of these are prohibited activities under both the provisions of the protective covenant and the RAR.
vi)	Maintain vegetation cover which helps stabilize banks and reduce erosion and provides habitat. **QEP Comments-see above. Invasive non native plants could be replaced with suitable native species.
vii)	Avoid removal of vegetation that would reduce the natural functions of the sensitive ecosystem. **QEP comments: a these are prohibited activities under both the provisions of the protective covenant and the RAR.
viii)	Avoid alteration of vernal pools to create year-round water features. N/A

Excerpt from RAR assessment manual concerning storm water and erosion control.

3.7.6 Sediment and Erosion control during Construction

As part of the site design, a sediment and erosion control plan should be developed to prevent the discharge of sediment laden water into the SPEA or any watercourse. The SPEA should not be used to filter sediment laden water prior to discharging into a watercourse and SPEA widths were not designed for this function. The QEP is expected to be familiar with the sediment and erosion control plan and to monitor its installation, effectiveness and maintenance. Links to sediment and erosion control planning can be found in the document entitled "Best Management Practices for Urban and Rural Land Development" <http://www.env.gov.bc.ca/wld/BMP/bmpintro.html>. At the subdivision stage, general guidance regarding site clearing may be provided with detailed plans being a requirement at the construction stage.

3.7.7 Stormwater Management

Stormwater resulting from development within the assessment area should be returned to natural hydrologic pathways. The key to runoff volume reduction and water quality improvement is capturing the small storm runoff (less than 50% of the rainfall event that occurs once per year, on average) from these rooftops and impervious surfaces. The goal is to capture runoff from rooftops, driveways, parking and other impervious areas for infiltration, vapor-transpiration and/or reuse. The RAR is only able to address development within the Riparian Assessment Area but stormwater management is an issue for the entire development site and watershed. For all Detailed Assessments, the QEP must include in their Assessment Report a plan to capture the small storm runoff event from the Riparian Assessment Area.

The requirements identified here under the RAR should not be considered sufficient to achieving stormwater objectives for the entire development. The provincial government document entitled Stormwater Planning: A Guide for British Columbia, May, 2002 provides a very good reference for this topic and provides examples on how to develop measures to achieve this goal. This document is available on the web at <http://www.env.gov.bc.ca/epd/epdpm/mpp/stormwater/stormwater.html> or www.waterbalance.ca

QEP recommendations regarding storm water and erosion control (From Jack Creek RAR report June 2011).

6. Sediment and Erosion Control	No sediment from the construction site should enter directly into the SPEA. All runoff must directed toward the western property boundary. There should be a silt fence and hay bales available on site in case of rainy weather. The drainage ditch along Porlier Pass Road should NOT be cleared of vegetation as it provides a useful filter for any run-off from the site..
I, <u>Kathleen Reimer RPBiologist</u> hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developers; <u>the CRD and North Galiano Community Association</u>. c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
7. Storm water Management	Impervious surfaces should be minimized, and a gravel parking area is preferable, in order to prevent polluted runoff from contaminating the lower stream areas and the estuary of Jack Creek. The construction plans for the new building should include a storm water catchment system. See also the following Geotechnical report.
I, <u>Kathleen Reimer RPBiologist</u> and <u>Shane Moore P.Geo.</u> hereby certify that: a. We are qualified environmental professionals, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;	

List of references

BC Ministry of Environment. 2006. Riparian Areas Regulations Assessment methods, version 3.3. April 2006. Available:
http://www.env.gov.bc.ca/habitat/fish_protection_act/riparian/documents/assessment_methods.pdf

Islands Trust. Galiano Island Community Plan. Development Permit Areas information.

Islands Trust Fund Sensitive Ecosystems mapping;
<http://www.islandstrustfund.bc.ca/media/2030/orgmapsemgalianonorth.pdf>

Reimer, Kathleen (RPBio) and Shane Moore (PGeo). 2011. Jack Creek Riparian Areas Assessment Report.

Galiano Island
OCP Bylaw No. 108, 1995
Riparian Areas Development Permit Area (DPA 1)
Guideline Checklist

Guideline	Complies			Comments
	Yes	No	N/A	
Guideline a: In general, all development in this DPA should be undertaken in a manner that minimizes impact on the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the protection of riparian areas and ecosystems consistent with the measures and recommendations described in the report.	☒	☐	☐	The Riparian Areas Assessment report has been accepted by all government agencies. The riparian SPEA (Stream Protection and Enhancement Area) has been defined. No development will take place within the 10 m protected SPEA
Guideline b: The development permit should not allow any development activities, including the storage or application of pesticides and other chemicals for non-essential cosmetic purposes, to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP or riparian buffer recommended by another professional adjacent to a non-RAR applicable watercourse, lake or wetland, and the owner should be required to implement a plan for protecting the SPEA or riparian buffer over the long term through measures that may be implemented as conditions of the development permit	☒	☐	☐	Because of the nearby fish bearing stream and the sensitive estuary there should be a clear policy for all fire hall personnel regarding the use of toxic substances including detergents .
Guideline c: Where the QEP or other professional's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.	☒	☐	☐	A QEP will monitor the site at all stages of the development. A post development report will be submitted to the Islands Trust.
Guideline d: The following guidelines are applicable to floats and associated structures within the development permit area: i) floats should not be placed in areas identified as important to fish life processes where installation of a float would compromise the functioning of the processes; ii) a ramp or float should not rest on the bed of the water body; iii) the use of treated wood in the water body should be avoided; iv) floatation material should be contained within a durable shell to prevent disintegration; v) pervious surfacing should be used on ramps and floats (e.g. grating or separated boards); vi) any areas disturbed during installation should be restored; vii) where a float is being replaced, all old materials should be removed from the riparian area.	☐	☐	☒	

Kathleen Reimer R.P. Biologist

Guideline	Complies			Comments
	Yes	No	N/A	
Guideline e: If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and DP conditions may be amended accordingly.	☒	☐	☐	
Guideline f: The Local Trust Committee may consider variances to subdivision or siting or size regulations where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report	☒	☐	☐	
	☐	☐	☐	
	☐	☐	☐	

X Reemov RP Bio.

Galiano Island
OCP Bylaw No. 108, 1995
Sensitive Ecosystems Development Permit Area (DPA 5)
Guideline Checklist

Guideline	Complies			Comments
	Yes	No	N/A	
a) Avoid development being located in areas containing important, rare or fragile sensitive ecosystems or habitat where reasonable alternative sites exist.	☒	☐	☐	The new fire hall provides an essential community service. The land is zoned EHS.
b) Minimize the area cleared and disturbed for development.	☒	☐	☐	
c) Retain large, connected undisturbed areas, with connections and corridors providing continuity between sensitive ecosystems and important habitat.	☒	☐	☐	
d) Site buildings and associated infrastructure to allow sufficient undisturbed space around significant mature or established trees to protect root systems.	☒	☐	☐	The streamside protected area is defined
e) Retain undeveloped buffer areas around sensitive ecosystems, features or habitat where feasible. Buffer areas should be of sufficient width to limit access by invasive plants.	☒	☐	☐	
f) Natural features may be retained through incorporation into the design of the development. In particular, unique or special natural features such as native grasses, rare plants, unique land forms, rock outcroppings, mature trees, spits and dunes should be protected.	☒	☐	☐	
g) Preserve native grasses, rare plants, and wildflower ecosystems and associated soils.	☒	☐	☐	
h) Avoid the planting or introduction of non-native plants. The use of drought resistant and native plants in landscaping should be encouraged.	☒	☐	☐	
i) Avoid removal of mature and old trees, dead and declining trees and the root systems of trees.	☒	☐	☐	No trees within the SPEA to be removed, one dead maple in the building site will be removed
j) Protect denning and nesting sites of rare, threatened or endangered species.	☐	☐	☒	
k) Minimize soil removal and deposit.	☒	☐	☐	Minimum soil removal necessary
l) Avoid alteration of natural drainage systems in ways that increase or decrease the amount of water available to a sensitive ecosystem.	☒	☐	☐	
m) Locate septic fields in a manner that minimizes potential impacts on sensitive ecosystems or habitat.	☒	☐	☐	Septic field is located 30 m from the west PNB.
n) Limit driveways and other accesses to the number required for safe access, with shared driveway access where feasible. Driveway lengths and widths should be limited to the minimum necessary. The use of impervious surfaces should be discouraged.	☒	☐	☐	
o) Limit shoreline structural modifications in scale and extent to structures necessary to support or protect an existing use or structure.	☐	☐	☒	
p) Preference should be given to shoreline modifications that have a minimal impact or enhance ecological functions, including vegetation enhancement, upland drainage control, beach enhancement or nourishment, anchor trees, or gravel placement. Harder construction measures should be avoided.	☐	☐	☒	
q) Shoreline stabilization should not interrupt natural processes solely to reduce erosion of undeveloped land. Vegetation which helps stabilise banks, reduce erosion and provides habitat should be retained or enhanced.	☐	☐	☒	

Natasha Beerna R.P. Biologist

Guideline	Complies			Comments
	Yes	No	N/A	
r) Limit stairs, walkways and other access within a sensitive ecosystem adjacent to the shoreline to those required for safe access, with shared access where feasible. Stairs should incorporate landings, follow the existing contours of the site, utilize small concrete pilings and have gaps between boards.	☐	☐	☒	
s) In addition to the other guidelines, the following guidelines apply specifically to applications within a woodland sensitive ecosystem:				
i) Protect large mature and old trees, trees containing cavities, the root systems of trees, rare plant species, native grasses and associated under-storey vegetation.	☒	☐	☐	
ii) Avoid unnecessary removal of dead or declining trees, downed logs, snags and leaf litter.	☒	☐	☐	
iii) Where feasible, cut dangerous trees to a level where they are safe rather than removed entirely.	☒	☐	☐	
t) In addition to the other guidelines, the following specific guidelines apply to applications within a wetland ecosystem:				
i) Avoid filling or draining of permanent or seasonally wet areas.	☒	☐	☐	
ii) Retain wetland vegetation and structure.	X			No development in the protected riparian areas
iii) Avoid locating roads, driveways and utility corridors through wetland ecosystems; where crossings have to be located within the ecosystem the crossing should, to the extent feasible:	☒	☐	☐	
• Be narrow and perpendicular to a wetland ecosystem;	☐	☐	☒	
• Share facilities;	☐	☐	☒	
• Minimize impacts on water bodies;	☐	☐	☒	
• Conform to topography to minimize cut and fill;	☐	☐	☒	
• Not restrict the natural movement of surface and groundwater;	☐	☐	☒	
• Have appropriate native vegetation planted on shoulders to provide screening and assist soil stability.	☐	☐	☒	
iv) Conduct construction involving disturbance of soil in such a manner as to avoid direct run-off into wetlands.	☒	☐	☐	On site silt protection measures will be in place. Constructed bioswale will prevent run-off from entering wetlands.
v) Avoid disruption of natural hydrologic cycles and natural aquatic processes, including water flows, seasonal flooding, channel movements, windthrow or natural slope.	☒	☐	☐	
vi) Maintain vegetation cover which helps stabilize banks and reduce erosion and provides habitat.	☒	☐	☐	No vegetation removal within protected area
vii) Avoid removal of vegetation that would reduce the natural functions of the sensitive ecosystem.	☒	☐	☐	See above
viii) Avoid alteration of vernal pools to create year-round water features.	☒	☐	☐	
u) In addition to the other guidelines, the following specific guidelines apply to applications within a cliff ecosystem:				
i) Maintain talus and rock debris that occurs at the base of rock outcroppings.	☐	☐	☒	
ii) Protect the faces of rock outcrops and cliffs.	☐	☐	☒	

Shelmer R P Bio.

Guideline	Complies			Comments
	Yes	No	N/A	
v) The following guidelines are applicable to any subdivision proposal within the Sensitive Ecosystem development permit area:				
i) Where feasible, protect sensitive ecosystems and habitat by clustering lots in areas with disturbed or modified ecosystems.	☐	☐	☒	No subdivision
ii) Proposed lots containing sensitive ecosystems and habitats should be of sufficient size to accommodate the permitted level of development, including driveway access and septic disposal systems, while also avoiding alteration and fragmentation of the sensitive ecosystems and habitat.	☐	☐	☒	
iii) Protect sensitive ecosystems and habitat from clearing, grading and filling during the land development and construction phases of subdivision. Permit conditions may include requirements for fencing, signs and timing of work.	☒	☐	☐	
iv) Make provision for any recommended buffer areas adjacent to sensitive ecosystems and habitat.	☐	☐	☒	
v) Configure lots to minimize driveway lengths within sensitive ecosystems. The provision of shared driveways may be considered as a condition of a permit if it can reduce impacts on sensitive ecosystems and habitat.	☐	☐	☒	
vi) A community water system, as an alternative to individual wells, may be considered as a condition of a permit where this would result in reduced impacts on sensitive ecosystems and habitat.	☐		☒	
vii) Locate septic disposal sites in a manner that minimizes potential impacts on sensitive ecosystems and habitat.	☒	☐	☐	Septic treatment sites are 30 meters from the PNB
viii) Design storm water management systems, where proposed, in a manner that avoids the impacts of run-off on sensitive ecosystems and habitat.	☒	☐	☐	No storm water will directly enter the SPEA. A constructed bioswale will treat storm water from the site
ix) Where applicable, configure lots to allow the siting of docks and stairs to the foreshore with minimal impact on sensitive shoreline and intertidal areas.	☐	☐	☒	
x) Pre-designation of building sites, septic disposal fields and driveways may be considered as a condition of a permit where this would result in reduced impacts on sensitive ecosystems and habitat.	☐	☐	☒	
w) In general, where a professional's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Conditions of a permit may include:				
i) the designation of areas within which no development shall occur;	☒	☐	☐	
ii) requirements of building siting, size, design or construction that would minimize impacts, protect or enhance sensitive ecosystems or habitat;	☒	☐	☐	
iii) use of native vegetation in landscaping;	☒	☐	☐	Building site disturbed areas will be replanted with indigenous species
iv) the use of pervious surfaces;	☒	☐	☐	Parking lots are surfaced with gravel
v) the placement of permanent or temporary fencing around sensitive features;	☒	☐	☐	SPEA must be fenced off during construction
vi) fencing, flagging and posting of notices during construction;	☒	☐	☐	See above

Rever RPBIO.

Guideline	Complies			Comments
	Yes	No	N/A	
vii) limits on blasting in sensitive areas;	☐	☐	☒	
viii) limits on construction timing;	☒	☐	☐	Construction will occur during the dry season (June-September)
ix) provision of works to maintain or restore the quantity or quality of water reaching environmentally sensitive areas or habitat;	☒	☐	☐	See site plan, permanent bioswale will treat surface run off
x) restoration or enhancement of disturbed sensitive ecosystems and habitat;	☒	☐	☐	Invasive plants removed, native plantings
xi) the layout of lots, including clustering, driveways, access routes, and septic disposal facilities in a plan of subdivision.	☒	☐	☐	
x) Where restoration or enhancement work is required as a condition of a permit, the applicant may be required to provide to the Islands Trust a security deposit, in the form of an irrevocable letter of credit, equal to 125% of the estimated costs of all materials and labour, as determined by a professional with relevant experience.	☐	☐	☒	This is a government agency project, the property will be restored to Islands Trust satisfaction
y) The Local Trust Committee may consider variances to subdivision or building siting or size regulations where the variance may result in protection of a sensitive ecosystem or habitat.	☒	☐	☐	Parking area and septic fields will be located 30m from sensitive ecosystems

Kathy Reimer RP Bio.



GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GL-DP-2013.1

To: North Galiano Fire Protection Society Inc.

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

Lot t 1 of Lot 83, Galiano Island, Cowichan District, Plan VIP69843

2. This Development Permit authorizes the construction of a new fire hall within the development permit areas, subject to the following requirements and conditions:
 - (a) Construction and land alterations shall be consistent with Schedules "A", "B" and "C" attached to and forming part of this permit.
 - (b) Monitoring should be done during all phases of development including a post development report completed by a QEP and submitted to the Islands Trust and the Riparian Areas Assessment site.
 - (c) All development on the site to adhere to the Riparian Areas Regulation: Assessment Report.
 - (d) Construction should be done during the dry season (June-September)
 - (e) No dead trees or wildlife trees are to be removed within the SPEA as identified in the Riparian Areas Regulation: Assessment Report.
 - (f) No deposit of soil is permitted within the protected Riparian Assessment Area.
 - (g) Arbutus trees and their root systems shall be protected during construction by installing temporary fencing at a minimum distance of 2.0 m from the trunk.
 - (h) No paved parking areas are permitted. Gravel is to be used for parking surfaces. The use of impervious surfaces should be minimized.
 - (i) Design of storm water discharge from any structures or surface within the development permit area shall ensure diffused discharge (in a semi-natural manner).
 - (j) No irrigation systems are to be placed within the development permit area.
 - (k) The SPEA shall be fenced off during construction to prevent machine damage.

- (l) Natural fencing (i.e. split rail) should be used to define the protected area (SPEA) when construction is completed.
- (m) No land alteration is permitted within the SPEA except for enhancement or restoration. SPEA should be enhanced carefully in the future gradually removing non-native invasive species and replacing with indigenous species and to for the maintenance of the spillways to prevent debris build up and possible wash out. *Note: The area is also protected by Covenant EK131173 requiring that the Ministry of Environment grant permission prior to any enhancement or restoration activities.*
- (n) Once construction is completed, the disturbed land shall be maintained free of invasive species, particularly Scotch Broom.
- (o) Once construction is completed, the disturbed land within the development permit area shall be restored to as near the pre-existing natural condition of the sensitive and shoreline ecosystems as feasible.
- (p) Temporary fencing should be constructed around the building sites to limit intrusion into DPAs/SPEA during construction.
- (q) Development shall be undertaken and completed in such a manner as to prevent the release of sediment to the riparian area/SPEA. Silt fencing and hay bales should be used during construction.
- (r) Trees and large shrubs within the construction area that are to be retained shall be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
- (s) Site should be landscaped and planted. Any new plantings within the development permit area must be drought-tolerant, native vegetation species.
- (t) Construction plans should include a stormwater catchment area.
- (u) Any future development within 30m of the RAR Assessment zone will require a new assessment report.
- (v) The geotechnical setback of 10 m from present natural boundary of the creek should be maintained.
- (w) Drainage ditch along Porlier Pass Road should not be cleared of vegetation as it provides a useful filter for any run-off from the site.

3. The Galiano Island Land Use Bylaw No. 127, 1999 is varied as follows:

- Subsection 8.3.3.1 is varied to permit the setbacks to be reduced to 0 m from 7.5 m for a lock block wall along the west side of the property and for a septic field along the south lot line of the property as per Schedule C attached. The variances are to permit construction on a site limited by a riparian area along Jack Creek. Current bylaw regulation states that the setbacks should be 7.5 metres for the front, rear and exterior lot lines.

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

AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS 8th day of April, 2013.

Deputy Secretary, Islands Trust

April , 2013

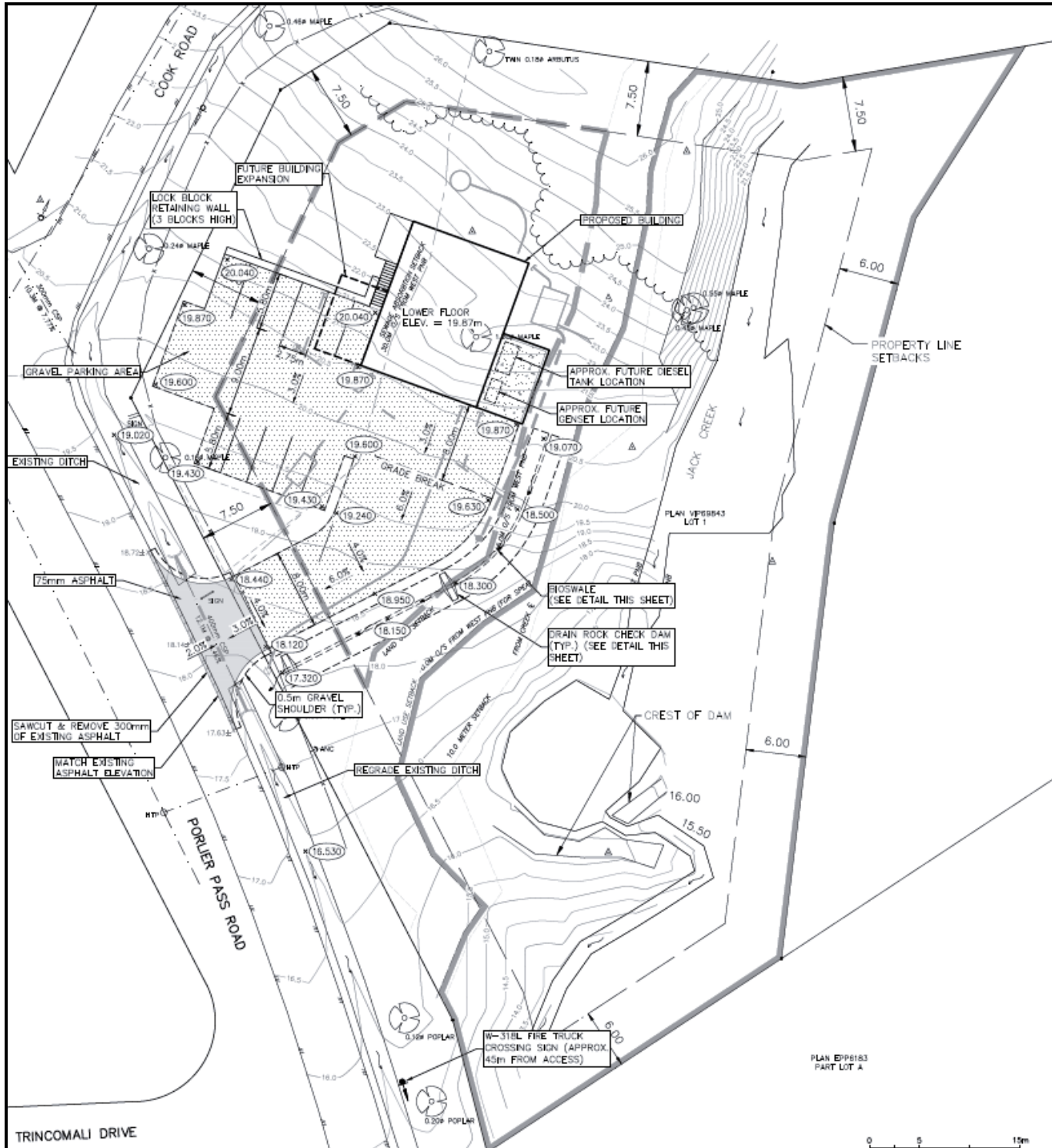
Date Issued

IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE 8th DAY OF April, 2015 THIS PERMIT AUTOMATICALLY LAPSES.

GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GL-DP-2013.1

Schedule "A" Site Plan

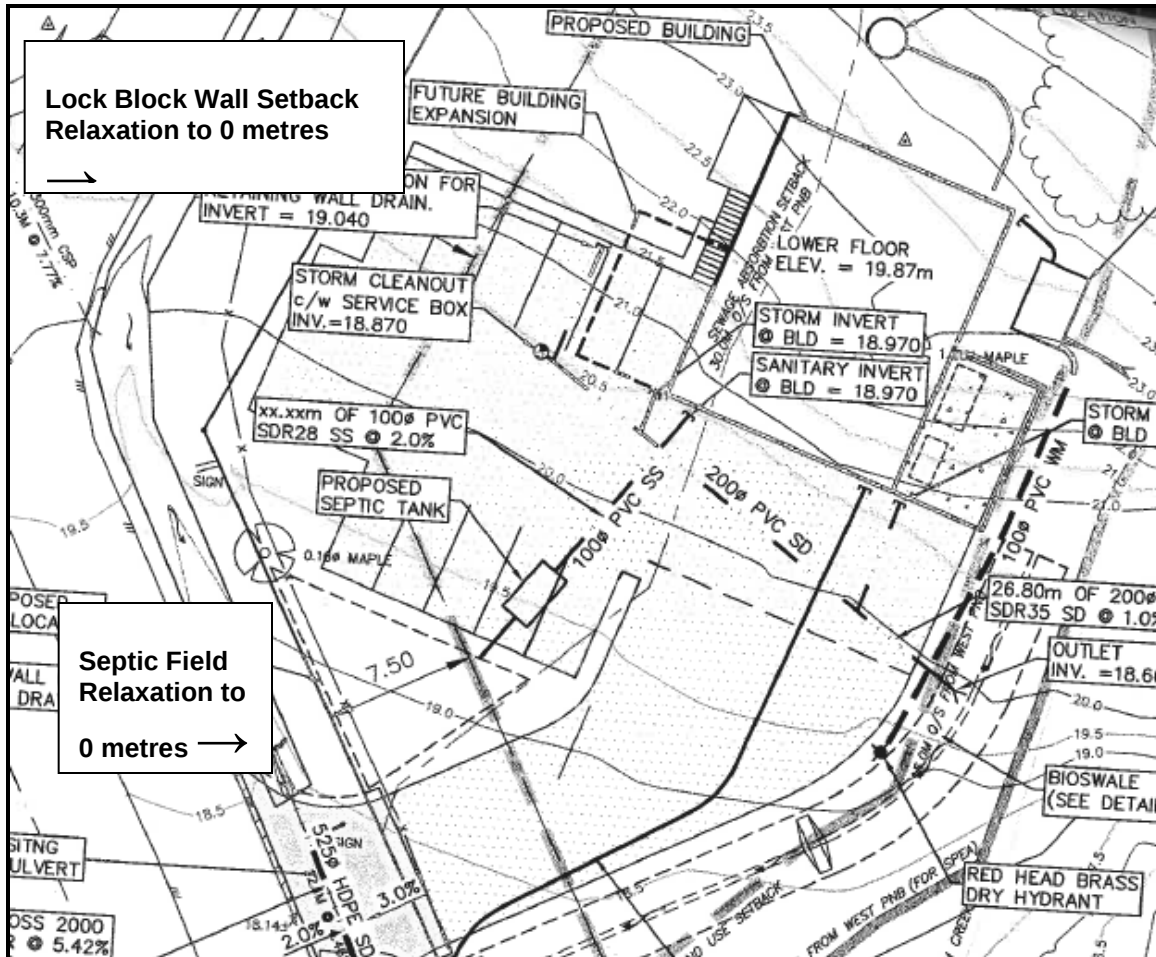


[illegible]

Schedule "C"

Proposed Variances – Fire Hall Construction

Note: Variance Granted for Setback Relaxation



Site Plan Showing Setback Relaxation for Septic Field and Wall

March 28, 2013
S 16 C 7 RR #1
Galiano, B.C.
V0N 1P0

Dear Galiano Local Trust Committee trustees:

RE: DEWINETZ COMMUNITY PROPOSAL

What a win, win, and win proposal this is for our community. Galiano benefits by becoming home to a few new homeowners; the Northend Fire Hall benefits; the Paige Drive Seniors Residence benefits; the Galiano Museum under construction benefits; and we all get to share another B.C. Parks managed property with the citizens of B.C.

It is sad to deny so much good because a few voices fear they cannot completely control B.C. Parks and their management principals.

These same voices trust B.C. Ferries when they need to get off island. They trust B.C. Medical when they need health care. They trust Victoria landfill when they need to dispose of garbage. We have to trust someone to do their best for us everyday!

Let's trust B.C. Parks not to abuse the land they undertake to protect so we can proceed and reap the benefits this proposal offers our community NOW!

Respectfully,



Val van de Wint.

Sharon Lloyd-deRosario

From: Kathy Jones
Sent: April-04-13 6:49 AM
To: Sharon Lloyd-deRosario
Subject: FW: Proposed bylaw 236

General correspondence

From: Kris Nichols
Sent: April 2, 2013 11:26 AM
To: Kathy Jones
Subject: Fwd: Proposed bylaw 236

Sent from my iPhone

Begin forwarded message:

From: Bill Russell <wacr@telus.net>
Date: 2 April, 2013 10:51:48 AM PDT
To: Ken Hancock <khancock@islandstrust.bc.ca>, Sandy Pottle <spottle@islandstrust.bc.ca>, Kris Nichols <knichols@islandstrust.bc.ca>, Louise Decario <ldecario@islandstrust.bc.ca>
Subject: **Proposed bylaw 236**

To: Galiano Island Local Trust Committee
Re: Bylaw 236 to amend bylaw 127, 1999

Dear Trustees,

Re: a decision on the Dewinetz Proposal

At the Mar 11 2013 meeting of the Galiano Local Trust Committee, we heard some strong words opposing the suitability of BC Parks as a steward of the lands to be transferred to the public domain by Mr Dewinetz as part of the proposal currently under your consideration.

BC Parks has a well-established presence on Galiano: the Montague Park campground, Bodega Ridge, Collison Point, Dionisio... These park lands have been preserved and continue to be used for public enjoyment. A few years ago, the community was quite supportive of BC Parks initial acquisitions and planned stewardship of these lands. The opposition today is based on incidents elsewhere, in quite different circumstances. There seem to be little evidence that similar conditions would occur on Galiano Island. The absence of evidence would suggest the issue is purely speculative.

Decisions such as that which you face have to weigh both benefits and risks in a realistic manner. The benefits to the community of Mr Dewinetz's proposal are clear and significant; funds from sales will be directed towards community organizations (e.g. senior housing, a widely recognized priority; the North Galiano Fire Hall – an essential service; the Galiano Museum, an important cultural focus ...); a large area will become park-land and remain

undeveloped. The risks: that BC Parks, as in rare cases elsewhere, might divest itself of the land or allow activities contrary to community wishes. The evidence here on Galiano is that such a scenario is a “hypothetical”. What is not hypothetical is the immediate and permanent benefit to the community.

Voices demanding absolute certainty in their challenge of BC Parks’ stewardship would deny all the assured benefits of the proposal for the sake of speculative future risks, an approach which confuses precaution with inaction. It is time to move this proposal forward. Further delay does not serve the interests of our community.

Much has been made of the desire of our fellow islanders, to be a place that welcomes investment, to provide the necessary employment and growth we need, to grow. What this issue is doing is demonstrating to any potential investor, that the opposite is the case. There is in fact no good reason for delaying this application. That fact will not go unnoticed by outside observers.

I support Mr. Dewinetz’s proposal and the choice of BC Parks as a reliable steward of the lands to be transferred to the public domain.

Regards

William Russell
418 Montague Road
Galiano Island

Dave's Bobcat Service
700 Georgia View Rd.
Galiano Is. B.C. V0N1P0

April 3 2013

Kris Nichols
Islands Trust Planner

Hi Kris,

I have been in business on Galiano for 22 years operating an excavating company. For the last 12 years my business has been based from my property on Georgia View Rd. which is 5.72 acres in a rural residential area. I employ 1 full time and up to 5 part time people from Galiano. I have trucks, bobcats, and excavators parked here between jobs. I also have materials such as gravel, topsoil, rock, and pipe for upcoming jobs.

I have had a complaint from a neighbour and as a result, I am dealing with bylaw enforcement. This could ultimately impact my livelihood and those of my employees.

In regards to our conversation on March 28/13, about the home occupation bylaw, the current bylaw does not work for many residents that are engaged in small commercial/industrial activities such as myself. There must be a provision in the bylaw to permit contractors to conduct their business which initiates at their place of residence. The way it is now, we are not allowed to store anything outside. It is not feasible for me to have everything in a building. As I understand it, the Islands Trust does not want small industrial lots spread all over the island. I agree with that in principal, but there must be another way to make us legal to conduct business. All the current industrial zoned lots are already in use so none are available. Most of us that are engaged in a commercial/industrial activity, will retire eventually, so our property could then be used as residential again.

It would be beneficial to have allowances made within the Land Use Bylaw for industrial home occupation use to accommodate such uses as mine and others currently not in compliance with the current occupation provisions. A rezoning is not practical and a temporary use permit would only permit the use to remain for 6 years. Businesses such as mine provide a much needed service on-island and help to employ islanders. I need a way to enable me to stay in business on the island and meet the bylaw requirements.

I understand that Pender Island has a provision for this very issue. One of the conditions of their bylaw is to have a fence or screening around the industrial activity. I agree with the screening and would be willing to install that.

As the Local Trust Committee is currently reviewing the home occupation section of the land use bylaw, I am raising my concerns with it in hope that accommodation can be made for businesses such as mine.

Sincerely, Dave Gerlach

cc. Trustees Sandy Pottle, Louise Decario