Galiano Island Local Trust Committee
Regular Meeting Agenda

Date: September 7, 2021
Time: 12:30 pm
Location: Electronic Meeting

Pages

1. CALL TO ORDER 12:30 PM - 12:50 PM

2. APPROVAL OF AGENDA

3. TRUSTEE REPORT

4. CHAIR'S REPORT

5. TOWN HALL AND QUESTIONS 12:50 PM - 1:10 PM

6. COMMUNITY INFORMATION MEETING

None

7. PUBLIC HEARING

None

8. MINUTES 1:10 PM - 1:20 PM

8.1. Local Trust Committee Minutes Dated July 5, 2021 (for Adoption) 4 - 11

8.2. Section 26 Resolutions Without Meeting Report - None

8.3. Advisory Planning Commission Minutes Dated July 27, 2021 (for Receipt) 12 - 14

9. BUSINESS ARISING FROM MINUTES

9.1. Follow-up Action List Dated August 2021 15 - 19

10. DELEGATIONS 1:20 PM - 1:30 PM

10.1. Galiano EcoForestry Association (GEFA)

11. CORRESPONDENCE

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

12.	**MEETING BREAK - COMMUNITY UPDATE**	1:30 PM - 1:40 PM	
13.	**APPLICATIONS AND REFERRALS**	1:40 PM - 3:40 PM	
13.1.	**GL-RZ-2014.1 (Crystal Mountain) - Staff Report (attached)**		20 - 62
13.2.	**GL-RZ-2019.2 (Gauvreau) - Staff Report (attached)**		63 - 69
13.3.	**GL-RZ-2021.1 (GALI) - Staff Memo (attached)**		70 - 120
13.4.	**GL-RZ-2019.1 (GIGARHS) Staff Memo - (attached)**		121 - 124
13.5.	**GL-DP-2021.1 (Orlitzky) - Staff Report (attached)**		125 - 162
13.6.	**Trust Council Policy Statement Bylaw No. 183 Referral (for response) (attached)**		163 - 205
13.7.	**Gambier Island Local Trust Committee Referral for Proposed Bylaws No. 153 and 154 (for response) (attached)**		206 - 226
13.8.	**Salt Spring Island Local Trust Committee Referral for Proposed Bylaws No. 504 and 505 (for response) (attached)**		227 - 238
13.9.	**Salt Spring Island Local Trust Committee Referral for Proposed Bylaws No. 523 and 524 (for response) (attached)**		239 - 248
14.	**LOCAL TRUST COMMITTEE PROJECTS**		
15.	**REPORTS**	3:40 PM - 3:50 PM	
15.1.	**Work Program Reports (attached)**		
15.1.1.	Top Priorities Report Dated August 2021		249 - 249
15.1.2.	Projects List Report Dated August 2021		250 - 252
15.1.2.1.	Review of LUB tiny home/trailer regulations, maximum house sizes and lot coverage - Discussion		
15.2.	**Applications Report Dated August 2021 (attached)**		253 - 261
15.3.	**Trustee and Local Expense Report Dated June 2021 (attached)**		262 - 262
15.4.	**Adopted Policies and Standing Resolutions (attached)**		263 - 267
15.5.	**Local Trust Committee Webpage**		
15.6.	**Islands Trust Conservancy Report Dated July 2021**		268 - 270
16.	**NEW BUSINESS**	3:50 PM - 4:00 PM	
16.1.	**Ministry Response - Galiano Island Mines Act application_0800175-2021-01**		271 - 279
17.	**UPCOMING MEETINGS**		

17.1. **Next Regular Meeting Scheduled for October 4, 2021 at the South Community Hall, Galiano Island**

18. TOWN HALL 4:00 PM - 4:20 PM

19. CLOSED MEETING

None

20. ADJOURNMENT 4:20 PM - 4:20 PM

Galiano Island Local Trust Committee

Minutes of Regular Meeting

Date:	**July 5, 2021**
Location:	**Electronic Meeting (Zoom Webinar)**
Members Present:	**Dan Rogers, Chair** **Tahirih Rockafella, Local Trustee** **Jane Wolverton, Local Trustee**
Staff Present:	**Brad Smith, Islands Planner** **Robert Kojima, Regional Planning Manager** **Phil Testemale, Islands Planner 2** **Maple Hung, Planning Team (Host)** **Carly Bilney, Recorder**
Others Present:	**There were approximately 18 attendees in the Zoom Webinar.**

1. CALL TO ORDER

Chair Rogers called the meeting to order at 12:33 p.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Trustee Wolverton made the following comments on the need to uphold a safe and respectful workplace for staff and Trustees at Local Trust Committee (LTC) meetings:

- Many residents have indicated that they are uncomfortable with the animosity and what they perceive as personal attacks displayed at LTC meetings;
- Discussions are more comprehensive and thoughtful when there is civil discourse; and
- Attendees are reminded to speak only during times allotted to them using language that is honest and accurate, and to address the Trustees rather than staff or community members.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Item 9.2 – Letter regarding James Island was added under Business Arising from Minutes;
- Item 13.4 – Deferred Motion re GALI was added to address deferred motion GL-2021-040 related to GL-RZ-2021.1 Galiano Affordable Living Initiative Society (GALI);
- Item 13.5 – GIGARHS related to Grey Water was added; and
- Item 16.2 – DL Mining Application was added under New Business.

By general consent, the agenda was approved as amended.

3. TRUSTEE REPORT

Trustee Wolverton reported on the following:

- Robert Lewis-Manning, President of the Chamber of Shipping, heard concerns from islanders represented at the Southern Gulf Islands Forum and addressed issues related to shipping in the region; and
- There has been a great deal of correspondence with residents regarding the Trust Policy Statement.

Trustee Rockafella reported on the following:

- Residents are encouraged to read the Trust Policy Statement proposals and share their feedback with the LTC.

4. CHAIR'S REPORT

Chair Rogers reported on the following:

- Returning to in-person meetings will not be simple, and a hybrid system that allows meetings to be both in-person and broadcast is being explored;
- Updating the Trust Policy Statement has been a process that has been ongoing for a number of years, yet many residents have noted they have only just been made aware of the process; and
- The Trust Policy Statement is subject to change even if it receives First Reading.

5. TOWN HALL AND QUESTIONS

Town hall was held and the following comments were made:

- Innovation will be required to reaffirm how the updated Trust Policy Statement is executed in the face of major issues such as climate emergency, biodiversity loss, Reconciliation, and affordable housing;
- Trustees can add items to the agenda at their discretion;
- Individual residents have hosted garage sales with the proceeds going to affordable housing;
- Equity is an essential part of solving the climate crisis;
- Support was expressed for a hybrid model for LTC meetings as remote meetings are more accessible, allow for better representation of the community, and provide an environmentally conscious option for attendees; and
- Information related to commercial water licenses under the First in Time, First in Right (FITFIR) provision of the Water Sustainability Act was shared.

Trustee Wolverton recused herself from the meeting at 1:21 p.m. due to conflict of interest with GL-RZ-2019.1 Gulf Islands Galisle Affordable Rental Housing Society (GIGARHS).

The following comments were made:

- Islands Trust staff continues to collect information regarding fire risk assessment, fire risk response and particulars of the proposed location to provide to Trustees.

Trustee Wolverton returned to the meeting at 1:24 p.m.

Trustee Rockafella recused herself from the meeting at 1:24 p.m. due to conflict of interest with GL-RZ-2021.1 Galiano Affordable Living Initiative Society (GALI).

The following comments were made:

- Trustees were encouraged to schedule a Community Information Meeting as soon as possible so the process can proceed; and
- Support was expressed for the GALI application on behalf of neighbours of the proposed property.

Trustee Rockafella returned to the meeting at 1:26 p.m.

6. COMMUNITY INFORMATION MEETING

None

7. PUBLIC HEARING

None

8. MINUTES

8.1 Local Trust Committee Minutes Dated June 1, 2021 (for Adoption)

By general consent, the minutes of June 1, 2021 were adopted as presented.

8.2 Section 26 Resolutions Without Meeting Report - None

8.3 Advisory Planning Commission Minutes – None

9. BUSINESS ARISING FROM MINUTES

9.1 Follow-up Action List Dated June 2021

9.2 Letter regarding James Island

(LTC discussed GL-2021-054, a motion from the June 1, 2021 LTC meeting regarding the drafting of a letter in support of the North Pender Island correspondence related to the James Island subdivision proposal. The motion was reaffirmed and Trustee Wolverton agreed to draft the letter.

10. DELEGATIONS – None

11. CORRESPONDENCE

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

12. MEETING BREAK - COMMUNITY UPDATE

13. APPLICATIONS AND REFERRALS

13.1 GL-RZ-2019.2 (Gauvreau) – Staff Report

Planner Smith reviewed the staff report regarding GL-RZ-2019.2 (Gauvreau) and provided an update on the application. Discussion was held and the following comments were made:

- No correspondence has been received in opposition to this application; and
- The public hearing was originally waived due to the pandemic.

GL-2021-055
It was Moved and Seconded,
that the Galiano Island Local Trust Committee continues to waive the public hearing and schedules all the necessary processes to have a proposed Third Reading at the September 7, 2021 Local Trust Committee meeting.

CARRIED

13.2 GL-DP-2021.2 and GL-DVP-2021.3 (Hoole) – Combined Staff Report

Planner Testemale reviewed the staff report regarding GL-DP-2021.2 and GL-DVP-2021.3 (Hoole). Discussion was held and the following comments were made:

- A letter of concern was recently received regarding decommissioning of the well;
- The number of bedrooms in the house would impact the size of the septic field;
- It is the obligation of the licensed engineer to meet health guidelines;
- If Island Health decides a larger septic field is needed than what is included in the proposal, the application would return to the LTC; and
- Concern was expressed about potential damage to the roots and erosion to the bank when the system is put in.

GL-2021-056
It was Moved and Seconded,
that the Galiano Island Local Trust Committee approve issuance of Development Permit GL-DP-2021.2 (Hoole).

CARRIED

GL-2021-057
It was Moved and Seconded,
that the Galiano Island Local Trust Committee approve issuance of Development Variance Permit GL-DVP-2021.3 (Hoole).

CARRIED

13.3 GL-DP-2021.1 (Orlitzky) - Staff Report (late item)

Planner Testemale reviewed the staff report regarding GL-DP-2021.1 (Orlitzky).

A break was held between 2:34 p.m. and 2:39 p.m. while the applicant joined the meeting via telephone.

Discussion was held and the following comments were made:

- Bylaw enforcement is on hold pending the resolution of this application;
- Removing a road can do more ecological harm than leaving it in place;
- A gate may be placed on the road so it is only used for emergency access; and
- The applicant has not established a timeline for when restoration work will take place.

GL-2021-058
It was Moved and Seconded,
that the Galiano Island Local Trust Committee request that the applicant submit to the Islands Trust an addendum to the environmental assessment that looks at the impacts of removing the road and recommendations of mitigation within the Development Permit Area 1.

CARRIED

13.4 Deferred Motion re GALI

Trustee Rockafella recused herself from the meeting at 3:04 pm due to conflict of interest with GL-RZ-2021.1 Galiano Affordable Living Initiative Society (GALI).

Planner Smith provided an update on the GALI application and work being done by the applicants. Discussion was held about the deferred motion (GL-2021-040) and the following comments were made:

- The applicants noted they are working actively on recommendations from the planner, professional biologist, architect and consulting engineers and intend to get revisions to the LTC in advance of the September meeting.

GL-2021-059
It was Moved and Seconded,
that the Galiano Island Local Trust Committee request that staff schedule a Community Information Meeting for GL-RZ-2021.1 Galiano Affordable Living Initiative Society (GALI) for Saturday, October 2, 2021.

CARRIED

Trustee Rockafella returned to the meeting at 3:26 p.m.

13.5 GIGARHS related to Grey Water

Trustee Wolverton recused herself from the meeting at 3:26 p.m. due to conflict of interest with GIGARHS.

Discussion was held and the following comments were made:

- The Capital Regional District (CRD) does not recommend grey water for food crops; and
- The applicants propose to reduce the garden size to the volume that is proposed in their rainwater catchment system.

GL-2021-060
It was Moved and Seconded,
that the Galiano Island Local Trust Committee rescind GL-2021-043 that requests the applicants prepare a grey water recycling feasibility study.

CARRIED

GL-2021-061
It was Moved and Seconded,
that the Galiano Island Local Trust Committee requests staff to include in the section 219 covenant being prepared a restriction on the use of groundwater for irrigation purposes.

CARRIED

Trustee Wolverton returned to the meeting at 3:36 p.m.

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Short-Term Vacation Rentals Project - Consideration of Adoption of Bylaw No. 275 - Staff Report

GL-2021-062
It was Moved and Seconded,
that the Galiano Island Local Trust Committee Bylaw No. 275, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2020", be adopted.

CARRIED

GL-2021-063
It was Moved and Seconded,
that the Galiano Island Local Trust Committee rescind standing resolutions 2019-057 and 2016-000 and direct staff to remove them from the standing resolutions list.

CARRIED

14.2 Land Use Bylaw Technical Review Project - Consideration of Adoption of Bylaw No. 278 - Staff Report

GL-2021-064
It was Moved and Seconded,
that the Galiano Island Local Trust Committee Bylaw No. 278, cited as "Galiano Island Land Use Bylaw 127, 1999, Amendment No.1, 2021" be adopted.

CARRIED

15. REPORTS

15.1 Work Program Reports

15.1.1 Top Priorities Report Dated June 2021

15.1.2 Projects List Report Dated June 2021

Discussion was held about how to update the Top Priorities and Projects lists.

GL-2021-065
It was Moved and Seconded,
that the Galiano Island Local Trust Committee add Item 9 from the Projects List – Review of Land Use Bylaw tiny home/trailer regulations, maximum house sizes and lot coverage – to the Top Priorities list.

CARRIED

The LTC agreed to include Item 9 on the September 7 LTC agenda for discussion under Work Programs.

15.2 Applications Report Dated June 2021 - None

15.3 Trustee and Local Expense Report - None

15.4 Adopted Policies and Standing Resolutions - None

15.5 Local Trust Committee Webpage - None

15.6 Islands Trust Conservancy Report Dated May 25, 2021 – None

16. NEW BUSINESS

16.1 Business Licenses – Memo

Regional Planning Manager Robert Kojima reviewed the memo regarding a potential request to the CRD to explore the implementation of business licensing, specifically for short-term vacation rentals.

GL-2021-065
It was Moved and Seconded,
that the Galiano Island Local Trust Committee requests that the Capital Regional District explore the implementation of business licensing for tourist accommodation and specifically for short term vacation rentals.

CARRIED

16.2 DL12 Mining Application

Discussion was held about potential actions the LTC might take regarding the DL12 Mining Application.

GL-2021-066
It was Moved and Seconded,
that the Galiano Island Local Trust Committee request that the statutory decision-maker refer the Notice of Work application for District Lot 12 to the Islands Trust and the Local Trust Committee for comment.

CARRIED

17. UPCOMING MEETINGS

17.1 Next Regular Meeting Scheduled for September 7, 2021, Location: Electronic via Zoom

GL-2021-067
It was Moved and Seconded,
that the September 7, 2021 meeting of the Galiano Island Local Trust Committee be an electronic meeting at the usual time.

CARRIED

18. TOWN HALL

The following comments were made at the Town Hall meeting:

- An updated report on development density would be very helpful and could be included in the review of Land Use Bylaw tiny home/trailer regulations, maximum house sizes and lot coverage; and
- Staff will not be monitoring whether former Temporary Use Permit holders rent their spaces out for long-term use.

19. CLOSED MEETING - None

20. ADJOURNMENT

By general consent, the meeting was adjourned at 4:15 p.m.

_____

Dan Rogers, Chair

Certified Correct:

_____

Carly Bilney, Recorder

DRAFT

Galiano Island
Advisory Planning Commission
Minutes

Date:	**July 27, 2021 @ 7:00 p.m.**
Location:	**Electronic via Zoom**
Members Present:	**Patrick Ramsay (Chair)** **Karen Harris (Vice-Chair)** **Al De Genova** **Robert Matson** **Laurene Stefanyk** **Dave Koster**
Recused:	**Dave Koster and Karen Harris recused themselves from part of the meeting.**
Absent:	**Robin Paterson**
Members of the Public:	**Approximately five members of the public were present.**
Staff Present:	**Carly Bilney (Recorder)**

1. CALL TO ORDER

Chair Ramsay called the meeting to order at 7:00 pm. He acknowledged that the meeting was being held in the unceded territories of the Coast Salish Peoples and reviewed the role of the Advisory Planning Commission (APC).

2. APPROVAL OF THE AGENDA

By general consent, the agenda was approved as presented.

Chair Ramsay recused himself from the meeting at 7:06 pm due to a conflict of interest with GL-RZ-2014.1 (Crystal Mountain). Karen Harris assumed the role of Chair.

3. MINUTES OF JUNE 3, 2021 FOR ADOPTION

It was Moved and Seconded,

that the Galiano Advisory Planning Commission minutes of June 3, 2021 be adopted as presented.

CARRIED

4. CONSIDERATION OF APC REFERRAL RE. GL-RZ-2014.1 (Crystal Mountain)

Chair Harris shared a draft report summarizing discussions by the current APC on the referral related to GL-RZ-2014.1. Committee members agreed to spend a week reviewing the report and it was requested that the recorder send the final copy to the Local Trust Committee when directed by Chair Harris.

Chair Harris and Dave Koster recused themselves from the meeting at 7:13 pm due to a conflict of interest with GL-RZ-2021.1 (GALI); Patrick Ramsay returned to the meeting at 7:13 pm and resumed the role of Chair.

5. CONSIDERATION OF APC REFERRAL RE. GL-RZ-2021.1

5.1 Site Visit

Representatives of the applicants gave some members of the APC a tour of the site earlier in the day. Discussion was held and the following questions arose:

- In addition to the ecological assessment that has been done on the site, is an arborist report necessary to analyze the significance of the trees on the property? Would an arborist review be standard for this kind of application?
- Did the ecological assessment sufficiently address the presence of endangered species in the area?
- Did the ecological assessment sufficiently address the presence of birds in the area
- Should the communal accessory building be a higher number of square meters than that put forward by the architects in the proposal? Will the proposed size work for this development and similar ones that may be constructed in the future?

The following comments were made:

- APC members expressed support of staff recommendations that support the application;
- Reports completed on behalf of the applicants are extensive and the application will be subject to appropriate authorities as it proceeds to completion;
- The water report contains no red flags that indicate issues related to water quality cannot be mitigated; and
- The applicant has been diligent and thoughtful and the proposal is consistent with current affordable housing policies.

5.2 Correspondence

Comments were made that APC members have not had access to public correspondence related to GL-RZ-2021.1 (GALI) due to a broken link on the Islands Trust website. Chair Ramsay indicated he has followed up with the Islands Trust.

6. NEXT MEETING DATE AND TIME

It was agreed that the recorder would send a Doodle poll to schedule the next meeting.

7. IN-CAMERA SESSION

7.1 Motion to close the meeting

Dave Koster and Karen Harris returned to the meeting at 7:56 pm.

It was Moved and Seconded,
that the meeting be closed to the public for the purpose of considering:

- public interaction with APC members

AND that the recorder attend the meeting.

CARRIED

7.2 Recall to Order

It was Moved and Seconded,
that the next meeting of the Galiano Advisory Planning Commission would be in-person at the library.

CARRIED

8. ADJOURNMENT

By general consent the meeting was adjourned at 8:17 p.m.

_____ _____

CHAIR **DATE**

CERTIFIED CORRECT:

_____

Carly Bilney, Recording Secretary

Islands Trust

Print Date: August 31, 2021

Follow Up Action Report

Galiano Island

01-Feb-2021

	Activity	Responsibility	Dates	Status
1	14.1 Review and amend LTC standings resolutions related to STVRS after bylaw 275 amendment finalized	Brad Smith Jas Chonk	Target: 21-May-2021	Completed

01-Mar-2021

	Activity	Responsibility	Dates	Status
1	13.1 GL-RZ-2019.1 - Draft s. 219 covenant that considers recommendations of ecological assessment, a 30 m tree buffer, water management plan, hydrogeological assessment recommendations, site plan and elevation drawings.	Brad Smith	Target: 28-May-2021	In Progress
2	GL-RZ-2019.1 (GIGARHS) - develop s 219 covenant for recommendations of ecological assessment, a 30 m tree buffer, water management plan, hydrogeological assessment recommendations, site plan and elevation drawings.		Target: 07-Sep-2021	In Progress

12-Apr-2021

	Activity	Responsibility	Dates	Status
1	14.1 GL-RZ-2014.1 (Crystal Mountain) Include ecological assessment recommendations in s 219 covenant	Brad Smith	Target: 31-Aug-2021	In Progress
2	14.1 GL-RZ-2014.1 (Crystal Mountain) Include ecological assessment recommendations in s 219 covenant		Target: 30-Sep-2021	In Progress

Follow Up Action Report

Galiano Island

01-Jun-2021

	Activity	Responsibility	Dates	Status
1	8.1 April 12, 2021 LTC meeting minutes adopted as amended	Maple Hung	Target: 18-Jun-2021	Completed
2	13.2 GL-DVP-2021.4 (Allen/Norgang) - Permit approved as drafted, issue permit, update TAPIS, close-out file	Jas Chonk Maple Hung Phil Testemale	Target: 18-Jun-2021	Completed
3	13.1 GL-DVP-2020.2 (Hotte) - Permit approved as drafted, issue permit, update TAPIS, close-out file	Brad Smith Jas Chonk Maple Hung	Target: 18-Jun-2021	Completed
4	13.1 GL-DVP-2020.2 (Hotte) Issue voluntary compliance agreement with applicant for 1) removal of bottom portion of stair structure and 2) proof of covenant amendment by October 31, 2021	Brad Smith Warren Dingman	Target: 18-Jun-2021	Completed
5	13.3 GL-RZ-2021.1 (GALI) - Proceed with application, establish amending draft bylaw, refer application to APC	Brad Smith Jas Chonk Sheree Rialp	Target: 18-Jun-2021	Completed
6	13.3 GL-RZ-2021.1 (GALI) Direct applicant to reinstall datalogger in subject property source well	Brad Smith	Target: 11-Jun-2021	Completed
7	13.4 GL-RZ-2019.1 (GIGARHS) Direct applicant to install continuous datalogger in source well and conduct feasibility study of greywater recycling system	Brad Smith	Target: 18-Jun-2021	Completed

Follow Up Action Report

Galiano Island

01-Jun-2021

Activity	Responsibility	Dates	Status
8 14.1 LUB Tech Review Project - given 2nd and 3rd reading as amended - amend s. 2.1.9 to remove extra period (Brad)- send amended bylaw to EC for approval (Jas)	Brad Smith Jas Chonk	Target: 18-Jun-2021	Completed
9 15.1 Combine max house size and tiny house regs projects (7 and 10) and expand to include lot coverage	Brad Smith	Target: 18-Jun-2021	Completed
10 16.1 LTC deferred Business Licence memo to next meeting - add to July 5 agenda package	Jas Chonk	Target: 30-Jun-2021	Completed
11 16.2 Annual report wording approved as presented	Jas Chonk Mike Richards	Target: 11-Jun-2021	Completed

05-Jul-2021

Activity	Responsibility	Dates	Status
1 8.1; June 1, 2021 LTC meeting minutes adopted as presented	Sheree Rialp	Target: 30-Jul-2021	Completed
2 13.1 GL-RZ-2019.1 (Gauvreau) - initiate statutory notifications to waive Public Hearing based on a timeline for LTC to consider giving 3rd reading at Sept 7 LTC meeting	Brad Smith Jas Chonk	Target: 13-Aug-2021	Completed
3 13.2 Hoole - DVP and DP - Permits approved as presented, issue permits, update TAPIS, set up monitoring as required, close out files		Target: 30-Jul-2021	Completed

Follow Up Action Report

Galiano Island

05-Jul-2021

Activity	Responsibility	Dates	Status
4 14.1 STVR Project - BL 275 given 4th reading and adopted - update OCP base bylaw, close-out project files and update website	Brad Smith Jas Chonk	Target: 20-Aug-2021	Completed
5 14.2 LUB Tech Review Project- BL 278 given 4th reading and adopted - update LUB base bylaw, close-out project files and update website	Jas Chonk	Target: 20-Aug-2021	Completed
6 14.1 STVR project - delete standing resolutions 2019-057 and 2016-000 from standing resolutions list and update weblink	Maple Hung Sheree Rialp	Target: 23-Jul-2021	Completed
7 13.3 GL-DP-2021.1 (Orlitzky) Development Permit approval on hold, staff to seek addendum to assessment to consider road impacts and potential for removal and restoration of roadway	Phil Testemale	Target: 30-Jul-2021	Completed
8 13.4 GL-RZ-2019.1 (GALI) - Schedule CIM for Saturday Oct 2 on Galiano in-person (Done MH), undertake advertising and secure venue (Lions Hall or South Hall would be best)	Jas Chonk Sheree Rialp	Target: 30-Jul-2021	In Progress
9 13.5 GL-RZ-2019.1 (GIGARHS) - include s. 219 covenant condition restricting groundwater use for irrigation purposes	Brad Smith	Target: 27-Aug-2021	In Progress
10 15.1.1.Move project 9 - "Review of LUB tiny home/trailer regulations, maximum house sizes and lot coverage" to priority projects list - add under Priority Projects for discussion on Sep 7 LTC agenda		Target: 09-Jul-2021	Completed
11 16.2 DL 12 - forward resolution requesting referral of mining license application for DL 12 to LTC		Target: 30-Jul-2021	Completed

Follow Up Action Report

Galiano Island

05-Jul-2021

Activity	Responsibility	Dates	Status
12 16.1 CRD Business Licensing - RPM to follow-up with resolution passed by LTC	Robert Kojima	Target: 30-Jul-2021	In Progress

STAFF REPORT

File No.: GL-RZ-2014.1 (Crystal Mountain)

DATE OF MEETING:	September 7, 2021
TO:	Galiano Island Local Trust Committee
FROM:	Brad Smith, Island Planner Southern Team
COPY:	Robert Kojima, Regional Planning Manager
	Kate Emmings, Manager, Islands Trust Conservancy
SUBJECT:	Rezoning Application – Public Hearing for Bylaws No. 256 and 257
	Applicant: Crystal Mountain Society (CMS)
	Location: District Lot (DL) Lot 90 Lot 9 and DL 88 & 89 Lot A, North Galiano Island

RECOMMENDATION

1. **That the Galiano Island Local Trust Committee Bylaw No. 256, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2016 ", be read a first time.**

2. **That the Galiano Island Local Trust Committee Bylaw No. 257, cited as "Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2016" be read a first time.**

3. **That the Galiano Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directive Policies Checklist and determined that proposed Bylaw No. 256 and 257 are not contrary to or at variance with the Islands Trust Policy Statement.**

4. **That the Galiano Island Local Trust Committee direct staff to schedule a Public Hearing on application GL-RZ-2014.1 (Crystal Mountain).**

5. **That the Galiano Island Local Trust Committee direct staff to schedule a Community Information Meeting in conjunction with the Public Hearing on application GL-RZ-2014.1 (Crystal Mountain).**

6. **That the Galiano Island Local Trust Committee direct the applicant to draft a suitably worded Land Title Act Section 219 covenant that reflects the required conditions of rezoning prior to the public hearing.**

7. **That the Galiano Island Local Trust Committee direct the applicant to register an emergency access right of way that is granted to and acceptable to Capital Regional District prior to the public hearing.**

REPORT SUMMARY

The purpose of this report is to provide an update to the Galiano Island Local Trust Committee (LTC) on application GL-RZ-2014.1 (Crystal Mountain), to provide results of referrals, and to seek direction from LTC with respect to the scheduling of a Public Hearing for draft Bylaws No. 256 and 257.

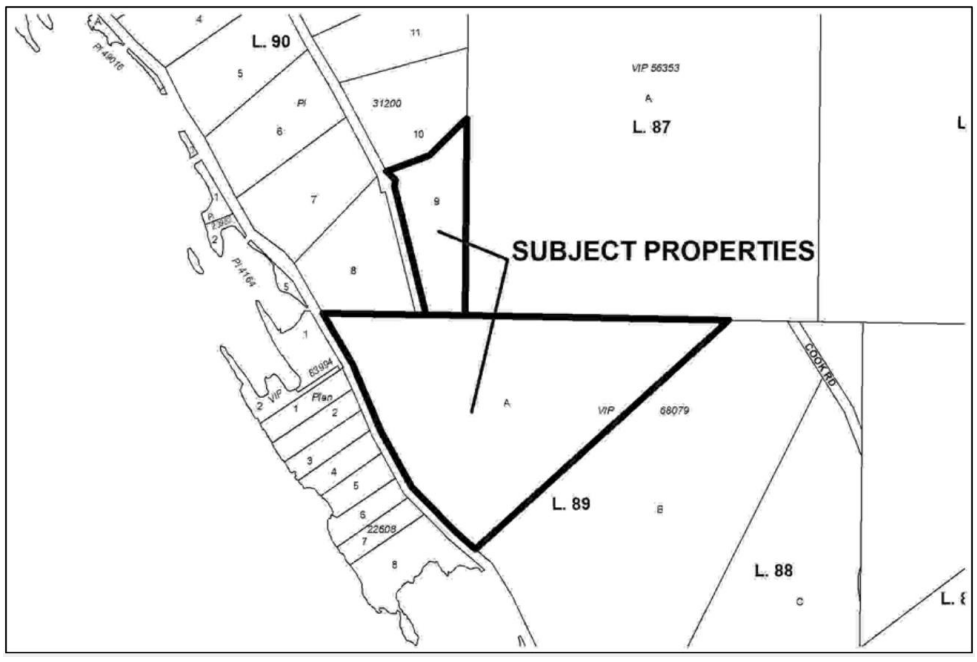
The above recommendations are supported as:

- The applicant has worked diligently to understand community concerns and has revised their proposal substantially to address those concerns including reductions in proposed density and agreement to transfer 75% of the land to a conservation organization;
- Draft Bylaws No. 256 and 257 have now been vetted at a community information meeting (CIM);
- There were no significant concerns raised during the agency/First Nation referral period;
- APC has reviewed the proposal and is generally supportive;
- Proceeding to a public hearing will allow for additional community input;
- A Section 219 covenant will be a required as part of rezoning approval and should be prepared in time for consideration at a public hearing.; and,
- An Emergency Access Right-of-Way (RoW) must be formally established and an agreement to register this RoW should be in place with the Capital Regional District (CRD) prior to the public hearing.

BACKGROUND

This application is to rezone two subject properties (DL Lot 90 Lot 9 and DL 88 & 89 Lot A) on the north end of Galiano Island in order to permit a ***spiritual education*** land use (Figure 1). Lot 9 is currently zoned Rural 2 (R2) and Lot A is zoned Forest 1 (F1). The rezoning application has been open since 2014.

Figure 1. Subject property map



At the October 2, 2020 LTC meeting LTC directed staff to amend draft Bylaws No. 256 and 257 to reflect the updated CMS proposal, which is based on a 75/25% split with the 75% portion going to the Islands Trust Conservancy (ITC).

At the April 12, 2021 LTC meeting, staff presented amended draft Bylaws No. 256 and 257 and LTC directed staff to undertake a Community Information Meeting, to send the revised application back to the APC for further comment, and to complete agency and First Nation referrals.

These tasks are completed and staff are now seeking further direction from LTC with respect scheduling a Public Hearing for draft Bylaws No. 256 (Attachment 1) and 257 (Attachment 2).

Further background to this application, including previous staff reports, is available on the Islands Trust website: http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/current-application-documents/

ANALYSIS

Proposal Amendments – Density Reduction

At the June 9, 2021 CIM, the applicant proposed changes to the overall density of their proposal to now only accommodate up to 22 summer participants and 17 winter participants for overnight stays. Participants would be accommodated within 17 sleeping huts (reduced from 22) and 5 seasonal tent sites (reduced from 8).

These revised numbers are reflected in draft Bylaw No. 257 that is included as Attachment 1 (in track changes).

Lot coverage of all structures in the revised proposed (including tent platforms) = 1.55%.

Table 1. List of Structures and Cumulative Lot Coverage

Area	# Structures	Area (m2)	Area (ft2)
LOWER SITE "AREA 1"			
Meditation Hall	1	125	1346
Kitchen / Dining Hall	1	125	1346
Bath / Laundry	1	70	753
Storage / Workshop	1	80	861
Office	1	70	753
Sleeping Hut @21m2/226ft2	2	42	452
Sleeping Hut @15m2/161ft2	12	180	1938
Caretaker Building	1	80	861
Seasonal Tent Platforms @14m2/150ft2	5	70	753
Total Area A	25	842	9063
UPPER RIDGE SITE "AREA 2"			
Kitchen / Bath / Laundry	1	36	388
Storage Building	1	10	108
Sleeping Hut (@21m2/226ft2)	3	63	678
Total Area B	5	109	1173
Total Structures Entire Parcel	**30**	**951**	**10,237**
LOT COVERAGE (based on 6.131 ha. Lot)			**1.55%**

Table 2. Infrastructure Footprint: Structures, Parking Areas and Sewerage by Infrastructure Area

Infrastructure Area	~Size of area where infrastructure may be sited (ha)	Infrastructure Included	Infrastructure Footprint (m^2)
Area 1 Kitchen / Washroom	0.2	Kitchen (125m^2) Bath/Laundry (70m^2) Septic Tank	195
Service Building Area	0.1	Office (70m^2) Storage/Workshop (80m^2)	150
Caretaker Building Area	0.1	Caretaker Bldg (80m^2) Septic Tank	80
Meditation Hall Area	0.05	Meditation hall (125m^2)	125
Septic Field Area	0.1	Primary field (80m^2)	80
Parking Area	0.15	9 spaces/aisle* - Devina (284m^2) 2 spaces/aisle* - caretaker (75m^2) 12 spaces/aisle - overflow (380m^2) 2 spaces/aisle* - upper ridge (75m^2) *includes 1 disability space	814
Meditation Hut Area 1	1.2	10 Sleeping huts @ 15m^2 2 Sleeping huts @ 21m^2	192
Meditation Hut Area 2	0.3	2 Sleeping huts @ 15m^2	30
Camping Area	1.0	5 seasonal tent platforms @ 14m^2	70
Area 2 Kitchen / Washroom / Services (Upper Ridge)	0.2	Kitchen/Bath/Laundry (36m^2) Storage Bldg. (10m^2) Upper ridge field (32m^2)	78
Meditation Hut Area 3 (Upper Ridge)	0.25	2 Sleeping huts @ 21m^2	42
Meditation Hut Area 4 (Upper Ridge)	0.15	1 Sleeping hut @ 21m^2	21
TOTAL	**3.8**	**25 x buildings** **5 x seasonal tent platforms** **2 x septic fields** **25 x parking spaces**	**881** **70** **112** **814** **1,877**

The applicant's site plan has been updated to consider these changes (Figure 2 and Attachment 3). A finalized site plan would be included in a Land Title Act Section 219 covenant as a condition of rezoning to ensure the development proceeds as proposed on the land base.



Bylaw 256 – Community Facility versus Economic Activity

Staff have analysed the question of whether the proposed land use is a better fit under the Community Facilities and Utilities or Economic Activity policies section within the Galiano Island Official Community Plan No. 108 (OCP). In general, staff conclude that the current placement under Community Facilities and Utilities is appropriate as:

- The OCP policies under 4.1 -4.3 are not applicable in this case as the newly proposed OCP section 4.4 establishes a new set of land use policies unique to the *spiritual retreat* land use;
- The proposed policies under 4.4 create suitable limits to distinguish the proposed non-commercial land use from the more commercial land uses allowed under the Economic Activity policies;
- In this case, the proposed land use is intended to be conducted on a not-for-profit basis and the proponent is a registered charitable organization;
- Placement under Economic Activity could set a precedent for other applicants seeking increased density on forest lots for similar types of program delivery that may occur on a *for-profit* basis; and,
- The site specific zoning and associated covenants will further restrict land uses specific to the subject property and ensure that densities, building footprints, water, power and other key resources that could enable expansion to a larger commercial enterprise are limited to what is being proposed.

To provide additional assurance that spiritual education land uses are not deemed an economic activity or being sought to generate a profit, staff recommend the following policy (d) be added to draft Bylaw No. 256:

Spiritual Education Policies

a. The principal use shall be spiritual education including spiritual education retreat use.

b. Zoning for any spiritual education use, including a spiritual education retreat, shall be considered on a site-specific basis.

c. Zoning for spiritual education retreat use:

   i) shall not support, provide, or permit any commercial tourism-oriented use, including nature related tourism or visitor accommodation.
   ii) shall restrict the number of buildings and structures and maximum floor area to minimize their impact on sensitive ecosystems.

d. Spiritual education retreat land use programs should be operated on a non-profit basis.

Despite the above recommendation from staff, LTC could still decide that the proposed land use is a better fit under Economic Activity and direct staff to propose amendments that would reflect that change.

For clarity and consistency, staff also recommend a minor change to the wording of the Spiritual Education objective in the OCP to replace the word *residents* with *retreat users*, as below:

Spiritual Education Objective

The objective of this subsection is:

1) to allow for spiritual education facilities that enhance the knowledge and wellbeing of ~~residents~~ retreat users and visitors and that do not adversely affect the natural environment.

An amended draft Bylaw No. 256 showing these changes (in track changes) is included as Attachment 1.

Bylaw 257 – Additional Amendments

Occupancy Limit Provisions

Staff have reviewed the question of whether the proposed LUB amendments are valid with respect to defining *residents* the same as *retreat users* and whether single occupancy limits can be established in the huts and tent platforms. In general, staff conclude that the language proposed in the bylaw is appropriate as:

- Retreat users are distinguishable from permanent residents in that they are paying a program fee that includes food, lodging and program participation for a set duration of time;
- The OCP does not establish or define a permanent resident including what minimum duration of time must pass before a person becomes a permanent resident;
- Unlike a residential land use where residential occupancy limits are not typically limited in a bylaw, limits to the number, duration and housing occupancy for program participants (ie. retreat users) should be enforceable;
- The proposed bylaw definition of *spiritual education retreat* includes a maximum duration of 6 months stay at the facility for any given retreat user to limit the risk of someone living there permanently; and,
- In this case references to *single-occupancy* are confined to the definitions of sleeping hut and tent platform, not explicit in the site-specific zoning itself to ensure that all future 'sleeping huts' and 'tent platforms' would be restricted to a single-user regardless of location and land use.

To further ensure occupancy is limited to a maximum of 22 overnight retreat users, staff recommend the following addition to the density provisions of draft Bylaw No. 257:

> 8.6.6 Overnight accommodation for retreat users is not to exceed 17 sleeping huts and 5 tent platforms, nor exceed a total of 22 persons.

This is similar to the approach that is taken for the Environmental Education and Nature Protection Zone (EE/NP) in the LUB to limit overnight density for program participants to 76 in respect of the Millard Learning Centre lands that are owned and operated by the Galiano Conservancy.

Staff also propose other revisions as follows to the *Lot Coverage* section of Bylaw No. 257 with new calculations based on the now reduced number of sleeping structures and to be more consistent with the approach taken for the EE/NP zone lot coverage/density provisions.

Permitted Density

8.6.4	Permanent structures are not to exceed a total of 1063 m^2.
8.6.5	Total lot coverage is not to exceed 1.55 %.
8.6.6	Overnight accommodation for retreat users is not to exceed 17 sleeping huts and 5 tent platforms, nor exceed a total of 22 persons.
8.6.7	Not more than one accessory dwelling is permitted with a maximum floor area of 80 m^2.

An amended draft Bylaw No. 257 showing these changes (in track changes) is included as Attachment 2.

Potential Restrictions on Day Use

Staff do not recommend that restrictions on day use be inserted into draft Bylaw No. 257 as:

- There is no other precedent in the LUB that limits the maximum number of daily visitors for any approved land use or property in the Galiano Island Trust Area;
- The intended land use does not consider exceptionally large gatherings nor is there history of this occurring to date; and,
- Bylaw enforcement of day use would be impractical and difficult to administer.

Despite the above recommendation from staff, LTC could still decide to pursue day use limits and direct staff to further explore the legal and other ramifications of this approach.

Islands Trust Policy Statement

Staff have reviewed the application against the Islands Trust Policy Statement and the application is deemed to be not contrary to the policies of the ITPS (Attachment 4).

While there is some inevitable impact of the proposed development, the applicant has been diligent in seeking a proposal that minimizes these impacts and clusters development in less sensitive areas. Further to that, a large majority of the most sensitive habitat features are included in the 75% portion that would be transferred to ITC. Alternative land uses on the forest zoned lot could include clear cut logging which would be far more impactful than the land use being proposed by CMS.

Islands Trust Conservancy- Update on Conditions of Land Transfer

At its May 25, 2021 meeting, the Islands Trust Conservancy Board passed the following resolutions regarding the revised proposal to transfer land to create the Crystal Mountain Nature Reserve on Galiano Island:

> **ITC-2021-019**
> **It was MOVED and SECONDED,** that the Islands Trust Conservancy Board accept the updated approximate lot configuration proposed by the Crystal Mountain Society, subject to staff assessment that adjusted lot boundaries meet ITC conservation goals and policies, based upon a site visit and review of any necessary additional ecological information from the applicant.
>
> **ITC-2021-020**
> **It was MOVED and SECONDED,** that the Islands Trust Conservancy Board accept the Crystal Mountain Society proposal to register a Statutory Right of Way across Lot A on the upper ridge, in favour of Islands Trust Conservancy, to provide legal access to the eastern part of Lot A via the legal easement across neighbouring Lots B and C.
>
> **ITC-2021-021**
> **It was MOVED and SECONDED,** that the Islands Trust Conservancy Board express support for the Crystal Mountain Society proposal to alter the lot boundaries of Lot 9 and Lot 10, prior to land transfer to Islands Trust Conservancy, to remove the pagoda from the proposed nature reserve, subject to staff assessment that adjusted lot boundaries meet ITC conservation goals and policies, based upon a site visit and review of any necessary additional ecological information from the applicant.
>
> **ITC-2021-022**
> **It was MOVED and SECONDED,** that the Islands Trust Conservancy Board request that the Crystal Mountain Society update the Ecological Inventory report and other relevant documents to reflect the proposed boundary changes, prior to transfer of the land.
>
> **ITC-2021-023**
> **It was MOVED and SECONDED,** that the Islands Trust Conservancy Board accept the Crystal Mountain

Society proposal to register a Statutory Right of Way for emergency access on Lot A in favour of the Capital Regional District prior to subdivision, subject to Crystal Mountain Society's working with ITC staff to develop an appropriate agreement.

An associated letter from the ITC Board is included as Attachment 5. With respect to trails on the property, the letter states that any decisions about trail locations and use will be determined through a management planning process following land transfer and that ecological impact and public safety will be ITC's primary considerations for location and management of trails.

Subdivision with Hooked Lot Configuration

Subdivision will be completed by the Islands Trust Conservancy under Section 99(1)(h) of the *Land Title Act*. As a designated Crown Agency, the Islands Trust Conservancy does not require Approving Officer signature for a Section 99 subdivision plan.

Crystal Mountain has retained the services of a registered Land Surveyor to complete the subdivision plan. The surveyor has contacted the Deputy Registrar of the Land Title Office (LTO) in regard to the Crystal Mountain proposed subdivision. The Deputy Registrar has confirmed that there are no concerns from the LTO regarding this subdivision plan since the upper portion of the hooked Lot (Area 2) has access to a public road (Cook Road) via registered easement.

Boundary Adjustment for Pagoda

CMS is proposing a boundary adjustment that conveys a small area of Lot 9 that includes the Pagoda to neighbouring Lot 10, and conveys an equal area of Lot 10 that includes wetland ecosystems to Lot 9 (to be owned by ITC). This will relieve ITC of responsibility for managing the Pagoda and will protect additional ecologically valuable lands. The owner of Lot 10 has agreed in principle. ITC has resolved that this is their preferred solution (as above).

Figure 3 shows the proposed boundary adjustment – the orange hash area, currently part of Lot 9, contains the Pagoda and will become part of lot 10. The red hash area, currently part of Lot 10, would become part of the ITC protected area on Lot 9.

Figure 3. Proposed Boundary Adjustment for Pagoda



Water Management Plan Update

A revised water management plan dated July 6, 2021 was submitted by the applicant. This latest draft WMP reflects comments provided by staff on a previous draft version and appears complete in terms of general scope and content. However, staff have not had time yet to provide detailed comments on this draft version.

Detailed comments will be provided shortly to the applicant as time permits and a more finalized WMP will be presented to LTC in a future staff report. LTC may also provide comments at this time on the draft WMP.

Water License Update

Crystal Mountain has been using water from the "Central Well" since July 2000 to support seasonal spiritual education use. As this water use existed prior to February 29th, 2016, when new groundwater regulation was enacted, Crystal Mountain applied for an 'Existing Use' water license. The application was submitted on April 9th, 2021 and is under review.

On August 17, 2021 Crystal Mountain corresponded with Ben Robinson (Senior Water Officer, FLNRO), who stated that applications for 'Existing Use' in our region are not a priority for review and that existing use may continue while they are in the system. He stated that if increased water use is anticipated, Crystal Mountain may submit an application for 'new use'. He stated that Crystal Mountain should make the 'new use' application 2 to 3 years in advance of when the new use is anticipated to occur, and that the "existing use' application will likely remain in the system until then. He stated that applications for "new use" are a higher priority for Ministry staff.

Crystal Mountain anticipates that an increase in use, in accordance with zoning if the application is successful, would not occur for at least several years.

Consultation

Summary of June 12, 2021 Community Information Meeting

A CIM for the rezoning proposal was held electronically via Zoom on June 1, 2021. At the CIM, the Galiano Island Planner provided a summary of the Islands Trust rezoning process and the current status of the application. Draft bylaw No. 256 and 257 were also presented by staff. The applicant then presented details of their proposal including results of updated ecological assessment work, amended site plans and further proposed reductions in density. Professional Hydrogeologist Al Kohut also attended on behalf of the applicant to speak to groundwater assessment completed with respect to the proposal.

Following the presentations, the public was invited to ask of questions of staff, the applicant (including their representatives) and LTC regarding the proposal. A total of 27 members of the public attended the CIM. Minutes from the CIM are provided as Attachment 6.

Results of First Nation and Agency Referrals

The application was referred to the following First Nations:

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

Tsawout and Tsawwassen First Nations have responded indicating no concerns with the proposal at this time. Lyackson First Nation has flagged some general concerns regarding a limited capacity to respond to referrals without funding and a lack of clarity on how the proposed zoning will respect traditional ways of being or support traditional cultural practices. Staff, including the Senior Intergovernmental Policy Advisor, will follow up with Lyackson to better understand their concerns and how they might be addressed prior to the scheduling of a public hearing.

The application was referred to the following agencies:

<u>Provincial Agencies</u>

- Ministry of Forests, Lands & Natural Resource Operations – Water Licensing Branch
- Ministry of Municipal Affairs
- Ministry of Transportation and Infrastructure (MOTI)

<u>Adjacent Local Trust Committees</u>

- Mayne Island Local Trust Committee

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

Regional Agencies

- CRD, Planning and Protective Services, Building Inspection
- CRD, Integrated Water Services
- Island Health
- Galiano Island Fire Rescue – North Department

Non-Agency Referrals

- Galiano Trails Society

The four Local Trust Committees responded that their *interests are unaffected by the bylaw*.

MOTI responded recommending approval with no objections to the rezoning. The Galiano Trails Society has provided the following feedback:

> *The Galiano Trails Society is actively collaborating with other societies and agencies to develop a recreational trail network extending across the entire island and linking residential neighbourhoods with adjacent forest areas. Partners in this program include the Galiano Club, the Galiano Conservancy Association, the Galiano Parks and Recreation Commission, CRD Parks, and BC Parks. The Galiano Trails Society is working closely with BC Parks and owners of key private properties to expand the North Galiano trail network with improved connections between Bodega Ridge and Dionisio Point Provincial Parks. The Crystal Mountain lands are contiguous to District Lot 87, expected to be officially part of Dionisio Point Provincial Park after completion of First Nations consultations presently underway.*
>
> *Dionisio Point Park is expected to be expanded further and fully unified with a linking parkland corridor along Bodega Beach Drive when presently contemplated rezonings of District Lots 85 and 86 are completed. The Galiano Trails Society has had very friendly conversations with Crystal Mountain and the neighbours on adjacent Lots B and C of District Lots 88 and 89, and is looking forward to collaborative discussions with the Islands Trust Conservancy in its planning of the lands to be donated by Crystal Mountain. We are entirely respectful of landowner prerogatives on their own land, and are happy with the excellent atmosphere for future collaboration in this area of North Galiano.*
>
> *The Crystal Mountain proposal includes very generous donations of forest land to the Islands Trust Conservancy and substantial funding for management and restoration of that forestland. As the majority of the forest lands in North Galiano are relatively young forest in great need of biodiversity restoration and fuel load reduction work, it is urgent that serious forest restoration investments be mobilized in this and other areas of the island. As such work greatly enhances the recreational aesthetics and wildfire safety of our forests, promotion of these efforts are closely linked to the interests of the Trails Society. The new Galiano EcoForestry Association intends to pursue the educational role previously taken by the Galiano Island Forest Association (GIFA), while expanding this role towards more hands-on initiatives. There will be great opportunities for collaboration with the Islands Trust Conservancy, BC Parks and adjacent North Galiano private landowners.*

No other agency responses were received.

APC Referral Report

The APC has provided the LTC a final report, dated August 9, 2021 that provides a summary of conclusions and recommendations with respect to the Crystal Mountain application and the associated bylaws (Attachment 7).

In general, the APC's findings are supportive of the proposal with respect to the proposed land transfer and subdivision, density of use, water supply, concerns of habitat fragmentation, potential precedents on other forest lots and emergency access. APC does provide a few recommendations that should be considered:

- The APC recommends that zoning requirements specify that lot coverage does not exceed 5% of the lot reducing the impact of fragmentation on the overall forest ecosystem. *Note: in Bylaw 257 maximum lot coverage is established at 1.55%*
- A concern was raised for the proximity of the meditation platform to the sensitive ecosystems including arbutus trees - The APC recommends that this be identified as an area of concern and the platform's impact should be evaluated in the longer term.
- An emergency plan could be requested of the applicants and considered a part of the rezoning process.
- The provision of parking spaces does not match requirements in the LUB for accommodations (based on 12 in previous proposal). The APC recognises that insufficient parking may lead to considerable disruption in the neighbourhood with cars parking on the street and that a careful plan must be made to accommodate parking. *Note: the applicant's latest proposal provides for 25 parking spots to address this concern.*

Statutory Requirements

In accordance with regular statutory requirements, a public hearing would be required as part of the bylaw amendment process to rezone the property. Staff are recommending that the application proceed to public hearing at this time.

Should the application proceed to public hearing, public hearing notice would be posted as per statutory and bylaw requirements in advance of any public hearing.

Community Information Meeting

As it is common practice to hold a CIM prior to a public hearing, and a standalone CIM has already been held recently, staff are recommending that a second CIM be scheduled to be held concurrently with a public hearing.

Rationale for Recommendation

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

- The applicant has worked diligently to understand community concerns and has revised their proposal substantially to address those concerns including reductions in proposed density and agreement to transfer 75% of the land to a conservation organization;
- Draft Bylaws No. 256 and 257 have now been vetted at a community information meeting (CIM);
- There were no significant concerns raised during the agency/First Nation referral period;
- APC has reviewed the proposal and is generally supportive;
- Proceeding to a public hearing will allow for additional community input;
- A Section 219 covenant will be a required as part of rezoning approval and should be prepared in time for consideration at a public hearing.; and,

- An Emergency Access Right-of-Way (RoW) must be formally established and an agreement to register this RoW should be in place with the Capital Regional District (CRD) prior to the public hearing.

ALTERNATIVES

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

1. **Request further information**

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

   Resolution:

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

2. **Request additional amendments to draft Bylaw No. 256/257 prior to consideration of next steps.**

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

   Resolution:

   That the Galiano Island Local Trust Committee direct staff to make the following amendments to draft Bylaws No. 256 and 257 _____.

3. **Give 1st and 2nd reading prior to a Public Hearing**

   The LTC may give first and second reading to draft Bylaw No. 256 and 257 prior to a Public Hearing.

   Resolutions:

   That the Galiano Island Local Trust Committee Bylaw No. 256, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2016 ", be read a first time.

   That the Galiano Island Local Trust Committee Bylaw No. 257, cited as "Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2016" be read a first time.

4. **Hold the application in abeyance**

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

   Resolution:

   That the Galiano Island Local Trust Committee hold application GL-RZ-2014.1 (Crystal Mountain) in abeyance.

5. **Deny the application**

   The LTC may deny the application.

   Resolution:

That the Galiano Island Local Trust Committee proceed no further with application GL-RZ-2014.1 (Crystal Mountain).

NEXT STEPS

With direction from LTC, staff will:

- Provide detailed comments to applicant on draft Water Management Plan
- Develop draft s. 219 covenant for consideration of approval by LTC
- Schedule a public hearing including the completion of statutory notifications.

Submitted By:	Brad Smith, Island Planner	August 30, 2021
Concurrence:	Robert Kojima, RPM	August 31, 2021

ATTACHMENTS

Attachment 1. Draft Bylaw No. 256 with proposed amendments in Track Changes
Attachment 2. Draft Bylaw No. 257 with proposed amendments in Track Changes
Attachment 3. Amended Site Plan – June 2021
Attachment 4. Islands Trust Policy Statement
Attachment 5. ITC Board Letter
Attachment 6. CIM Minutes
Attachment 7. APC Final Report

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 256

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

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

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Galiano Island Local Trust Committee the same power and authority of a Regional District under Part 14, except sections 558 to 570 and 507 to 508, of the *Local Government Act*;

AND WHEREAS the Galiano Island Local Trust Committee wishes to amend the Galiano Island Official Community Plan Bylaw No. 108, 1995;

AND WHEREAS the Galiano Island Local Trust Committee has held a Public Hearing;

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

1. CITATION

   This Bylaw may be cited for all purposes as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2016".

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS DAY OF , 20__

PUBLIC HEARING HELD THIS DAY OF , 20__

READ A SECOND TIME THIS DAY OF , 20__

READ A THIRD TIME THIS DAY OF , 20__

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS DAY OF , 20__

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS DAY OF , 20__

ADOPTED THIS DAY OF , 20__

SECRETARY	CHAIRPERSON

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 256
SCHEDULE 1

A. Bylaw No. 108, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995" is amended as follows:

1. A new subsection 4.4 is inserted as follows in Section II (Community Facilities and Utilities), after Subsection 4.3 (Health and Wellness Facilities) and preceding Subsection 5 (Economic Activity).

"4.4 Spiritual Education

Spiritual Education Objective

The objective of this subsection is:

1) to allow for spiritual education facilities that enhance the knowledge and wellbeing of ~~residents~~ retreat users and visitors and that do not adversely affect the natural environment.

Spiritual Education Policies

a. The principal use shall be spiritual education including spiritual education retreat use.

b. Zoning for any spiritual education use, including a spiritual education retreat, shall be considered on a site-specific basis.

c. Zoning for spiritual education retreat use:

i) shall not support, provide, or permit any commercial tourism-oriented use, including nature related tourism or visitor accommodation.
ii) shall restrict the number of buildings and structures and maximum floor area to minimize their impact on sensitive ecosystems.

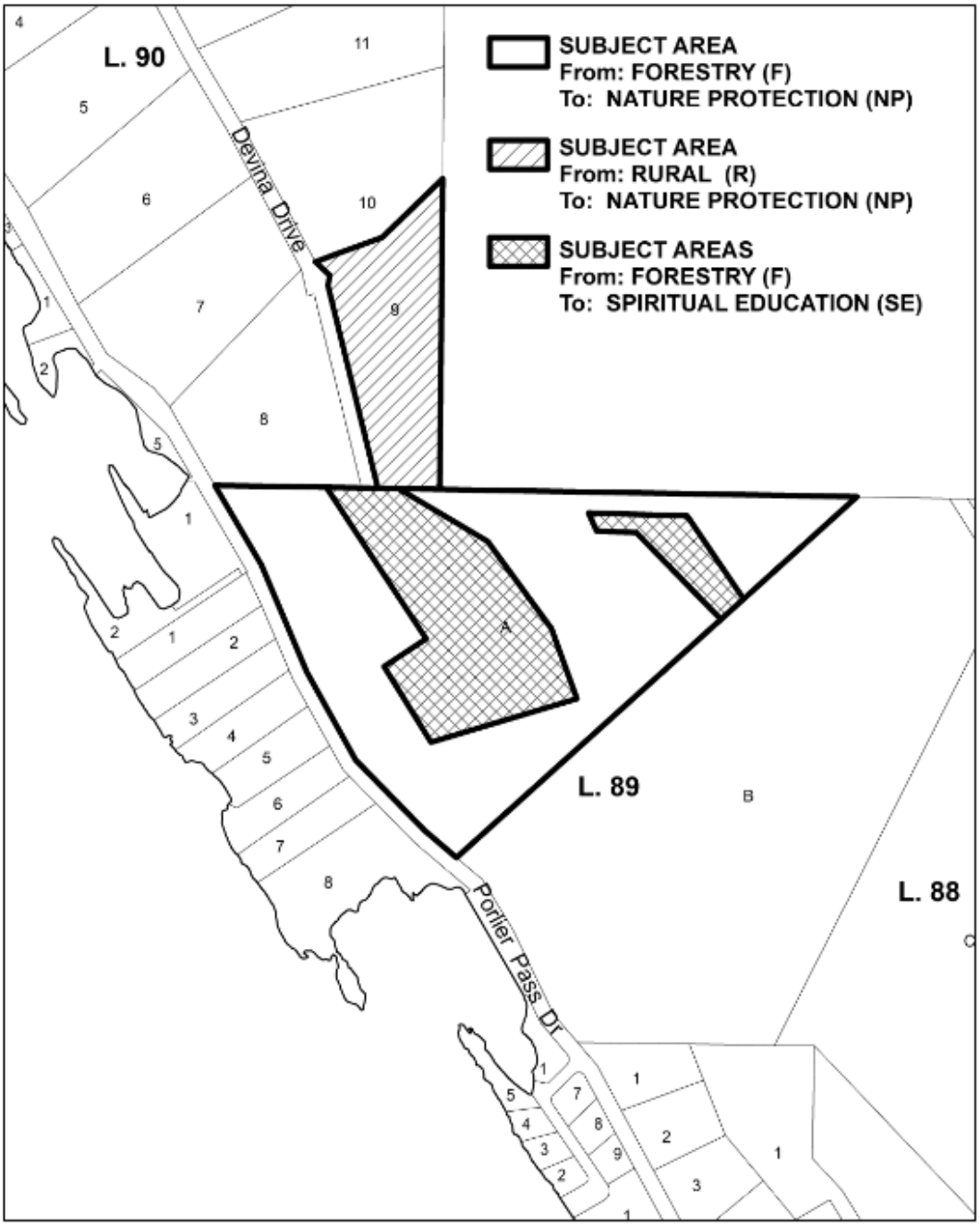
d. Spiritual education retreat use programs should be delivered on a non-profit basis.

2. Schedule B (Land Use Designations) is amended for the lands legally described as Lot 9, District Lot 90, Galiano Island, Cowichan District, Plan 31200 and Lot A, District Lots 88 and 89, Galiano Island, Cowichan District, Plan VIP68079 as depicted in Plan 1 below.

DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 256

PLAN 1



DRAFT

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 257

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW 127, 1999

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

1. Citation

   This bylaw may be cited for all purposes as "Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2016".

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

   2.1 Part 4 (Creation and Extension of Zones) Section 4.1 is amended by:

   1) inserting a new zone in Column 1 named "Crystal Mountain Spiritual Education Retreat" directly below 'Community Housing 1' and directly above 'Utility Service'
   2) Inserting a new zone abbreviation in Column 2 named "(SE1)" directly below '(CH1)' and directly above '(U)'

   2.2 The following is inserted after section 8.6, as a new Section 8.7:

   "8.7 Crystal Mountain Spiritual Education Retreat (SE1) Zone

   Permitted Uses

   8.6.1 The following uses and no others are permitted in the SE1 Zone:

   8.6.1.1 contemplative, spiritual or meditative education retreat uses
   8.6.1.2 contemplative, spiritual or meditative educational activities and facilities with accessory overnight accommodation and camping
   8.6.1.3 accessory dwelling unit for a person or persons acting as a caretaker for the spiritual education retreat.

   ~~Permitted Density~~Buildings and Structures

   8.6.2 The following buildings and structures and no others are permitted in Area A on Schedule D – Plan 6:

   8.6.2.1 2 sleeping huts, each with a maximum floor area of 21 square metres;
   8.6.2.2 ~~17~~ 12 sleeping huts, each with a maximum floor area of 15 square metres;
   8.6.2.3 one meditation hall restricted to contemplative, spiritual or meditative education uses only with a maximum floor area of 125 square metres;

8.6.2.4 one dining/kitchen building with a maximum floor area of 125 square metres;
8.6.2.5 one communal bathroom and laundry building with a maximum floor area of 70 square metres;
8.6.2.6 one storage/workshop structure with a maximum floor area of 80 square metres;
8.6.2.7 one office with a maximum floor area of 70 square metres;
8.6.2.8 one accessory dwelling unit with a maximum floor area of 80 square metres, and
8.6.2.9 ~~six~~ five tent platforms, each with a maximum floor area of 14 square metres.

8.6.3 The following buildings and structures and no others are permitted in Area B on Schedule D – Plan 6:

8.6.3.1 three sleeping huts, each with a maximum floor area of 21 square metres;
8.6.3.2 one communal kitchen/bathroom/laundry building with a maximum floor area of 36 square metres; and
8.6.3.3 one storage building with a maximum floor area of 10 square metres.

~~Lot Coverage~~ Permitted Density

8.6.4 Permanent structures are not to exceed a total area of 1063 m^2
8.6.5 Total lot coverage is not to exceed 1.55 %.
8.6.6 Overnight accommodation for retreat users is not to exceed 17 sleeping huts and 5 tent platforms, nor exceed a total of 22 persons.
8.6.7 Not more than one accessory dwelling is permitted with a maximum floor area of 80 m^2.~~Lot coverage must not exceed 1,479 square metres.~~

Permitted Height

8.6.8~~5~~ The maximum height of an accessory dwelling unit is 9 metres.

8.6.9~~6~~ The maximum height of a sleeping hut, or a building or structure other than an accessory dwelling unit, is 5 metres in height.

Minimum Setbacks

8.6.10~~7~~ All buildings and structures must be sited

8.6.10~~7~~.1 at least 7.5 metres from front and rear lot lines; and
8.6.10~~7~~.2 at least 6.0 metres from interior and exterior side lot lines.

Minimum Lot Size

8.6.11~~8~~ No lot having an area less than 6.1 hectares may be created by subdivision.

Parking

8.6.12~~9~~ Despite Section 14.1, the minimum number of off-street parking spaces is as follows:

8.6.12~~9~~.1 1 parking space per 3 sleeping huts or tent platforms combined; and

8.6.12~~9~~.2 2 parking spaces per accessory dwelling unit."

2.2 Section 17 (Definitions) is amended by inserting the following as new definitions in alphabetical order and re-numbering subsequent subsections accordingly:

"spiritual education retreat" means a facility that provides contemplative, spiritual or meditative educational opportunities for retreat users who typically stay at the facility for a period of at least 3 days, but in no case for more than 6 months, and are accommodated in sleeping huts or tent platforms, but does not include, offer, or provide any form of commercial short term or temporary accommodation for the travelling public, or any restaurant or other forms of food service to the general public.

"sleeping hut" means a single-occupancy hut with a maximum floor area of 21 square metres for sleeping, shelter and the practice of contemplative, spiritual or meditative educational activities, but does not include a kitchen or any cooking or food preparation facilities, or any plumbing fixtures.

"tent platform" means a single-occupancy platform with a maximum floor area of 14 square metres for the erecting of a tent for sleeping, shelter and the practice of contemplative, spiritual or meditative educational activities, but does not include a kitchen or any cooking or food preparation facilities, or any plumbing fixtures, or any semi-permanent or permanent walls and roof coverings.

2.3 Schedule "A" – Zoning Map, is amended by changing the zoning classification of Lot 9, District Lot 90, Galiano Island, Cowichan District, Plan 31200 from Rural 2 (R2) to Nature Protection (NP), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "A" to Bylaw No. 127 as are required to effect this change.

2.4 Schedule "A" – Zoning Map, is amended by changing the zoning classification of Lot A, Districts Lots 88 and 89, Galiano Island, Plan VIP68079 from Forest 1 (F1) to Crystal Mountain Spiritual Education Retreat (SE1) and to Nature Protection (NP), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "A" to Bylaw No. 127 as are required to effect this change.

2.5 Schedule D is amended by inserting the plan attached to and forming part of this bylaw as Plan No. 2 as a new "Plan 6".

3. SEVERABILITY

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

READ A FIRST TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

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

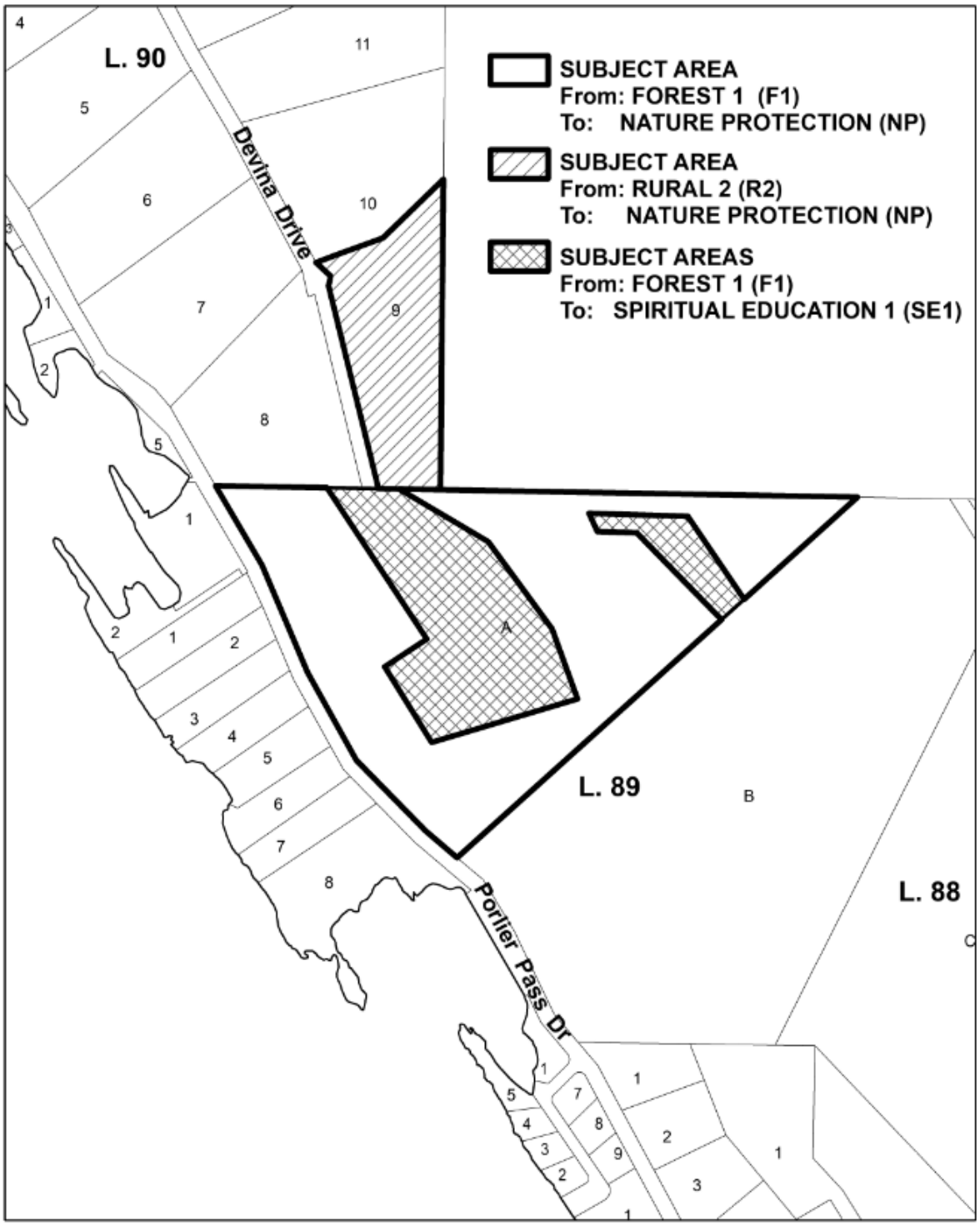
ADOPTED THIS _____ DAY OF _____ 20____

_____ _____

CHAIR SECRETARY

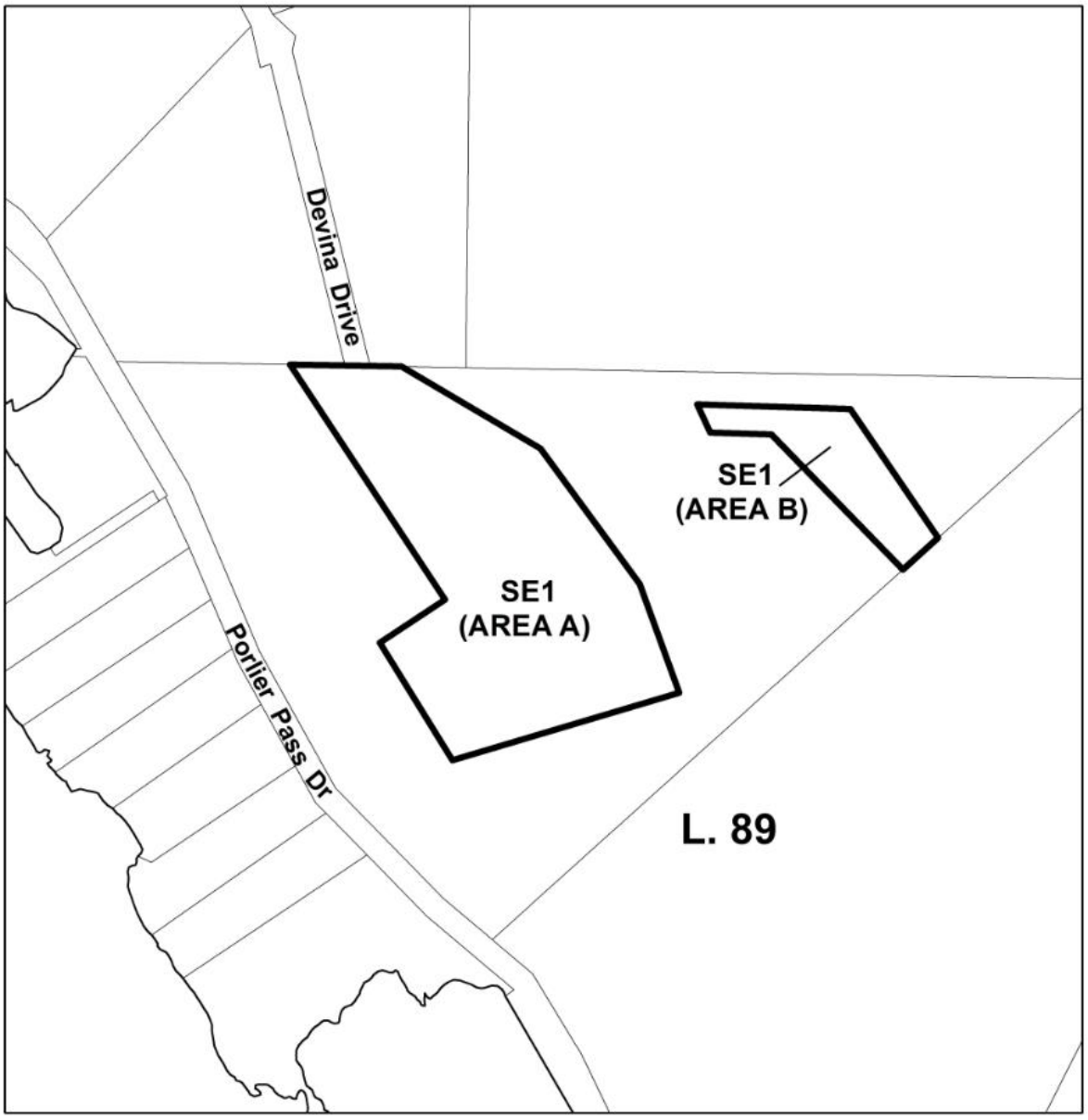
GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 257

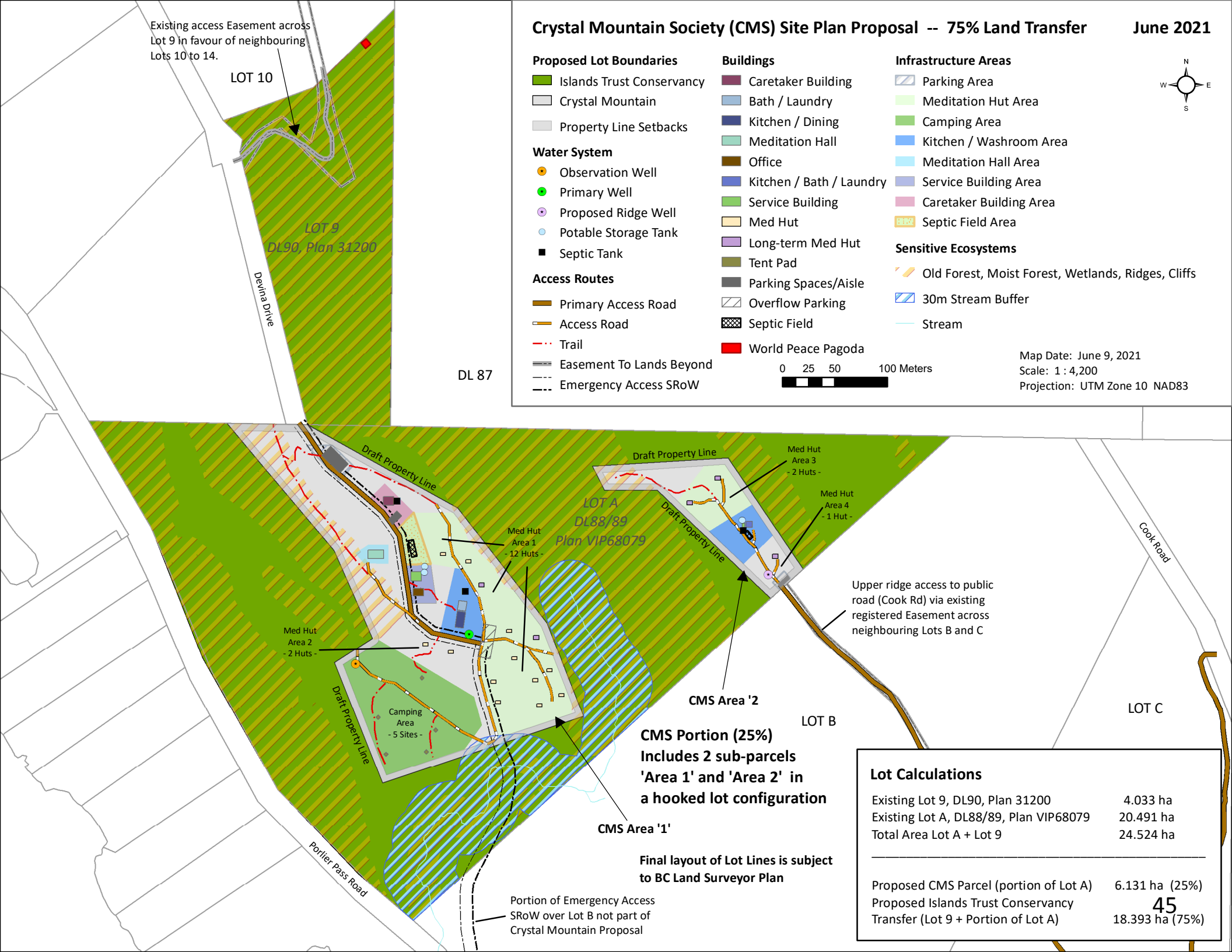
Plan No. 1



GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 257

Plan No. 2




Crystal Mountain Society (CMS) Site Plan Proposal -- 75% Land Transfer
June 2021
Proposed Lot Boundaries
Islands Trust Conservancy
Crystal Mountain
Property Line Setbacks
Water System
Observation Well
Primary Well
Proposed Ridge Well
Potable Storage Tank
Septic Tank
Access Routes
Primary Access Road
Access Road
Trail
Easement To Lands Beyond
Emergency Access SRoW
Buildings
Caretaker Building
Bath / Laundry
Kitchen / Dining
Meditation Hall
Office
Kitchen / Bath / Laundry
Service Building
Med Hut
Long-term Med Hut
Tent Pad
Parking Spaces/Aisle
Overflow Parking
Septic Field
World Peace Pagoda
Infrastructure Areas
Parking Area
Meditation Hut Area
Camping Area
Kitchen / Washroom Area
Meditation Hall Area
Service Building Area
Caretaker Building Area
Septic Field Area
Sensitive Ecosystems
Old Forest, Moist Forest, Wetlands, Ridges, Cliffs
30m Stream Buffer
Stream
N
W
E
S
0 25 50 100 Meters
Map Date: June 9, 2021
Scale: 1 : 4,200
Projection: UTM Zone 10 NAD83
Existing access Easement across Lot 9 in favour of neighbouring Lots 10 to 14.
LOT 10
LOT 9
DL90, Plan 31200
Devina Drive
DL 87
Draft Property Line
Med Hut Area 1 - 12 Huts -
Med Hut Area 2 - 2 Huts -
Camping Area - 5 Sites -
LOT A
DL88/89
Plan VIP68079
Med Hut Area 3 - 2 Huts -
Med Hut Area 4 - 1 Hut -
Cook Road
Upper ridge access to public road (Cook Rd) via existing registered Easement across neighbouring Lots B and C
CMS Area '2
LOT B
LOT C
CMS Portion (25%)
Includes 2 sub-parcels
'Area 1' and 'Area 2' in
a hooked lot configuration
CMS Area '1'
Final layout of Lot Lines is subject to BC Land Surveyor Plan
Portion of Emergency Access SRoW over Lot B not part of Crystal Mountain Proposal
Porlier Pass Road
Lot Calculations
Existing Lot 9, DL90, Plan 31200 4.033 ha
Existing Lot A, DL88/89, Plan VIP68079 20.491 ha
Total Area Lot A + Lot 9 24.524 ha
Proposed CMS Parcel (portion of Lot A) 6.131 ha (25%)
Proposed Islands Trust Conservancy Transfer (Lot 9 + Portion of Lot A) 18.393 ha (75%)

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: 278 (LUB)
SA-6500-20 LUB Technical Amendments
LTC Endorsement:

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECK LIST

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

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

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✘ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- **N/A** if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

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

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	**Agricultural Land**
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	**Forests**
✓	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
✓	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	**Wildlife and Vegetation**
	4.4	**Freshwater Resources**
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
✓	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	**Coastal Areas and Marine Shorelands**
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	**Soils and Other Resources**
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils**.**

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	**Aesthetic Qualities**
✓	**5.1 3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	**Growth and Development**
✓	**5.2.3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	**5.2.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	**5.2.5**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
✓	**5.2.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	**Transportation and Utilities**
N/A	**5.3.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
✓	**5.3.5**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	**5.3.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	**5.3.7**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	**Disposal of Waste**
N/A	**5.4.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

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

N/A	**5.5.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	**5.5.5**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	**5.5.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	**5.5.7**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	**Cultural and Natural Heritage**
N/A	**5.6.2**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	**5.6.3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	**Economic Opportunities**
✓	**5.7.2**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	**Health and Well-being**
✓	**5.8.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

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

ISLANDS TRUST CONSERVANCY
Protecting Islands in the Salish Sea

June 9, 2021 **File Number: GL-OWN-2021.2**

Crystal Mountain Society
PO Box 123
Galiano Island BC V0N 1P0

Attn: Libby McLelland, Director

Re: Crystal Mountain Society land transfer to Islands Trust Conservancy

Dear Libby,

I am pleased to let you know that at its May 25th meeting, the Islands Trust Conservancy (the Conservancy) Board passed the following regarding your revised Conservation Proposal to transfer land to create the Crystal Mountain Nature Reserve on Galiano Island:

ITC-2021-019
It was MOVED and SECONDED, that the Islands Trust Conservancy Board accept the updated approximate lot configuration proposed by the Crystal Mountain Society, subject to staff assessment that adjusted lot boundaries meet ITC conservation goals and policies, based upon a site visit and review of any necessary additional ecological information from the applicant.

ITC-2021-020
It was MOVED and SECONDED, that the Islands Trust Conservancy Board accept the Crystal Mountain Society proposal to register a Statutory Right of Way across Lot A on the upper ridge, in favour of Islands Trust Conservancy, to provide legal access to the eastern part of Lot A via the legal easement across neighbouring Lots B and C.

ITC-2021-021
It was MOVED and SECONDED, that the Islands Trust Conservancy Board express support for the Crystal Mountain Society proposal to alter the lot boundaries of Lot 9 and Lot 10, prior to land transfer to Islands Trust Conservancy, to remove the pagoda from the proposed nature reserve, subject to staff assessment that adjusted lot boundaries meet ITC conservation goals and policies, based upon a site visit and review of any necessary additional ecological information from the applicant

TC-2021-022
It was MOVED and SECONDED, that the Islands Trust Conservancy Board request that the Crystal Mountain Society update the Ecological Inventory report and other relevant documents to reflect the proposed boundary changes, prior to transfer of the land.

ITC-2021-023
It was MOVED and SECONDED, that the Islands Trust Conservancy Board accept the Crystal Mountain Society proposal to register a Statutory Right of Way for emergency access on Lot A in favour of the Capital Regional District prior to subdivision, subject to Crystal Mountain Society's working with ITC staff to develop an appropriate agreement.

In the updated proposal, Crystal Mountain Society indicated your interest in ensuring that any public access to the proposed nature reserve does not disturb or impair the quiet mediation goals of your forest retreat centre. Any decisions about trail locations and use will be determined through a management planning process following land transfer. Ecological impact and public safety will be the Conservancy's primary considerations for location and management of trails.

Continued work on this project can be conducted with the Conservancy's Ecosystem Protection Specialist, Kathryn Martell (kmartell@islandstrust.bc.ca, 250-405-5176). Kathryn will coordinate with your contractor, Keith Erickson, to arrange for a site visit and continued progress with the other steps and requirements for land transfer.

Sincerely,



Kate-Louise Stamford
Chair, Islands Trust Conservancy Board

EC: Galiano Island Local Trust Committee
Brad Smith, Island Planner, Islands Trust
Keith Erickson, RP Bio

DRAFT

Galiano Island Local Trust Committee
Minutes of Special Meeting

Date:	**June 14, 2021**
Location:	**Electronic Meeting (Zoom Webinar)**
Members Present:	**Dan Rogers, Chair** **Jane Wolverton, Local Trustee** **Tahirih Rockafella, Local Trustee**
Staff Present:	**Brad Smith, Island Planner** **William Shulba, Senior Freshwater Specialist** **Carly Bilney, Recorder** **Maple Hung, Planning Team Assistant (Host)**
Public:	**There were approximately 27 members of the public.**

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The following amendment to the agenda was proposed:

- Add Item 4 – In-camera meeting.

By general consent, the agenda was approved as amended.

3. COMMUNITY INFORMATION MEETING

Re: The proposed rezoning of District Lot 90, Lot 9 and District Lot 88 & 89 Lot A, North Galiano Island, to allow for the development of a spiritual education retreat facility – Crystal Mountain Society (CMS)

3.1. Rezoning Process Overview and Draft Bylaws 256 & 257 – Staff

Planner Smith reviewed the rezoning application, provided an outline of the draft bylaws and summarized where the process currently sits.

3.2. Proposal Overview – Crystal Mountain Society

Representatives of Crystal Mountain Society (CMS) provided an overview of the rezoning proposal, including how the proposal relates to the Galiano Official Community Plan (OCP), the history and context of CMS, the nature of CMS retreats, how the property facilitates meditation, and ecological considerations. The applicants made the following comments:

- In response to feedback from community members, the proposal has been amended to reduce the maximum overnight guest accommodation from 30 people to 22, with up to 17 overnight participants in the winter and up to 22 overnight participants in the summer using 17 sleeping huts and 5 seasonal tent sites;
- The application raises the bar for future rezoning and sets important precedence for land protection; and
- CMS hopes to schedule a tour for community members in July.

Hydrogeologist Alan Kohut reviewed the findings of his water report as it relates to the application.

3.3. Question & Answer Session

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

(Note: "Q" is questions/comments from the members of the public. "A" means answer from the applicants, professionals or Islands Trust staff.)

Q: Is it possible to add a provision to the application to ensure that if the property owner sells or leases the land that the bylaws would revert to the current zoning?

A: Zoning would be specific to the land and not to the owner of the land. The goal is to limit the bylaw and site plan to what is being proposed and what would be expected in the future.

Q: What is the procedure for answering questions that cannot be fully answered during the current Community Information Meeting (CIM)?

A: Staff reports attempt to answer all questions as they are raised. Additional questions can be vetted in writing to LTC and/or staff.

Q: Is there a constrained time-frame for questions after which no other questions can be asked, and will written questions be given written responses?

A: The Local Trust Committee (LTC) does its best to answer questions as they are received. It is best to ask specific questions as early in the process as possible. The only time-frame that cuts the end of the public process off is when the LTC finishes a public hearing and Trustees cannot hear anything further, unless they reopen a public hearing (but even then, information can be sought via the staff).

Q: Why do the draft bylaws in the proposed zoning fall under *Community Facilities Policies* in the Official Community Plan (OCP)?

A: The current LTC and staff inherited the draft bylaws in the *Community Facilities* section of the OCP when the original bylaw was amended in 2015, likely to limit the zoning to non-profit activity. The current LTC could consider if it would prefer to move this zoning elsewhere in the OCP, such as under the *Economic Activity* subheading.

Q: Why do the proposed bylaws not control the number of people that may use the property? (i.e., Could a special event be held that included hundreds of people?)

A: Maximum event capacities might be captured in a covenant condition; the LTC and staff may need to seek legal support to determine whether day use can be restricted.

Q: How does the proposed property use differ from visitor or international accommodation?

A: The LTC could consider where the draft bylaws might better fit in the OCP, perhaps in the 'Visitor Accommodation' section.

Q: Would CMS consider taking away the upper portion of the ridge in the development proposal as a gesture of goodwill to the community?

A: The three huts on the upper ridge portion are integral to the retreat centre.

Q: Has CMS consulted with Indigenous groups?

A: CMS has sent information to the Penelakut First Nation and they are aware of the plans and activities on the lands. Islands Trust also refers all proposed bylaw amendments to potentially affected First Nations including Penelakut.

Q: Given the length of their stay, retreat participants might better be defined as a resident rather than a visitor; how do the bylaws explain this incompatibility?

A: Retreatants would be program participants.

Q: Is it possible to reduce the footprint of the structures on the land?

A: The total lot coverage of buildings represents less than two percent of the CMS-owned portion of the lot and there may be opportunity to combine some of the structures (such as the kitchen and laundry area and office and workshop).

Q: What is the definition of "Spiritual Education?"

A: The definition as written in the draft bylaw was shared and it was noted that the explicit use of the word "religious" is not allowed because it conflicts with Canadian law.

Q: Is the LTC worried about precedence that may be set by the application?

A: Yes, precedence will be a consideration for the LTC as to whether or not to proceed with the application.

Q: If the rezoning application does not proceed, what could potentially happen on Lot 9?

A: The property owners could leave the land zoned F1 where private forest regulations would apply, or seek rezoning to allow for residential use on a portion of the lot.

Q: Can the LTC assure islanders that it will focus on what the maximum that can be achieved under a draft bylaw might be and consider what may happen in the future?

A: The bylaws would have to be written in such a way that limits whatever CMS is going to do to whatever is agreed upon. Density limits must be clearly established if this were to go ahead.

Q: How do the sleeping huts differ from residences when people will be using them for numerous months?

A: The huts would be treated as part of a program rather than long-term housing that can be rented through a provincial rental tenancy agreement (RTA). Retreatants would purchase the ability to participate in a program that includes their lodgings, food and programming.

Q: If program participants staying in the sleeping huts were from British Columbia, would they have the right to vote in Galiano Island elections?

A: Program participants staying in the sleeping huts will not be able to vote in local elections; they will have not a fixed address just as someone who stays in a hotel for a month does not gain the right to vote in the municipality in which their hotel is.

Q: Can the applicant provide further clarification as to how they structure participants in their retreats?

A: The retreats have set beginning and ending dates, and where people sleep is designated in their program packages.

Q: Has the assumption in the water study been adjusted based on use of flush toilets?

A: The 2015 report provides a summary of uses and does include the common bathroom facility as well as the kitchen facility; additional plumbing facilities proposed are for the common bathroom in the upper ridge area, and Al Kohut is adjusting his report to reflect the changes to project design and density.

Q: Was there any modelling done to estimate the effect of climate change on Spotlight Creek?

A: There have been predictions about the effects of climate change on this part of the Southern Gulf Islands and some studies suggest we will be getting more precipitation, although this may not be falling in the same precipitation patterns that we have today. This is an ongoing area of research and there has not been detailed monitoring taking place. A greater concern in the Spotlight Creek area is the possibility for saltwater intrusion as erosion increases.

Q: Did the water study assess the aquifer parameters?

A: The effects of the pumping test was monitored and no effect was shown on nearby wells, which suggests there will be no effect on wells in neighbouring properties.

Q: How will a constant draw on water effect the wells in properties below Crystal Mountain?

A: The proposed draw on the well for CMS is not a very large quantity and existing observation wells show no effect. Instrumentation in monitoring wells were measured to within a centimetre in the most optimal time of year (late fall). In its management plan, CMS proposes to have 50,000 litres of groundwater storage for trickle feed to reduce concerns about a constant draw.

Q: Has there been any continuous monitoring with data loggers on the well to collect water over a long period of time and on any adjacent wells?

A: There was a 12-hour pump test as well as monitoring done prior to, during and after the pumping test that showed what was happening in the observation wells.

Q: Will the Trustees propose a motion for continuous data water logging prior to a rezoning decision being made?

A: Further analysis is required. Staff need time to assess this request and provide advice to LTC.

Q: Is the LTC concerned about the precedent setting involved with the transfer of title that fragments the forest between the upper and lower area?

A: The bylaws are currently in a draft stage and the LTC is nowhere near a decision; more information is to be received.

Q: How do the draft bylaws address the issue of maintaining safe standards of access?

A: CMS will be preparing an emergency plan as part of the rezoning process. There has been an inspection by the North End Fire Chief of suitability of emergency access to the upper road. If there is to be a building constructed on the upper lot the fire department would have to be consulted. Addressing questions related to access have been posed by staff to the applicant, and the applicant must present a plan that meets all the requirements of the Province and other authorities.

Q: If the Islands Trust does not have a legislative tool to enforce occupancy, then how can a single occupancy sleeping hut be a legal form of accommodation?

A: Further analysis is required. Staff may need to seek legal advice as to whether single occupancy as proposed in this application is allowed.

Q: Will CMS restore the areas that have been damaged by the two houses near the water course and the view ridge on Lot A?

A: It has been recommended that the two sleeping huts in the lower area that are outside of the parcel that would belong to CMS be moved to within CMS-owned boundaries and the land they are moved from be restored prior to transfer to the Islands Trust Conservancy.

Q: Are the Trustees satisfied with this meeting as a means of public communication?

A: This is not the last time the LTC and community will get together to discuss the proposal. New information provided by the applicants at this meeting can be examined prior to a future meeting.

4. IN-CAMERA MEETING

GL-2021-055
It was Moved and Seconded,
that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1)(a)(d)(f) for the purpose of considering:

- Legal matters

AND that the recorder and staff attend the meeting.

CARRIED

5. ADJOURNMENT

By general consent, the meeting was adjourned at 4:24 p.m.

_____

Dan Rogers, Chair

Certified Correct:

_____

Carly Bilney, Recorder

Galiano Island Advisory Planning Commission

Report in response to GL-2021-024 regarding Crystal Mountain Rezoning Application GL-RZ-2014.1

August 9, 2021

GL-2021-024: The Galiano Island Local Trust Committee direct staff to refer application GL-RZ-2014.1 (Crystal Mountain) and draft Bylaws No. 256 and 257 to the Galiano Island Advisory Planning Commission for comment.

The Galiano Island Advisory Planning Commission (APC) makes the following comments and recommendations to the Local Trust Committee (LTC) in response to GL-2021-024:

LTC/APC concerns raised on previous proposals:

- It appears that the applicants have been diligent in meeting Local Trust Committee (LTC) and past APC considerations;
- Crystal Mountain Society (CMS) has addressed concerns of the previous APC by proposing to transfer 75% of the land to the Islands Trust Conservancy (ITC); and
- CMS is working to remove encumbrances on land that would be managed by the ITC under the proposal.

Precedent of Forest Zoned property rezoning:

- The APC acknowledges the rezoning as an unusual situation, and it should not apply to every forest lot on the island;
- Zoning distinctions are not glaring in going from a forest lot to a community facility as a "spiritual education zone;"
- From Planner Brad Smith:
  - The key principle is that circumstances are different in each case. CMS has taken over 17 years to play out and the current bylaws are written with a very specific land use and layout that is quite restrictive. Any new proposal would have to be proven on its own merits, just as this one is undergoing that test within the community and LTC.
  - This proposal is different in that they a bring a RR zoned parcel with built-in densities; most F1 proposals do not have this built in so the conversation and starting point is different.

Fragmentation:

- The applicants admit that the proposal does fragment the land somewhat, but that will have minimal environmental impact and is absolutely necessary to the proposed use, and the applicant's original proposal has been considerably reworked to form the current proposal;
- The percentage of land to be retained by Crystal Mountain Society (CMS) that contains fragile ecosystem is minimal compared to that of the land going to the Islands Trust Conservancy (ITC) for nature protection;
- The land that CMS proposes to give away is contiguous with DL 87, which is a protected provincial park land;

- But, the hooked portion of the lot is not a desirable configuration;
- The APC recommends that zoning requirements specify that lot coverage does not exceed 5% of the lot reducing the impact of fragmentation on the overall forest ecosystem.

Regarding the hooked property, its creation by subdivision, and its access (CMS):

- The proposed CM property is a single property with a hooked configuration that has direct public road access from Devina. The hooked portion of the property on the upper ridge also has a legal access to Cook Road via registered easement across neighbouring Lots B and C. Because the purpose of the subdivision is to provide a community benefit to a Crown Agency (Islands Trust Conservancy) the subdivision process will be completed by the Islands Trust Conservancy under the Section 99 1)h provision in the Land Title Act. There are no additional lots being created for private benefit.
- As such the subdivision requires only approval of the Registrar and is not subject to other approval through Ministry of Transportation or typical referral agencies. That is why items of public concern, such as ensuring that the upper ridge is not developed without having a source of potable water, will be addressed in a registered covenant at the time of rezoning.

Meditation Platform:

- A concern was raised for the proximity of the meditation platform to the sensitive ecosystems including arbutus trees;
- The APC recommends that this be identified as an area of concern and the platform's impact should be evaluated in the longer term.

Density of use:

- Asking for 22 sleeping huts + 6 tenting platforms + 1 caretaker's cabin
  - presumably these would be single occupancy: 28 overnight guests
  - plus caretaker(s);
- Similar zone: C7 has 30 overnight guests/staff, on 5 acres;
- CMS created an attendance chart of retreat participants that included a projection into the near future, and the proposed number of huts allows for a small amount of growth;
- The usual attendance at summer retreats is about 20 participants;
- Concern was expressed about the number of retreat participants where a number of APC members felt 28 people was too high a number given that CMS has had up to 16 people at any one time over the past number of years;
  - Fewer people would be better for the people on retreat;
  - More people will also have a greater impact on water and septic;
  - The number of participants should be limited to 20; and
  - Limiting the number of people to 20 would help to respond to neighbours who wish to maintain the rural character of the neighbourhood.
- Dissenting opinions held that a maximum number of 28 retreat participants was not to many for the following reasons:
  - Stewardship of the land has improved since CMS has owned it;
  - Specifying rules related to land management is more important than the exact numbers of people on retreat;
  - A greater number means more people will be available to steward the land; and

- Lot coverage is small, impact to the land is light, and the retreats are silent.

Number of people:

- A concern was raised by a neighbour that there was no limit on number of people on site;
- Members are unaware of any zone that has absolute limits on number of people allowed on a property at one time, other than overnight accommodation;
- From Land Use Bylaw:
  - 9.5 Commercial Private Film School Zone – C7
    - 9.5.3 Overnight accommodation of students and staff must not exceed 30 people at any time
  - 8.5 Environmental Education and Nature Protection Zone – EE/NP
    - 8.5.2.1 In association with research and education facilities:
      - [4] sleeping quarters for staff and program participants, not to exceed 76 persons, which may include up to 12 structures and up to 18 tent platforms with floor areas not to exceed $10m^2$
- There will be restrictions on the numbers in the dining facilities, and fire egress restriction; and
- Attendees to the property may be accommodated elsewhere on the island.

Water supply/water use:

- The management plan follows the recommendation of 12 thousand gallons of water storage which would be trickle fed and used to temper water demand during the driest months to reduce impact on the well;
- During retreats, food is produced communally and therefore uses less water; additionally, other water needs that are associated with residential use, such as gardening and washing cars, will not be necessary;
- Water catchment systems are not approved by the Vancouver Island Health Authority for commercial use, but
  - A pending water report from Eco-Sense will become part of the covenant that is registered on the land and subject to bylaw enforcement; and
  - A waste water system will be designed in such a way that manages grey and black water use in compliance with Island Health.

Emergency access:

- Fire access should be addressed as part of the application given the concern about propane and fires in the dry season;
- Lot access is at the end of Devina Drive because the road touches the CMS portion of the lot whereas the driveway from Porlier Pass Road is not contained within Lot A and it is in a more ecologically sensitive area;
- An emergency access route will be dedicated at part of the rezoning. The applicants would be open to improving the emergency access route where it entered their proposed lot; and
- An emergency plan could be requested of the applicants and considered a part of the rezoning process.

Parking:

- The provision of parking spaces does not match requirements in the Land Use Bylaw for accommodations;
- At least 22 parking spots would seem a more appropriate number based on current parking regulations;
    - LUB 14. PARKING REGULATIONS Number of Spaces Required:
        - 14.1 If land or the surface of water is used for any of the purposes set out on the left hand column of Table 2, the owner or occupier must provide the number of motor vehicle parking spaces indicated opposite that use in the right hand column of the table (14.1.8 for a guest house, inn or resort - 1 per visitor accommodation room, visitor accommodation sleeping room, visitor accommodation unit or cabin; 14.1.12 for schools - 1 per staff member plus 1 per 10 students);
        - 14.2 The number of spaces required for a use that is not specifically listed is the number required for the most similar listed use;
        - 14.3 If more than one use is located on a lot, the total number of spaces required is the sum of the requirements for the uses calculated separately;
        - 14.4 If the number of spaces required includes a fraction, the owner or occupier must provide the next highest whole number of parking spaces.
- Minimizing car traffic would be a desired outcome if there is a mechanism to do so;
- The applicant is committed to do so, and wishes to minimize the impact of parking facility construction. There is a clearing around the kitchen that can be used as overflow parking; and
- The APC recognises that insufficient parking may lead to considerable disruption in the neighbourhood with cars parking on the street and that a careful plan must be made to accommodate parking.

Bylaw enforcement:

- There was concern expressed for how any of these provisions would be enforced;
- Generally, bylaw enforcement is complaints driven, and there is a Bylaw Officer who will investigate and make enforcement decisions;
- Other members pointed out that enforcement is a difficulty for properties across all zones;
- The applicant is currently out of compliance and attempting to rezone to come into compliance; and
- Numerous complaints have been made and enforcement actions have been taken.

STAFF REPORT

File No.: GL-RZ-2019.2 (Gauvreau)

DATE OF MEETING:	September 7, 2021
TO:	Galiano Island Local Trust Committee
FROM:	Brad Smith, Island Planner Southern Team
COPY:	Robert Kojima, Regional Planning Manager
SUBJECT:	Rezoning Application – Waiving of Public Hearing and Third Reading
	Applicant: Lisa Gauvreau
	Location: 60 Madrona Road, Galiano Island

RECOMMENDATION

1. **That the Galiano Island Local Trust Committee Bylaw No. 271, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2019", be read a third time.**
2. **That the Galiano Island Local Trust Committee Bylaw No. 271 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.**

REPORT SUMMARY

The purpose of this report is to seek further direction from the Galiano Island Local Trust Committee (LTC) on rezoning application GL-RZ-2019.2 (Gauvreau) and proposed Bylaw No. 271.

The above recommendations are supported as:

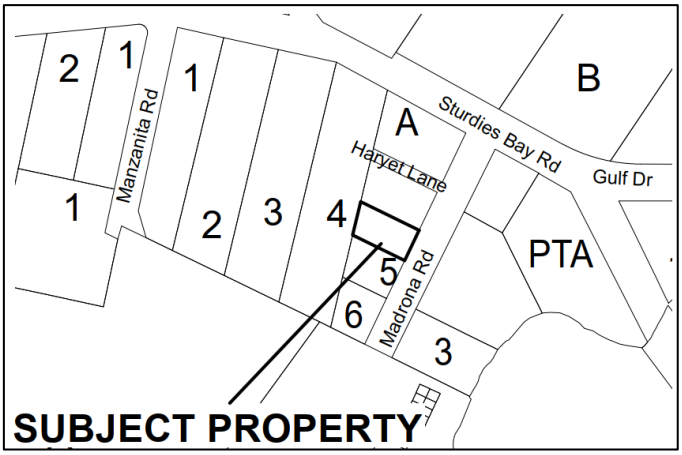
- The proposed rezoning for a commercial land use is consistent with the current land use designation for the subject property in the Galiano Island Official Community Plan No. 108 (OCP);
- The applicant has completed all of the necessary steps in the rezoning process to the satisfaction of staff including demonstrating proof of water;
- Statutory notices to waive a public hearing have been completed in accordance with the *Local Government Act*;
- The applicant has received significant community support for the proposed rezoning and no dissenting views have been heard to date; and,
- Executive Committee approval is required prior to final adoption of Bylaw No. 271.

BACKGROUND

A rezoning application for the subject property was received by the Islands Trust on October 1, 2019 (Figure 1). If approved, the application would amend the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) by rezoning the subject property from **Village Residential 1 (VR1)** to **Retail Commercial 1 (C1)**.

The 0.06 hectare (0.15 ac.) subject property is currently used as a single family residence by the applicant. The operation of a restaurant is not a permitted use in the VR1 zone, but is a permitted use in the C1 zone.

Figure 1 – Subject Property – 60 Madrona Rd.



The LTC gave first and second reading of proposed Bylaw No. 271 at the February 3, 2020 regular LTC meeting and directed staff to schedule a Community Information Meeting (CIM) in conjunction with a Public Hearing.

Subsequently, Covid 19 limited the ability of the Islands Trust to undertake CIMs and public hearings. In response, at the June 1, 2020 meeting the LTC resolved to waive the requirement for a public hearing and to not undertake a CIM.

While LTC did resolve to waive a public hearing, two aspects of the application were still outstanding with respect to proof of water and driveway access width. These issues are now resolved and at the July 5, 2021 meeting, LTC decided to continue to waive the public hearing requirements and directed staff to complete the required statutory notifications.

Statutory notifications are now complete and staff are recommending that LTC consider giving third reading to Bylaw No. 271 and sending it to Executive Committee for approval.

Proposed Bylaw No. 271 is included as Attachment 1. Background to this application, including previous staff reports, are available on the Islands Trust website: http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/current-application-documents/

ANALYSIS

Waiving of Public Hearing

Generally, a public hearing is required for all zoning bylaw amendments. However, the *Local Government Act* provides the ability for local governments to waive a public hearing if (a) an OCP is in effect for the area that is subject to the zoning bylaw, and (b) the bylaw is consistent with the OCP. Both of these items are the case with respect to proposed Bylaw No. 271 as the subject property is already designated for commercial use in the OCP.

Statutory Notifications

Section 467 of the LGA applies if a local government waives the holding of a public hearing.

Notice if public hearing waived

467 (1) If a local government waives the holding of a public hearing under section 464 (2) *[waiver for certain zoning bylaws]*, it must give notice in accordance with this section.

(2) The notice must state

(a) in general terms, the purpose of the zoning bylaw,

(b) the land or lands that are the subject of the bylaw, and

(c) the place where and the times and dates when copies of the bylaw may be inspected.

(3) Section 466 (3), (4) and (6) to (8) applies to a notice under subsection (2) of this section, except that

(a) the last publication under section 466 (3) is to be not less than 3 days and not more than 10 days before the bylaw is given third reading, and

(b) the delivery under section 466 (4) (b) is to be at least 10 days before the bylaw is given third reading.

Section 466 (3), (4) and 8 state:

(3) The notice must be published in at least 2 consecutive issues of a newspaper, the last publication to appear not less than 3 days and not more than 10 days before the public hearing.

(4) If the bylaw in relation to which the notice is given alters the permitted use or density of any area or the residential rental tenure in any area, or limits the form of tenure to residential rental tenure in any area, the notice must

(a) subject to subsection (6), include a sketch that shows the area that is the subject of the bylaw alteration, including the name of adjoining roads if applicable, and

(b) be mailed or otherwise delivered at least 10 days before the public hearing

(i) to the owners, as shown on the assessment roll as at the date of the first reading of the bylaw, and

(ii) to any tenants in occupation, as at the date of the mailing or delivery of the notice,

of all parcels, any part of which is the subject of the bylaw alteration or is within a distance specified by bylaw from that part of the area that is subject to the bylaw alteration.

(8) The obligation to deliver a notice under subsection (4) or (5) is satisfied if a reasonable effort was made to mail or otherwise deliver the notice.

Statutory notices were delivered to property owners and residents on August 11, 2021 (Attachment 2). Notice was posted in the Driftwood newspaper on August 25 and September 1, 2021. Notice was also posted in the August 2021 issue of the Active Page.

Executive Committee Approval

All Islands Trust land use bylaw amendments require Islands Trust Executive Committee approval prior to consideration of fourth reading and final adoption in accordance with the *Islands Trust Act.*

In this case, as there no OCP amendments proposed, provincial ministerial approval is not required.

RATIONALE FOR RECOMMENDATION

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

- The proposed rezoning for a commercial land use is consistent with the current land use designation for the subject property in the Galiano Island Official Community Plan No. 108 (OCP);
- The applicant has completed all of the necessary steps in the rezoning process to the satisfaction of staff including demonstrating proof of water;
- Statutory notices to waive a Public Hearing have been completed in accordance with the *Local Government Act*;
- The applicant has received significant community support for the proposed rezoning and no dissenting views have been heard to date; and,
- Executive Committee approval is required prior to final adoption of Bylaw No. 271.

ALTERNATIVES

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

1. **Request further information**

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

   Resolution:

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

2. **Proceed No Further**

   The LTC may opt to proceed no further with the application.

   Resolution:

   That the Galiano Island Local Trust Committee proceed no further with application GL-RZ-2019.2 (Gauvreau).

NEXT STEPS

With direction from the LTC, Staff will send proposed Bylaw No. 271 to Executive Committee for approval.

Submitted By:	Brad Smith, Island Planner	August 23, 2021
Concurrence:	Robert Kojima, Regional Planning Manager	August 24, 2021

ATTACHMENTS

Attachment 1. Bylaw No. 271

Attachment 2. Statutory Notice to Waive Public Hearing

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 271

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

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

1. Citation

   This bylaw may be cited for all purposes as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2019".

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

   Schedule "B" – Zoning Map, is amended by changing the zoning classification of Lot 4, Section 5, Galiano Island, Cowichan District, Plan 13671 from Village Residential 1 (VR1) to Retail Commercial 1 (C1), as shown on Plan No. 1 attached to and forming part of this bylaw.

3. SEVERABILITY

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

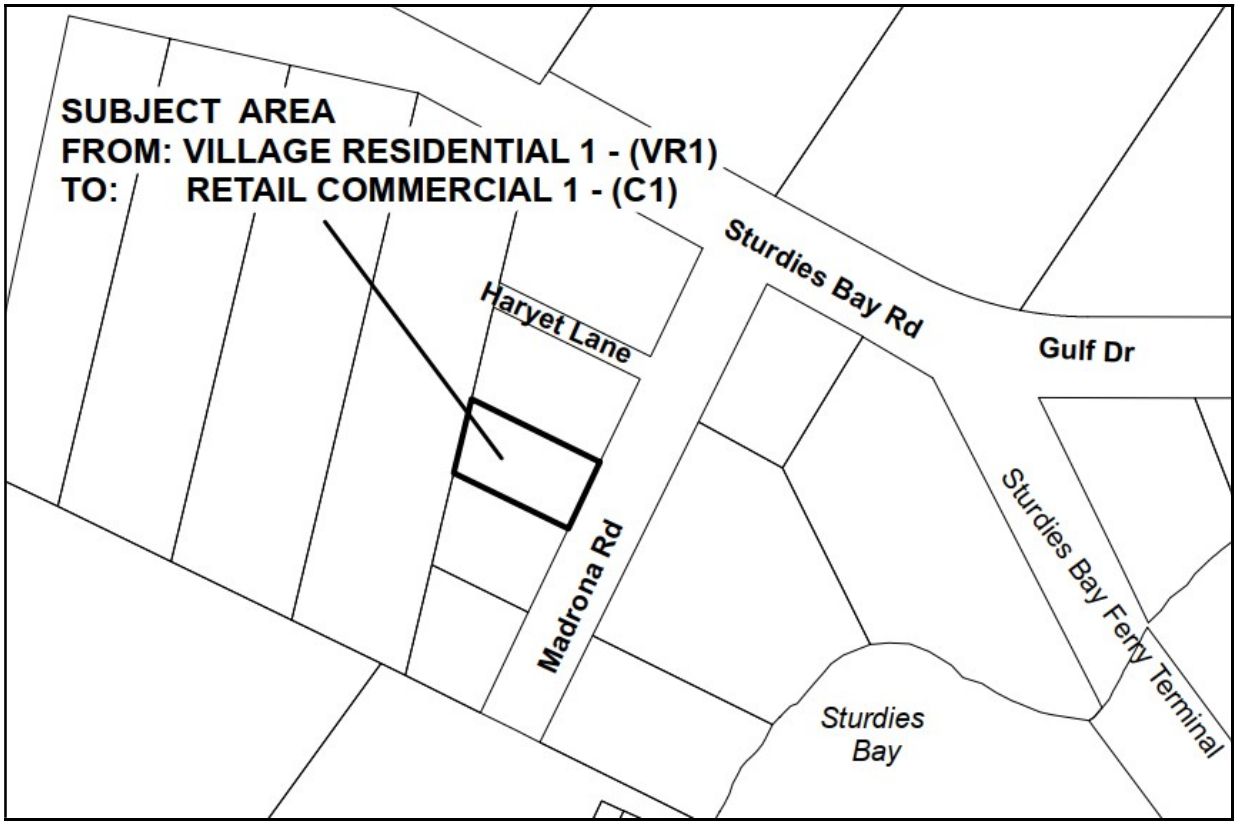
READ A FIRST TIME THIS	3RD	DAY OF	FEBRUARY	2020.
READ A SECOND TIME THIS	3RD	DAY OF	FEBRUARY	2020.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

_____ _____

CHAIR SECRETARY

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 271

Plan No. 1



ISLANDS TRUST
GALIANO ISLAND LOCAL TRUST COMMITTEE
NOTICE OF WAIVER OF PUBLIC HEARING

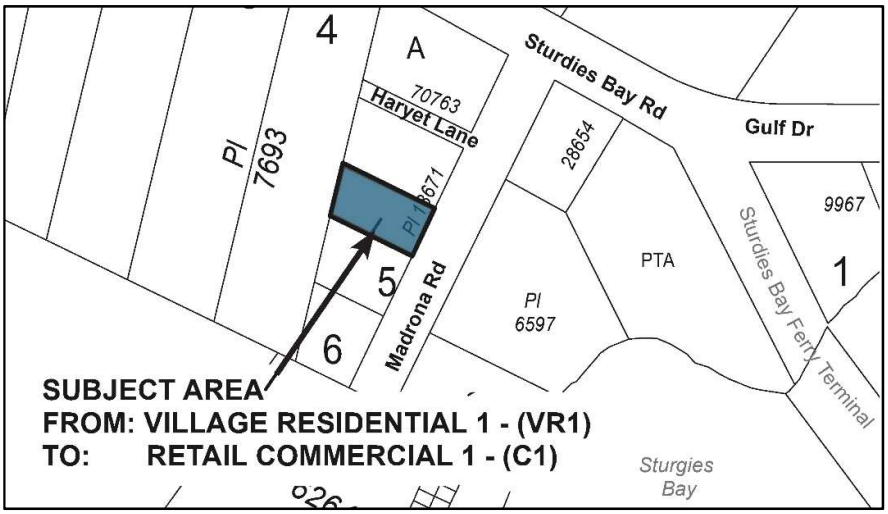
NOTICE is hereby given that the Galiano Island Local Trust Committee is waiving the public hearing for proposed Bylaw No. 271, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2019". The public hearing is being waived under the authority granted in Section 467 of the *Local Government Act* that states that a local government may waive the holding of a public hearing on a proposed bylaw if an Official Community Plan is in effect for the area that is subject to a proposed zoning bylaw, and the proposed bylaw is consistent with the Plan. Upon adoption, Bylaw No. 271 will be consistent with the Official Community Plan for Galiano Island.

The Galiano Island Local Trust Committee will consider further readings to the bylaw at its electronic business meeting scheduled at 12:30 p.m., Tuesday, September 7, 2021.

Proposed Bylaw No. 271 – The purpose of the proposed bylaw is to amend the zoning classification of the subject property from Village Residential 1 (VR1) to Retail Commercial 1 (C1). The proposed change in zoning is consistent with the current Official Community Plan (OCP) land use designation of '*Community Facility/Commercial'* for the subject property.

A staff report is available on the Galiano Island Islands Trust application webpage: https://islandstrust.bc.ca/island-planning/galiano/current-applications/

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



A copy of the proposed bylaw may be inspected at the Islands Trust Office, #200 - 1627 Fort Street, Victoria, B.C. between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday, inclusive, excluding statutory holidays, **commencing August 23, 2021, and up to and including September 7, 2021.**

The proposed bylaw can be viewed at https://islandstrust.bc.ca/island-planning/galiano/current-applications/

Inquiries regarding the proposed bylaw may be directed to the Islands Trust Office, Brad Smith, Island Planner, at (250) 405-5194 or, for Toll Free access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867.

Jas Chonk, Deputy Secretary

Memorandum

Date: September 7, 2021 File Number: GL-RZ-2021.1 (GALI)

To: Galiano Island Local Trust Committee

From: Brad Smith, Island Planner
Southern Team

CC: Robert Kojima, Regional Planning Manager

Re GL-RZ-2021.1 (GALI) – Application Updates and Agency Referrals

Purpose

The purpose of this staff memo is to provide a brief update to the Galiano Island Local Trust Committee (LTC) on application GL-RZ-2021.1 (GALI), and to provide results of agency referrals.

Project Updates

Well Monitoring

Staff have confirmed that the applicant has reinstalled the continuous data logger in the proposed source well, as per the LTC request at the June 1, 2021 LTC meeting. Data collection will continue until at least when the groundwater recharge curve begins to turn upwards (ie. when fall rains come and groundwater recharge starts to occur) and then the applicant will submit a report to LTC from their professional hydrogeologist summarizing the findings.

Water Management Plan

The applicant has submitted a revised Water Management Plan (WMP) for LTC consideration (Attachment 1). Staff have provided detailed comments on a previous draft that are now reflected in this updated version. Staff also met with the applicant and consultants in August 2021 to clarify various aspects of the WMP.

While there may be some additional tweaking of the WMP as the application proceeds and more detailed design work is completed, overall staff are now satisfied with the scope and content of the WMP. At this stage, LTC may provide additional comment or suggestions for consideration.

A next step for staff is to develop draft covenant conditions that reflect the specific water storage requirements and other commitments described in the WMP.

Amended Site Plan

In response to the ecological assessment the applicant has revised their site plan as follows (Attachment 2):

"We moved the top building (#1) further away from the ecologically sensitive area to allow for a better buffer. Consequently, the parking layout has changed a bit as well. The road and parking design will be further refined with design development. We have also reorganized building #4 and adjacent parking to avoid big trees cluster as recommended in the Ecological Assessment."

Figure 1. Amended Site Plan, August 17, 2021



Septic Design Update

The ecological assessment ruled out the *upper bench* area of the property for use in effluent dispersal. As a result, the applicant has sought further assessment of the *lower bench* area but given an unexpected windstorm event, and the ongoing fire ban, the engineering firm has not yet been able to complete their site investigation and revise the layouts.

Attachment 3 provides a letter from BWD Engineering dated August 17, 2021 with an update on their analysis done to date. This further assessment work will be completed when safe to do so.

Summary of Agency Referrals

Draft Bylaw No. 271 has been sent out for agency referral. Table 1 summarizes the responses received.

Table 1. Summary of Agency Referrals

Agency	Recommendation	Comments/Conditions
BC Housing	Approval subject to conditions	1) Section 2.2 maximum unit sizes do not conform to the BC Housing Design Guidelines and Construction Standards as outlined below (includes accessibility increase): 1-bedroom 62.72 sq m 2-bedroom 100.8 sq m 3-bedroom 124.32 sq m 4-bedroom 140 sq m 2) Section 2.3 cites that maximum lot coverage is not to exceed 8.65%. If BC Housing is funding a project, it is not uncommon to request design changes (due to regulatory changes, funding requirements, design efficiency, etc.). This section and the accompanying S219 covenant would pose a restriction on any further design changes that might be requested as part of funding requirements. 3) Section 2.6 cites that no subdivision is possible. Certain BC Housing funding programs require stratification and PRHC ownership of a portion of units.
North Galiano Fire Department	Interests unaffected	None
FLNROD – Water Authorizations	Approval subject to conditions	1) Under the Water Sustainability Act an authorization is required to legally divert and use groundwater for non-domestic purposes. As such, an authorization(s) would need to be applied for, and granted, prior to use of groundwater for the proposed lot. Note there is no guarantee that an authorization will be granted by the decision maker. 2) Water Authorizations has received an application for commercial enterprise purpose for this proposed affordable rental housing project and the application is under review. For your records, the file number is 20015756. During the review of a water authorization application, the following factors are considered: • Availability of water in the intended source; • Potential impacts to the environment (including hydraulically connected streams); • potential impacts to nearby water users (including other well users and those diverting from hydraulically

		connected streams); and, • Potential impacts to First Nation's Interests.
BC Hydro	Interests unaffected	At this time BC Hydro interest would not be affected by this bylaw. If the property is subdivided , BC Hydro would review the subdivision and the lot layout and determine if any Rights are required to service the lots
MOTI	Approval subject to conditions	Suggest confirming that there is enough parking on-site for each dwelling. I believe there is a high likelihood that there will be more than one vehicle per dwelling (especially in the 2 to 3 bedroom units).
Thetis Island LTC	Interests Unaffected	Direct interests are unaffected, however the Thetis LTC is cognizant of the cumulative impacts of this type of development and are respectful of the need to create high-density, low-impact housing.
CRD - SGI EconomicDevelopment Service (Community Economic Sustainability Commission (CESC)	Approval Recommended	1) housing is an essential component for economic and social sustainability 2) many businesses are affected and some closures are attributed directly to staff shortages due to lack of housing 3) in general affordable housing applications are in crucial need of political support
Galiano Trails Society	Approval Recommended	Approval is strongly recommended, in view of the urgent need for more affordable housing particularly for young people, the ideal location of the site in the village centre, and the outstanding quality of the GALI plan for an attractive and highly viable implementation. This is an excellent project which has been the outcome of tremendous generosity and much hard work. Continued efforts and support will be needed to achieve earliest possible project completion. Such a great achievement will bring much joy to the residents, their children and the entire community. Complementary to the construction of affordable housing in or near our village centres, the Galiano Trails Society advocates the urgent development of safe multiuse trails along major roadways radiating from those village centres to accommodate pedestrians, bicycles, mothers with infants in strollers, and handicapped people. We would be delighted if a trail across the GALI site becomes possible in the future as part of the landscaping to provide a direct shortcut between Georgeson Bay and Ellis Roads.

APC Referral

The APC is still in the process of reviewing the application and intends to submit a final report to LTC with conclusions and recommendations when ready.

Community Information Meeting

The Galiano Island South Community Hall has been booked for a Community Information Meeting (CIM) to be held on Saturday October 2, 2021. Staff propose a start time of 12:30 or 1 pm in consideration of ferry schedules for staff and off-island attendees.

Housing Agreement and Covenants

Staff recommend that no substantive effort on drafting a housing agreement be undertaken until legal reviews currently underway in respect of two other rezoning applications where similar rent structures and other housing agreement terms to that of the GALI proposal are being considered.

Staff are compiling a list of potential covenant conditions based on direction already provided by LTC and will begin to move forward with the covenant drafting process as time permits.

Executive Committee Fee Sponsorship

The applicant has submitted a request to the Islands Trust Executive Committee for reimbursement of their rezoning application fee. Staff are in the process of vetting this request to Executive Commiteee for a decision.

Next Steps

Staff will continue to prepare for the October 2nd CIM and make progress on drafting covenant conditions as time permits.

Attachments

1. Water Management Plan v3
2. Site Plan, updated August 17, 2021
3. Letter from BWD Engineeering, August 17, 2021

REPORT

GALIANO GREEN

WATER MANAGEMENT PLAN

Prepared For:

Mobius Architecture
4720 Sunshine Coast Highway
Sechelt BC V0N 3A2
Attn: Peter Treuheit

Prepared By:

Gwaii Engineering Ltd.
623 Discovery Street
Victoria, BC V8T 5G4

Date:

February 19th, 2021
Rev. No. 1 May 17th, 2021
Rev. No. 2 August 19th, 2021

Re:

Water Management Plan

GWAII
ENGINEERING

EXECUTIVE SUMMARY

Gwaii Engineering Ltd. ("Gwaii") has been retained by Mobius Architecture to prepare a Water Management Plan (WMP) which details the strategies recommended for a proposed 20-unit, multi-family development located at 409 Porlier Pass Road on Galiano Island, BC. The report has been prepared to support an application for Rezoning made to Islands Trust in February 2021. The following table provides a summary of the key elements addressed within the report:

Table - Development Summary

Section		Summary

2.	Background & Supporting Documentation	• 20-unit, Multi-Family development at 409 Porlier Pass Road, Galiano Island, BC.
		• Pump test completed by Hy-Geo Consulting.
		  ○ Constant rate of 12.30 L/min. (3.25 USGPM).
		  ○ Well is "more than" capable of supplying the estimated demands for the project with a safety factor of >50%.
		  ○ Met Guidelines for Canadian Drinking Water (Health Canada, 2019) with the exception of Total Coliforms and dissolved manganese.

3.	Water Demands	• Water Demands determined as per Design Guidelines for Rural Residential Community Water Systems (2012) published by Mistry of Forests, Lands & Natural Resource Operations.
4.	Water System Design	• Design criteria as per Design Guidelines for Rural Residential Community Water Systems (2012) and Galiano Island Land Use Bylaw No. 27, Official Community Plan Bylaw No. 108.

4.1.	Domestic Demand Requirement	• Section 3.0, Design Guidelines for Rural Residential Community Water Systems (2012).
		• Development Summary:
		  ○ 20 Proposed Dwelling Units
		  ○ 2.5 Capita Per Dwelling
		  ○ Design Population: 50

4.1.1	Maximum Day Demand (MDD)	• Section 3.1, Design Guidelines for Rural Residential Community Water Systems (2012).
		• MDD: "Single highest total 24-hour daily water consumption occurring over a one-year period".
		• Development Summary:
		  ○ Indoor Demand: 11,500 L/day (7.99 L/min.)
		  ○ Irrigation Rate and Water Loss Allowance not applicable.
		  ○ **MDD: 11,500 L/day (7.99 L/min.)**

4.2	Fire Demand Requirement	• Minimum requirement as per NFPA 1142 – Standard on Water Supplies for Suburban and Rural Fire Fighting.
		  ○ Fire Water Demand: 21,052 L (5,291 iGal)
		• Galiano Fire Department governing flow requirement:
		  ○ **24,000 USGal (90,850L).**

4.3	Reservoir Design	• Section 7, Design Guidelines for Rural Residential Community Water Systems (2012).
		• Balancing Storage:
		  ○ 25% of MDD: 2,875 L
		• Fire Storage:
		  ○ 90,850 L
		• Emergency Storage:
		  ○ 0.25 x (Balancing + Fire Storage)
		  ○ 23,431 L (Design Guidelines)
		  ○ Superseded by 35,000 L (BC WSA)
		• **Total Reservoir Storage:**
		  ○ **128,725 L**

4.4	Fire Suppression	• System design and configuration to be confirmed. • Dry fire sprinkler system preferred; provide suppression for 30 minutes with four heads flowing at approx. 60 USGPM or 2,000 USGal Total.
4.5	Water Quality (Treatment)	• Island Health permit requirement pursuant to the British Columbia Drinking Water Protection Act and Section 6 & 7 of the Drinking Water Protection Regulation (DWPR). • Includes a “multi-barrier” approach to water treatment. • Treatment systems include UV Treatment, Filtration and Chlorination with possible additional Aeration.
4.6	Well Head Protection	• Well head protection as per the Drinking Water Protection Regulation and Groundwater Protection Regulation.
4.7	Monitoring and Reporting	• Future development shall implement routine monitoring and reporting. • System shall include totalizing water flow meter on well discharge to monitor well usage with a water level sounding tube installed for taking periodic water level measurements in the well. • Unit blocks shall be provided domestic water meters. • The treated water will require routine sampling and analysis (likely monthly) to ensure compliance with Island Health regulations.
5.	Water Conservation Initiatives	• Future development shall develop a conservation framework. • The Water Conservation Guide for British Columbia (December 2013) can be used to develop an effective methodology.

6.	Stormwater Design	• Design criteria as per Master Municipal Construction Documents (MMCD) Design Guidelines (2014).
		  ○ Analysis based on NRCS TR-55 criteria.
		  ○ Climate change adjustment as per EGBC Professional Practice Guidelines.
		  ○ Storm recurrence intervals of 2-, 5-, and 10-years.
		  ○ Post-development to match pre-development flow patterns for the stated storm events.

7.	Stormwater Collection	• Irrigation demand can be provided with implementation of rainwater harvesting from a cistern adjacent to each building. • Mayne Island Integrated Water Systems Society (MIIWSS) recommends the use of Premier Plastics™ polyethylene underground storage cisterns.
8.	Sediment and Erosion Control	• During construction, the contractor is to implement sediment and erosion control procedures. • Gwaii to work with contractor and developer to closely monitor Site and identify where Best Management Practices (BMPs) are best suited.
9.	Wastewater Design	• Detailed in Report: *Onsite Wastewater System Site Assessment, New Commons Development* (February 2021) completed by BWD Engineering Inc.
10.	Section 219 Covenant	• Section 219 Covenant pursuant to the BC Land Title Act required for development. • Gwaii shall work with the Developer and the Galiano LTC to develop specific Covenant requirements regarding the completion of a Water Conservation Plan, Water Management Plan, and a detailed well design.

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1. *INTRODUCTION*

Gwaii Engineering Ltd. ("Gwaii") has been retained by Mobius Architecture to prepare the following Water Management Plan (WMP) which details the strategies recommended for the proposed 20-unit, multi-family development located at 409 Porlier Pass Road on Galiano Island, BC. This report has been prepared to support an application for Rezoning made to Islands Trust in February 2021.

2. *BACKGROUND & SUPPORTING DOCUMENTATION*

The proposed development Site is an irregular shaped, undeveloped parcel (totaling approximately 4.04ha) situated between Porlier Pass Road to the north and Georgeson Bay Road along the southern boundary on Galiano Island, BC. The existing legal information for the parcel is described in Table 1 below:

Table 1 - Legal Information

Civic Address	409 Porlier Pass Road, Galiano Island, BC
Legal Description	Lot 1, Plan VIP 29196, District Lot 3, Land District 16, Portion Galiano Island PID: 001-416-987
Zoning	CH1 - Community Housing

This report is intended to support a rezoning application to eventually permit the construction of 20 multi-family units in four proposed blocks accessed through a new development road connecting from Georgeson Bay Road to the south. The Site is located within the *Murchison-Whaler Bay* watershed which forms a Major Groundwater Region as per Schedule C, Land Use Bylaw Water Management Areas and Schedule D, Water Resources Bylaw pursuant to the Galiano Island Official Community Plan Bylaw No. 108. An existing well (WID 23204) located within the central region of the Site (see the attached Site Figure) shall provide potable water to the proposed development for domestic and firefighting purposes. A pump test and accompanying report prepared by Hy-Geo Consulting dated February 9th, 2020 was completed subsequent to a Water License Application made for WID 23204 at the subject property. The pump test was completed over a 72.5-hour period between October 16th to October 19th, 2020 which

followed previous testing completed in November 2018 by the same firm. The report examined water quantity and quality for WID 23204 and presented the following conclusions:

1. "The well was pump tested for 72.5 hours between October 16th and October 19th, 2020 by Red Williams Well Drilling Ltd., at a constant rate of 12.30 L/min (3.25 USgpm) and water level monitoring was carried out on the nearest neighbouring bedrock well WID 12920 at the Galiano Housing Society complex."
2. "Drawdown in the pumped well at the end of the test was 16.117 m below the non-pumping water level of 32.480 m below ground, utilizing 50% of the available drawdown in the well. The well is more than capable of supplying the estimated demand of the project at 7.99 L/min (2.11 USgpm) with a safety factor >50%."
3. "Although capable of being pumped at rates far in excess of 12.30 L/min (3.25 USgpm) the safe well yield is determined to be 12.30 L/min (3.25 USgpm) at this time."
4. "Interference of approximately 5.41 m was recorded in the nearby observation well WID 12920 during the test. At the demand pumping rate of 7.99 L/min (2.11 USgpm) the potential interference effects on the neighouring well, WID 12920, at the Galiano Housing Society complex would be close to 3.51 m, thereby reducing the available drawdown of 39.62 m in that well by approximately 8.9%."
5. "Based on the laboratory results of the October 19, 2020 sampling, the water quality of the project well met the Guidelines for Canadian Drinking Water (Health Canada, 2019) for all parameters analyzed except for total coliforms at 2 CFU /100mL., and dissolved manganese at 27.7 µg/L. Manganese is ubiquitous in the groundwater of the Gulf Islands and can be treated with appropriate water treatment methods."

Furthermore, the report provided several recommendations that have been considered in this report and have been summarized as follows:

1. "As a precautionary measure against any future potential sources of coliform bacteria, water from the well should be treated with an appropriately designed and maintained ultraviolet irradiation (UV) treatment system."
2. "Elevated levels of manganese may be treated with an appropriately designed and maintained point-of-entry (POE) water treatment system including aeration."
3. "Further examination of the potential water treatment options for the well water should be considered. Hy-Geo Consulting does not design or install water treatment systems."

4. "Consideration should be given to equipping the discharge line from the well with a totalizing water flow meter to monitor and record the well use with time and having a water level sounding tube installed for taking periodic water level measurements in the well."

The report completed by Hy-Geo Consulting has been included as Appendix to the Rezoning application. The existing site topography is highly variable and consists mostly of steep, mountainous terrain which slopes from a central peak (approximate geodetic elevation of 55.0m) down towards the lower-lying western property boundary and a low-lying wetland adjacent to an unnamed tributary of Putter Creek which bisects the northern boundary of the Site. The unnamed watercourse meets the definition of a stream under the Riparian Areas Protection Regulations (RAPR) legislation and has been assigned a Riparian Assessment Area (RAA) setback. The areas adjacent to the unnamed creek and atop the high-lying ridge have been deemed environmentally sensitive and are located within Development Permit Areas as per Schedule F, Development Permit Area 1 – Riparian and Schedule H, Development Permit Area 5, Sensitive Ecosystems pursuant to the Galiano Island Official Community Plan Bylaw No. 108. A Staff Report completed in October 2018 by Island Trust in support of a previous Development Permit application on the property issued the following statements regarding the DP areas:

- **"DPA 2 [SIC] – Riparian Areas** is designated on the property as shown in Attachment 2.3. The riparian area is located around Putter Creek along the northern border of the property. The applicant has provided a RAR Assessment report in support of the application."
- **"DPA 5 – "Sensitive Ecosystems (riparian and wetland)** is designated on the property as shown in Attachment 2.4. The riparian sensitive ecosystem is located in the same location as the riparian area (DPA 1). DPA 5 notes a small wetland sensitive ecosystem in the middle of the property. After a site visit completed by staff and the applicant in early September, staff determined the absence of the wetland. Therefore the primary focus of DPA 5 will be for the riparian area. The RAR Assessment has been used to address this DPA."

The existing ground cover is densely forested with thick underbrush and natural vegetation that covers most of the property. The natural topography delineates the Site into two subcatchments: 1) a northern catchment that discharges to the unnamed creek which will remain undeveloped, and 2) a southern catchment that discharges towards the west into a low-lying wetland adjacent to the unnamed creek located on the neighbouring property. The development will be located entirely within the southern Site catchment and the natural drainage pattern will be generally maintained following completion of construction. A ***Geotechnical Investigation Report*** was completed for the site by GeoPacific Consultants

Ltd. (GP) dated January 19th, 2021. The field investigation included the completion of eight test pits excavated to a maximum depth of 1.5m below existing grade or until practical refusal. The test pits were located within the approximate corridor of the future development road and building site locations. A brief synopsis detailing the results of the subsurface investigation completed by GP has been included below:

- Topsoil/Silty Sand Loam – "Organic topsoil, followed by silty sand loam was noted at the surface of all test hole locations. The silty sand is generally loose, fine-grained, moist and reddish-orange in colour. An approximately 1.50m layer of loose to compact silty sand fill was noted at test hole locations TP21-03 and TP21-08m respectively".
- Weathered Sandstone Bedrock – "…encountered at all test hole locations beneath the topsoil/silty sand loam. Depths to bedrock varied across the site, generally ranging between 0.6 and 1.5m below grade."
- Groundwater - static groundwater was not encountered during the investigation and is estimated to be well below development grades; perched water tables should be expected to form within the topsoil/silty sand which overlies the weathered sandstone.

The Geotechnical Investigation completed by GeoPacific including a Site figure illustrating the approximate test-pit locations has been included as Appendix to the Rezoning application. Review of the Northern Vancouver Island Project geological mapping published by GeoScience BC (Map 2013-NVI-1-1) indicates the Galiano Island region is underlain by the *Upper Cretaceous,* Nanaimo Group which includes "boulder, cobble and pebble conglomerate, coarse to fine sandstone, siltstone, shale and coal". A *Galiano Groundwater Study* published by Waterline Resources Inc. in March, 2011 assessed the underlying Geology on Galiano Island. The report identified various publications and determined "quaternary deposits on Galiano Island comprise either thin, compact glacial till or fluvial sands and gravels deposited by meltwater (Mordaunt and Hodge, 1983). Based on provincial soils mapping, more than 60% of the soils on Galiano Island are classified as well drained (Green, et al., 1989) suggesting coarse-grained sediments (eg: sand and gravel). The deposits are typically thin and with poor groundwater potential except in limited, topographic tough areas (Kohut and Johansson, 1997)".

Based on the GeoPacific's field investigation findings and review of the region geological mapping and previous publications, the underlying site soils are likely suitable for full or partial disposal of site generated stormwater runoff. At subsequent Development Permit/Building Permit stage, Gwaii will

complete Constant Head Well Permeameter (CHWP) in-situ measurements of existing on-site soils, as necessary, to determine "field-saturated" hydraulic conductivity (Kfs) prior to finalizing site design of stormwater management systems. All permeameter testing analysis shall be completed as per the ETC Pask (Constant Head Well) Permeameter for In-Situ Measurement of Field Saturated Hydraulic Conductivity of Soils published by Engineering Technologies Canada Ltd. (March 2016). Test pitting and permeameter analysis will be completed in strategic locations based on the final development plans.

3. WATER DEMANDS

The Galiano *Groundwater Study* published by Waterline Resources Inc. assessed the unique challenges posed by development on Galiano Island as it relates to the development of freshwater resources and future land-use planning initiatives. Concurrent to the Groundwater Study, the Galiano Local Trust Committee (LTC) reviewed the Galiano Island Official Community Plan with the intent of "balancing the water supply requirements for area growth against environmental needs and future sustainability" (Waterline Resources Inc., 2011). The study examined water demand estimates for Galiano Island based on various publications and bylaws specifications including requirements stated in the Galiano Island Land Use Bylaw No. 27 and the Galiano Island Official Community Plan Bylaw No. 108. While it was concluded that water volume requirements included in the Galiano Island Land Use Bylaw No. 27 were reasonable, a quantitative approach was recommended to evaluate the water use demands on a development specific basis.

A subsequent report completed by Hy-Geo Consulting in December 2019 reviewed the summation of these previous studies and provided a reasonable estimate of anticipated water demands for rental housing projects in the Gulf Islands of southern British Columbia. The report was intended to provide support for development applications for affordable housing projects on Galiano Island. Indoor water usage for residential water systems was assessed based on the Design Guidelines for Rural Residential Community Water Systems (2012) published by the Ministry of Forests, Lands & Natural Resource Operations. The demands were compared to various publications including a report prepared by the Government of Canada and the rates were considered reasonable. Accordingly, the methodology included in the Design Guidelines for Rural Residential Community Water Systems (2012) has been used in subsequent sections of this report.

4. WATER SYSTEM DESIGN

The potable water system design for domestic and fire systems has been completed in accordance with the design requirements stated in the Galiano Island Land Use Bylaw No. 27, the Galiano Island Official Community Plan Bylaw No. 108, the Design Guidelines for Rural Residential Community Water Systems (2012) and good engineering practice. The demand requirements have been completed based on the conceptual layout prepared by Mobius Architecture and shall be confirmed during the detailed design phase of the project.

4.1 Domestic Demand Requirement

The domestic water demand requirements shall be based on *Section 3.0, Demand Calculations* of the Design Guidelines for Rural Residential Community Water Systems (2012). The proposed development summary has been presented in Table 2 below:

Table 2 – Development Summary

Proposed Dwelling Units	20
Capita Per Dwelling (Multi-Family)	2.5
Design Population	50

4.1.1 Maximum Day Demand (MDD)

As per Section 3.1 of the Design Guidelines: "Maximum Day Demand (MDD) is the single highest total 24-hour daily water consumption occurring over a one-year period". The MDD is based on the following demand components:

MDD = Indoor Demand + Water Loss Allowance + Irrigation Demand

A conceptual layout plan has been illustrated in the attached Site figure and has been used to prepare the following preliminary domestic demands. The Indoor Demand requirement has been presented in Table 3 below:

Table 3 – Indoor Demand

Design Population	50
Water Usage Rate	230 L/cap/day
Indoor Demand	11,500 L/day (7.99 L/min.)

The Water Loss Allowance can be neglected from the MDD calculations stated above. An operations and maintenance plan for the on-site water distribution system will include a series of valves on the water piping that will allow for testing of individual sections of the main to determine if there is leakage. As-Built drawings will include detailed locations of each pipe joint where leakage would be expected, and any leaks detected will be easily located and corrected. Furthermore, as per the recommendation provided by Hy-Geo Consulting: *consideration should be given to equipping the discharge line from the well with a totalizing water flow meter to monitor and record the well use with time and having a water level sounding tube installed for taking periodic water level measurements in the well.* The unit blocks will be provided domestic water meters in addition to this which documents the overall usage for the Development. If discrepancies between measurements are encountered, this could indicate the presence of a leak at which point the Development should take corrective action.

Irrigation demands from the water system can also be considered to be negligible. The unit block designs will not include hose bib or irrigation connections from the development water system. Alternatively, the irrigation demand requirement can be provided with the implementation of rainwater harvesting from a cistern installed adjacent to each unit block. The development plans include a shared laundry facility that will be designed to include “gray-water” collection and disposal to supplement existing trees and vegetation on the property. Furthermore, during Building Permit phase, the landscape designer shall create a comprehensive water use plan that provides recommendations on irrigation requirements and conservation measures including the restriction of the allowable irrigation area for each unit and promoting the planting of drought tolerant species. These conservation measures will be discussed in further detail in subsequent sections of this report.

Accordingly, the Maximum Day Demand (MDD) has been presented in Table 4 below:

Table 4 – Maximum Daily Demand (MDD)

Indoor Demand	11,500 L/day (7.99 L/min.)
Water Loss Allowance	-
Irrigation Rate	-
Maximum Day Demand (MDD)	11,500 L/day (7.99 L/min.)

Finally, the Average Day Demand (ADD) and Peak Hour Demand (PHD) can be determined based on the following relationships:

$$ADD = MDD/PF_1$$

$$PHD = ADD \times PF_2$$

Where, "Average Day Demand" (ADD) is the average daily use and can be used to derive peak demands from metering data and "Peak Hour Demand" (PHD) represents the maximum volume of water delivered over a single hour throughout the day. The Average Day Demand (ADD) and Peak Hour Demand (PHD) has been presented in Table 5 below:

Table 5 – Average Daily Demand (ADD) & Peak Hour Demand (PHD)

PF_1 & PF_2 (< 5,000 Capita)	2.5 & 4.0
Maximum Day Demand (MDD)	11,500 L/day (7.99 L/min.)
Average Day Demand (ADD)	4,600 L/day (3.19 L/min.)
Peak Hour Demand (PHD)	18,400 L/day (12.78 L/min.)

4.2 Fire Demand Requirement

The fire demand requirements for the proposed development shall be based on the latest edition of the *NFPA 1142 - Standard on Water Supplies for Suburban and Rural Fire Fighting.* The proposed system will

likely include a combined domestic/fire or separate on-site fire water gravity system situated directly downstream of the proposed reservoir. The system will include two on-site fire hydrants strategically located to ensure staging areas are located within the allowable distances from proposed dwellings (45m maximum) as per the British Columbia Building Code. During a firefighting scenario, the fire department would pump water from the gravity hydrant system to fight a structure fire. The system should contain a system valve that is normally closed and isolates the fire gravity system from the domestic distribution system. During a fire, the Fire Department would open the valve to the gravity system before fighting drawing water. As per *NFPA 1142**, Section 4.2,*** the minimum water supply requirement for structures without exposure hazards can be calculated based on the following formula:

$$WS_{Min.} = 133.6\ x\ \frac{VS_{Tot}}{OHC}\ (CC)$$

Where,

$WS_{Min.} = Minimum\ water\ supply\ in\ Litres\ (L)$
$VS_{Tot} = Total\ volume\ of\ structure\ in\ m^3$
$OHC = Occupancy\ hazard\ classification\ number$
$CC = Construction\ classification\ number$

As per *Section 5.2.5.1*. the proposed dwellings shall be classified as *Occupancy Hazard Number 7* in which the quantity or combustibility of domestic contents is considered to be relatively light and therefore rates of spread and heat release is low. The construction classification number (CC) for any proposed structure shall be in accordance with *Section 6.3* and shall have a maximum value of 1.0 (Type I-IV as per the table below).

Table 6 – Construction Classification Number (Section 6.2.1)

Type I	0.5
Type II	0.75
Type III	1.0

Type IV	0.75

Classification shall be based on the inclusion of fire walls and structural elements constructed from approved non-combustible or limited-combustible materials in the proposed building plans. Fire resistance ratings for each structural member shall be no less than the values specified in *Section 6.3.1*. The building and structural elements shall be confirmed by the Developer at Building Permit stage. The minimum water supply requirement to the development has been presented in Table 7 below:

Table 7 – Fire Water Demand (Structures without Exposure Hazards)

VS_{Tot}[1]	1,103 m^3
OHC	7
CC[2]	1.0
WS_{Min}	21,052 L (5,291 iGal)

[1] Block C, governing volume of structure
[2] Assume Type III Construction, non-combustible exterior walls

The water supply requirement exceeds the stated minimum of 7600 L for a structure without exposure hazards as per *Section 4.2.2.* A meeting with the Galiano Fire Department determined a minimum 24,000 USGal (±90,850 L) fire volume is required on Galiano Island for insurance purposes. Accordingly, this volume demand will be used to determine the preliminary reservoir storage requirement however, the Developer shall confirm the final volumes during Building Permit stage. For review purposes, detailed *NFPA 1142 - Standard on Water Supplies for Suburban and Rural Fire Fighting* calculations have been provided for each Unit Block in Appendix A. There are also numerous practices which significantly reduce the likelihood and consequence of a structure fire:

- The Development shall complete chimney cleaning on a yearly basis (if applicable).
- The Development shall clean roofs and gutters at least twice a year.
- All dwellings shall have a minimum of 1 smoke alarm on each habitable floor of the house.

- All dwellings shall have a clear and concise evacuation plan complete with safety procedures for exiting and muster area (meeting location).
- All dwellings shall carry a minimum of two (2) 5lb fire extinguishers certified for use on A, B, and C fuels.

4.3 Reservoir Design

The proposed reservoir design shall be based on *Section 4.7, Distribution Storage Reservoirs* of the Design Guidelines for Rural Residential Community Water Systems (2012). As per the guidelines, the storage reservoir shall be designed to meet the storage requirements for the following purposes:

- **Balancing Storage**: to balance the fluctuations in domestic demands and irrigation (not applicable) and allow for reasonable on/off frequencies of the supply pumps.
- **Fire Storage**: to provide sufficient water for the critical fire flow/duration demands in the system.
- **Emergency Storage**: to provide water in case of power outages and restriction in source supply.

4.3.1 Balancing Storage

As per Section 4.7.1 of the Guidelines, the storage to balance the difference between instantaneous demands and the average demands should be minimum 25% of the MDD (11,500 L/day). Therefore, the volume requirement for balancing storage shall be 2,875 L (632.4 iGal).

4.3.2 Fire Storage

As discussed, the Galiano Fire Department volume requirement of 90,850 L (24,000 USGal) shall supersede the *NFPA 1142 - Standard on Water Supplies for Suburban and Rural Fire Fighting* requirement.

4.3.3 Emergency Storage

As per Section 4.7.3 of the Guidelines, the emergency storage provides water during events such as natural disasters, pump power failure, source failure or watermain breaks. The emergency storage as per the Guidelines is based on the following relationship:

Emergency Storage = 0.25 x (Balancing Storage + Fire Storage)

Whereby,

Emergency Storage = 0.25 x (2,875 L + 90,850 L) = 23,431 L

A subsequent meeting with the Galiano LTC in August 2021 was held to deliberate an acceptable standard for the Emergency Storage requirement. It was determined that the *Essential Household Use* as defined pursuant to the British Columbia Water Sustainability Act (WSA) would be a minimum acceptable standard during the event of an emergency. As per the Act, *Essential Household Use* ensures occupants of a private dwelling shall be provided not more than 250 liters of water per day for drinking water, food preparation, sanitation, and domestic purposes. Furthermore, it was determined the *Essential Household Use* shall be delivered for a one-week period to allow for a necessary buffer during emergency. Accordingly, the Emergency Storage requirement based on the WSA shall supersede the Design Guidelines for Rural Residential Community Water Systems (2012). The revised Emergency Storage requirement has been presented in Table 8 below:

Table 8 – Emergency Storage Requirement (BC WSA)

Total Dwellings	20
Essential Household Use	250 L/Dwelling/Day
Emergency Buffer Period	7 Days
Emergency Storage	35,000 L

4.3.4 Total Reservoir Storage

The total reservoir storage requirement can be determined based on the following relationship:

Total Storage (L) = Balancing Storage + Fire Storage + Emergency Storage

A reservoir volume summary has been included in Table 9 below:

Table 9 – Total Reservoir Storage Summary

Balancing Storage (0.25 x MDD)	2,875 L
Fire Storage	90,850 L

Emergency Storage	35,000 L
Total Reservoir Storage	**128,725 L**

As per Section 4.7.4 of the Guidelines, the structure shall typically be a single cell bolted steel reservoir with a glass lined interior however the eventual design shall be specified and approved by the Developer and Islands Trust. The reservoir will be designed to meet the structural requirements based on the most current version of the British Columbia Building Code (BCBC), National Building Codes and AWWA D-103-09 Specifications.

4.4 Fire Suppression

Should the owner choose to install a fire sprinkler system, the system would likely comprise a separate water tank and pump that bypasses the water treatment system with a backflow prevention valve. The developer has confirmed a dry fire sprinkler system with a pump is the preferable option. During a fire scenario, a system valve is triggered resulting in the operation of one or more sprinklers within the residence. The system shall provide fire suppression measures for 30 minutes with four heads flowing at approximately 60 USGPM or approximately 2000 USGal total (to be confirmed by Avalon Mechanical Engineering during detailed design). The typical response time and proximity of the Fire Department to the proposed development (located directly across the street on Georgeson Bay Road) shall factor into the design volume requirement. The eventual system shall be designed to meet NFPA requirements (or an approved equivalent) and shall be designed by an approved Professional during the Building Permit stage of the project.

4.5 Water Quality (Treatment)

The water quality analysis and subsequent recommendations stated by Hy-Geo Consulting indicate the need for water quality treatment:

1. “As a precautionary measure against any future potential sources of coliform bacteria, water from the well should be treated with an appropriately designed and maintained ultraviolet irradiation (UV) treatment system.”

2. "Elevated levels of manganese may be treated with an appropriately designed and maintained point-of-entry (POE) water treatment system including aeration."

The development of a drinking water source is subject to approval be Island Health pursuant to the British Columbia Drinking Water Protection Act and Section 6 & 7 of the *Drinking Water Protection Regulation (DWPR)* which requires a construction and operating permit for new source extraction. Islander Health institutes a "multi-barrier" approach to regulating water supply systems. As per Health Canada, the multi-barrier approach is defined as "an integrated system of procedures, processes and tools that collectively prevent or reduce the contamination of drinking water from source to tap in order to reduce risks to public health". An adequate system shall be designed to alleviate any risk from the Ministry of Health's *Ground Water at Risk of Containing Pathogens (GARP)* including *Ground Water under Direct Influence of Surface Water Criteria (GWUDI)* criteria.

A treatment system comprised of filtration, UV disinfection and residual chlorination will meet Island Health and DWPR requirements. A UV treatment system shall provide rapid and effective inactivation of microorganisms present within the source water. The observed elevated levels of manganese can be filtered from the system with the use of a media filter (typically 1 & 5 micron, removable filter canisters) with subsequent reduction through oxidation resulting from chlorine treatment. Further oxidation through aeration can be achieved if additional removal of manganese concentration is required. A chlorine residual may be maintained within the system at a concentration of 0.5 mg/L to ensure aesthetic water quality is achieved. Maintaining adequate residuals within the system will inhibit regrowth in the distribution network thereby reducing the frequency of line flushing. The design and configuration of these systems will be developed at the detailed design stage of the project.

4.6 Well Head Protection

The well head shall be protected to mitigate potential contamination of the drinking water source from the surface. The protection measures shall conform to the Drinking Water Protection Regulation and Groundwater Protection Regulation accordingly. The well was installed by qualified personnel (Red Williams Drilling) and included a bentonite surface seal. Augmentation or works to modify the well shall include well head protection as per the Groundwater Protection Regulation.

4.7 Monitoring and Report

The future development shall implement routing monitoring to ensure compliance with the operating permit. As per the recommendation provided by Hy-Geo Consulting: *consideration should be given to equipping the discharge line from the well with a totalizing water flow meter to monitor and record the well use with time and having a water level sounding tube installed for taking periodic water level measurements in the well.* Furthermore, the unit blocks will be provided domestic water meters which document the overall usage for the Development. The use of a well data logger to monitor water levels within the well is also recommended for use by the future development. The treated water will also require routine sampling and analysis (likely monthly) to ensure compliance with Island Health regulations. Further discussion with the Galiano LTC indicated the use of a water-level data logger shall be incorporated into the final well design and secured through Section 219 Covenant (discussed in a subsequent section of this report). The development shall maintain sufficient operation records to the satisfaction of the Galiano LTC which shall be made available within a reasonable period, if requested.

5. WATER CONSERVATION INITIATIVES

The sustainable development of freshwater resources and ongoing conservation efforts are of great importance to the Galiano Island community which is apparent in the Galiano Island Official Community Plan. “Deteriorating water quality is evident in the Galiano Island Local Trust Area generally and the demands on groundwater resources continue to increase”; efforts shall be made to preserve and maintain an adequate fresh water supply. Conservation measures developed by the Capital Regional District (CRD) encourage the sustainable use of regional drinking water sources through education, technology, policy measures and research. Accordingly, the future development shall develop a conservation framework that has been successfully implemented in similar communities. The Water Conservation Guide for British Columbia published in December, 2013 can be used to develop an effective methodology which prioritizes conservation and efficient use. The approach should follow the Conservation Guide’s seven-step process for developing a comprehensive Community Water Conservation Plan:

1. Laying the Plan’s Foundations
2. Water System Profile
3. Forecast Demand
4. Set Objectives

5. Review Options
6. Select Measures
7. Implementation Strategy

The guide recommends implementing a plan that provides an effective variety of enforceable and voluntary measures based on the following criteria:

- **Legal Measures**
  - Development mandatory water restrictions, planting and irrigation requirements
  - Development bylaws requiring installation of 'low-flow' plumbing fixtures
  - Development restrictions on recreational water usage
- **Operations and Management Measures**
  - Water loss management and leak repair
  - Water meter installation on each Unit
  - Rainwater harvesting programs (see Section 7.0 of this report)
- **Community Engagement Measures**
  - Voluntary restrictions on domestic water usage
  - Education and outreach programs
  - Partnerships and collaborative initiatives

6. STORMWATER DESIGN METHODOLOGY

There is presently no stormwater management design methodology included in the Galiano Island Land Use Bylaw No. 27 or the Official Community Plan Bylaw No. 108. Gwaii has proposed the use of the Master Municipal Construction Documents (MMCD) Design Guidelines (2014) as it pertains to Stormwater Management (Sections 4 and 8 respectively) which provides an acceptable industry standard for development within British Columbia. Given the environmental sensitivity of the Site and surrounding areas, the intention is to develop a Stormwater Management plan that replicates the pre-development hydraulic conditions as closely as possible. The methodology developed in this section is considered conceptual and shall be completed at Development Permit/Building Permit stage based on the final development plans.

6.1 National Resource Conservation Service (NRCS) TR-55 (HydroCAD)

HydroCAD software shall be used to model all infiltration, detention and controlled release requirements for the proposed stormwater detention systems. The design storms used to complete the HydroCAD analysis are adapted from the Short Duration Rainfall Intensity-Duration Frequency (IDF) Data for the Saturna Capmon, British Columbia Weather Station for 24-hour storm events (Storm Type 1A for the Pacific Northwest) which has been included in Appendix B and summarized in Table 10. The Short Duration rainfall IDF was collected from rain gauge data compiled between 1989-2017 and has been published be Environment Canada. The weather station is the closest Environment Canada published data for the proposed development Site.

Table 10 – 24-Hour Storm (Type 1A), Saturna Capmon

Design Storm	24hr Rate	24hr Total Depth
2-Year	2.0 mm/hr	48.0 mm
5-Year	2.6 mm/hr	62.4 mm
10-Year	2.9 mm/hr	69.6 mm

Analysis of the proposed system is based on NRCS TR-55 criteria (Urban Hydrology for Small Watersheds)—a summary of the model input information has been included,

- Time of Concentration:
  - Sheet Flow (pre-development)
    - Maximum 100m flow length
    - Approximate 13.8% average slope from central, high plateau down to the western property boundary
    - Woods; Light underbrush (Manning's No. = 0.40)
- Storm Type 1A, 24 Hour (Pacific Northwest)
- Curve Numbers (CN):
  - 65 — Woods/grass comb., fair soil, HSG B (Pre-development ground cover)
  - 76 — 50-75% Grass Cover, fair soil, HSG B (Post-development ground cover)
  - 98 — Paved Parking; HSG C

- 98 — Roofs; HSG C

➢ 48 Hour Analysis Time Span

6.2 Climate Change Consideration

In accordance with the Professional Practice Guidelines - Legislated Flood Assessments in a Changing Climate in BC (APEGBC, 2012) a safety factor of a 10% increase in design peak flow capacity is required to be designed into new minor system infrastructure to account for climate change. The adjusted values are summarized in Table 11:

Table 11 – Adjusted Storm Intensities and rainfall depth as per APEGBC (2012)

Design Storm	24hr Rate	24hr Total Depth
2-Year	2.4 mm/hr	57.6 mm
5-Year	3.1 mm/hr	74.4 mm
10-Year	3.5 mm/hr	84.0 mm

All eventual post-development hydraulic modeling shall include the climate adjusted rates.

6.3 Pre-Development Condition

Pre-development site topography is comprised mostly of steep, mountainous terrain which slopes from a central high-lying ridge down towards a lower-lying western property boundary (southern catchment). The existing ground cover is densely forested with thick underbrush and natural vegetation that covers most of the property. During a typical storm event, runoff sheet flows from the ridge towards the west where it eventually accumulates within the existing wetland northwest of the Site. The wetland areas likely attenuate incoming flows before eventually discharging overland into the unnamed creek along the north side of the property. The Time of Concentration (ToC) is dependent on upstream ground conditions and the effectiveness of the wetland areas to control point source discharge into the creek. Time of concentration and peak flow discharge measured from the central mountain peaks down to the low-lying western boundary (approximated along the longest hydraulic flow path) is determined using HydroCAD. The model approximates the pre-development flows entering the creek from the development Site

during the 2-year, 5-year and 10-year storm events. A summary of the predevelopment hydraulic analysis has been presented in Table 12 below:

Table 12 – Pre-Development Site Condition

Design Criteria	Value
Storm Recurrence Interval	2-Year/5-Year/10-Year
Time of Concentration (Tc)	30.2 Min.
Pre-Development CN (Woods/grass comb., Fair soil, HSG B)	60
Inflow Area	1,891 m^2
Pre-Development 2-Year Peak Discharge	0.13 L/s
Pre-Development 2-Year Runoff Volume	5.1 m^3
Pre-Development 5-Year Peak Discharge	0.27 L/s
Pre-Development 5-Year Runoff Volume	13.2 m^3
Pre-Development 10-Year Peak Discharge	0.36 L/s
Pre-Development 10-Year Runoff Volume	19.2 m^3

For the purposes of the pre-development model conditions, a Hydraulic Soil Group (HSG) B was considered: these soils are characterized by “moderate infiltration rates when thoroughly wetted, and consist chiefly of moderately deep to deep, moderately well to well drained soils with moderately fine to moderately coarse textures and a moderate rate of water transmission”. The model indicates a modest discharge rate from the Site during significant storm events based on existing soil conditions. The soil characteristics will be confirmed by completing Constant Head Well Permeameter (CHWP) in-situ measurements of existing on-site soils, as necessary, to determine "field-saturated" hydraulic conductivity (Kfs) at Building Permit Stage. The stormwater management strategy shall develop a methodology that imitates the pre-development hydraulic condition as closely as possible.

A pre-development hydraulic model output from HydroCAD has been included in Appendix D.

6.4 Storm Water Quality

During a typical rainfall event, runoff from the proposed structures will discharge directly to rainwater cisterns located adjacent to each building complete with a filter to remove suspended particulate and debris (see Section 7.0). Stormwater discharging from the driveway areas shall flow into shallow grassed swales located on the downstream side of the paved surface. These bioswales provide a "first-flush" treatment of pollutants and other deleterious materials prior to entering a Site drainage system. Lawn basins with open grated lids shall be strategically positioned within the swale with an approximate 50-100mm freeboard to allow for partial surface ponding and infiltration into a bio-retention growing medium along the surface. During typical minor events, the stormwater ponding around the inlet structure will be permitted to infiltrate into underlying site soils. During more significant rainfall events, runoff may exceed the infiltration capacity of the growing medium resulting in surcharge and eventual overflow into the drainage system through the grated lid. Each lawn basin shall have a sump which provides attenuation of incoming flows to permit the settling of the coarse fraction of the sediment (fine to medium sand particles and greater). The drainage system will discharge to a central exfiltration gallery situated in the lower-lying areas south of the proposed dwellings. The gallery will be sized to adequately dispose of site generated stormwater runoff into underlying soils, thereby replicating the pre-development condition.

6.5 On-Site 100 Year Flood Risk

The on-site grading plan shall ensure positive drainage away from all proposed structures towards the central roadways which provides a natural conduit for flood waters during significant storm events. Surface areas that are intended for overland drainage should be hard-surfaced, seeded, planted, or protected with armoring to mitigate potential erosion concerns.

7. STORMWATER COLLECTION

The unit block designs will not include hose bib or irrigation connections from the development water system. Alternatively, the irrigation demand requirement can be provided with the implementation of rainwater harvesting from a cistern installed adjacent to each building. The Mayne Island Integrated Water Systems Society (MIIWSS) recommends the use of Premier Plastics™ polyethylene underground storage cisterns which will be sized based on detailed irrigation demands and proposed roof surface areas

for each unit block. The systems will be designed with an overflow to the Site drainage system to dispose of excess stormwater runoff during the wet season. The Premier Plastics™ design software considers monthly precipitation data from Mayne Island, Village Bay. The user inputs rooftop surface areas and irrigation demand and varies the tank volume to provide an Optimal Tank Capacity. The monthly precipitation and rooftop volume requirement based on the proposed block configurations (approximate rooftop area of 1,003 square meters) have been illustrated in the figure below:

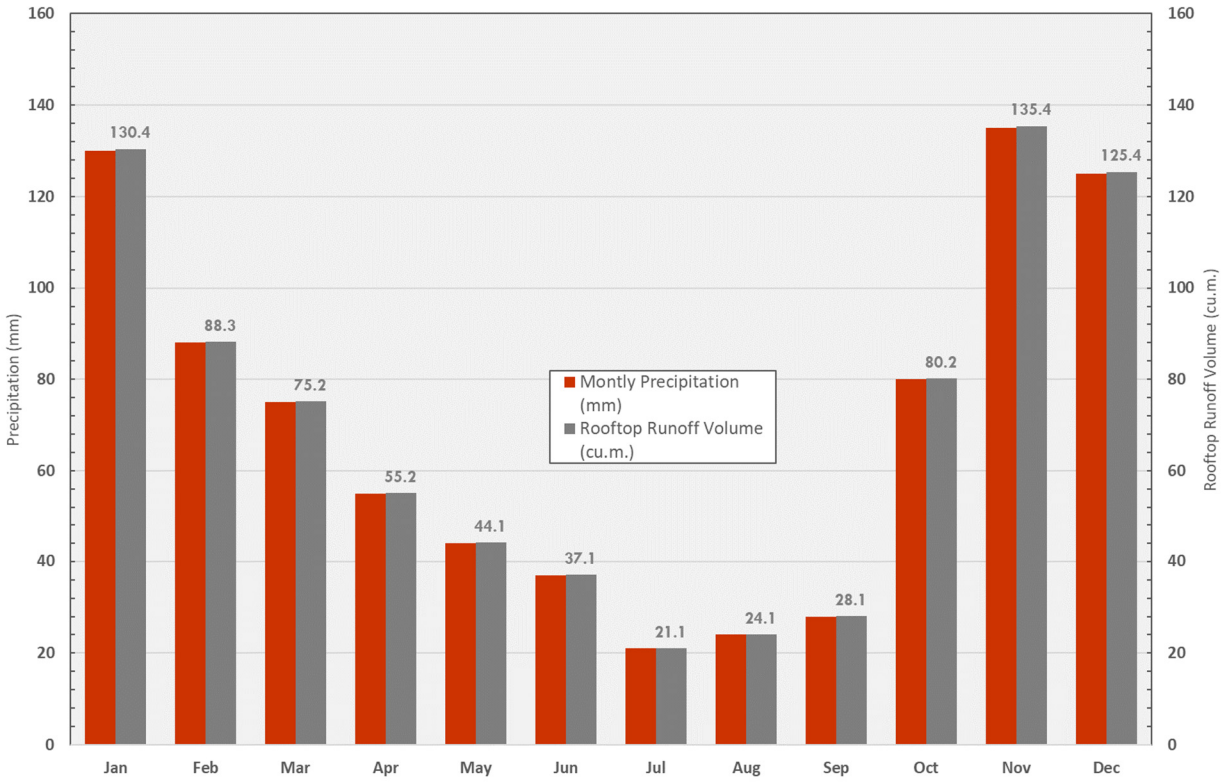


Figure 1 – Precipitation and Rooftop Runoff Volume

The Premier Plastics™ (or an approved equivalent) tank volumes for each unit block shall be completed at Building Permit stage and irrigation demand requirements shall be confirmed by a Landscape Architect or a British Columbia Certified Irrigation Design Professional.

8. SEDIMENT AND EROSION CONTROL

During construction, the contractor is to implement sediment and erosion control procedures to ensure the quality of site run-off is maintained. Controlling erosion and preventing the release of sediments from construction sites is an effective means of minimizing sediment discharge to fish-bearing watercourses

and the municipal storm drainage system. Silt fencing and /or drainage swales should be strategically placed to effectively prevent untreated site water from discharging to adjacent properties. These sediment and erosion control measures should be monitored periodically throughout the course of construction and are to remain in place until substantial performance has been verified. An effective erosion and sediment control plan incorporates, but is not limited to the following procedures:

8.1 Layout and Clearing

- Install runoff management systems prior to site disturbance and construction activities;
- Stabilize bare soils the same day that they have been disturbed;
- Avoid clearing vegetation from sites during snowmelt or heavy rains;
- Avoid clearing or grading soils within 15 meters of a stream or ditch;
- Install appropriate measures (straw bales, filter cloth, etc.) to prevent sediment from entering a watercourse;
- Store excavated soils away from watercourses, storm drains and paved surfaces;
- Install a site access pad (crushed gravel before driveway road access) to prevent tracking mud offsite.

8.2 Erosion Control

- Encourage surface water to seep into the soil
- If possible, retain woody debris and organic matter on-site;
- Roughen or terrace slopes to prevent erosion;
- Cover soil stockpiles and bare slopes with mulch, tarps, etc;
- Backfill foundations as soon as possible following approval of perimeter drainage;
- Remove excess soil from the site as soon as possible after backfilling;
- Re-vegetate or landscape the site as soon as possible. If areas of a site must be left incomplete during the rainy season, sow a temporary cover crop, apply mulch or lay geotextile to stabilize exposed soils;
- Keep machinery within specific access areas. Limit the extent of machine access areas to the minimum necessary to complete construction;
- Inspect the construction site daily to ensure erosion control measures are working.

8.3 Drainage and Sediment Control

- Use berms or swales to divert runoff from entering the site;
- Use silt fencing around stockpiled and sloped areas;
- Install filter cloth, drain rock or straw bales to protect ditches and catch basins;
- Collect runoff for treatment in a sediment trap;
- Ensure containment and proper disposal of concrete waste water;
- Properly dispose of construction wastes (build materials, paints, etc.) off-site;
- Do not wash soils or sediments onto the street or into the storm sewer.

Due to the close proximity of the existing unnamed creek to the development, Gwaii will work with the contractor and developer to closely monitor the site and identify where BMPs are best suited during construction.

9. WASTEWATER DESIGN

The wastewater treatment and system design is outside the scope of this report. An *Onsite Wastewater System Site Assessment, New Commons Development* dated February 2021 and completed by BWD Engineering Inc. has been prepared in support of the rezoning application with Islands Trust. All site sanitary design shall be coordinated with BWD Engineering Inc. at Building Permit Stage.

10. SECTION 219 COVENANT

The Galiano LTC confirmed a Section 219 Covenant pursuant to the British Columbia Land Title Act shall be required to secure various development obligations. Gwaii shall work with the Developer and the Galiano LTC to develop specific Covenant requirements which shall be registered on Title. In general, the Section 219 Covenant will include the following items:

- The development of a Water Conservation Plan in accordance with this report, accepted industry standards, and to the satisfaction of the Galiano LTC.
- The finalization and acceptance of a Water Management Plan which details final development and building plans.
- The completion of a detailed well design incorporating a water-level data logger.

11. CONCLUSIONS

This Water Management Plan (WMP) details the strategies recommended for the proposed 20-unit, multi-family development located at 409 Porlier Pass Road on Galiano Island, BC. This report has been prepared to support an application for Rezoning made to Islands Trust in September 2021.

Yours Truly,

GWAII ENGINEERING LTD.

Prepared by,



Corey Brown, M.Eng., EIT, AScT
Principal, Design Engineer

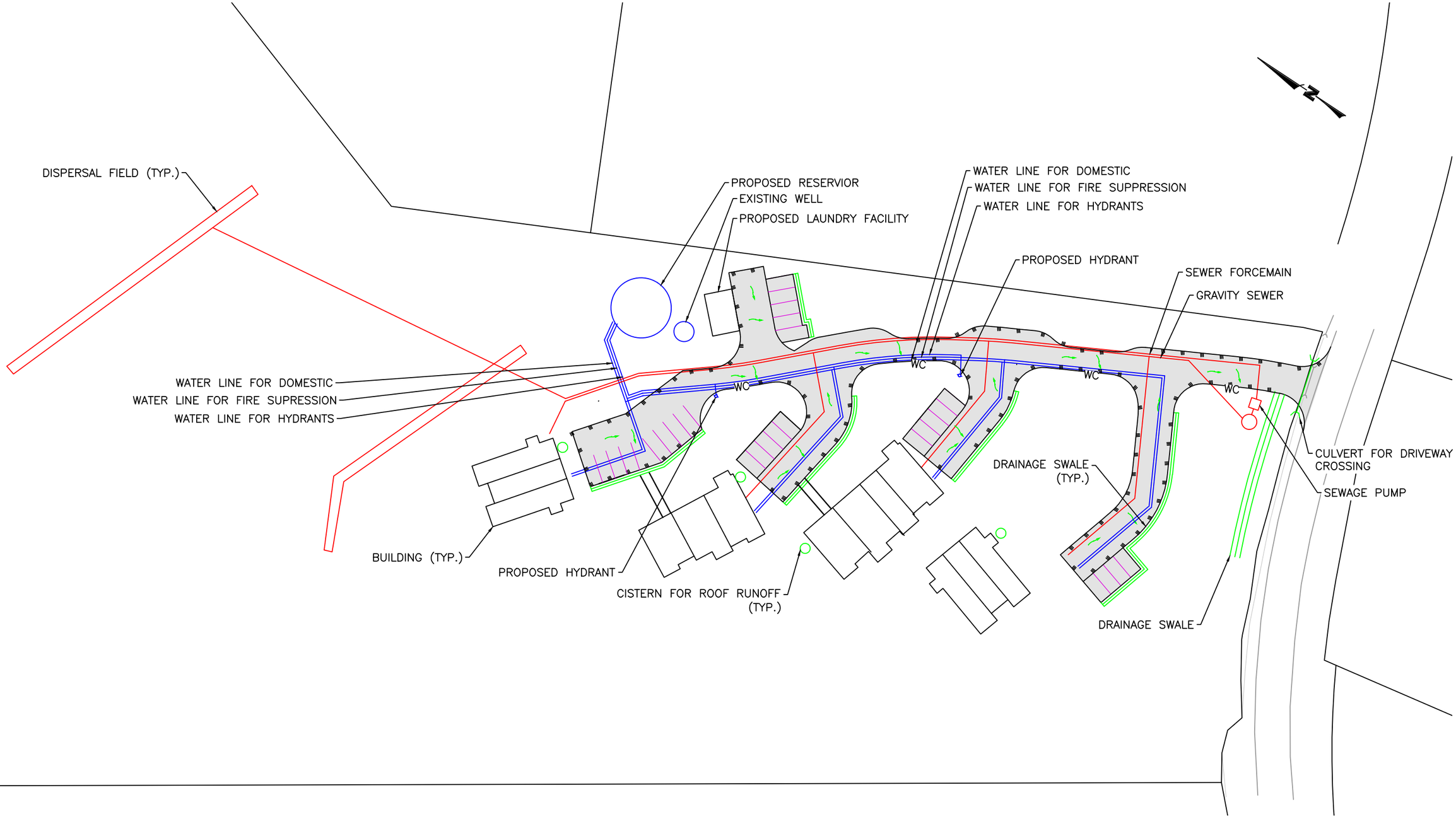
Reviewed by,



Josh Bartley, P.Eng.
Principal, Review Engineer

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APPENDIX A
Conceptual Servicing Plan



1:500

0 10 30m

GALIANO GREEN
CONCEPTUAL SERVICING PLAN

GALIANO ISLAND

2390	
DATE: 2021-08-20	SHEET NO.: SK1
DRAWN BY: DS	CHECKED BY: CB

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APPENDIX B

NFPA 1142 - Standard on Water Supplies for Suburban and Rural Fire Fighting Calculations

WATER SUPPLY FOR PUBLIC FIRE PROTECTION

Job Name:	Galiano Green	Date:	18-Feb-21
Job #	2462G	Name:	D. Sessions

Building 1

A. Construction Classification Number

Type	Descr.	CC	
Type I	Approved non-combustible	0.5	*For dwellings maximum CC= 1.0
Type II	Approved non-combustible	0.75	*Refer to NFPA for further classification
Type III	Exterior Walls non-combust.	1	
Type IV	Refer to NFPA	0.75	
Type V	Combustible Materials	1.5	

CC = 1

B. Building Volume

31455 ft3 Type A

C. Occupancy Hazard Classification Number

*Refer to NFPA Building Description: Dwellings

OHC 7

D. Minimum Water Supply

VS	31455 ft3	Minimum Supply	3000 Gal
OHC	7		
CC	1		

WS	4494	USGal
WS	*17008.2*	L

D. TOTAL FIRE FLOW REQUIREMENT

Min. (Gal)	Max (Gal)	Check	Rate of Water Supply GPM	L/min.	L/sec
0	2500		250	950	15.83
2501	9999	**Use**	500	1900	31.67
10000	19999		750	2850	47.50
20000	99999999		1000	3800	63.33

WATER SUPPLY FOR PUBLIC FIRE PROTECTION

Job Name: Galiano Green
Job # 2462G
Date: 18-Feb-21
Name: D. Sessions

Building 2

A. Construction Classification Number

Type	Descr.	CC	
Type I	Approved non-combustible	0.5	*For dwellings maximum CC= 1.0
Type II	Approved non-combustible	0.75	*Refer to NFPA for further classification
Type III	Exterior Walls non-combust.	1	
Type IV	Refer to NFPA	0.75	
Type V	Combustible Materials	1.5	

CC = 1

B. Building Volume

33084 ft3 Type B

C. Occupancy Hazard Classification Number

*Refer to NFPA Building Description: Dwellings

OHC 7

D. Minimum Water Supply

VS 33084 ft3 Minimum Supply 3000 Gal
OHC 7
CC 1

WS	4726	USGal
WS	*17889.0*	L

D. TOTAL FIRE FLOW REQUIREMENT

Min. (Gal)	Max (Gal)	Check	Rate of Water Supply GPM	L/min.	L/sec
0	2500		250	950	15.83
2501	9999	**Use**	500	1900	31.67
10000	19999		750	2850	47.50
20000	99999999		1000	3800	63.33

WATER SUPPLY FOR PUBLIC FIRE PROTECTION

Job Name: Galiano Green Date: 18-Feb-21
Job # 2462G Name: D. Sessions

Building 3

A. Construction Classification Number

Type	Descr.	CC	
Type I	Approved non-combustible	0.5	*For dwellings maximum CC= 1.0
Type II	Approved non-combustible	0.75	*Refer to NFPA for further classification
Type III	Exterior Walls non-combust.	1	
Type IV	Refer to NFPA	0.75	
Type V	Combustible Materials	1.5	

CC = 1.0

B. Building Volume

38934 ft3 Type C

C. Occupancy Hazard Classification Number

*Refer to NFPA Building Description: Dwellings

OHC 7

D. Minimum Water Supply

VS 38934 ft3 Minimum Supply 3000 Gal
OHC 7
CC 1

WS	5562	USGal
WS	*21052.2*	L

D. TOTAL FIRE FLOW REQUIREMENT

Min. (Gal)	Max (Gal)	Check	Rate of Water Supply GPM	L/min.	L/sec
0	2500		250	950	15.83
2501	9999	**Use**	500	1900	31.67
10000	19999		750	2850	47.50
20000	99999999		1000	3800	63.33

WATER SUPPLY FOR PUBLIC FIRE PROTECTION

Job Name:	Galiano Green	Date:	18-Feb-21
Job #	2462G	Name:	D. Sessions

Building 4

A. Construction Classification Number

Type	Descr.	CC	
Type I	Approved non-combustible	0.5	*For dwellings maximum CC= 1.0
Type II	Approved non-combustible	0.75	*Refer to NFPA for further classification
Type III	Exterior Walls non-combust.	1	
Type IV	Refer to NFPA	0.75	
Type V	Combustible Materials	1.5	

CC = 1

B. Building Volume

31455 ft3 Type A

C. Occupancy Hazard Classification Number

*Refer to NFPA Building Description: Dwellings

OHC 7

D. Minimum Water Supply

VS	31455 ft3	Minimum Supply	3000 Gal
OHC	7		
CC	1		

WS	4494	USGal
WS	*17008.2*	L

D. TOTAL FIRE FLOW REQUIREMENT

Min. (Gal)	Max (Gal)	Check	Rate of Water Supply GPM	L/min.	L/sec
0	2500		250	950	15.83
2501	9999	**Use**	500	1900	31.67
10000	19999		750	2850	47.50
20000	99999999		1000	3800	63.33

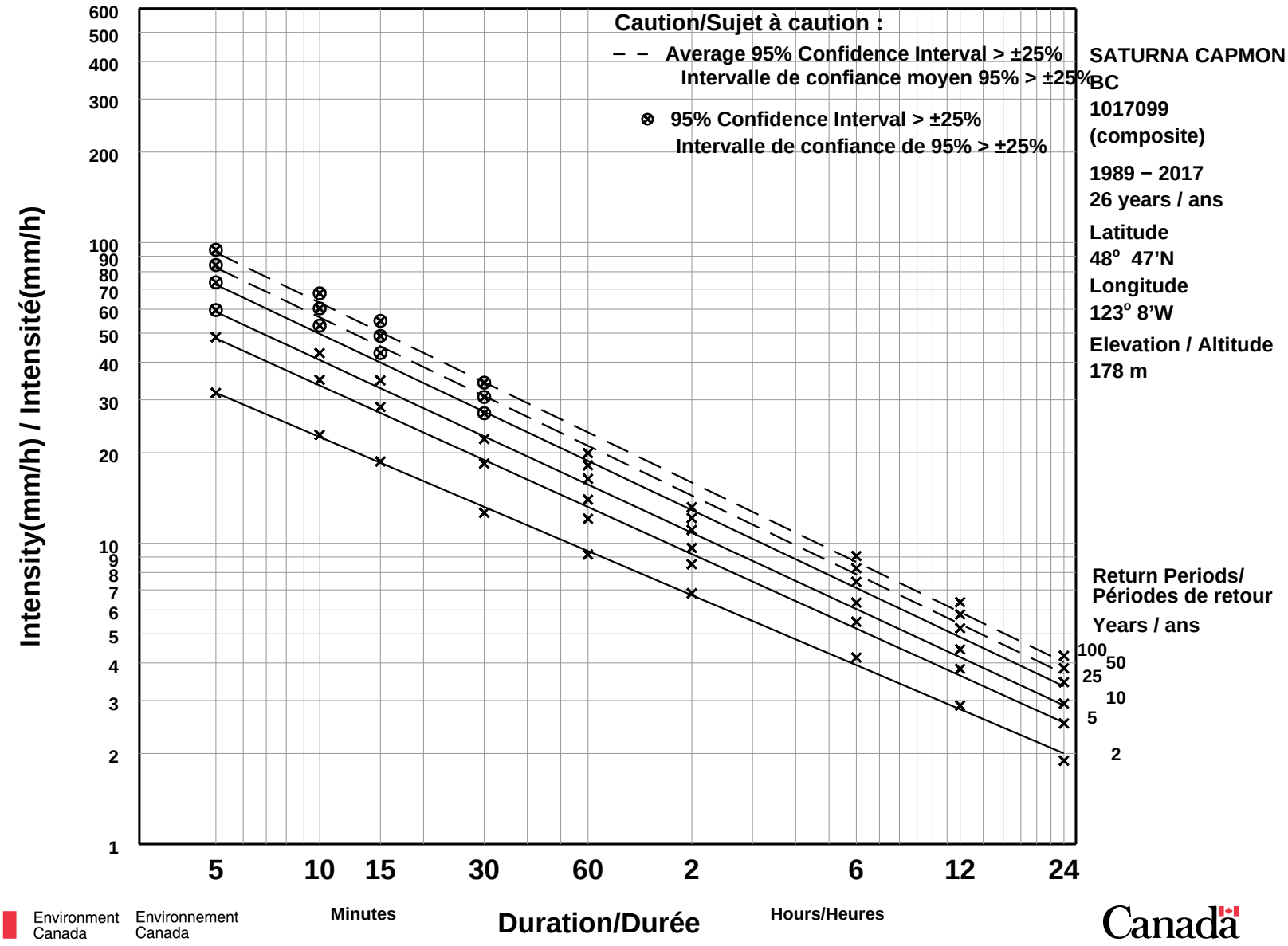
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APPENDIX C
Short Duration Rainfall Intensity-Duration Frequency (IDF) Data for the Saturna Capmon, British Columbia

Short Duration Rainfall Intensity−Duration−Frequency Data

2019/02/27

Données sur l'intensité, la durée et la fréquence des chutes de pluie de courte durée

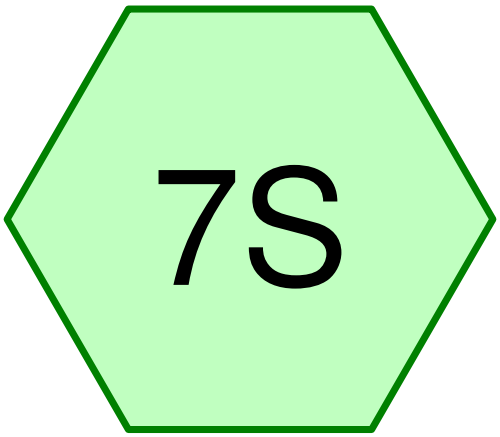


Environment Canada Environnement Canada

Canada

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APPENDIX D
Pre-Development HydroCAD Model



Galiano Green Pre-Development (South Catchment)

Subcat Reach Pond Link

Drainage Diagram for 2462G - Galiano Green Pre Development SWMP
Prepared by Gwaii Engineering Ltd., Printed 2/18/2021
HydroCAD® 9.10 s/n 06344 © 2009 HydroCAD Software Solutions LLC

Area Listing (all nodes)

Area (sq-meters)	CN	Description (subcatchment-numbers)
1,891.0	65	Woods/grass comb., Fair, HSG B (7S)
1,891.0		**TOTAL AREA**

Summary for Subcatchment 7S: Galiano Green Pre-Development (South Catchment)

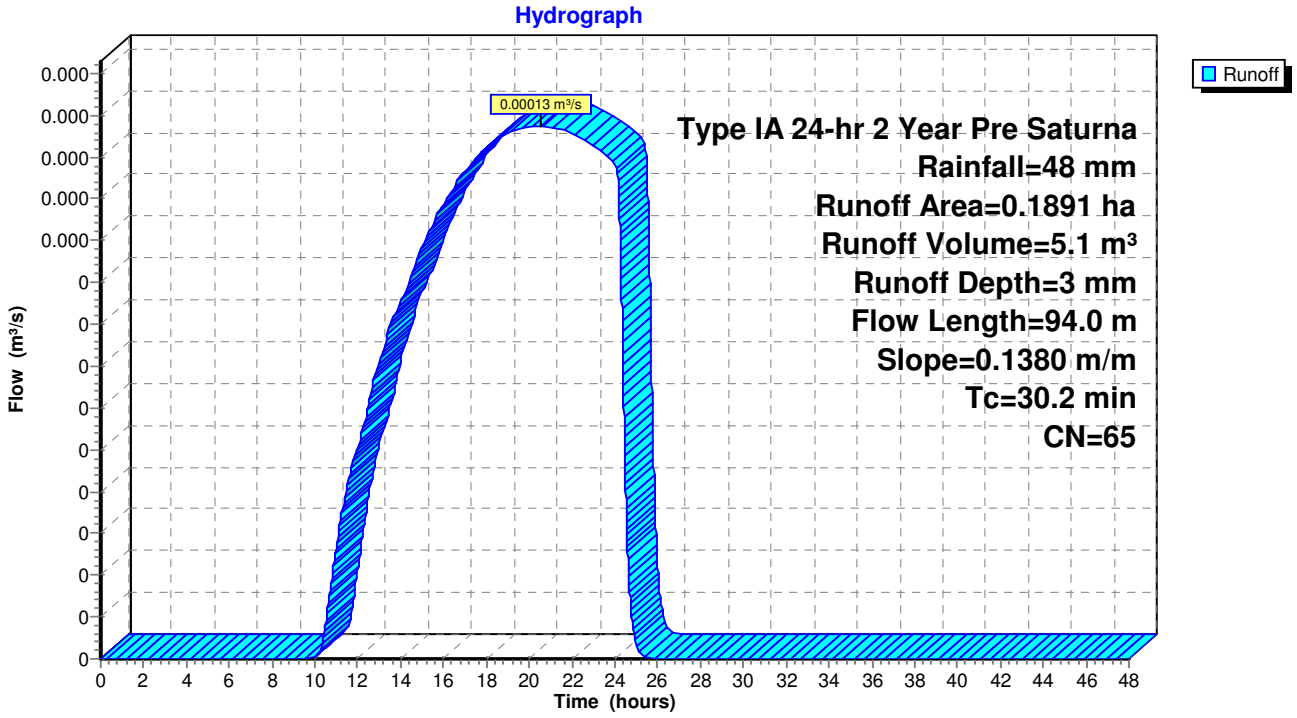
Runoff = 0.00013 m³/s @ 20.50 hrs, Volume= 5.1 m³, Depth= 3 mm

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type IA 24-hr 2 Year Pre Saturna Rainfall=48 mm

Area (ha)	CN	Description
0.1891	65	Woods/grass comb., Fair, HSG B
0.1891		100.00% Pervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m³/s)	Description
30.2	94.0	0.1380	0.05		**Sheet Flow, Overland Sheet Flow** Woods: Light underbrush n= 0.400 P2= 53 mm

Subcatchment 7S: Galiano Green Pre-Development (South Catchment)



Summary for Subcatchment 7S: Galiano Green Pre-Development (South Catchment)

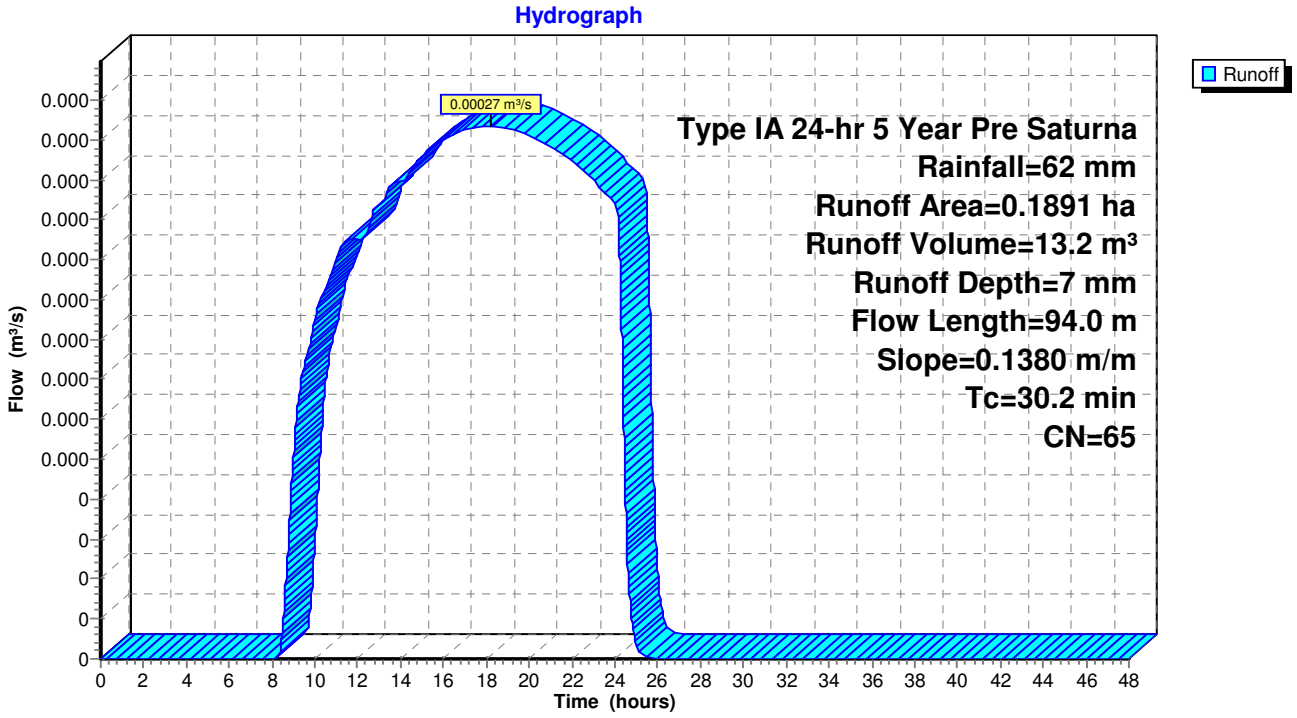
Runoff = 0.00027 m³/s @ 18.22 hrs, Volume= 13.2 m³, Depth= 7 mm

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type IA 24-hr 5 Year Pre Saturna Rainfall=62 mm

Area (ha)	CN	Description
0.1891	65	Woods/grass comb., Fair, HSG B
0.1891		100.00% Pervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m³/s)	Description
30.2	94.0	0.1380	0.05		**Sheet Flow, Overland Sheet Flow** Woods: Light underbrush n= 0.400 P2= 53 mm

Subcatchment 7S: Galiano Green Pre-Development (South Catchment)



Summary for Subcatchment 7S: Galiano Green Pre-Development (South Catchment)

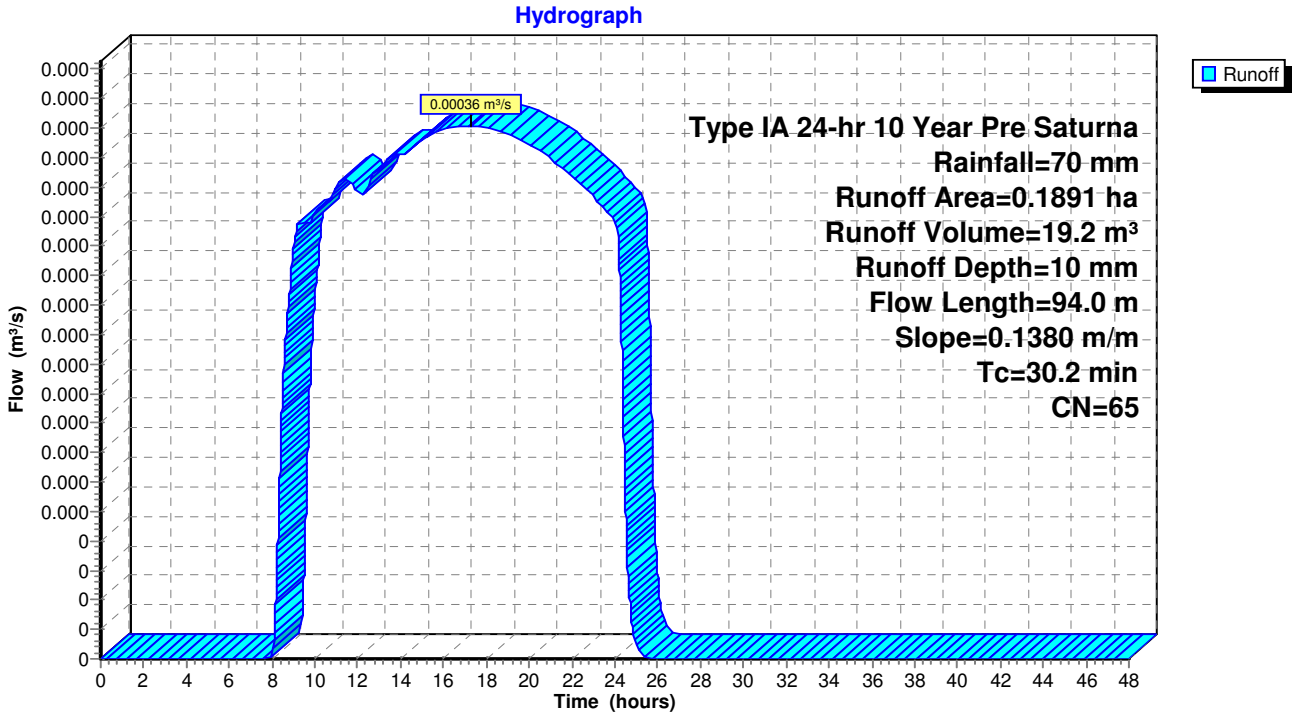
Runoff = 0.00036 m³/s @ 17.28 hrs, Volume= 19.2 m³, Depth= 10 mm

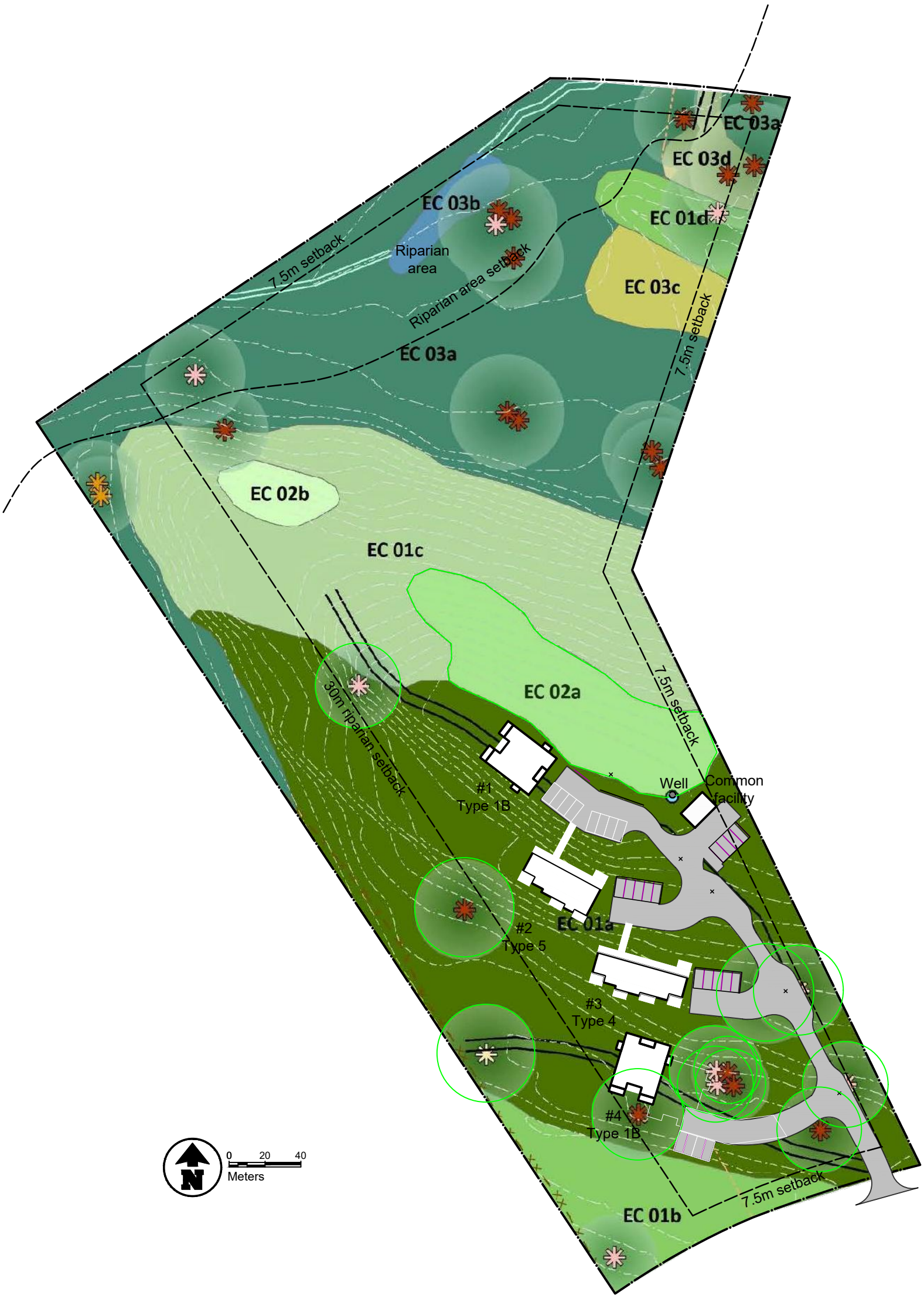
Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type IA 24-hr 10 Year Pre Saturna Rainfall=70 mm

Area (ha)	CN	Description
0.1891	65	Woods/grass comb., Fair, HSG B
0.1891		100.00% Pervious Area

Tc (min)	Length (meters)	Slope (m/m)	Velocity (m/sec)	Capacity (m³/s)	Description
30.2	94.0	0.1380	0.05		**Sheet Flow, Overland Sheet Flow** Woods: Light underbrush n= 0.400 P2= 53 mm

Subcatchment 7S: Galiano Green Pre-Development (South Catchment)




EC 03a
EC 03d
EC 03b
EC 01d
Riparian area
7.5m setback
Riparian area setback
EC 03c
EC 03a
7.5m setback
EC 02b
EC 01c
EC 02a
30m riparian setback
7.5m setback
Well
Common facility
#1
Type 1B
EC 01a
#2
Type 5
#3
Type 4
#4
Type 1B
EC 01b
7.5m setback
N
0
20
40
Meters

17 August 2021

To: New Commons Development
c/o Peter Treuheit – Mobius Architecture
email: peter@mobiusarchitecture.ca

Re: Galiano Green Development Project – Rezoning Application
BWD Engineering Inc. - Onsite Wastewater System Site Assessment Report

Dear Sir:

BWD Engineering Inc. did provide an assessment report (20 February 2021) with regard to the capacity of the land to accommodate an onsite wastewater system suitable for the proposed development. The conclusion was that yes, a standard Type I system could be constructed on the land. The report also states that if a Type II or Type III system were used, the area referred to as the upper bench may be able to contain the entire dispersal field. The report was based on a site evaluation plus hydro-geotechnical, water management and environmental professional reports issued at earlier dates. Since the wastewater assessment report was issued, further environmental evaluation was completed culminating in the elimination of the upper bench area for use in effluent dispersal. This leaves the area noted as the lower bench for effluent dispersal.

The field work completed for the purpose of the report was primarily on the upper bench as that area was looked at first. The lower bench was not investigated fully due to a sudden windstorm taking down dead standing trees causing serious hazard to the team. The intent was to return and confirm suitability of the lower bench for final design purposes. With the further environmental work eliminating of use of the upper bench area, the need now is to prove out the lower bench capacity for the entire effluent daily flow. This has not been completed due to the current fire ban on equipment operating in forested areas on the island but is expected to take place once the fire ban is lifted and a revised wastewater report issued.

Should you have any questions, please contact me at the numbers below.

Best Regards

Brent Dennis, P. Eng.

Memorandum

Date: September 7, 2021

File Number: GL-RZ-2019.1 (GIGARHS)

To: Galiano Island Local Trust Committee

From: Brad Smith, Island Planner
Southern Team

CC: Robert Kojima, Regional Planning Manager

Re GL-RZ-2019.1 (GIGARHS) – Application Updates and Additional Referral Information

Purpose

The purpose of this staff memo is to provide a brief update to the Galiano Island Local Trust Committee (LTC) on application GL-RZ-2019.1 (GIGARHS), and to provide additional referral feedback from the Chief of the South Galiano Fire Department (SGFD) for LTC consideration.

Project Updates

Housing Agreement and Covenants

After completing an initial legal review of the original draft housing agreement with Islands Trust legal counsel, staff provided an amended housing agreement template to the applicant on June 17, 2021 for further consideration.

The applicant has now provided comments back to staff with respect to the amended draft housing agreement. Staff are in the process of analyzing this feedback including seeking further advice from legal counsel.

Staff are also compiling a list of potential covenant conditions based on direction already provided by LTC and will begin to move forward with the covenant drafting process as time permits.

Well Monitoring

Staff have confirmed that the applicant has reinstalled the continuous data logger in the proposed source well, as per the LTC request at the June 1, 2021 LTC meeting. Data collection will continue until at least when the groundwater recharge curve begins to turn upwards (ie. when fall rains come and groundwater recharge starts to occur) and then the applicant will submit a report to LTC from their professional hydrogeologist summarizing the findings.

Fire Department Referral Letter

In response to concerns that continue to be raised by members of the community with respect to fire risk for the proposed development, the SGFD has provided a more detailed referral response to LTC (Attachment 1).

Next Steps

Staff will continue to work with the applicant and legal counsel on development of the housing agreement and covenants.

Staff also still need to provide detailed comments to the applicant on their draft water management plan.

Attachments: 1. SGFD Letter Dated August 4, 2021

South Galiano Volunteer Fire Department
Serving Galiano Island since 1963

August 4, 2021

Regarding bylaw 276&277,

At the request of and in consultation with Brad Smith, Islands Trust Planner I have prepared this response to concerns from residents, of Fire Risk in the Community Forest with regards to the rezoning application currently in progress for Affordable Housing within that forest.

When responding to a rezoning application, it is the responsibility of the Fire Chief to ensure that building codes and fire codes are observed during the planning and construction phases. This application differs from a typical single family residential building in that it is multi family, and high density. As such there are more stringent requirements regarding fire protection to be observed. These requirements will in fact make this development inherently "safer" than many if not all structures on Galiano. As a measure of fire protection, it has been previously recommended that a water supply for Fire Department connection be provided prior to construction.

The primary concern being heard from residents, is the perceived risk of Wildfire in the Community Forest due to an increase in population loads. While a correlation can be made between increased population and increased risk of wildfire, consideration should be used with regards to the type of population. The highest risk comes from transient populations, whereas residential use represents the lowest risk. In addition to the required fire suppression systems for this development, the GIGARHS proposal includes a FireSmart plan. These plans are developed to both protect a residence from a Wildfire and protect a Wildland from a residential fire. Having a thorough Fire Smart plan and design will greatly reduce the risk of fire spread, protecting both residents of the development and the surrounding forest. Further risk reduction can be achieved through public education of residents and visitors, or even closing public trails through the land during high-risk periods created by severe weather conditions.

It has been requested by neighbors of the proposed development, that the Fire Chief ask for a wildfire risk assessment of the Community Forest to address concerns of heavy fuel loads within the property. The Community Wildfire Protection Plan thoroughly documents the many variables contributing to the risk of Wildfire for the whole of Galiano Island. It is used as a guide by the Fire Department to develop best practices for fire suppression. These best practices are evaluated annually through training and development and supported through Mutual Aid Agreements with the NGVFD and BC Wildfire. The 2009 Community Wildfire Protection Plan is currently undergoing a review. As a document it clearly identifies the risk

associated with the proposed area, and as such I see no need to request an additional risk assessment.

In Summary, it is my opinion that the Galiano Club and the GIGARHS group have considered the risks and benefits of this development and have committed to ensuring that best practices are followed for the benefit and safety of the development and its neighbors. Community involvement in proceedings such as this is unique to our region, and one that we are lucky to benefit from. Careful and thoughtful development allows our Fire Department to adapt to increased demands on its services, and Fire Prevention is always a primary concern. I fully support the communities' efforts to improve Wildfire Resiliency and encourage the continuation of those efforts.

Sincerely,
Scott Sugden
Fire Chief, SGVFD

STAFF REPORT

File No.: GL-DP-2021.1
(GL-BE-2019.4)

DATE OF MEETING:	September 7, 2021
TO:	Galiano Island Local Trust Committee
FROM:	Phil Testemale Southern Team
COPY:	Brad Smith, Island Planner
SUBJECT:	Development Permit Application Applicant: Roxanne Orlitzky Location: 743 Georgeson Bay Road ('Woodstone Manor')

RECOMMENDATION

1. **That the Galiano Island Local Trust Committee amend Development Permit GL-DP-2021.1 (Orlitzky) as specified in Attachment 3 to the staff report dated September 7, 2021.**

2. **That the Galiano Island Local Trust Committee approve issuance of Development Permit GL-DP-2021.1 (Orlitzky) as amended**

REPORT SUMMARY

This report is to provide information requested by the Local Trust Committee (LTC) and consider a revised Development Permit (DP) application.

The application is for measures to retroactively authorize land alteration, tree removal, the construction of a building (shed) and a pond all within **Development Permit Area ("DPA") 1 - Riparian Areas, DPA 3 - Tree Cutting and Removal**, and **DPA 5 - Sensitive Ecosystem.** Further, it also authorizes remediation for the unpermitted activities with restoration works within the same DPAs.

BACKGROUND

Background to this application including a staff report with attachments from the July 5, 2021 Regular Meeting is available on the Islands Trust website:

https://islandstrust.bc.ca/event/galiano-island-local-trust-committee-5/

The application is the result of Bylaw Enforcement file GL-BE-2019.4 resulting from a complaint in October 2019 for works in the DPAs undertaken without a permit.

The proposal is to retroactively permit the following land alteration activities in the DPAs that proceeded without obtaining a required DP:

- Within the boundary of DPA 1 and DPA 5 (noting that these overlap in many places) in 2019 the property owner cleared a landing area, constructed a berm, roadway, small ditch, pond, and a shed. Referencing Figure 2 Specifically:
    - An approximately 750 m² 'landing' area was cleared. All vegetation was removed, and new grasses and herbaceous plants re-established in 2020.
    - However, this spring the owner removed the berm (next) and spread the soils over the landing area (as per recommendations of the Qualified Environmental Professional's (QEP) report). Photos from a site visit by Bylaw staff on June 8 shown that all vegetation removed from the landing.
    - A berm was constructed at the south end of the cleared landing and is 33 m long X 4.5 m wide X 2 m high. The berm was fully vegetated with shrubs and grasses, but has since been removed as recommended by the QEP.
    - A 'looped' roadway overlaid with road base was constructed with an approximately 110 m length within DPA 1.
    - A small ditch was constructed to convey water from the landing area southeast towards the wetland and is approximately 29 m long X 30 cm wide and 10 cm deep.
    - A pond with a riprap bank, approximately 25 m², was constructed next to the road, west of the landing area. It is stormwater fed and is naturally stagnant. A small aerator pump was installed to prevent algae growth.
    - A wooden shed, approximately 2.3m X 1.2 m, was built adjacent to the pond.

- Within the entire property, (DPA 3), the property owner felled trees, and cleared windfall:
    - Approximately 150 trees were felled on the property, the large majority of which were windfall.

The original draft DP also permits restoration works as remediation for the unpermitted works detailed above (Attachment 1). This includes planting of replacement trees, shrubs and grasses and land alteration to remove some features as recommended by the QEP. A revised DP adds measures for construction management and restoration for removal of the roadway in DPA 1 (Attachment 3)

Specific File Activity:

The application was reviewed by the Local Trust Committee on July 5, 2021. The following is a summary of resolution and file activity that have occurred for this application since that meeting:

- The LTC passed the following resolutions at their July 5, 2021 regular meeting:

  GL-2021-058
  It was Moved and Seconded,
  that the Galiano Island Local Trust Committee request that the applicant submit to the Islands Trust an addendum to the environmental assessment that looks at the impacts of removing the road and recommendations of mitigation within the Development Permit Area 1.

  CARRIED

- Staff contacted the Oliver Busby, RP Bio. requesting an impact assessment and a revised cost estimate for removing a portion of the road.

- A memo "Constructed Road Decommissioning Impact Assessment at Woodstone Manor, Galiano Island" (Oliver Busby, MBA, R.P. Bio., P. Ag., EBB Environmental Consulting Inc., August 24, 2021 – 'Biologist's Memo') was submitted to the Islands Trust on August 24, 2021 (Attachment 2). That is an addendum to the Biologist's Report (Attachment 2 to the July 5, 2021 staff report).
- Staff drafted a revised DP to include the recommendations in the memo, including adjustments to the cost estimates for the additional works. That is shown in a blackline format as Attachment 3 for comparison purposes.

ANALYSIS

Issues and Opportunities

Biologist's Memo

The Biologist's Memo provides an impact assessment of decommissioning the 110 metre roadway within the DPA, additional mitigative measures for those works and adjusted cost estimates (Attachment 2). The assessment addresses two scenarios: one to maintain the roadway (p.2); and the other removing the roadway (p.3). The length of roadway to be decommissioned and replanted is shown in Figure 2.

The memo makes the following summary conclusion:

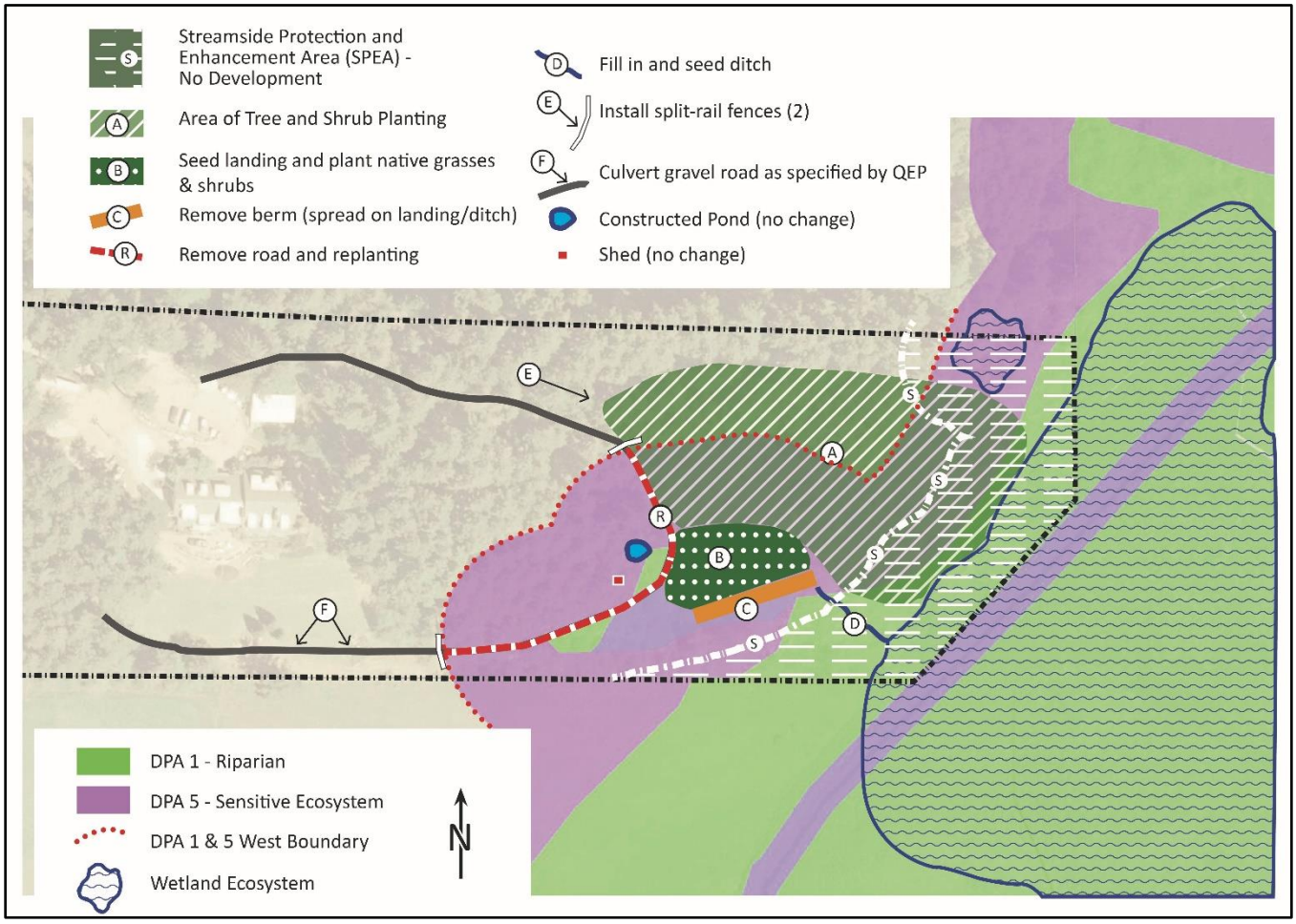
> *The impact of removing/decommissioning the road is primarily the risks that can result while the decommissioning work is being conducted. This is primarily an increased risk of sediment release or deleterious substance spills entering the wetland. If Best Management Practices are followed however, the risks are considered low. While no development is of course always better for habitat and decommissioning 110 m of roadway would increase the riparian area, EBB's assessment of the wetland concludes that the road is outside of the wetland 30 m buffer and therefore does not pose any major risk to wetland form or function.* (p.1)

Staff notes that the decommissioning of the roadway and prescribed barrier fencing will increase and enhance habitat, and additionally limit access and vehicular circulation through the DPA protecting the riparian habitat and to the benefit of the natural environment in general.

DP Conditions

As above, all recommended measures in the Biologist's Memo and revised cost estimates for a required security the restoration work have been incorporated into the revised DP.

Figure 2 – REVISED Site Plan – Including Restoration Plan and Decommissioning of Road (Portion)



Rationale for Recommendation

The recommendation on page 1 is supported as:

- The restoration works meet objectives and specific guidelines of the DPA.
- All relevant recommendations of a professional biological assessment report, an addendum and other conditions consistent with the DPA objectives and guidelines have been incorporated into the conditions of the proposed DP.
- The decommissioning of the roadway has limited risk that can be managed, and will also serve to increase and enhance habitat, as well as further limit access and any vehicular circulation through the DPA.
- The conditions in the draft DP will facilitate repair of damage to the riparian wetland ecosystem by implementing the restoration plan and thereby also ensuring the future protection and heath of the ecosystem.

ALTERNATIVES

1. **Request further information**

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are a potential delays and costs to the applicant. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

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

2. Approve original DP as drafted

The LTC may opt to approve the DP as originally drafted and presented to the LTC on July 5, 2021. That would not include any conditions for road removal. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee approve issuance of Development Permit GL-DP-2021.1 (Orlitzky) as specified in Attachment 1 to this staff report.

3. Add Further Conditions

The LTC may add further conditions to the draft DP. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee further amend the draft Development Permit for application GL-DP-2021.1 (Orlitzky) as shown as Attachment 3 to this staff report as follows:_____; and,

That the Galiano Island Local Trust Committee approve issuance of application GL-DP-2021.1 (Orlitzky) as amended.

4. Deny the application

The LTC may deny the application. Note, if this alternative is selected, the decision MUST be accompanied by specifying which guideline(s) the application does not comply with. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee deny application GL-DP-2021.1 (Orlitzky) as it does not comply with guideline_____.

NEXT STEPS

Submitted By:	Phil Testemale, Planner 2	August 25, 2021
Concurrence:	Robert Kojima, Regional Planning Manager	August 26, 2021

ATTACHMENTS

1. Original draft of Development Permit GL-DP-2021.1
2. Addendum to Environmental Assessment Report and Restoration Plan – Road Decommissioning
3. Revised Draft Development Permit GL-DP-2021.1 (Blackline Version)

Attachment 1

GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT
GL-DP-2021.1

To: 1112052 B.C. Ltd.
c/o Roxanne Orilitzy

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

   Lot A, District Lot 3, Galiano Island, Cowichan District, Plan 48087
   (PID: 013-184-261)

2. This Development Permit GL-DP-2021.1 retroactively authorizes land alteration, tree removal, the construction of a building (shed) and a pond, and further authorizes new restoration works all within **Development Permit Area ("DPA") 1 - Riparian Areas, DPA 3 - Tree Cutting and Removal**, and **DPA 5 - Sensitive Ecosystem**, subject to the following requirements and conditions:

General

a. All development shall be substantively consistent with Schedules 'A', 'B','C','D' and 'E', attached to and forming part of this permit.
b. Any further construction, land alteration, tree removal within DPA 1, 3 and 5 as delineated on Schedule 'A' requires that a new Development Permit or Development Permit Amendment be obtained.

Establishment of SPEA

c. No construction, land alteration, tree removal or disturbance other than restoration works prescribed herein, and under the supervision of the monitoring Qualified Environmental Professional (QEP), is permitted in the Streamside Protection and Enhancement Area (SPEA) identified as delineated on Schedules 'A' & 'B', attached to and forming part of this permit.
d. All trees shall be retained and native plant species shall remain undisturbed within the SPEA.
e. Any standing dead trees ("snags") shall be left in the SPEA to provide habitat.
f. All restoration work (below) in the SPEA shall use native plant and tree species, and a certified weed-free native coastal restoration grass mixture only.
g. There shall be no pruning of trees and shrubs in the SPEA, particularly any overhanging the water's edge to maintain maximum shading of aquatic habitat for fish.
h. In order to minimize soil disturbance, the removal of invasive plants within the SPEA should be undertaken in a manner that minimizes soil disturbance by cutting above-ground growth and not pulling plants along the stream bank. Above-ground growth should be removed on a continual basis over multiple growing seasons.

Encroachment

i. A permanent shrub line, low split rail fence or combination of both is to be planted and/or erected to delineate the SPEA from the rest of the property.

j. The delineation line shall form an access barrier to all vehicles and unnecessary foot access, and is to be constructed and/or planted under the supervision of the monitoring QEP.

Restoration Works

k. The restoration works shall conform to Schedule 'B' and include all prescribed measures detailed on pages 31 to 34 of the "Environmental Impact Assessment and Restoration Plan, Woodstone Manor, Galiano Island" (Oliver Busby, MBA, R.P. Bio., P. Ag., EBB Environmental Consulting Inc., July 2020) and submitted to the Islands Trust, Victoria Office on January 7, 2021.
l. All restoration work shall be under the supervision of the monitoring QEP (below).
m. The restoration work shall entail:
    i. A minimum of one hundred (100) native trees and shrubs shall be planted.
    ii. The constructed gravel road shall be culverted where required to facilitate natural drainage under the supervision of the monitoring QEP.
    iii. The berm shall be dismantled and the soil from it placed back into the clearing and graded to conform to the area's natural gradient (down sloping towards wetland).
    iv. The ditch is to be filled with clean fill from the berm and restored to its natural state
    v. The landing area, removed berm and filled ditch areas are to be replanted using a combination of a certified weed-free native coastal restoration grass mixture and native trees and shrubs only.
    vi. The wetland riparian areas shall be replanted using species such as pacific willow (Salix lucida ssp. Lasiandra), bitter cherry (*Prunus emarginata*), red-osier dogwood (*Cornus stolonifera*), hardhack (*Spiraea douglasii*), and Nootka rose (*Rosa nutkana).*
    vii. Areas outside the landing where trees and understorey were removed, shall be replanted with trees and shrubs. Woody debris will be restored where appropriate.
    viii. All planting will be conducted in a manner consistent with the Provincial Riparian Restoration Guidelines (BC MOE 2008), as specified in Schedule 'E', attached to and forming part of this permit.
    ix. All planting should be maintained by the property owner for a minimum of two (2) years from the date of completion of the planting to ensure survival. This includes irrigation, exclusion fencing to prevent deer browsing, and removal of invasive, non-native weeds. Unhealthy, dying or dead stock should be replaced at the owner's expense in the next regular planting season

Sediment and Erosion Control

All necessary measures to protect the wetland sensitive ecosystems, water quality and fish habitat must be used by the property owners and contractors through the restoration process, specifically:

n. All land alteration and restoration shall be undertaken during dry weather and not during periods of prolonged rainfall deposition.
o. Any soils exposed or deposited for a period of greater than two (2) weeks shall be covered and maintained by means of tarps in good repair and/or hydromulch (without seeds).
p. Temporary fencing and silt fencing shall be installed along the southern boundary of the berm in accordance with the specification in Schedule 'E', attached to and forming part of this permit.

q. Within the DPAs, including the SPEA, any standing trees and snags and natural vegetation shall not be removed to assist in preventing erosion into the stream and lake systems, and to encourage water uptake and drainage.
r. Outside the DPAs and on the property as whole, disturbance to the natural systems should be minimized and the retention of standing trees and snags and natural vegetation is encouraged to assist in preventing erosion into the wetland or streams, and to encourage water uptake, drainage, and minimize soil saturation around the proposed dwelling.

Construction Management and Timing

s. All contractors are to be notified of the location of the DPA and the conditions of this Development Permit.
t. Contractors should inspect their equipment and vehicles to ensure they do not transport invasive plant species seeds onto or off the property. All equipment should be washed prior to arrival. Manual removal of weeds should be performed on a regular basis.
u. All machinery and equipment is to be inspected for leaks prior to operation.
v. Machinery and equipment is only to be refuelled at a designated location that is a minimum 15 metres distant and isolated form the DPA and any aquatic ecosystem.
w. A spill response kit is to be on site during all periods when machinery is being operated and all operators are to be trained in the use of the spill kit.
x. All construction activities should be avoided during the peak songbird nesting period May 1 and July 22

Invasive Species Management

y. The removal of invasive plant species (i.e. Scotch broom, spurge-laurel Common periwinkle, English Ivy, Himalayan and cutleaf blackberry) in the SPEA, the DPAs, and on the subject property as a whole is encouraged.
z. Any removal of invasive or exotic plants should be disposed of off-site and at proper facilities and replaced immediately by native species of trees and shrubs to encourage soil stability.

Monitoring

aa. Monitoring and guidance is to be conducted by a registered professional biologist (R.P. Bio.) to ensure that all land alteration and restoration conditions herein have been met to the satisfaction of the R.P. Bio.
bb. The monitoring QEP(s) shall prepare and submit to the Islands Trust written confirmation of compliance with all conditions with this permit as issued within one (1) month of the restoration work being completed.

3. Pursuant to Section 502 of the Local Government Act, the Local Trust Committee requires security to ensure that any conditions respecting new restoration planting and other landscape elements are satisfied:

a. Where the Local Trust Committee considers that a condition in the permit respecting restoration works and landscaping has not been satisfied the Local Trust Committee may undertake and complete the works required to satisfy the landscaping condition, at the cost of the permit holder, and may apply the security in payment of the cost of the works with any excess to be returned to the permit holder.

b. Any interest earned on the security provided under Condition 3 shall accrue to the permit holder and be paid to them immediately on return of the security or, on default, become part of the amount of the security.

c. The security provided by the permit holder shall be in the form of:
   I. An irrevocable letter of credit with a clause for automatic renewal, or cash equivalent.
   II. Payable to the Islands Trust,
   III. In the amount of 125% of the quoted landscaping cost totaling $4,075.00 based upon the cost estimate of $3,260.00 confirmed by Oliver Busby, R.P. Bio. on June 9, 2021.

4. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.

5. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.

6. 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 the lawful completion of the proposed development.

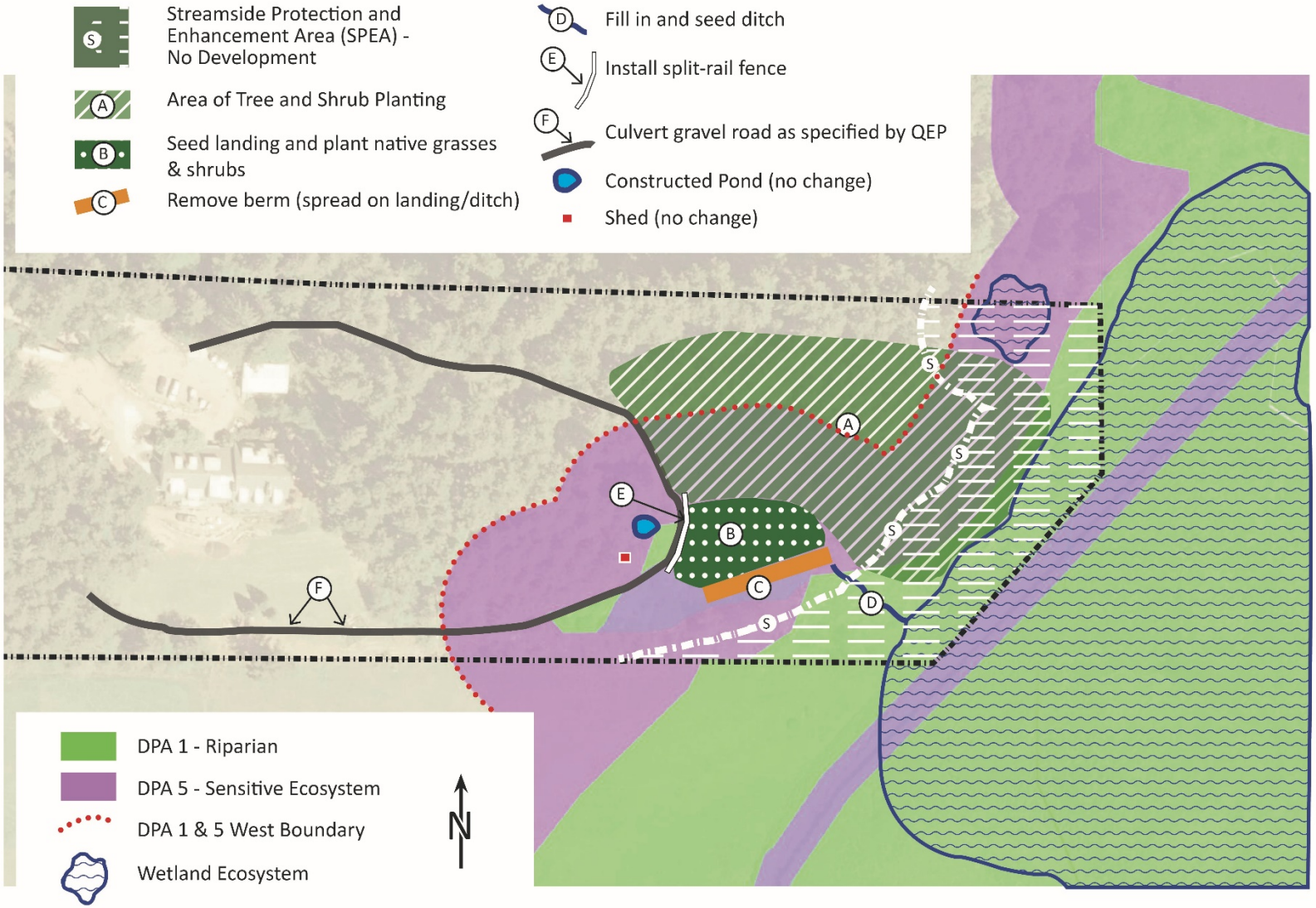
AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS ##TH DAY OF MONTH, 2021.

_____
Deputy Secretary, Islands Trust

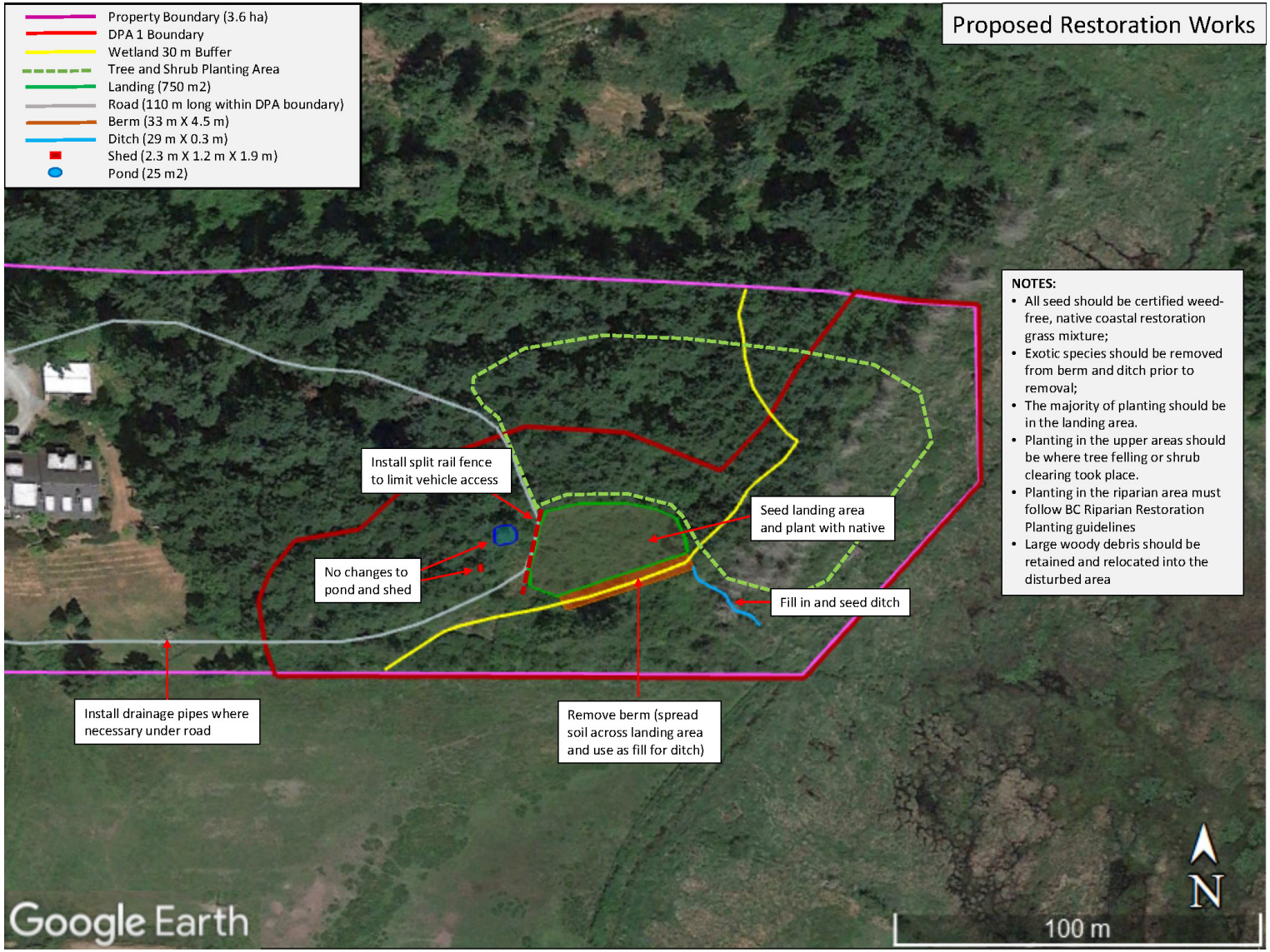
_____
Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##rd DAY OF MONTH, 202#, THIS PERMIT AUTOMATICALLY LAPSES.

GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT 2021.1
Schedule "A" (Site Plan)



GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT 2021.1
Schedule "B" (Biologist's Restoration Plan)



EBB Environmental Consulting Inc.

Measures

Project Planning

Timing

Time work in water to respect **timing windows** to protect fish and amphibians, including their eggs, juveniles, spawning or overwintering adults and/or the organisms upon which they feed.
Minimize duration of in-water work.
Conduct instream work during periods of low flow, or at low tide, to further reduce the risk to fish and their habitat or to allow work in water to be isolated from flows.
Schedule work to avoid wet, windy and rainy periods that may increase erosion and sedimentation.

Site Selection

- Design and plan activities and works in waterbody such that loss or disturbance to aquatic habitat is minimized and sensitive spawning habitats are avoided.
- Design and construct approaches to the waterbody such that they are perpendicular to the watercourse to minimize loss or disturbance to riparian vegetation.
- Avoid building structures on meander bends, braided streams, alluvial fans, active floodplains or any other area that is inherently unstable and may result in erosion and scouring of the stream bed or the built structures.
- Undertake all instream activities in isolation of open or flowing water to maintain the natural flow of water downstream and avoid introducing sediment into the watercourse.

Contaminant and Spill Management

- Plan activities near water such that materials such as paint, primers, blasting abrasives, rust solvents, degreasers, grout, or other chemicals do not enter the watercourse.
- Develop a response plan that is to be implemented immediately in the event of a sediment release or spill of a deleterious substance and keep an emergency spill kit on site.
- Ensure that building material used in a watercourse has been handled and treated in a manner to prevent the release or leaching of substances into the water that may be deleterious to fish.

Erosion and Sediment Control

- Develop and implement an Erosion and Sediment Control Plan for the site that minimizes risk of sedimentation of the waterbody during all phases of the project. Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized, suspended sediment has resettled to the bed of the waterbody or settling basin and runoff water is clear. The plan should, where applicable, include:
    - Installation of effective erosion and sediment control measures before starting work to prevent sediment from entering the water body.
    - Measures for managing water flowing onto the site, as well as water being pumped/diverted from the site such that sediment is filtered out prior to the water entering a waterbody. For example, pumping/diversion of water to a vegetated area, construction of a settling basin or other filtration system.

- Site isolation measures (e.g., silt boom or silt curtain) for containing suspended sediment where in-water work is required (e.g., dredging, underwater cable installation).
- Measures for containing and stabilizing waste material (e.g., dredging spoils, construction waste and materials, commercial logging waste, uprooted or cut aquatic plants, accumulated debris) above the high-water mark of nearby waterbodies to prevent re-entry.
- Regular inspection and maintenance of erosion and sediment control measures and structures during the course of construction.
- Repairs to erosion and sediment control measures and structures if damage occurs.
- Removal of non-biodegradable erosion and sediment control materials once site is stabilized.

Shoreline Re-vegetation and Stabilization

- Clearing of riparian vegetation should be kept to a minimum: use existing trails, roads or cut lines wherever possible to avoid disturbance to the riparian vegetation and prevent soil compaction. When practicable, prune or top the vegetation instead of grubbing/uprooting.
- Minimize the removal of natural woody debris, rocks, sand or other materials from the banks, the shoreline or the bed of the waterbody below the ordinary high water mark. If material is removed from the waterbody, set it aside and return it to the original location once construction activities are completed.
- Immediately stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site.
- Restore bed and banks of the waterbody to their original contour and gradient; if the original gradient cannot be restored due to instability, a stable gradient that does not obstruct fish passage should be restored.
- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
- Remove all construction materials from site upon project completion.

Fish Protection

- Ensure that all in-water activities, or associated in-water structures, do not interfere with fish passage, constrict the channel width, or reduce flows.
- Retain a qualified environmental professional to ensure applicable permits for relocating fish are obtained and to capture any fish trapped within an isolated/enclosed area at the work site and safely relocate them to an appropriate location in the same waters. Fish may need to be relocated again, should flooding occur on the site.
- Screen any water intakes or outlet pipes to prevent entrainment or impingement of fish. Entrainment occurs when a fish is drawn into a water intake and cannot escape. Impingement occurs when an entrapped fish is held in contact with the intake screen and is unable to free itself.
    - In freshwater, follow these measures for design and installation of intake end of pipe fish screens to protect fish where water is extracted from fish-bearing waters:
        - Screens should be located in areas and depths of water with low concentrations of fish throughout the year.
        - Screens should be located away from natural or artificial structures that may attract fish that are migrating, spawning, or in rearing habitat.

- The screen face should be oriented in the same direction as the flow.
- Ensure openings in the guides and seals are less than the opening criteria to make "fish tight".
- Screens should be located a minimum of 300 mm (12 in.) above the bottom of the watercourse to prevent entrainment of sediment and aquatic organisms associated with the bottom area.
- Structural support should be provided to the screen panels to prevent sagging and collapse of the screen.
- Large cylindrical and box-type screens should have a manifold installed in them to ensure even water velocity distribution across the screen surface. The ends of the structure should be made out of solid materials and the end of the manifold capped.
- Heavier cages or trash racks can be fabricated out of bar or grating to protect the finer fish screen, especially where there is debris loading (woody material, leaves, algae mats, etc.). A 150 mm (6 in.) spacing between bars is typical.
- Provision should be made for the removal, inspection, and cleaning of screens.
- Ensure regular maintenance and repair of cleaning apparatus, seals, and screens is carried out to prevent debris-fouling and impingement of fish.
- Pumps should be shut down when fish screens are removed for inspection and cleaning.

Operation of Machinery

- Ensure that machinery arrives on site in a clean condition and is maintained free of fluid leaks, invasive species and noxious weeds.
- Whenever possible, operate machinery on land above the high-water mark, on ice, or from a floating barge in a manner that minimizes disturbance to the banks and bed of the waterbody.
- Limit machinery fording of the watercourse to a one-time event (i.e., over and back), and only if no alternative crossing method is available. If repeated crossings of the watercourse are required, construct a temporary crossing structure.
- Use temporary crossing structures or other practices to cross streams or waterbodies with steep and highly erodible (e.g., dominated by organic materials and silts) banks and beds. For fording equipment without a temporary crossing structure, use stream bank and bed protection methods (e.g., swamp mats, pads) if minor rutting is likely to occur during fording.
- Wash, refuel and service machinery and store fuel and other materials for the machinery in such a way as to prevent any deleterious substances from entering the water.

GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT 2021.1
Schedule "D"

Provincial Riparian Restoration Guidelines (BC MOE 2008)

- All riparian plantings should be based on 1 tree or shrub per 1 square metre density.
- All tree/shrub species should be of guaranteed nursery stock.
- The botanical name should be used when ordering stock to ensure that the desired native species is being purchased. Each specimen should be tagged with the botanical name and the tag should be left attached after planting.
- Stock planted during the fall (September to October) and spring (March to April) has the greatest likelihood of surviving. Regular watering may be required until the plants are established. Additional advice on proper planting procedures should be obtained from the nursery supplying the stock.
- Planting on a given area being enhanced must be successful to an 80% take. If more than 20% die over one year, replanting is required.
- To the extent feasible, large woody debris should be retained and relocated into the disturbed area to provide structural habitat for small wildlife and amphibians.

GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT 2021.1
Schedule "E"

Erosion and Sedimentation Control Measures

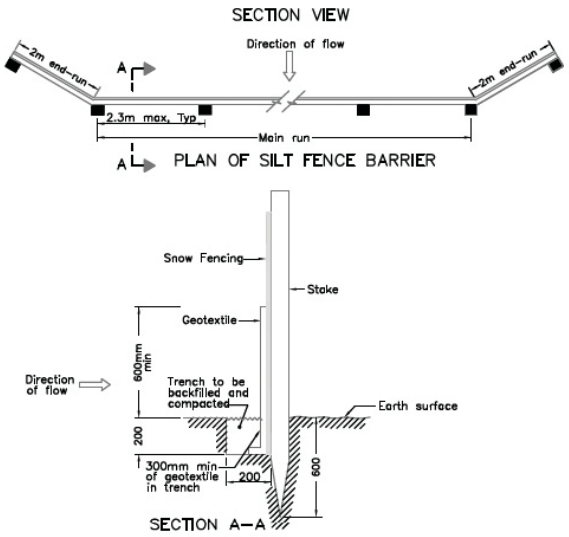
EROSION AND SEDIMENTATION

1) PRE-STAKED SILT FENCE TO BE INSTALLED AS SHOWN PRIOR TO CONSTRUCTION AS DIRECTED BY THE ENGINEER.

2) TOPSOIL STRIPPED FOR REUSE TO BE STOCKPILED AWAY FROM WATER COURSES, DRAINAGE PATHS AND PROPERTY AND SHALL BE COVERED AND / OR SEEDED TO REDUCE EROSION.

3) ALL DISTURBED AREAS TO BE RESTORED AND LANDSCAPED AS SOON AS POSSIBLE FOLLOWING CONSTRUCTION.

4) ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSPECTED AND MAINTAINED ON A REGULAR BASIS THROUGHOUT THE COURSE OF CONSTRUCTION BY THE CONTRACTOR. THE QUALIFIED ENVIRONMENTAL MONITOR (QEM) JOHN GRODS SHALL HALT PROGRESS OF ANY AND ALL WORK AND SHALL DIRECT CONTRACTOR TO REPAIR / ALTER CONSTRUCTION MITIGATION MEASURES IF THEY ARE NOT PERFORMING ADEQUATELY.



NOTE:
All dimensions are in millimetres or metres unless otherwise shown.

SILT FENCE WITH SNOW FENCE DETAIL
NTS

EBB Environmental Consulting Inc.

MEMO

DATE:	August 24th 2021
To:	Phil Testemale, Planner 2 – Southern Team – Islands Trust
CC	Roxanne and Stephan Orlitzky
FROM:	EBB Environmental Consulting Inc.
RE:	**Constructed Road Decommissioning Impact Assessment at Woodstone Manor, Galiano Is.**

A request by the Islands Trust to EBB, dated July 9th, 2021, stated that the Galiano Island Local Trust Committee (LTC) meeting on July 5th 2021passed a motion requiring the owners submit an addendum to the Environmental Assessment and Restoration Plan. The information required as part of that assessment is as follows:

- An impact assessment on removing the (decommissioning) the (aprox. 110m) portion of the road within the DPA. That should also indicate a professional opinion on whether removing the road would be more impactful and/or advantageous than having it remain.
- Additional mitigative measures to the restoration plan to include that removal; and,
- Adjusted cost estimate for the added removal and restoration work.

The Woodstone Manor Impact Assessment (Sept 2020) conducted by EBB Environmental Consulting Inc. (EBB) for the unauthorized works at at [redacted], concluded that the wetland boundary and 30 m buffer zone were smaller than the DPA 1 boundary. Based on EBB's field assessment, the 110 m of constructed roadway within the DPA 1 boundary was outside of the field assessed wetland boundary with applied 30 m buffer (Fig 1). The assessment by EBB concluded that the constructed road may impede some overland flow of water between the upland area and the wetland, but the effect on the wetland hydrology was expected to be negligible (especially if recommended mitigations were conducted).

The impact of removing/decommissioning the road is primarily the risks that can result while the decommissioning work is being conducted. This is primarily an increased risk of sediment release or deleterious substance spills entering the wetland. If Best Management Practices are followed however, the risks are considered low. While no development is of course always better for habitat and decommissioning 110 m of roadway would increase the riparian area, EBB's assessment of the wetland concludes that the road is outside of the wetland 30 m buffer and therefore does not pose any major risk to wetland form or function.

This report is to serve as the addendum and provide the wetland protective measures and mitigations for both the removal of the road or for allowing it to remain.

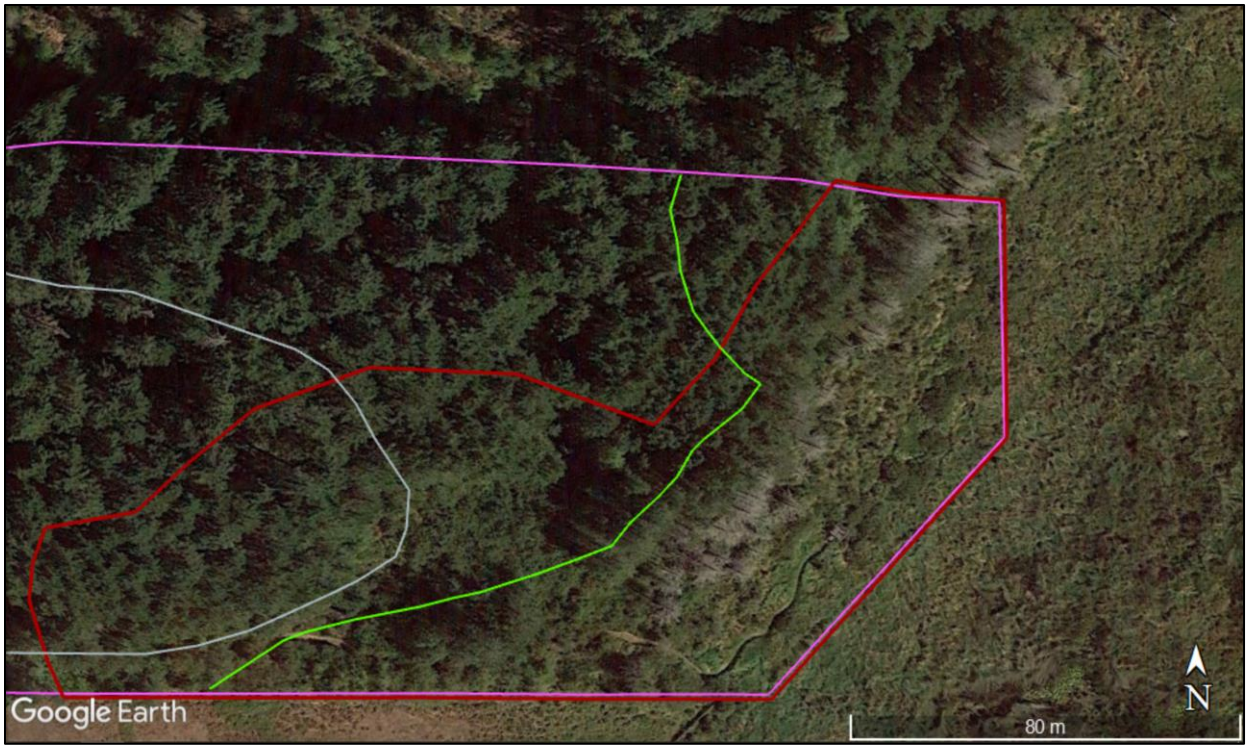


Figure 1 Galiano Island Official Community plan map of Development Permit Area 1 (red) within the Subject property (pink). The constructed roadway (grey) is outside of the field assessed wetland boundary with 30 m buffer (green).

Plan 1: Maintaining the Roadway (Figure 2)

The existing road is not built, but flush with the adjacent ground. Any overland flow from precipitation events will not be impeded by the existing road. However, to mitigate concerns from possible soils compaction and any impediment of drainage from the above forest into the wetland, shallow swales will be built along the roadway in several locations where they can direct any flowing water. A small 6" PVC pipes will be installed where appropriate to ensure water can pass under the road.

A 64 m split rail fence will be built along the entire corner of the roadway where it abuts either the wetland or the cleared landing area (that is being restored as described in the Environmental Impact Assessment (EIA) report). This fence is longer than the one proposed in the EIA report.

Thirty riparian shrubs and trees will be planted as described in the EIA. Riparian planting will include species such as pacific willow (Salix lucida ssp. Lasiandra), bitter cherry (*Prunus emarginata*), red-osier dogwood (*Cornus stolonifera*), hardhack (*Spiraea douglasii*), and Nootka rose (*Rosa nutkana*). Tree species planted might be Douglas-fir (*Pseudotsuga menziesii*), and/or western red cedar (*Thuja plicata*). The following table provides a breakdown of costs associated for the reclamation works.

Task		Fees
Installation of split rail fence	$	[redacted]
30 riparian trees & shrubs - planted	$	
Total	**$**	**2,500.00**

Plan 2: Remove the Roadway (Figure 3)

If the roadway is to be decommissioned the following mitigation measures should be followed:

- Use an excavator or equivalent to remove the road base.
    - Road base material should be transported to an appropriate location either off-site or on the property, outside of the DPAs.
- Determine the extent of soil compaction beneath
- Lightly till the roadway once the road base is removed.
- Add topsoil/organic matter to the area so that its elevation is that of the adjacent ground
- Seed with a certified weed-free, native coastal restoration grass mixture
- Plant with a combination of trees and shrubs as described in the EIA. Upland areas are more suited to species observed in the adjacent area such as Douglas-fir, western red-cedar, ocean spray (*Holodiscus discolor)*, salal ((*Gaultheria shallon*), and bitter cherry (*Prunus emarginata)*. The lower portion of the road will include species such as pacific willow (*Salix lucida* ssp. *Lasiandra*), bitter cherry, red-osier dogwood (*Cornus stolonifera*), hardhack (*Spiraea douglasii*), and Nootka rose (*Rosa nutkana*).
- 100 additional shrubs and trees should be planted in this area.
- Two, 4 m long, split rail fences will be built and installed, with one at each end of the decommissioned roadway.

The following table provides a breakdown of costs associated for the reclamation works.

Task		Fees
Removal of existing road way	$	[redacted]
Soil compaction testing & scarifying	$	
Top soil	$	
Compensation plants & installation	$	
Installation of 2 split rail fences	$	
Total	**$**	**7,100.00**

All best management practices outlined in the Appendix A of the EIA should be followed, including project timing, containment and spill management, erosion and sediment control practices and operation of machinery.

It should be noted that the polygon boundaries are approximate on the above maps and the amount of area within or outside of a buffer is not 100% accurate.

If you require any more information or have questions, please contact the undersigned.

Regards;

Prepared by:

Lorraine Campbell
Junior Biologist
EBB Environmental Consulting Inc.
[redacted]

Reviewed by:

Oliver Busby, MBA, RPBio, PAg
Principal
EBB Environmental Consulting Inc.
[redacted]

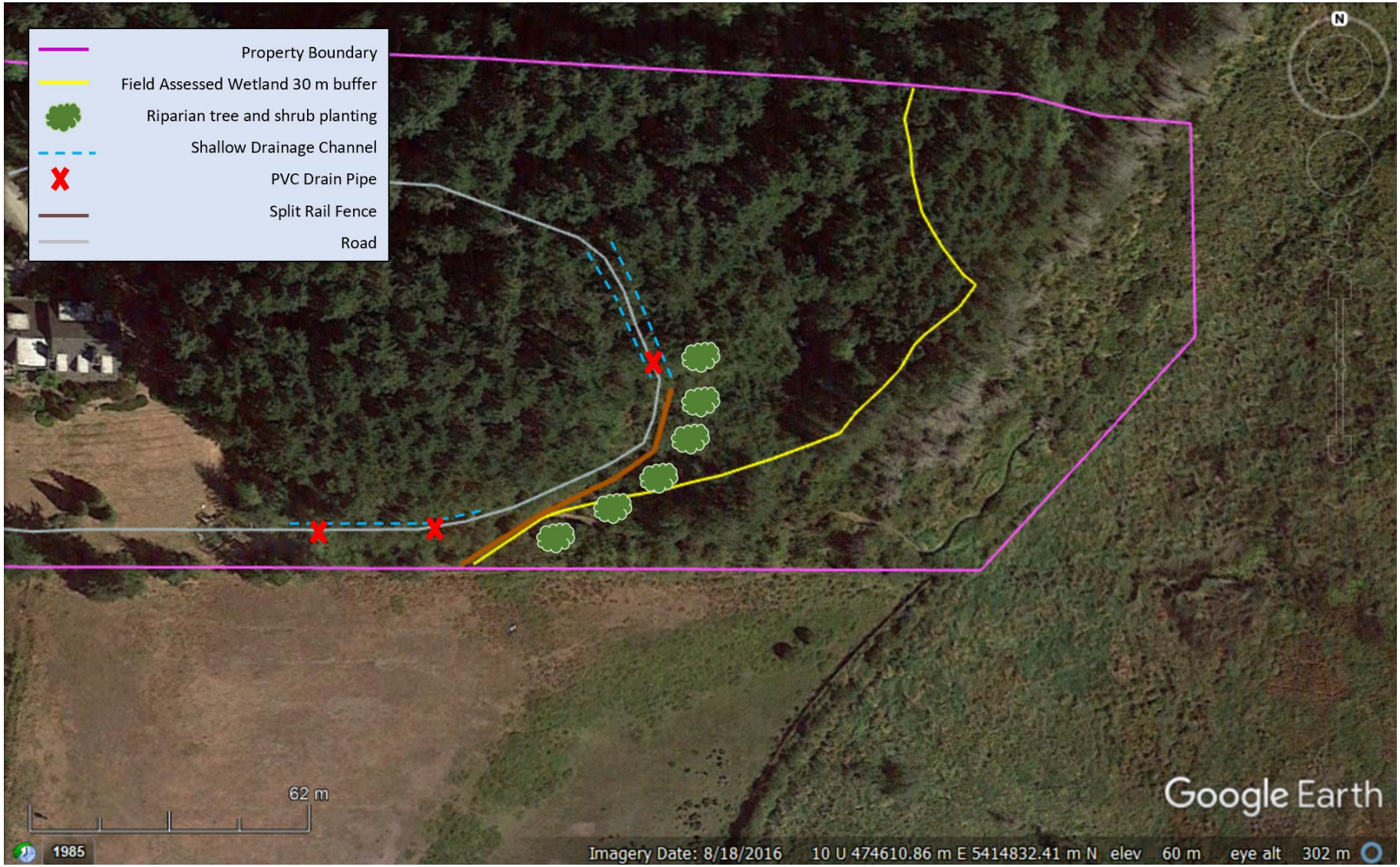


Figure 2. Map of rehabilitation efforts directly related to the road if it were to remain. Drainage channels and drain pipes will ensure water from up slope will not be impeded by road. A fence will prevent vehicle access into the wetland and vegetation will provide habitat, and prevent sediment from the above road from entering the wetland.

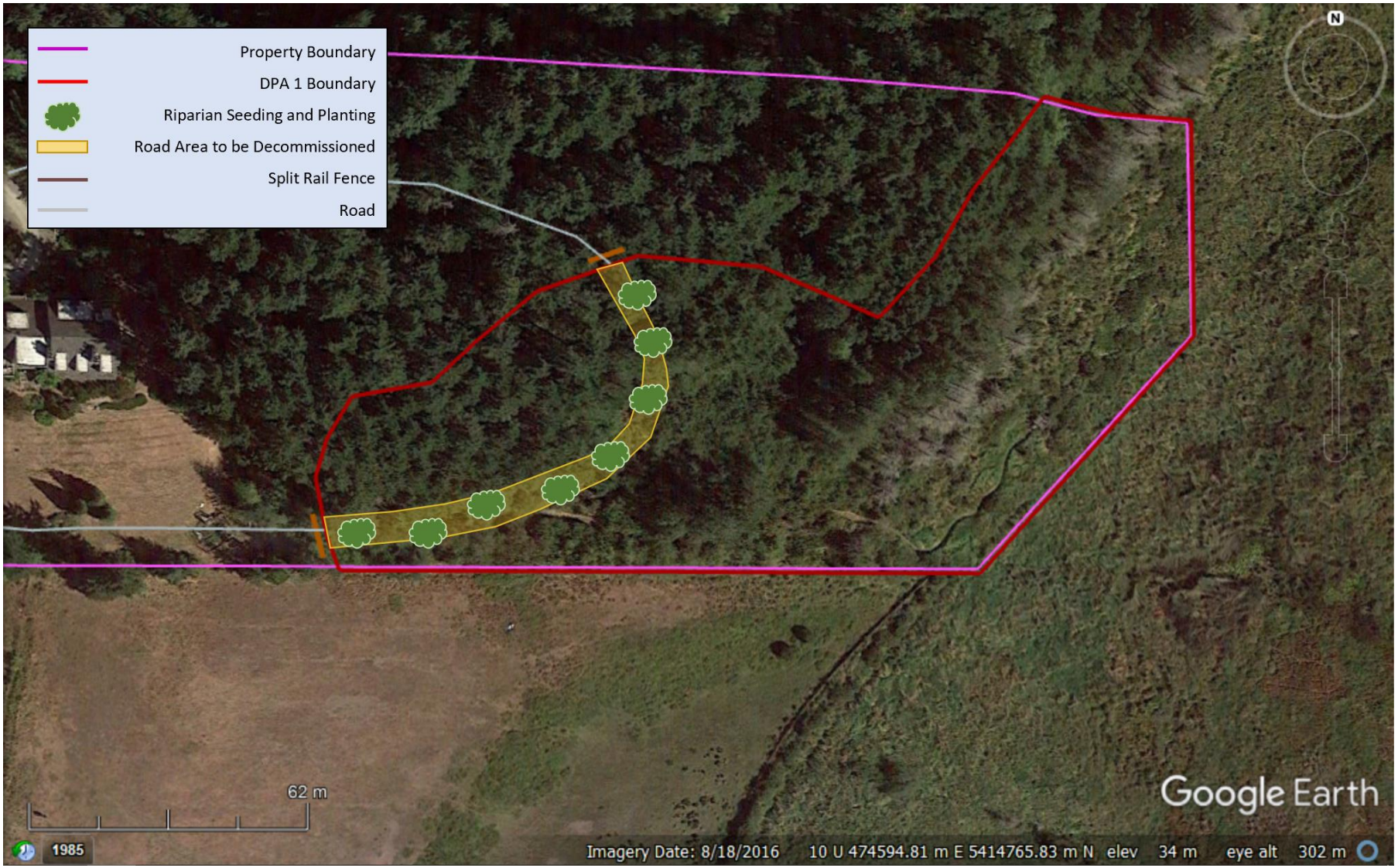


Figure 3. Map of rehabilitation efforts directly related to the road if it were to be decommissioned. A fence at either end of the road will prevent vehicle access and seeding and planting vegetation will provide habitat and help improve soils.

Attachment 3

GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT
GL-DP-2021.1

To: 1112052 B.C. Ltd.
c/o Roxanne Orilitzy

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

   Lot A, District Lot 3, Galiano Island, Cowichan District, Plan 48087
   (PID: 013-184-261)

2. This Development Permit GL-DP-2021.1 retroactively authorizes land alteration, tree removal, the construction of a building (shed) and a pond, and further authorizes new restoration works all within **Development Permit Area ("DPA") 1 - Riparian Areas, DPA 3 - Tree Cutting and Removal**, and **DPA 5 - Sensitive Ecosystem**, subject to the following requirements and conditions:

General

a. All development shall be substantively consistent with Schedules 'A', 'B','C','D' and 'E', attached to and forming part of this permit.
b. Any further construction, land alteration, tree removal within DPA 1, 3 and 5 as delineated on Schedule 'A' requires that a new Development Permit or Development Permit Amendment be obtained.

Establishment of SPEA

c. No construction, land alteration, tree removal or disturbance other than restoration works prescribed herein, and under the supervision of the monitoring Qualified Environmental Professional (QEP), is permitted in the Streamside Protection and Enhancement Area (SPEA) identified as delineated on Schedules 'A' & 'B', attached to and forming part of this permit.
d. All trees shall be retained and native plant species shall remain undisturbed within the SPEA.
e. Any standing dead trees ("snags") shall be left in the SPEA to provide habitat.
f. All restoration work (below) in the SPEA shall use native plant and tree species, and a certified weed-free native coastal restoration grass mixture only.
g. There shall be no pruning of trees and shrubs in the SPEA, particularly any overhanging the water's edge to maintain maximum shading of aquatic habitat for fish.
h. In order to minimize soil disturbance, the removal of invasive plants within the SPEA should be undertaken in a manner that minimizes soil disturbance by cutting above-ground growth and not pulling plants along the stream bank. Above-ground growth should be removed on a continual basis over multiple growing seasons.

Encroachment

i. A permanent shrub line, low split rail fence or combination of both is to be planted and/or erected to delineate the SPEA from the rest of the property.

j. The delineation line shall form an access barrier to all vehicles and unnecessary foot access, and is to be constructed and/or planted under the supervision of the monitoring QEP.

Restoration Works

k. The restoration works shall conform to Schedule 'B' and include all prescribed measures detailed on pages 31 to 34 of the "Environmental Impact Assessment and Restoration Plan, Woodstone Manor, Galiano Island" (Oliver Busby, MBA, R.P. Bio., P. Ag., EBB Environmental Consulting Inc., July 2020) and submitted to the Islands Trust, Victoria Office on January 7, 2021.
l. All restoration work shall be under the supervision of the monitoring QEP (below).
m. The restoration work shall entail:
    i. A minimum of one hundred (100) native trees and shrubs shall be planted.
    ii. The constructed gravel road shall be culverted where required to facilitate natural drainage under the supervision of the monitoring QEP.
    iii. The berm shall be dismantled and the soil from it placed back into the clearing and graded to conform to the area's natural gradient (down sloping towards wetland).
    iv. The ditch is to be filled with clean fill from the berm and restored to its natural state
    v. The landing area, removed berm and filled ditch areas are to be replanted using a combination of a certified weed-free native coastal restoration grass mixture and native trees and shrubs only.
    vi. The wetland riparian areas shall be replanted using species such as pacific willow (Salix lucida ssp. Lasiandra), bitter cherry (*Prunus emarginata*), red-osier dogwood (*Cornus stolonifera*), hardhack (*Spiraea douglasii*), and Nootka rose (*Rosa nutkana).*
    vii. Areas outside the landing where trees and understorey were removed, shall be replanted with trees and shrubs. Woody debris will be restored where appropriate.
    viii. All planting will be conducted in a manner consistent with the Provincial Riparian Restoration Guidelines (BC MOE 2008), as specified in Schedule 'E', attached to and forming part of this permit.
    ix. All planting should be maintained by the property owner for a minimum of two (2) years from the date of completion of the planting to ensure survival. This includes irrigation, exclusion fencing to prevent deer browsing, and removal of invasive, non-native weeds. Unhealthy, dying or dead stock should be replaced at the owner's expense in the next regular planting season

Sediment and Erosion Control

All necessary measures to protect the wetland sensitive ecosystems, water quality and fish habitat must be used by the property owners and contractors through the restoration process, specifically:

n. All land alteration and restoration shall be undertaken during dry weather and not during periods of prolonged rainfall deposition.
o. Any soils exposed or deposited for a period of greater than two (2) weeks shall be covered and maintained by means of tarps in good repair and/or hydromulch (without seeds).
p. Temporary fencing and silt fencing shall be installed along the southern boundary of the berm in accordance with the specification in Schedule 'E', attached to and forming part of this permit.

q. Within the DPAs, including the SPEA, any standing trees and snags and natural vegetation shall not be removed to assist in preventing erosion into the stream and lake systems, and to encourage water uptake and drainage.
r. Outside the DPAs and on the property as whole, disturbance to the natural systems should be minimized and the retention of standing trees and snags and natural vegetation is encouraged to assist in preventing erosion into the wetland or streams, and to encourage water uptake, drainage, and minimize soil saturation around the proposed dwelling.

Construction Management and Timing

s. All contractors are to be notified of the location of the DPA and the conditions of this Development Permit.
t. Contractors should inspect their equipment and vehicles to ensure they do not transport invasive plant species seeds onto or off the property. All equipment should be washed prior to arrival. Manual removal of weeds should be performed on a regular basis.
u. All machinery and equipment is to be inspected for leaks prior to operation.
v. Machinery and equipment is only to be refuelled at a designated location that is a minimum 15 metres distant and isolated form the DPA and any aquatic ecosystem.
w. A spill response kit is to be on site during all periods when machinery is being operated and all operators are to be trained in the use of the spill kit.
x. All construction activities should be avoided during the peak songbird nesting period May 1 and July 22

Invasive Species Management

y. The removal of invasive plant species (i.e. Scotch broom, spurge-laurel Common periwinkle, English Ivy, Himalayan and cutleaf blackberry) in the SPEA, the DPAs, and on the subject property as a whole is encouraged.
z. Any removal of invasive or exotic plants should be disposed of off-site and at proper facilities and replaced immediately by native species of trees and shrubs to encourage soil stability.

Road Decommissioning Measures

All necessary measures to protect the wetland sensitive ecosystems, water quality and fish habitat must be used by the property owners and contractors through the road decommissioning and replanting process, specifically:

aa. Use an excavator or equivalent to remove the road base.
bb. Road base material should be transported to an appropriate location either off-site or on the property, outside of the DPAs.
cc. Determine the extent of soil compaction beneath
dd. Lightly till the roadway once the road base is removed.
ee. Add topsoil/organic matter to the area so that its elevation is that of the adjacent ground
ff. Seed with a certified weed-free, native coastal restoration grass mixture
gg. Plant with a combination of trees and shrubs as described in the EIA. Upland areas are more suited to species observed in the adjacent area such as Douglas-fir, western red-cedar, ocean spray (*Holodiscus discolor*), salal (*Gaultheria shallon*), and bitter cherry (*Prunus emarginata*). The lower portion of the road will include species such as pacific willow (*Salix lucida* ssp. *Lasiandra*), bitter cherry, red-osier dogwood (*Cornus stolonifera*), hardhack (*Spiraea douglasii*), and Nootka rose (*Rosa nutkana*).
hh. 100 additional shrubs and trees should be planted in this area.

ii. Two (2), minimum 4 m long, split rail fences will be built and installed, with one at each end of the decommissioned roadway as shown on Schedule A.

Monitoring

~~aa.~~jj. Monitoring and guidance is to be conducted by a registered professional biologist (R.P. Bio.) to ensure that all land alteration and restoration conditions herein have been met to the satisfaction of the R.P. Bio.

~~bb.~~kk. The monitoring QEP(s) shall prepare and submit to the Islands Trust written confirmation of compliance with all conditions with this permit as issued within one (1) month of the restoration work being completed.

ll. All restoration work is to be completed within twelve (12) months of the date of issuance of this permit.

3. Pursuant to Section 502 of the Local Government Act, the Local Trust Committee requires security to ensure that any conditions respecting new restoration planting and other landscape elements are satisfied:

a. Where the Local Trust Committee considers that a condition in the permit respecting restoration works and landscaping has not been satisfied the Local Trust Committee may undertake and complete the works required to satisfy the landscaping condition, at the cost of the permit holder, and may apply the security in payment of the cost of the works with any excess to be returned to the permit holder.

b. Any interest earned on the security provided under Condition 3 shall accrue to the permit holder and be paid to them immediately on return of the security or, on default, become part of the amount of the security.

c. The security provided by the permit holder shall be in the form of:
   I. An irrevocable letter of credit with a clause for automatic renewal, or cash equivalent.
   II. Payable to the Islands Trust,
   III. In the amount of 125% of the quoted landscaping cost totaling $~~4,075~~8875.00 based upon the cost estimate of $~~3,260~~7,100.00 confirmed by Oliver Busby, R.P. Bio. on ~~June 9~~August 24, 2021.

4. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.

5. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.

6. 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 the lawful completion of the proposed development.

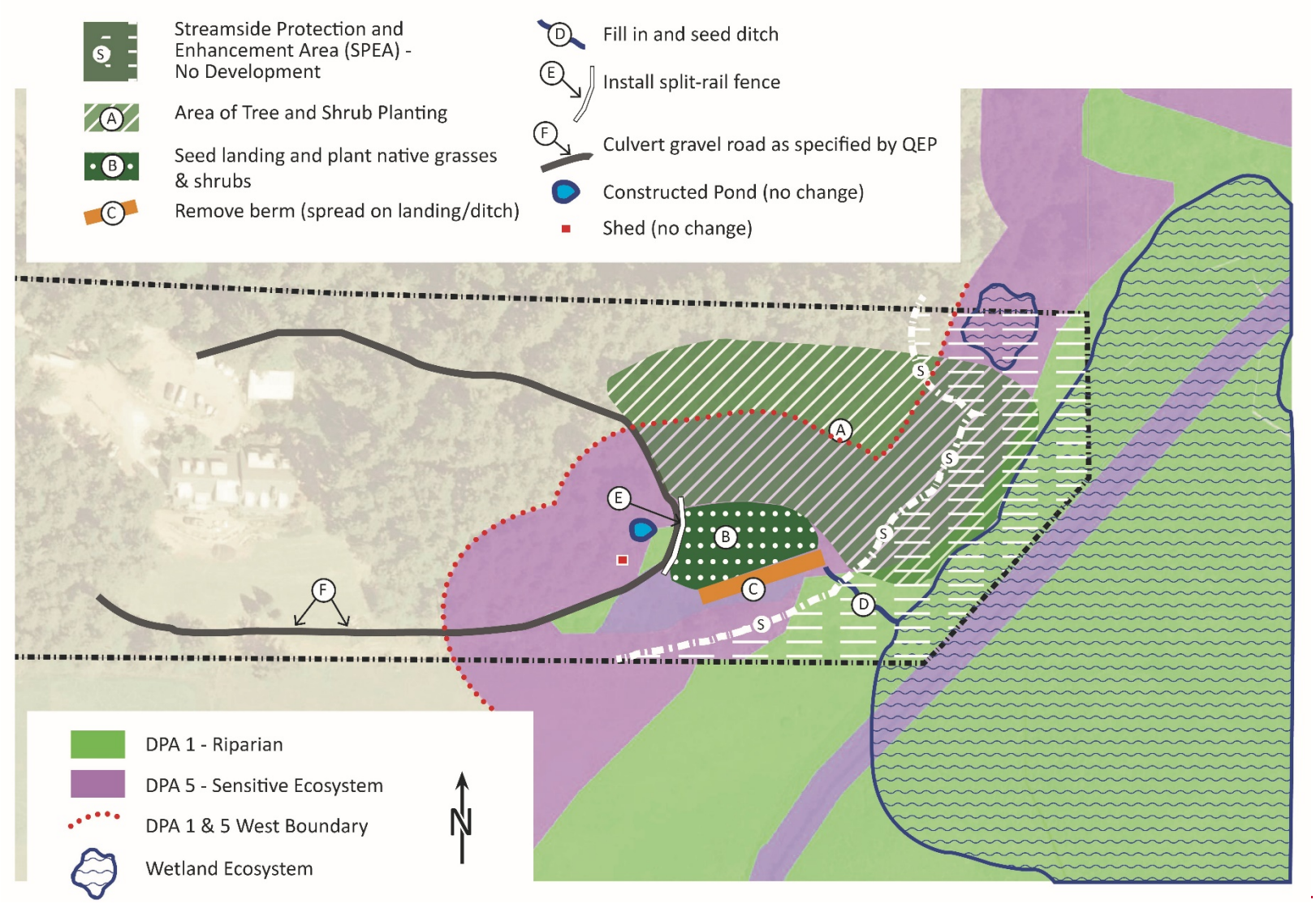
AUTHORIZING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS ##TH DAY OF MONTH, 2021.

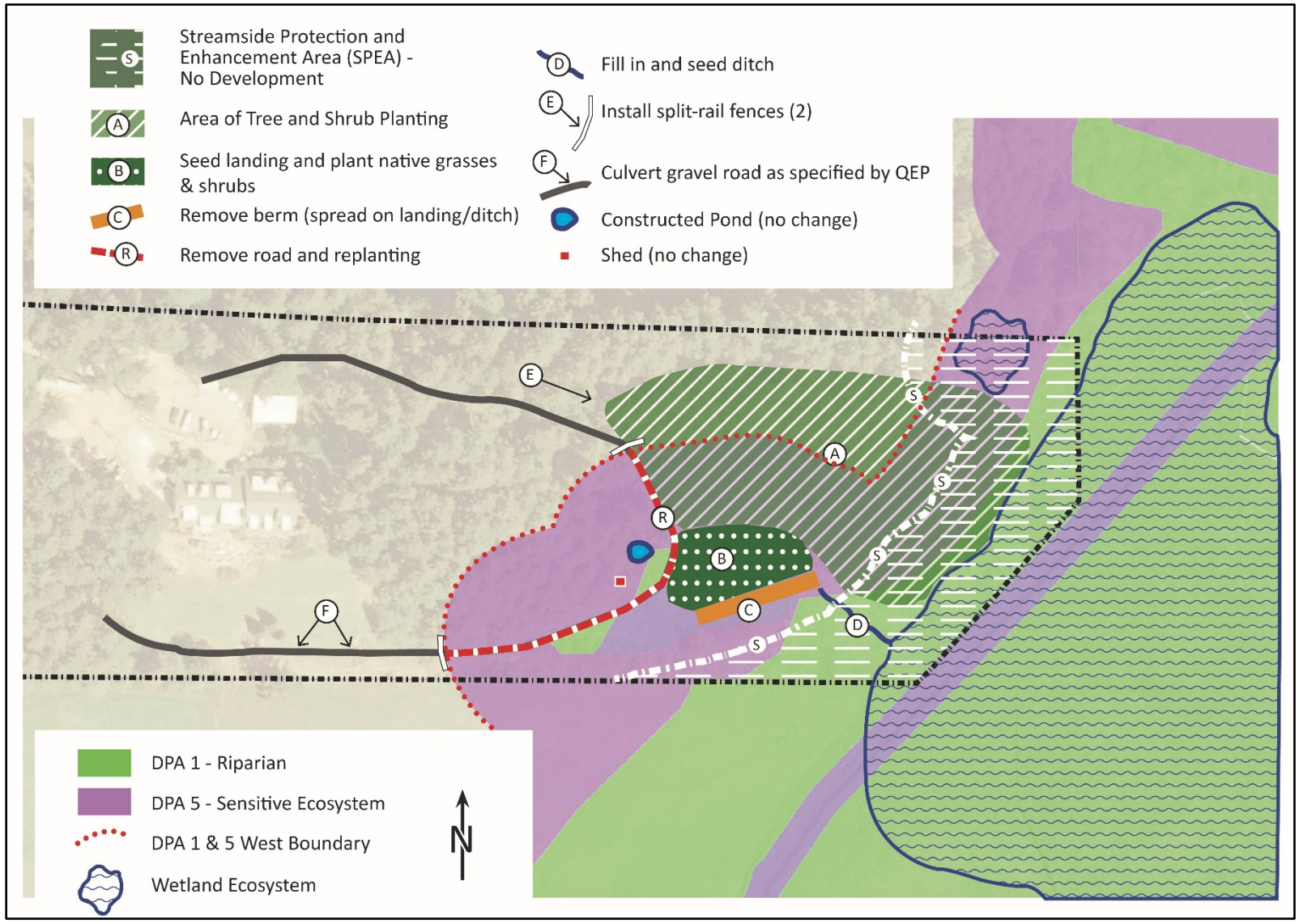
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Deputy Secretary, Islands Trust

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Date of Issuance

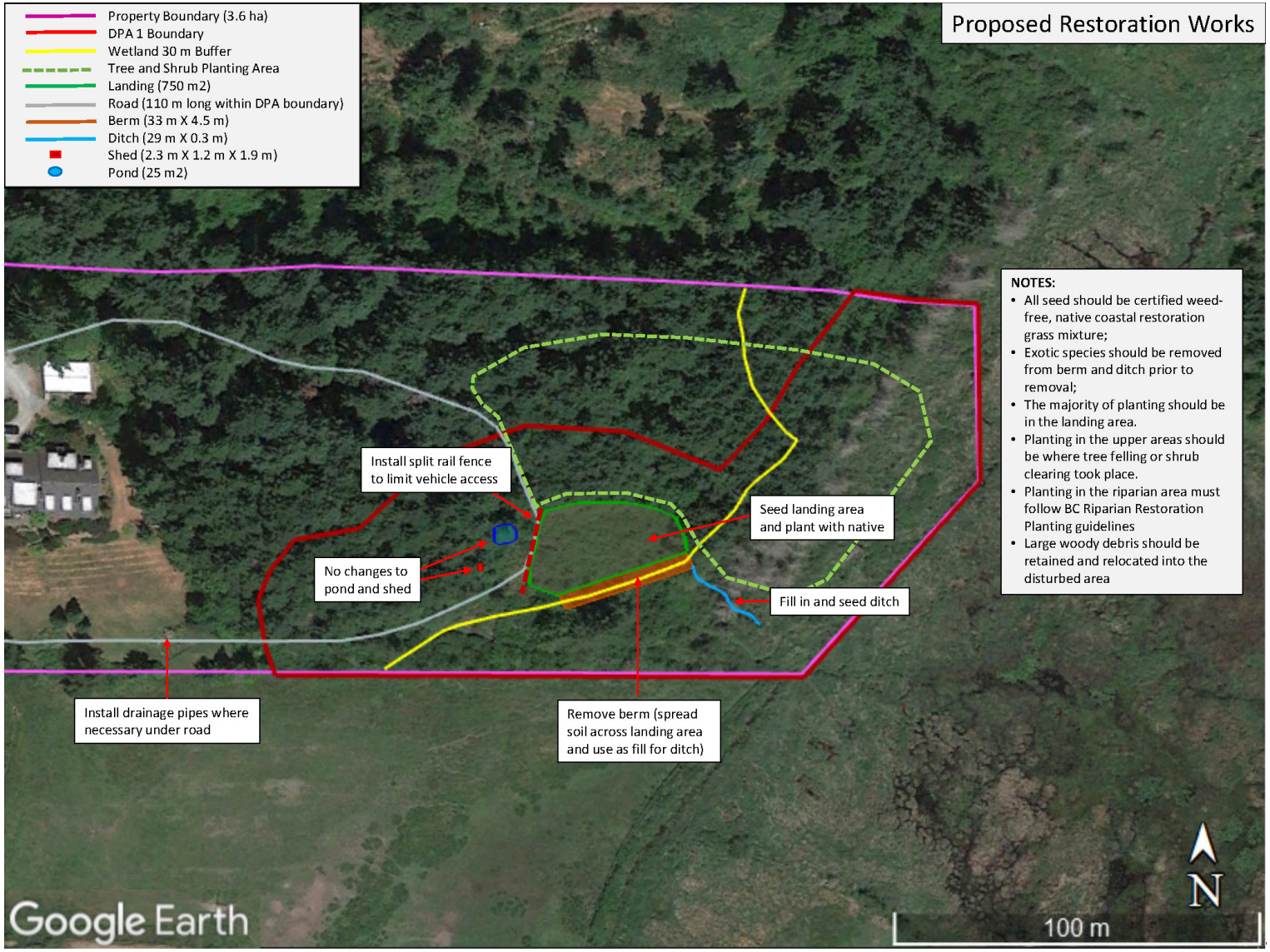
IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##rd DAY OF MONTH, 202#, THIS PERMIT AUTOMATICALLY LAPSES.

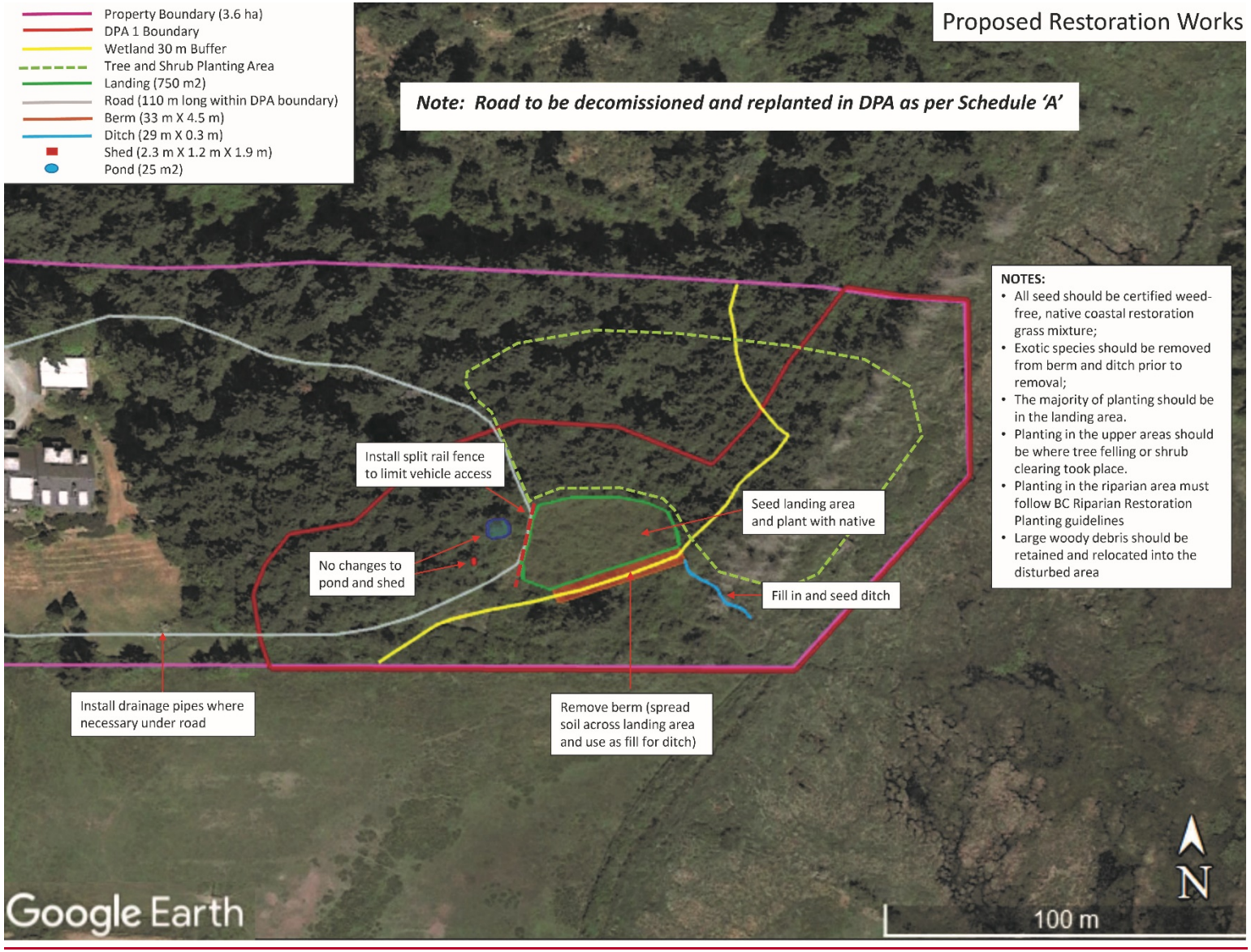
GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT 2021.1
Schedule "A" (Site Plan)


Streamside Protection and Enhancement Area (SPEA) - No Development
Area of Tree and Shrub Planting
Seed landing and plant native grasses & shrubs
Remove berm (spread on landing/ditch)
Fill in and seed ditch
Install split-rail fence
Culvert gravel road as specified by QEP
Constructed Pond (no change)
Shed (no change)
DPA 1 - Riparian
DPA 5 - Sensitive Ecosystem
DPA 1 & 5 West Boundary
Wetland Ecosystem
N


Streamside Protection and Enhancement Area (SPEA) - No Development
Area of Tree and Shrub Planting
Seed landing and plant native grasses & shrubs
Remove berm (spread on landing/ditch)
Remove road and replanting
Fill in and seed ditch
Install split-rail fences (2)
Culvert gravel road as specified by QEP
Constructed Pond (no change)
Shed (no change)
DPA 1 - Riparian
DPA 5 - Sensitive Ecosystem
DPA 1 & 5 West Boundary
Wetland Ecosystem
N

GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT 2021.1
Schedule "B" (Biologist's Restoration Plan)


Proposed Restoration Works
Property Boundary (3.6 ha)
DPA 1 Boundary
Wetland 30 m Buffer
Tree and Shrub Planting Area
Landing (750 m2)
Road (110 m long within DPA boundary)
Berm (33 m X 4.5 m)
Ditch (29 m X 0.3 m)
Shed (2.3 m X 1.2 m X 1.9 m)
Pond (25 m2)
NOTES:
All seed should be certified weed-free, native coastal restoration grass mixture;
Exotic species should be removed from berm and ditch prior to removal;
The majority of planting should be in the landing area.
Planting in the upper areas should be where tree felling or shrub clearing took place.
Planting in the riparian area must follow BC Riparian Restoration Planting guidelines
Large woody debris should be retained and relocated into the disturbed area
Install split rail fence to limit vehicle access
Seed landing area and plant with native
No changes to pond and shed
Fill in and seed ditch
Install drainage pipes where necessary under road
Remove berm (spread soil across landing area and use as fill for ditch)
N
Google Earth
100 m


Proposed Restoration Works
Property Boundary (3.6 ha)
DPA 1 Boundary
Wetland 30 m Buffer
Tree and Shrub Planting Area
Landing (750 m2)
Road (110 m long within DPA boundary)
Berm (33 m X 4.5 m)
Ditch (29 m X 0.3 m)
Shed (2.3 m X 1.2 m X 1.9 m)
Pond (25 m2)
Note: Road to be decomissioned and replanted in DPA as per Schedule 'A'
NOTES:
• All seed should be certified weed-free, native coastal restoration grass mixture;
• Exotic species should be removed from berm and ditch prior to removal;
• The majority of planting should be in the landing area.
• Planting in the upper areas should be where tree felling or shrub clearing took place.
• Planting in the riparian area must follow BC Riparian Restoration Planting guidelines
• Large woody debris should be retained and relocated into the disturbed area
Install split rail fence to limit vehicle access
Seed landing area and plant with native
No changes to pond and shed
Fill in and seed ditch
Install drainage pipes where necessary under road
Remove berm (spread soil across landing area and use as fill for ditch)
N
Google Earth
100 m

EBB Environmental Consulting Inc.

Measures

Project Planning

Timing

Time work in water to respect **timing windows** to protect fish and amphibians, including their eggs, juveniles, spawning or overwintering adults and/or the organisms upon which they feed.
Minimize duration of in-water work.
Conduct instream work during periods of low flow, or at low tide, to further reduce the risk to fish and their habitat or to allow work in water to be isolated from flows.
Schedule work to avoid wet, windy and rainy periods that may increase erosion and sedimentation.

Site Selection

- Design and plan activities and works in waterbody such that loss or disturbance to aquatic habitat is minimized and sensitive spawning habitats are avoided.
- Design and construct approaches to the waterbody such that they are perpendicular to the watercourse to minimize loss or disturbance to riparian vegetation.
- Avoid building structures on meander bends, braided streams, alluvial fans, active floodplains or any other area that is inherently unstable and may result in erosion and scouring of the stream bed or the built structures.
- Undertake all instream activities in isolation of open or flowing water to maintain the natural flow of water downstream and avoid introducing sediment into the watercourse.

Contaminant and Spill Management

- Plan activities near water such that materials such as paint, primers, blasting abrasives, rust solvents, degreasers, grout, or other chemicals do not enter the watercourse.
- Develop a response plan that is to be implemented immediately in the event of a sediment release or spill of a deleterious substance and keep an emergency spill kit on site.
- Ensure that building material used in a watercourse has been handled and treated in a manner to prevent the release or leaching of substances into the water that may be deleterious to fish.

Erosion and Sediment Control

- Develop and implement an Erosion and Sediment Control Plan for the site that minimizes risk of sedimentation of the waterbody during all phases of the project. Erosion and sediment control measures should be maintained until all disturbed ground has been permanently stabilized, suspended sediment has resettled to the bed of the waterbody or settling basin and runoff water is clear. The plan should, where applicable, include:
    - Installation of effective erosion and sediment control measures before starting work to prevent sediment from entering the water body.
    - Measures for managing water flowing onto the site, as well as water being pumped/diverted from the site such that sediment is filtered out prior to the water entering a waterbody. For example, pumping/diversion of water to a vegetated area, construction of a settling basin or other filtration system.

- Site isolation measures (e.g., silt boom or silt curtain) for containing suspended sediment where in-water work is required (e.g., dredging, underwater cable installation).
- Measures for containing and stabilizing waste material (e.g., dredging spoils, construction waste and materials, commercial logging waste, uprooted or cut aquatic plants, accumulated debris) above the high-water mark of nearby waterbodies to prevent re-entry.
- Regular inspection and maintenance of erosion and sediment control measures and structures during the course of construction.
- Repairs to erosion and sediment control measures and structures if damage occurs.
- Removal of non-biodegradable erosion and sediment control materials once site is stabilized.

Shoreline Re-vegetation and Stabilization

- Clearing of riparian vegetation should be kept to a minimum: use existing trails, roads or cut lines wherever possible to avoid disturbance to the riparian vegetation and prevent soil compaction. When practicable, prune or top the vegetation instead of grubbing/uprooting.
- Minimize the removal of natural woody debris, rocks, sand or other materials from the banks, the shoreline or the bed of the waterbody below the ordinary high water mark. If material is removed from the waterbody, set it aside and return it to the original location once construction activities are completed.
- Immediately stabilize shoreline or banks disturbed by any activity associated with the project to prevent erosion and/or sedimentation, preferably through re-vegetation with native species suitable for the site.
- Restore bed and banks of the waterbody to their original contour and gradient; if the original gradient cannot be restored due to instability, a stable gradient that does not obstruct fish passage should be restored.
- If replacement rock reinforcement/armouring is required to stabilize eroding or exposed areas, then ensure that appropriately-sized, clean rock is used; and that rock is installed at a similar slope to maintain a uniform bank/shoreline and natural stream/shoreline alignment.
- Remove all construction materials from site upon project completion.

Fish Protection

- Ensure that all in-water activities, or associated in-water structures, do not interfere with fish passage, constrict the channel width, or reduce flows.
- Retain a qualified environmental professional to ensure applicable permits for relocating fish are obtained and to capture any fish trapped within an isolated/enclosed area at the work site and safely relocate them to an appropriate location in the same waters. Fish may need to be relocated again, should flooding occur on the site.
- Screen any water intakes or outlet pipes to prevent entrainment or impingement of fish. Entrainment occurs when a fish is drawn into a water intake and cannot escape. Impingement occurs when an entrapped fish is held in contact with the intake screen and is unable to free itself.
    - In freshwater, follow these measures for design and installation of intake end of pipe fish screens to protect fish where water is extracted from fish-bearing waters:
        - Screens should be located in areas and depths of water with low concentrations of fish throughout the year.
        - Screens should be located away from natural or artificial structures that may attract fish that are migrating, spawning, or in rearing habitat.

- The screen face should be oriented in the same direction as the flow.
- Ensure openings in the guides and seals are less than the opening criteria to make "fish tight".
- Screens should be located a minimum of 300 mm (12 in.) above the bottom of the watercourse to prevent entrainment of sediment and aquatic organisms associated with the bottom area.
- Structural support should be provided to the screen panels to prevent sagging and collapse of the screen.
- Large cylindrical and box-type screens should have a manifold installed in them to ensure even water velocity distribution across the screen surface. The ends of the structure should be made out of solid materials and the end of the manifold capped.
- Heavier cages or trash racks can be fabricated out of bar or grating to protect the finer fish screen, especially where there is debris loading (woody material, leaves, algae mats, etc.). A 150 mm (6 in.) spacing between bars is typical.
- Provision should be made for the removal, inspection, and cleaning of screens.
- Ensure regular maintenance and repair of cleaning apparatus, seals, and screens is carried out to prevent debris-fouling and impingement of fish.
- Pumps should be shut down when fish screens are removed for inspection and cleaning.

Operation of Machinery

- Ensure that machinery arrives on site in a clean condition and is maintained free of fluid leaks, invasive species and noxious weeds.
- Whenever possible, operate machinery on land above the high-water mark, on ice, or from a floating barge in a manner that minimizes disturbance to the banks and bed of the waterbody.
- Limit machinery fording of the watercourse to a one-time event (i.e., over and back), and only if no alternative crossing method is available. If repeated crossings of the watercourse are required, construct a temporary crossing structure.
- Use temporary crossing structures or other practices to cross streams or waterbodies with steep and highly erodible (e.g., dominated by organic materials and silts) banks and beds. For fording equipment without a temporary crossing structure, use stream bank and bed protection methods (e.g., swamp mats, pads) if minor rutting is likely to occur during fording.
- Wash, refuel and service machinery and store fuel and other materials for the machinery in such a way as to prevent any deleterious substances from entering the water.

GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT 2021.1
Schedule "D"

Provincial Riparian Restoration Guidelines (BC MOE 2008)

- All riparian plantings should be based on 1 tree or shrub per 1 square metre density.
- All tree/shrub species should be of guaranteed nursery stock.
- The botanical name should be used when ordering stock to ensure that the desired native species is being purchased. Each specimen should be tagged with the botanical name and the tag should be left attached after planting.
- Stock planted during the fall (September to October) and spring (March to April) has the greatest likelihood of surviving. Regular watering may be required until the plants are established. Additional advice on proper planting procedures should be obtained from the nursery supplying the stock.
- Planting on a given area being enhanced must be successful to an 80% take. If more than 20% die over one year, replanting is required.
- To the extent feasible, large woody debris should be retained and relocated into the disturbed area to provide structural habitat for small wildlife and amphibians.

GALIANO ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT 2021.1
Schedule "E"

Erosion and Sedimentation Control Measures

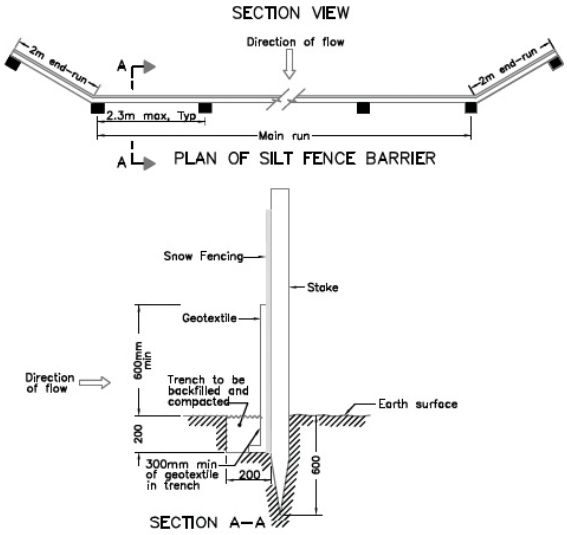
EROSION AND SEDIMENTATION

1) PRE-STAKED SILT FENCE TO BE INSTALLED AS SHOWN PRIOR TO CONSTRUCTION AS DIRECTED BY THE ENGINEER.

2) TOPSOIL STRIPPED FOR REUSE TO BE STOCKPILED AWAY FROM WATER COURSES, DRAINAGE PATHS AND PROPERTY AND SHALL BE COVERED AND / OR SEEDED TO REDUCE EROSION.

3) ALL DISTURBED AREAS TO BE RESTORED AND LANDSCAPED AS SOON AS POSSIBLE FOLLOWING CONSTRUCTION.

4) ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSPECTED AND MAINTAINED ON A REGULAR BASIS THROUGHOUT THE COURSE OF CONSTRUCTION BY THE CONTRACTOR. THE QUALIFIED ENVIRONMENTAL MONITOR (QEM) JOHN GRODS SHALL HALT PROGRESS OF ANY AND ALL WORK AND SHALL DIRECT CONTRACTOR TO REPAIR / ALTER CONSTRUCTION MITIGATION MEASURES IF THEY ARE NOT PERFORMING ADEQUATELY.



NOTE:
All dimensions are in millimetres or metres unless otherwise shown.

SILT FENCE WITH SNOW FENCE DETAIL
NTS

From: Daniela Murphy
Sent: Thursday, July 22, 2021 1:57 PM
To: Becky McErlean; Jas Chonk; Kate Emmings
Cc: Corlynn Strachan
Subject: Referral of Islands Trust Policy Statement - Draft Bylaw No. 183
Attachments: TC-BL-183_Policy Statement Bylaw Referral Form.pdf; New-Draft-Policy-Statement-Colour-Coded.pdf

Dear Referral Coordinator,

Islands Trust is engaging with agencies and community groups for input concerning an update to the Islands Trust Policy Statement. As per Section 15 of the Islands Trust Act, the Policy Statement is a general statement of Islands Trust Council's policies to carry out its preserve and protect mandate. It guides the development of local official community plans and regulatory bylaws throughout the Islands Trust Area. The document has not been substantively updated in over 25 years. In the face of new environmental, social, and economic realities, Trust Council is now striving to update the document through the lenses of reconciliation, climate change and affordable housing.

There are many draft amendments to the Policy Statement in different locations throughout the document that may affect your agency. We would encourage you to review the Project Overview Briefing along with other resources available on the Islands 2050 webpage. Your response is important to this process as it can help us prepare for the future and ensure that the Policy Statement furthers the Islands Trust mandate to preserve and protect.

Agencies Information Session Webinar
On **Wednesday, July 28, 2021 from 1:00 p.m. to 3:00 p.m**., Islands Trust will be hosting a Zoom webinar for referral agencies to provide information on the draft Policy Statement Bylaw and an opportunity for questions and answers.

Please register in advance for this Zoom webinar:
https://islandstrust.zoom.us/webinar/register/WN_nyXptbv6RWugCwftiQyJmA
After registering, you will receive a confirmation email containing information about joining the webinar.

Your Response is Respectfully Requested:
Attached to this email is a bylaw referral package that includes our referral form and links to the draft bylaw. Project information can be found on our website here:
https://islandstrust.bc.ca/programs/islands-2050/

We understand that there are numerous demands on your time, however, we genuinely welcome any comments you may have. Your referral response with regards to this draft bylaw is respectfully requested by **Tuesday, October 22, 2021**. If we do not receive a response from you within the time requested, we will proceed with the approval process.

Should you have any questions or require further information, please contact David Marlor, Director – Local Planning Services at islands2050@islandstrust.bc.ca or at 250-405-5151.

Please direct referral responses to islands2050@islandstrust.bc.ca

or by mail to:
Islands Trust - Islands 2050
200 – 1627 Fort Street
Victoria, BC
V8R 1H8

Thank you for your time and attention to this matter.
Respectfully,

Daniela Murphy

Daniela Murphy
Legislative Clerk/Deputy Secretary
Islands Trust
1-500 Lower Ganges Road | Salt Spring Island BC V8K 2N8
T 250-538-5606 | islandstrust.bc.ca
You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea
I am humbly thankful to live and work in the treaty lands and territories of the BOḰEĆEN, K'ómoks, Lək̓ ʷəŋən, Lyackson, MÁLEXEŁ, Qualicum, Quw'utsun Tribes, scəẃaθən məsteyəxʷ, Scia'new, səl̓ilwətaʔɬ, SEMYOME, shíshálh, Sḵwx̱wú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SȾÁUTW̱, Stz'uminus, ɬaʔəmen, toq qaymɩxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W̱JOŁEŁP, W̱SIḴEM, Xeláltxw, Xwémalhkwu/ʔop qaymɩxʷ, and xʷməθkʷəy̓əm.

ISLANDS 2050 BYLAW REFERRAL FORM

Islands Trust – Islands 2050
200 – 1627 Fort Street
Victoria, BC V8R 1H8
islands2050@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Islands Trust Area **Bylaw No.:** TC 183 **Date:** July 22, 2021

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 90 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

PURPOSE OF BYLAW:

The Islands Trust Act requires that Islands Trust Council adopt a Policy Statement. The current Policy Statement has not been substantively updated in over 25 years. The purpose of this bylaw is to update the Policy Statement through the lenses of reconciliation, climate change, and affordable housing.

GENERAL LOCATION:

The Islands Trust Policy Statement is a general policy that applies to all of the Islands Trust Area, including Bowen Island Municipality. For a map of the Islands Trust Area, please visit: https://islandstrust.bc.ca/mapping-resources/mapping/

YOUR RESPONSE IS RESPECTFULLY REQUESTED:

Your response to this referral will help to ensure that the Policy Statement furthers the mandate of the Islands Trust, in cooperation with the Province and other agencies. Please note that the Islands Trust Policy Statement requires the approval of the Minister of Municipal Affairs before Trust Council can adopt this bylaw.

There are many draft amendments to the Policy Statement in different locations throughout the document that may affect your agency. We would encourage you to review the Project Overview Briefing along with other resources available on the Islands 2050 webpage.

On Wednesday, July 28, 2021, from 1:00 p.m. to 3:00 p.m., Islands Trust will be hosting a Zoom webinar to provide information to referral agencies on the draft Policy Statement Bylaw and an opportunity for questions and answers.
Please register in advance for this Zoom webinar: https://islandstrust.zoom.us/webinar/register/WN_nyXptbv6RWugCwftiQyJmA
After registering, you will receive a confirmation email containing information about joining the webinar.
If you are unable to attend on this day, the session will be recorded and posted to the Islands 2050 webpage on the Islands Trust website.

Please return the response form by **Tuesday, October 22, 2021** to **islands2050@islandstrust.bc.ca**

OTHER INFORMATION:

For more information on the Islands 2050 Policy Statement Amendment Project, including the Draft New Policy Statement: https://islandstrust.bc.ca/programs/islands-2050/

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

(Signature)

Name: David Marlor

Title: Director, Local Planning Services

This referral has been sent to the following agencies:

Federal Agencies
Environment and Climate Change
Fisheries & Oceans, Canada (Fish Protection and Aquaculture - Pacific Region)
Transport Canada
Parks Canada

Regional Agencies
Capital Regional District
Comox Valley Regional District
Cowichan Valley Regional District
Metro Vancouver Regional District
Nanaimo Regional District
qathet Regional District
Sunshine Coast Regional District

School District Boards

School District No. 45 (West Vancouver – Gambier)
School District No. 46 (Gambier)
School District No. 64 (Gulf Islands: Galiano, Mayne, North Pender, South Pender, Salt Spring, Saturna)
School District No. 68 (Gabriola/Ballenas Winchelsea)
School District No. 69 (Lasqueti/Ballenas Winchelse)
School District No. 71 (Denman/Hornby)
School District No. 79 (Thetis)

First Nations

Cowichan Tribes
SXIMEŁEŁ (Esquimalt) Nation
Halalt First Nation
Homalco First Nation
K'ómoks (Comox) First Nation
Klahoose First Nation
Lake Cowichan First Nation
Lyackson First Nation
MÁLEXEŁ (Malahat) Nation
xʷməθkʷəy̓əm Musqueam Indian Band
BOḰEĆEN (Pauquachin) First Nation
Penelakut Tribe
Qualicum First Nation
Scia'new (Beecher Bay) First Nation
Semiahmoo First Nation
Shíshálh (Sechelt) Nation
Snaw-naw-as (Nanoose) First Nation
Snuneymuxw (Nanaimo) First Nation
Lekwungen (Songhees) Nation
Sḵwx̱wú7mesh (Squamish) Nation
Stz'uminus First Nation
Tla'amin (Sliammon) First Nation
T'Sou-ke (Sooke) Nation
W̱JOŁEŁP (Tsartlip) First Nation
SȾÁUTW̱ (Tsawout) First Nation
Tsawwassen First Nation
Tsleil-Waututh/ Səl̓ílwətaʔ/Selilwitulh (Burrard Inlet) Nation
W̱SIḴEM (Tseycum) First Nation
We Wai Kai (Cape Mudge) First Nation
Wei Wai Kum (Campbell River) First Nation

Treaty Groups

Nanwakolas Council
Hul'qumi'num Treaty Group
Laich-kwil-tach Treaty Society
Naut'sa mawt Tribal Council
Te'Mexw Treaty Association

Adjacent Local Trust Committees and Municipalities

Ballenas-Winchelsea Islands Local Trust Committee
Bowen Island Municipality
Denman Island Local Trust Committee
Gabriola Island Local Trust Committee
Galiano Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Islands Trust Conservancy Board

Provincial Agencies

Agricultural Land Commission
Attorney General (Housing Policy Branch)
BC Ferries
Ministry of Agriculture
Ministry of Energy, Mines and Petroleum Resources
Ministry of Environment and Climate Change Strategy
Ministry of Environment and Climate Change Strategy (BC Parks and Conservation Officer Service Division)
Ministry of Environment and Climate Change Strategy (Climate Action Secretariat)
Ministry of Forests, Lands, Natural Resource Operations and Rural Development – South Coast Office, Crown Lands, Water Licensing, Ecosystems, Archaeology
Ministry of Health
Ministry of Indigenous Relations and Reconciliation (West Coast Office; South Coast Office)
Ministry of Municipal Affairs and Housing (Intergovernmental Relations and Planning Branch)
Ministry of Transportation and Infrastructure on Vancouver Island and South Coast

Improvement District Boards

Gabriola Fire Protection District
Graham Lake Improvement District
Schmidt Improvement District
Galiano Estates Improvement District
Gossip Island Improvement District
Montague Improvement District
Spanish Hills Improvement District
Wise Island Improvement District
Bennett Bay Waterworks District
Campbell-Bennett Bay Improvement District
Lighthouse Point Waterworks District
Mayne Island Improvement District
Village Point Improvement District
Georgina Improvement District
Razor Point Improvement District
Trincomali Improvement District
Harbour View Improvement District
Mount Belcher Improvement District
North Salt Spring Waterworks District
Piers Island Improvement District
Salt Spring Island Fire Protection District
Scott Point Waterworks District
Saturna Shores Improvement District
Thetis Island Improvement District
Vaucroft Improvement District

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Islands Trust Area (Islands 2050)	TC 183
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

Islands Trust Council DRAFT Bylaw No. 183

ISLANDS TRUST POLICY STATEMENT BYLAW, 2021

DRAFT

ISLANDS TRUST POLICY STATEMENT

Updated – July 15, 2021

(Engagement Draft - Colour-Coded Version)

Sections highlighted in blue: primarily reconciliation related amendments
Sections highlighted in green: primarily climate change related amendments
Sections highlighted in pink: primarily housing related amendments
Sections highlighted in yellow: general edits for clarity, accuracy, or brevity

References highlighted in (blue parentheses) at the end of each policy refer to the corresponding policy in the **2003 consolidated version of the Policy Statement** or indicate (new) policies.

A clean version of this draft (without colour coding) is available on the Islands 2050 webpage at: **https://islandstrust.bc.ca/programs/islands-2050/**.

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ISLANDS TRUST POLICY STATEMENT BYLAW, 2021

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PART 1 - INTRODUCTION

1.1 ACKNOWLEDGMENT (new)

Islands Trust Council acknowledges that the Islands Trust Area is located within the treaty and territorial lands and waters of the BOḰEĆEN, K'ómoks, Lək̓ʷəŋən, Lyackson, MÁLEXEŁ, Qualicum, Quw'utsun Tribes, scəẃaθən məsteyəxʷ, Scia'new, səl̓ílwətaʔɬ, SEMYOME, shíshálh, Sḵwx̱wú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SƛÁUTW̱, Stz'uminus, ɬaʔəmen, toq qaymɩxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W̱JOŁEŁP, W̱SIḴEM, Xeláltxw, Xwémalhkwu/ʔop qaymɩxʷ, and xʷməθkʷəy̓əm (collectively referred to hereinafter as 'First Nations').

Islands Trust Council acknowledges that the lands and waters encompassing the Trust Area are subject to the treaty and territorial rights of First Nations. The Trust Area has been home to Indigenous Peoples since time immemorial and their relationship to these lands and waters continues to this day. Islands Trust Council honours the rich history and cultural heritage within the region and has stated its commitment to reconciliation and meaningful engagement with First Nations in the Trust Area.

1.2 ESTABLISHMENT OF THE ISLANDS TRUST

To understand the Islands Trust governance model, it is helpful to understand its origins. In the 1960s, as the urban centres of Vancouver, Nanaimo, and Victoria were experiencing rapid population growth, the Gulf Islands in British Columbia began facing unprecedented pressure for residential development. Gulf Island residents, whose islands were under the jurisdiction of regional districts at the time, began expressing widespread concern that the area's highly-valued and fragile environment could be irreversibly damaged by unrestrained development. In 1969, the provincial government responded by instituting a temporary 10-acre minimum lot size freeze on the subdivision of land until island communities could adopt plans and regulations to control growth.

In 1972, an all-party provincial Select Standing Committee on Municipal Affairs was established to investigate the unique problems facing the Trust Area. In its 1973 report[1] to the Legislative Assembly of British Columbia, the Committee concluded that development pressures arising from the area's proximity to major urban centres were damaging the very features that made the region so attractive to residents and visitors. The Committee recommended the formation of an 'Islands Trust' to assume the primary responsibility for coordinated governance of the region.

In response to the Committee's recommendations, the Government of British Columbia enacted the ***Islands Trust Act***[2] in 1974. The Act established Islands Trust as a trust with a conservation-oriented responsibility to preserve and protect the Islands Trust Area for the benefit of residents of the Trust Area and of British Columbia more broadly.

In the years following the establishment of Islands Trust, pressure for development of the Trust Area islands continued. Between 1974 and 1987, the Area's resident population increased by sixty per cent, far exceeding the growth rate of adjacent areas. Several amendments were made to the *Islands Trust Act* during this period, giving Islands Trust community planning and land use authority comparable to that of a regional district under the *Local Government Act.* From 1974 to 1977, local trust committees vetted regional district bylaws for compliance with the Islands Trust Object. In 1977, in response to concerns about administrative inefficiencies, the *Islands Trust Act* was amended to transfer land use regulation from regional districts to local trust committees. Aware of the urgent need for plans to guide decisions on growth management and land use, Trust Area communities developed official community plans. Nonetheless, pressure for residential development continued, as did public concern for the future of the Trust Area.

In 1987, the provincial government initiated a second review related to the Islands Trust Area, this time focusing on public opinion of Islands Trust and its role. The results showed overwhelming public support for both Islands Trust and the Islands Trust Object, and suggested ways in which the Trust and its legislation could be strengthened. In response, an amended *Islands Trust Act* was put into effect in 1990, reaffirming the Province's commitment to careful planning and development in the Trust Area. In the amended Act, Islands Trust retained its original authority and its dual responsibility to residents of both the Trust Area and British Columbians more broadly. The new legislation also amended the structure of Islands Trust and greatly broadened its functions and responsibilities. One of the most notable changes was the assignment of a regional-level planning function to Islands Trust Council.

[1] British Columbia, *Official Report of Debates of the Legislative Assembly (Hansard),* 30th Parl, 3rd Sess, p 255 (25 September 1973).

[2] British Columbia, *Islands Trust Act*, RSBC 1996, c 239.

1.3 PRESENT CONTEXT

Many of the challenges that the Islands Trust Area was facing in 1974 remain pressing today, and are further complicated by new social, economic, and environmental dynamics.

In 2019, Trust Council adopted a Reconciliation Declaration acknowledging that First Nations have resided in the lands and waters that encompass the Trust Area since time immemorial and honouring the rich history and cultural heritage of this special region. Trust Council acknowledges that it has a duty to seek meaningful engagement with First Nations in the Trust Area and strives to be guided by the specific reconciliation principles and recommendations of the Truth and Reconciliation Commission's Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples, the *Declaration on the Rights of Indigenous Peoples Act*, and the Missing and Murdered Indigenous Women and Girls Calls for Justice, that fall within Trust Council's jurisdiction.

Trust Council also adopted a Climate Emergency Declaration in 2019, committing to urgent and equitable climate action across the region. The health and integrity of ecosystems, communities, and the built environment are increasingly compromised by the adverse impacts of climate change such as rising sea levels, ocean acidification, storm surge flooding, windstorms, droughts, wildfires, and invasive species. Biodiversity - the diversity within species, between species, and of ecosystems - is declining at an alarming rate, leading to species extinctions locally and across the globe. In order to effectively preserve and protect the unique amenities and environment of the Trust Area in this context, it will be critical to identify, monitor, mitigate, and adapt to the ripple effects of climate change on both ecosystems and communities. In this context, Trust Council will benefit from being guided by the best available science, social science, local knowledge, and Indigenous ways of knowing. In the face of uncertainties around the rate and scale of climate impacts, it will also be important to foster more precautionary and adaptive approaches to decision-making, safeguarding future generations as best as possible.

Research by the Islands Trust Conservancy on the conversion of natural areas for human use highlights that some islands in the Trust Area are reaching or surpassing accepted thresholds for ecosystem health[3]. A widely accepted threshold for the region is approximately 30-40% of converted area for any given habitat. As land conversion begins to go above this threshold, the number of species in a given habitat can be expected to decline far more rapidly. A 2021 report on *The State of the Salish Sea*[4] describes the Salish Sea bioregion as being under relentless pressure from an accelerating convergence of global and local environmental stressors and the cumulative impacts of 150 years of development. It chronicles how ecosystem decline has outpaced protection and restoration efforts, and how population growth and urbanization have led to detrimental changes to the landscape and seascape, including habitat fragmentation, shoreline armouring, conversion of vegetated areas to impervious surfaces, and profound changes in watershed and wetland hydrology. The report calls for strategic, multijurisdictional policy approaches, informed by multiple ways of knowing and grounded in an understanding of the complex relationships between people and place:

> *"…Now is the time to shift thought and policy paradigms from treating the environment as a resource to instead build systems of relationships and responsiveness that are based in science and incorporate the interconnected system of humans and environments."*

[3] Islands Trust (2019). *State of the Islands Indicator Project: Final Report*

[4] Sobocinski, K.L. (2021). *State of the Salish Sea*. G. Broadhurst and N.J.K. Baloy (Contributing Eds.). Salish Sea Institute, Western Washington University.

Many islands in the Trust Area are also facing a lack of safe, secure, and affordable housing that is threatening the long-term sustainability and resilience of Trust Area communities. The gap between those who can, and those who cannot, afford a home is growing rapidly amidst a backdrop of skyrocketing real estate values, loss of rental stock, prevalence of not-permitted, unsafe, and unhealthy housing with no permanency or security for families, and growing rates of homelessness. Without affordable, safe, secure, and diverse housing options, seniors are finding it difficult to age in place and an increasing percentage of island workers must commute from off-island locations. First Nations community members continue to be alienated from their homelands and opportunities to live on the islands due to the forced removal and genocide they experienced and continue to experience to this day. As Trust Council endeavours to support community needs for affordable housing within the confines of its jurisdictional mandate, it acknowledges the need for place-based, multigenerational, and integrated solutions to sustainability that address equity, diversity, and inclusion in meaningful ways, while respecting the natural limitations and adaptive capacities of island ecosystems.

In this complex policy landscape, the Policy Statement plays a vital role in articulating Trust Council's strategic policy priorities, principles, and approaches, centred firmly in the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area, not only for this generation, but also for many generations to come, including First Nations who wish to come home or have access to traditional uses.

1.4 THE ISLANDS TRUST OBJECT AND ITS MEANING

The *Islands Trust Act* sets out the special-purpose mandate for Islands Trust, referenced in the legislation as its "object":

> **"The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia."** *(Islands Trust Act)*

The following sections provide a fuller explanation of key phrases in the Islands Trust Object.

"... to preserve and protect the Trust Area…"

The Islands Trust Area is a scenic archipelago of 13 major islands, over 450 smaller islands and islets, and surrounding waters in the Salish Sea. The area of jurisdiction is established by Schedule A of the *Islands Trust Act*. The region is home to more than 26,000 residents and is the homeland of more than 28,000 Coast Salish Peoples.

The mandate to 'preserve and protect' aims to ensure the continued existence, either at current or enhanced levels, of the unique amenities and environment of the Trust Area. This involves first identifying the unique amenities and environment in each local planning area and then instituting measures for their preservation and protection. Appropriate developments can thus be guided to areas which are most suitable, with minimal impact to the unique amenities and environment of the area. Official community plan and bylaw provisions such as setbacks and parcel size can be used as site specific protection measures where development is permitted.

"…and its unique amenities and environment…"

The Trust Area is valued and unique, not because of any one quality or feature, but rather because of its particular combination of characteristics and location.

Located within the Coastal Douglas-fir and Coastal Western Hemlock biogeoclimatic zones, the Trust Area is home to an exceptionally high biodiversity of rare and culturally significant species, including over 100 federally-listed and over 300 provincially-listed species at risk. These ecosystems are classified as 'sensitive' because of their rarity and vulnerability to disturbances such as human impacts and climate change. The Trust Area also plays an important role in provincial and national efforts to reduce greenhouse gas emissions by capturing and storing carbon in natural areas such as forests, soils, mycelium networks, wetlands, and eelgrass meadows.

Islands are places of last refuge and first (local) extinction. Existing at the interface of land and sea, they provide transition habitats that support high terrestrial and marine biodiversity. At the same time, islands need extra care due to a number of unique vulnerabilities they hold as small, closed systems, surrounded by water. Unlike larger islands or the mainland, islands in the Trust Area have significant water supply constraints, due to small watersheds, shallow soils, a heavy reliance on groundwater, and a high vulnerability to the impacts of a changing climate, such as drought and saltwater intrusion. Species habitat and migration corridors on these islands are also constrained by the natural boundaries of shorelines and are impacted by the proportion and configuration of land converted for human use. In addition, coastal and marine ecosystems, resident communities, and First Nations' archaeological sites and shoreline harvesting are all highly vulnerable to the climate change impacts associated with sea level rise and ocean acidification.

The Trust Area is also valued and unique because it is located within the treaty and territorial lands and waters of the Coast Salish Peoples. First Nations have called these lands and waters home since time immemorial and their relationship with this place continues to this day as stewards and caretakers for seven generations to come. First Nations in the Trust Area have creation stories that describe the spiritual and geophysical formation of the islands in the Salish Sea. Their history, stewardship, and knowledge of the region is reflected through oral history, language, place names, cultivated features of the landscape, Indigenous law, and protocols. Indigenous descriptions of the interrelationships between the landscape and all beings provide important context to the understanding of this special place. In this context, Indigenous cultural heritage is recognized as a unique amenity in the Trust Area and includes, but is not limited to: cultural and spiritual sites; ancestral loved ones' burial cairns and resting places; artifacts; petroglyphs; pictographs; place names; culturally significant species; medicinal plants; and traditional harvesting areas.

Trust Area islands are also home to vibrant communities that aspire to live sustainably and in respectful relationship with these lands and waters. Trust Council understands its preserve and protect mandate is strengthened by healthy and inclusive communities that are dependent on sustainable, energy efficient, and appropriately located housing, transportation, and infrastructure. Trust Area communities strongly value the rich natural beauty and biodiversity of the islands, the silence, quietude and tranquility of rural island landscapes and dark night skies, and the abundant opportunities for nature connection that the islands afford. These opportunities are not only to be enjoyed by residents, but also by British Columbians and visitors to the region, who all play important roles in helping to preserve and protect the Trust Area. Effective stewardship of the Trust Area relies on a collective community commitment to foster lower ecological footprints by reducing greenhouse gas emissions, striving to find new paths to conserve finite natural resources, and seeking nature-based solutions to climate change.

"…for the benefit of the residents of the Trust Area and of British Columbia generally ..."

Islands Trust is responsible to the present and future resident communities of the Trust Area and British Columbia, as well as to First Nations who have resided in the area since time immemorial. Resident communities include a diverse mix of year-round residents, part-time residents, absentee land owners, and First Nations who were forcibly removed from their homelands through colonization. The benefits to British Columbians include the preservation and protection of one of the most ecologically sensitive and biodiverse regions in the country, the safeguarding of natural carbon sinks to sequester greenhouse gas emissions, and opportunities for nature connection in close proximity to major urban centres.

"... in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of British Columbia ..."

First Nations, and a number of municipalities, regional districts, improvement districts, other persons and organizations, and provincial agencies have responsibilities and interests related to the preservation and protection of the Trust Area. Trust Council recognizes that it does not have the jurisdictional powers to fulfill its mandate independently and must obtain the assistance of other jurisdictions. To achieve its object, Islands Trust must be an educator, coordinator, collaborator, and initiator, guiding individuals, communities, organizations, and other government agencies to uphold and support the Islands Trust Object. While Trust Council can provide the necessary leadership, responsibility for the preservation and protection of the Trust Area rests with many, including Trust Area residents, communities, other government agencies, organizations, and the Province. Trust Council further recognizes that meaningful engagement and cooperation with First Nations is critical to the preservation and protection of the region, to Trust Council's reconciliation commitments, and to the implementation of the provincial *Declaration on the Rights of Indigenous Peoples Act*.

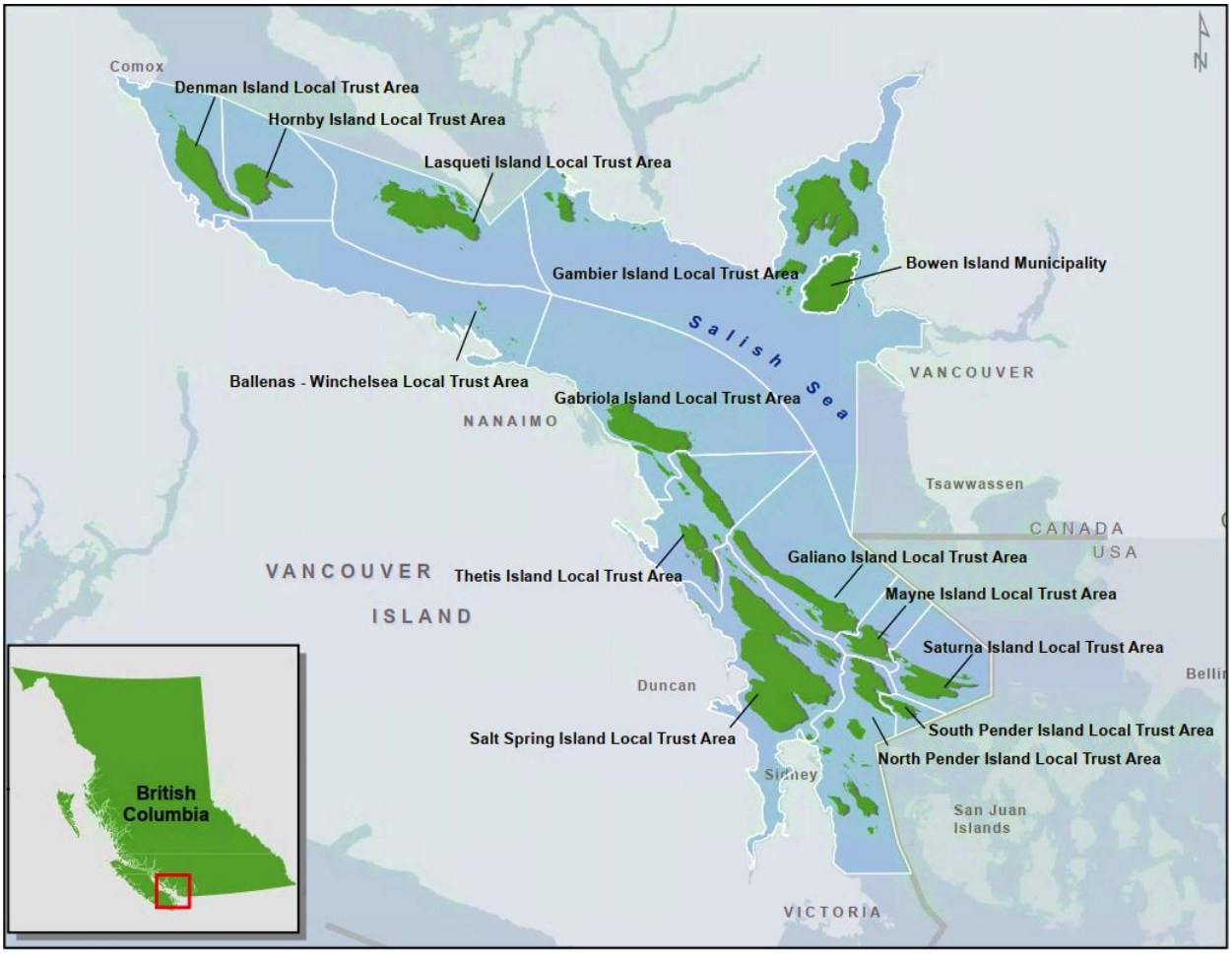
1.5 LOCATION OF THE ISLANDS TRUST AREA

The Islands Trust Area is an archipelago of 13 major islands and more than 450 smaller islands and surrounding waters in the Salish Sea, situated between the mainland of British Columbia and southern Vancouver Island. The specific boundaries of the Trust Area are noted in Schedule A of the *Islands Trust Act.*

The 13 major islands include:

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

(new map)



PART 2: PURPOSE AND IMPLEMENTATION OF THE POLICY STATEMENT

2.1 PURPOSE OF THE ISLANDS TRUST POLICY STATEMENT

Section 15 of the *Islands Trust Act* stipulates that Trust Council must, by bylaw, adopt a Trust Policy Statement that applies to the Trust Area. The purpose of the Policy Statement is to establish a general statement of policies of Trust Council to carry out the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area.

The Policy Statement aims to establish a vision for the future of the Trust Area that reflects the values and interests of the environment, residents, First Nations, and British Columbians, for this generation and for generations to come. It provides a framework for Trust Council to assume a leadership role in 'place protection planning' in the Trust Area, which entails preserving and protecting the unique amenities and environment of the Trust Area through a combination of:

- conservation-oriented land use planning and regulation;
- engagement with First Nations;
- inter-agency coordination and advocacy;
- public / community engagement; and
- stewardship education.

As the Trust's overarching policy document, the Policy Statement guides the formulation of Trust-wide strategic plans, official community plans and regulatory bylaws, protocol agreements and other cooperative arrangements with First Nations, inter-agency coordination and advocacy, thematic action plans and strategies, as well as public engagement and education initiatives.

The Policy Statement bylaw becomes effective upon the date of adoption. It is not retroactive and has no effect on any local trust committee or municipal bylaw in effect before its adoption.

2.2 ROLES AND RESPONSIBILITIES

Islands Trust Council cannot effectively implement the Policy Statement without the support of First Nations and a wide range of partners. The original 1974 vision was that the Trust would be a "fully representative co-coordinating body", whose task it was to bring together each group, agency, or government partner to act in the best interests of the islands and residents, with due regard for the broader and Province-wide interest. Assistance, cooperation, and collaboration are required from local trust committees, island municipalities, the Islands Trust Conservancy Board, First Nations and their associations and organizations, the provincial government, other government agencies, non-governmental organizations, communities, property owners, residents and visitors. In the spirit of the *Islands Trust Act*, it is expected that all corporate entities of the Trust will coordinate and advocate to other agencies on matters involving potential conflict between the legislated Islands Trust Object and the legislated mandates of other agencies.

Role of the Minister of Municipal Affairs

The Minister of Municipal Affairs of the Government of British Columbia (or the designated provincial minister responsible for municipal affairs) approves the Policy Statement bylaw and provides an avenue of appeal for municipalities if neither the Executive Committee nor Trust Council approves a bylaw that has been submitted to them. The Minister and Ministry staff can also facilitate communication between the Islands Trust and other government agencies on policy matters.

Role of Islands Trust Council

The *Islands Trust Act* assigns to Islands Trust Council the responsibility for development, adoption, amendment, and implementation of the Policy Statement. Recognizing the varying roles and responsibilities of other parties to help fulfill the Islands Trust Object, Trust Council has included three types of policies in the Policy Statement:

a) **Commitments of Trust Council**
These policies reflect Trust Council's high-level regional commitments, positions, priorities, and approaches related to the Islands Trust Object and its implementation. They help clarify Trust Council's regional governance approach and offer interpretive context to guide decision-making.

b) **Directive Policies for Local Trust Committees and Island Municipalities**
These policies direct local trust committees and island municipalities to include certain types of policies and approaches in their official community plans and bylaws, unless explicit reasons are given to justify not doing so. Directive policies generally commence with the phrase "Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws…" These policies generally strive for a harmonized regional approach while also leaving flexibility for more detailed, locally-appropriate implementation tools and strategies.

c) **Coordination Policies for Trust Council**
These policies reflect Trust Council's role in coordinating, advocating, and engaging with a host of other parties (including government agencies, non-governmental organizations, property owners, residents and visitors) regarding decisions or actions they can undertake in support of the Policy Statement and the Islands Trust Object. In some cases, these can form the basis of protocol agreements between the Trust and other agencies. Sections 8 and 9 of the *Islands Trust Act* stipulate that Trust Council may enter into coordination agreements and make recommendations to other parties for the purpose of carrying out the Islands Trust Object. Section 8 also stipulates that Trust Council may make recommendations to the Lieutenant Governor in Council respecting the determination, implementation, and carrying out of policies for the preservation and protection of the Trust Area and its unique amenities and environment.

Trust Council may review the Policy Statement annually to prioritize actions, assess progress, and consider possible amendments. Trust Council also serves as an avenue of appeal for local trust committees and island municipalities if a bylaw submitted to the Executive Committee is not approved.

Role of Executive Committee

Part 3 of the *Islands Trust Act* stipulates that the Executive Committee of Trust Council is required to review all bylaws of local trust committees and those bylaws of island municipalities that deal with the adoption of an official community plan. Such bylaws have no effect unless approved by Executive Committee, and the Committee cannot approve such a bylaw if it is "contrary to or at variance with" the Policy Statement. If there is no official community plan in place for an island municipality, Executive Committee is required to review all bylaws of the municipality and no bylaw that is contrary to the Policy Statement can be approved. Executive Committee also monitors the progress of Trust Council in achieving the goals defined in the Policy Statement, and makes recommendations to Trust Council in this regard.

Role of Local Trust Committees

As set out in the *Islands Trust Act*, bylaws of local trust committees cannot be "contrary to or at variance with" the Policy Statement. The Policy Statement contains policies that direct local trust committees to address certain matters in their official community plans and regulatory bylaws, but generally does not stipulate the specific policies, planning tools, or regulations to be used because the social and environmental characteristics of islands vary. Official community plans must contain policies relating to

Trust Council's directives or must explicitly state the reasons and justifications for not doing so. Each local trust committee works with its island community to develop policies and regulations to fulfill the Islands Trust Object and Policy Statement in ways that are suitable to local needs and conditions.

Role of Island Municipalities

Municipalities in the Trust Area, like local trust committees, are directed to address certain matters in their official community plans. Where a particular policy requires an island municipality to address a particular matter, the official community plan must contain policies that implement Trust Council's directive or must explicitly state the reasons and justifications for not doing so.

Role of the Islands Trust Conservancy Board

The *Islands Trust Act* assigns the Islands Trust Object to the Islands Trust Conservancy Board, as well as to Trust Council, local trust committees and island municipalities. Although the Islands Trust Conservancy Board does not take direction from Trust Council, it plays an essential role in helping to support the Policy Statement objectives and the fulfillment of place protection planning in the Trust Area through science-based conservation planning, engagement with First Nations, identification and protection of core conservation areas, as well as education and communication initiatives. To support the Islands Trust Object, the Islands Trust Conservancy Board also plays a key role in accepting voluntary donations of property and covenants and purchasing lands. Close collaboration and policy alignment between Islands Trust and Islands Trust Conservancy is critical to carrying out the Islands Trust Object.

Role of First Nations

First Nations play an integral role in governance and cooperative decision-making in the Trust Area. Trust Council acknowledges the treaty and territorial rights and title of First Nations in the Trust Area and is committed to aligning Islands Trust policies and processes with the *Declaration on the Rights of Indigenous Peoples Act.* Trust Council is further committed to ensuring that it seeks meaningful engagement with First Nations now and into the future. Cooperative mechanisms such as protocol agreements and mutually supportive strategies and action plans provide frameworks for effective communication, information sharing, and cooperative decision-making.

Role of Other Government and Non-Governmental Organizations

Other government agencies and non-governmental organizations play an important role in contributing to the preservation and protection of the unique amenities and environment of the Trust Area through cooperative actions based on the Policy Statement and the Islands Trust Object. Cooperative mechanisms such as protocol agreements and mutually supportive strategies and action plans support the sustainability of the Trust Area and fulfillment of the Islands Trust Object.

Role of Property Owners, Residents, Visitors and Communities

The assistance and cooperation of property owners, residents, visitors, and communities is vital to the preservation and protection of the unique amenities and environment of the Trust Area and to the implementation of the Policy Statement in each local planning area. Individuals have many opportunities to participate in local planning decisions and to work with other members of their communities to support the Islands Trust Object. The Trust can also equip communities and individuals with education and tools to help support the preserve and protect mandate and specific policies contained in the Policy Statement.

2.3 IMPLEMENTATION AND AMENDMENT POLICIES

Trust Council's Policies 1.2.1 (Policy Statement Amendment Policy) and 1.3.1 (Policy Statement Implementation Policy) guide the implementation and amendments of the Policy Statement. These are separate policies approved by Trust Council and do not require a legislative approval process.

The Policy Statement bylaw may be amended by Trust Council with the approval of the minister responsible for municipal affairs. Regardless of the source, all proposals for amendments to the Policy Statement are compiled by Executive Committee and brought forward for the consideration of Trust Council. Trust Council may, from time to time, initiate a review of the entire Policy Statement.

Trust Council's Policy Statement Implementation Policy establishes policies and procedures for statutory bylaw referrals and other implementation strategies and decision support tools that assist Executive Committee, local trust committees, island municipalities, Islands Trust planning staff, and other relevant parties to ensure that bylaws are consistent with the Islands Trust Policy Statement.

PART 3: REGIONAL GOVERNANCE (new)

GOAL: To establish regional governance approaches that uphold the Islands Trust Object

CONTEXT:

The Governance Challenge: The Islands Trust Area today faces converging challenges and compounding vulnerabilities. Trust Council must contend with intense development pressures, increasing climate change impacts, one of the highest densities of species at risk in Canada, freshwater scarcity, changing demographics, and a widespread lack of affordable housing. While populations, numbers of visitors, and the demand for intensified use and residential development of the Trust Area can be expected to continue to grow, capacities of the Trust Area's natural systems remain limited and are increasingly compromised by climate change and the cumulative effects of human activity. Potential for conflict exists: conflict between the unending pressures for development and intensified use, and the duty to preserve and protect the unique amenities and environment of this special place. To keep everything in the Trust Area exactly as it is today would be impossible. Changes will occur. Nonetheless, if the Trust Area's unique amenities and environment are to be preserved and protected for current and future generations, priorities must be defined and management strategies established.

Establishing Priorities and Limitations: Advancing the Islands Trust Object is the preeminent duty of Trust Council, its committees, and all locally elected trustees in the Trust Area. This unique statutory mandate prioritizes the preservation and protection of the unique amenities and environment of the Trust Area. Acknowledging the need to shift towards less human-centric and less settler-centric planning paradigms, Trust Council commits to place priority on preserving and protecting the integrity of the environment and Indigenous cultural heritage in the Trust Area. This entails, first and foremost, the identification and safeguarding of protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage. To these ends, Trust Council should be guided by detailed, area-based understandings of the Trust Area and its unique amenities and environment, that are informed by multiple ways of knowing, including the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. Furthermore, the uncertainties around the rate and scale of climate change are mandating more precautionary approaches to stewardship of the Trust Area. The **Precautionary Principle** states that the lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental damage to habitats or species when there is a threat of serious or irreversible environmental degradation. Having established these clear understandings, priorities, and approaches, community needs can then be addressed sustainably, equitably, and within the natural limitations of these special islands, for the benefit of current and future generations.

Regional and Localized Approaches: Underpinning the Islands Trust regional governance approach is a strong acknowledgment that a degree of local autonomy supports effective governance in the Trust Area. Each island within the Trust Area has unique characteristics and has developed in its own unique way over the years. While the preeminent duty of all locally elected officials is to uphold the Islands Trust Object and regional mandate in all aspects of local planning and decision-making, they are to do so in a way that is sensitive and suitable to local circumstances, and guided by open, consultative public participation.

3.1 Regional Governance Policies

Commitments of Trust Council

3.1.1 The primary responsibility of Trust Council is to provide leadership for the preservation and protection of the unique amenities and environment of the Trust Area. (Guiding Principle #1)

3.1.2 Trust Council commits to place priority on preserving and protecting the integrity of the environment and Indigenous cultural heritage in all decision-making. (Guiding Principle #2)

3.1.3 It is Trust Council's policy that, to achieve the Islands Trust Object, the rate and scale of growth and development in the Trust Area must be carefully managed and requires limitation. (Guiding Principle #4)

3.1.4 It is Trust Council's policy that decision-making should be guided by the Precautionary Principle, and the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (Guiding Principle #3)

3.1.5 Trust Council commits to seek close collaboration and policy alignment with the Islands Trust Conservancy Board, acknowledging the interconnected roles each entity plays in regional conservation planning and in carrying out the Islands Trust Object. (new)

3.1.6 Trust Council commits to seek meaningful engagement with First Nations in the Trust Area, recognizing First Nations' treaty and territorial lands and waters, and will be guided by the specific reconciliation principles and recommendations of the Truth and Reconciliation Commission's Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples, the *Declaration on the Rights of Indigenous Peoples Act*, and the Missing and Murdered Indigenous Women and Girls Calls for Justice, that fall within Trust Council's jurisdiction. (new)

3.1.7 Trust Council commits to take a leadership role in coordinating with, and advocating to, other government agencies and non-governmental organizations, and making recommendations to the provincial government, for the purpose of carrying out the Islands Trust Object. (new)

3.1.8 Trust Council commits to seek open, consultative public participation, acknowledging its importance to effective decision-making in the Trust Area. (Guiding Principle #5)

3.1.9 It is Trust Council's policy that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the Islands Trust Object. (5.8.3)

3.1.10 It is Trust Council's policy that island municipalities shall, in all of their actions, have regard for the Islands Trust Policy Statement and the Islands Trust Object. (5.8.4)

3.1.11 Trust Council commits to implement a plan for the advancement of the Policy Statement as part of its annual budget process, and to direct Executive Committee to report on progress achieved in fulfilling the goals defined in the Policy Statement. (Guiding Principle #6)

Directive Policies for Local Trust Committees and Island Municipalities

3.1.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, place priority on the integrity of the environment and Indigenous cultural heritage in all decision-making and limit the rate and scale of growth and development in their planning area. (new, based on Guiding Principles #1 and #4)

3.1.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ground decision-making in the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new, based on Guiding Principle #3)

3.1.14 Local trust committees and island municipalities shall, in the development and implementation of official community plans and regulatory bylaws, provide opportunities for public engagement and collaboration. (5.8.2)

3.1.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, seek meaningful engagement with First Nations and strive to align decision-making with the principles of the *Declaration on the Rights of Indigenous Peoples Act* that fall within their jurisdiction. (new)

PART 4: ECOSYSTEM PRESERVATION AND PROTECTION

GOAL: To Preserve, Protect, Restore, and Sustainably Steward Trust Area Ecosystems

CONTEXT:

Environmental Integrity: The Islands Trust Area contains the most biodiverse and endangered ecosystems in British Columbia and a number of species that are of high cultural significance to First Nations. These ecosystems are treasured for their intrinsic value and also for the many supports they provide to human well-being. An **ecosystem** is understood as a dynamic system of living species interacting with their non-living environment. Some ecosystems rely on a delicate mix of species and conditions that are easily affected by human activities and environmental disturbances. These ecosystems are termed 'sensitive' and are prevalent in the Trust Area. An ecosystem has '**environmental integrity**' when its dominant characteristics, natural composition, structure, function, and processes occur within their natural ranges of variation and can withstand and recover from most disruptions imposed by human activity or environmental dynamics such as climate change. In the Trust Area, the establishment of networks of protected areas and unfragmented forest reserves that are large enough to contain and sustain native Trust Area species is essential to environmental integrity.

Restoration: In the face of the global climate and biodiversity crises, it has never been more critical to preserve and protect ecosystems in the Trust Area. In addition, there is now an imperative to restore these fragile ecosystems and assist in their recovery due to the cumulative impacts of development and human use of natural areas, as well as the impacts of a changing climate. **Ecosystem restoration** is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed. Restoration can happen in many ways, such as active reforestation or wetland remediation, or by simply removing pressures so that nature can recover and adapt on its own.

Adaptive Management: The specific impacts of the climate and biodiversity crises and their policy implications may be difficult to predict in exact detail, timing, and scope. Adaptive management approaches offer pathways to minimize uncertainty and maximize policy effectiveness. These are structured, iterative processes of decision-making intended to reduce uncertainty over time through periodic monitoring and evaluation, and evidence-based policy adjustments.

Nature-Based Solutions: In seeking integrated solutions that address the impacts of climate change on both ecosystems and communities, nature-based solutions offer opportunities for multiple co-benefits. Nature-based solutions are actions to protect, sustainably manage, and restore ecosystems that address societal challenges effectively and adaptively, simultaneously providing human well-being and biodiversity benefits.

Sustainable Stewardship: As humans modify the Trust Area, ecosystems are subject to various pressures. With sustainable, regenerative use, ecosystems will be more healthy and resilient and better able to support human well-being in a variety of ways**. Sustainability**, in this context, is defined as the ability to meet the needs of the present without compromising the ability of future generations to meet their own needs. **Stewardship**, in this context, refers to the responsible use and protection of natural systems, through conservation and sustainable use.

4.1 Environmental Integrity Policies

Commitments of Trust Council

4.1.1 It is Trust Council's policy that proactive land use planning is essential to the preservation and protection of Trust Area ecosystems. (3.1.1 first bullet)

4.1.2 It is Trust Council's policy that protection must be given to the natural processes, habitats, and species of the Trust Area, including those of old forests, Coastal Douglas-fir forests, Coastal Western Hemlock forests, Garry Oak/Arbutus forests, wetlands, open coastal grasslands, the vegetation of dry rocky areas, lakes, streams, estuaries, tidal flats, salt water marshes, drift sectors, lagoons, kelp forests, eelgrass meadows, and spawning areas. (3.1.1 second bullet)

4.1.3 Trust Council commits to establish and sustain a network of protected areas throughout the Trust Area, in collaboration with the Islands Trust Conservancy Board, acknowledging that unfragmented connectivity is necessary to preserve ecosystems in sufficient size and distribution to sustain their environmental integrity. (3.1.2)

4.1.4 Trust Council shall strive to account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies, and Trust Area species and their habitats, informed by the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (3.1.1 third bullet)

4.1.5 Trust Council shall strive to identify and monitor the impacts of climate change on ecosystems through climate vulnerability assessments and shall utilize adaptive management processes and nature-based solutions that are informed by the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)

Directive Policies for Local Trust Committees and Island Municipalities

4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, establish, and maintain a network of protected areas of sufficient size and distribution to preserve the environmental integrity of ecosystems in their planning area. (3.1.4)

4.1.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, and in collaboration with the Islands Trust Conservancy Board, identify, preserve, protect, and support the restoration of the following elements in their planning area, utilizing the best available quantitative and qualitative data, inclusive of Indigenous ways of knowing and community input: (3.1.3)

- sensitive ecosystems (cliff, freshwater, herbaceous, old and mature forest, riparian, wetland, and woodland ecosystems)
- contiguous, unfragmented forests and associated ecosystems
- freshwater networks and groundwater recharge areas
- eelgrass meadows, kelp forests, and forage fish spawning areas
- species and ecosystems at risk
- Indigenous cultivation and harvesting areas such as clam gardens, camas meadows, and other areas as identified by First Nations

4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, regulate land use and development to reduce emissions to air, land, and water. (3.1.5)

4.1.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to reduce climate vulnerability and support climate adaptation measures for ecosystems within their planning area. (new)

Coordination Policies for Trust Council

4.1.10 Trust Council shall, in collaboration with the Islands Trust Conservancy Board, seek the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing regarding ecosystem preservation, protection, restoration, and sustainable stewardship in the Trust Area through respectful, culturally-sensitive and collaborative approaches with First Nations, Indigenous Knowledge Holders, the Province, other government agencies, non-governmental organizations, and communities. (new)

4.1.11 Trust Council shall coordinate with, and advocate to, other government agencies to foster actions, programs, and incentives that: (3.1.9)

- place priority on the integrity of the environment in the Trust Area
- protect the diversity of native species and habitats in the Trust Area; and
- prevent pollution of the air, land, freshwater networks, and marine waters of the Trust Area

4.1.12 Trust Council shall coordinate with, and advocate to, other government agencies to:

- regulate and monitor the harvesting of fish, wildlife, and vegetation in the Trust Area so as to protect terrestrial and aquatic species populations and habitats (4.3.1)
- consult with First Nations, local trust committees, island municipalities, and Trust Area communities prior to decisions regarding regulation of hunting or harvesting of wildlife or vegetation in the Trust Area (4.3.1)
- consult with First Nations to preserve First Nations' traditional harvesting areas; and (new)
- to protect, for public use, areas supporting naturally occurring shellfish populations and other marine life, and to establish public shellfish reserves in the Trust Area. (4.3.2)

4.1.13 Trust Council shall advocate to the provincial government to enforce standards for the control of emissions polluting the air, lands, and waters of the Trust Area. (3.1.10)

4.1.14 Trust Council shall, in cooperation with First Nations and the Islands Trust Conservancy Board, advocate to other government agencies, non-governmental organizations, Crown corporations, municipalities, regional districts, non-governmental organizations, property owners, residents, and visitors to protect natural areas in the Trust Area through education, stewardship tools, acquisitions, conservation covenants and careful management. (3.1.11)

4.2 Freshwater Stewardship Policies

Commitments of Trust Council

4.2.1 Trust Council commits to take a precautionary approach to the sustainable stewardship of watershed ecosystems, freshwater networks, and groundwater recharge areas in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)

4.2.2 It is Trust Council's policy that: (3.3.1)

- the watershed ecosystems, freshwater networks, and groundwater recharge areas of the Trust Area should be identified, protected, and where possible, restored or rehabilitated; and
- the wetlands of the Trust Area, including those in the Agricultural Land Reserve that have not been altered in the past for agriculture, should not be drained, filled, or degraded.

4.2.3 It is Trust Council's policy that freshwater use in the Trust Area should not impede the inherent rights of First Nations to access freshwater streams for cultural and spiritual purposes.

4.2.4 It is Trust Council's policy that islands in the Trust Area should be self-sufficient in their supply of freshwater.[5] (4.4.1)

4.2.5 It is Trust Council's policy that new desalination plants should not be permitted in the Trust Area due to their high energy demands and adverse impacts to coastal and marine ecosystems. (new)

Directive Policies for Local Trust Committees and Island Municipalities

4.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to prevent further loss or degradation of watershed ecosystems, freshwater networks, groundwater recharge areas, and freshwater aquatic species in their planning area. (3.3.2)

4.2.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure: (4.4.2)

- that neither the density nor intensity of land use is increased in groundwater regions[6] where the quality or quantity of the supply of freshwater is likely to be inadequate or unsustainable;
- that existing, anticipated, and seasonal water demand and supply projections are considered and allowed for;

and shall strive to ensure: (4.4.2, 4.4.1)

- that freshwater quality is maintained; and
- that islands are self-sufficient in their supply of freshwater[5].

4.2.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to ensure that freshwater use is not to the detriment of in-stream uses such as: fish and fish habitat uses; Indigenous cultural and spiritual use; aesthetic and recreational uses; and, the maintenance of water quality in lakes, streams, and wetlands. (4.4.3)

4.2.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit new desalination plants in the Trust Area. (new)

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[5] …with the sole exception of Piers Island which is supplied by the Capital Regional District water system.

[6] Groundwater regions are delineated water management areas that provide a useful basis for assessing area-specific water quality and quantity characteristics for planning purposes.

Coordination Policies for Trust Council

4.2.10 Trust Council shall coordinate with, and advocate to, the provincial government, regional districts, improvement districts, and other agencies to enact legislation protecting freshwater sustainability, watershed ecosystems, freshwater networks, groundwater recharge areas, and freshwater aquatic species at risk in the Trust Area, in accordance with the Islands Trust Object. (4.4.6)

4.2.11 Trust Council shall coordinate with, and advocate to, the provincial government to implement property tax incentives for the retention of groundwater and watershed recharge areas and freshwater wetlands in the Trust Area. (4.4.5)

4.2.12 Trust Council shall encourage, educate, and advocate to government agencies and non-governmental organizations, property owners, residents, and visitors to adopt water conservation practices in the Trust Area, including through the use of innovative technologies such as rainwater harvesting, above-ground water cisterns, alternative sewage disposal systems, reuse of water, the treatment and use of grey water, and the use of water saving devices. (4.4.4, 4.4.7)

4.2.13 Trust Council shall, in collaboration with Islands Trust Conservancy, encourage government agencies, non-governmental organizations, property owners, residents, and visitors to protect watershed ecosystems through voluntary donations, acquisitions, conservation covenants, and careful management. (3.3.3)

4.3 Forest Stewardship Policies

Commitments of Trust Council

4.3.1 Trust Council commits to take a precautionary approach to the stewardship of forest ecosystems in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)

4.3.2 It is Trust Council's policy that:

- forest ecosystems in the Trust Area should be protected; (3.2.1)
- the remaining stands of relatively undisturbed Coastal Douglas-fir and Coastal Western Hemlock zones, and their associated ecosystems, should be preserved and protected; (3.2.1)
- forest cover is a representative characteristic of the Trust Area and should be maintained; and (4.2.4)
- the aesthetic value of forest land should be protected. (4.2.5)

4.3.3 It is Trust Council's policy that forest harvesting in the Trust Area should be limited, small-scale, sustainable, regenerative, supportive of climate action, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new, replacing 4.2.1 - 4.2.2)

4.3.4 It is Trust Council's policy that management plans related to sustainable forest harvesting in the Trust Area should include appropriate monitoring and evaluation mechanisms to uphold the long-term environmental integrity of forest ecosystems, and should preserve and protect the inherent rights of First Nations to harvest forest resources for cultural purposes. (4.2.3 + new)

4.3.5 It is Trust Council's policy that the clear-cutting of forests and logging of old-growth trees is inappropriate anywhere in the Trust Area, acknowledging the multiple adverse impacts these activities incur on the fragile ecosystems, environmental integrity, and carbon capture and storage potential of the Trust Area. (new)

Directive Policies for Local Trust Committees and Island Municipalities

4.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prioritize the environmental integrity of the Trust Area by protecting unfragmented forest ecosystems, on a scale of forest stands and landscapes, from the potentially adverse impacts of growth, development and land use. (3.2.2, 4.2.6)

4.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, retain large land holdings and parcel sizes to enable sustainable forest harvesting practices and direct the location of roads and utility corridors to minimize the fragmentation of forests. (4.2.7)

4.3.8 Local Trust Committees and Island Municipalities shall, in their Official Community Plans and regulatory bylaws, designate protected forest ecosystem reserves where the preservation of native biodiversity and corridors is especially critical and where there should be no extraction. (4.2.8)

Coordination Policies for Trust Council

4.3.9 Trust Council shall coordinate with, and advocate to, the provincial government to grant Islands Trust the necessary jurisdictional authority to preserve and protect forest ecosystems, including:

- legislation to prohibit clear-cutting and logging of old-growth in the Trust Area; and
- authority to regulate tree cutting in the Trust Area. (new)

4.3.10 Trust Council shall coordinate with, and advocate to, the provincial government to adopt legislation establishing sustainable forest harvesting practices that protect environmental integrity on a scale of forest stands and landscapes by preserving, protection, and restoring: (4.2.11)

- the diversity of forest structure and composition;
- the physical, chemical, and biotic diversity of soils;
- natural aquatic and wetland ecosystems;
- the full range of natural habitats in the forest landscape, including old-growth; and
- connectivity of forest habitats sufficient for different life stages and dispersal needs of native species.

4.3.11 Trust Council shall coordinate with, and advocate to, the provincial government to:

- implement engagement mechanisms that ensure the full and meaningful participation of First Nations and Trust Area communities in decisions concerning the use of forest lands; (4.2.9)
- provide education and extension programs to promote sustainable forest harvesting and the protection of forest ecosystems; (4.2.10)
- adopt statutes and guidelines to reduce invasive non-native species in forest ecosystems; (4.2.12)
- designate forest ecosystem reserves where no extraction shall take place in order to promote the preservation of native biodiversity; (4.2.13)
- require that applicants identify the protective actions needed to maintain sustainable forest land use and environmental integrity, prior to approval of tree cutting plans; and (4.2.14)
- implement property tax incentives for the practice of sustainable forest harvesting. (4.2.15)

4.3.12 Trust Council shall coordinate with, and advocate to, the Province, when developing specific forest tenures, to assign to Trust Council or to the Islands Trust Conservancy Board, the holding of areas not to be harvested. (4.2.16)

4.3.13 Trust Council shall, in collaboration with the Islands Trust Conservancy Board, encourage government agencies, non-governmental organizations, property owners, residents, and visitors to protect forest ecosystems through voluntary donations, acquisitions, conservation covenants, and careful management. (3.2.3)

4.4. Agricultural Land Stewardship Policies

Commitments of Trust Council

4.4.1 Trust Council commits to take a precautionary approach to the stewardship of agricultural lands in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)

4.4.2 It is Trust Council's policy that agricultural activity in the Trust Area should be small-scale, sustainable, regenerative, supportive of local climate action and food security, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new, 4.1.2, 4.1.3)

Directive Policies for Local Trust Committees and Island Municipalities

4.4.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify and preserve appropriate areas for agricultural land to support small-scale, sustainable, regenerative agriculture, while carefully considering downstream impacts, wildlife habitat, and adjacent properties. (4.1.3, 4.1.4, 4.1.6)

4.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location and construction of roads and utility corridors to minimize fragmentation of agricultural lands. (4.1.7 simplified)

4.4.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, encourage sustainable farming and consider land uses and activities that support the economic viability of farms without compromising the agricultural capability of agricultural land. (4.1.5, 4.1.8)

Coordination Policies for Trust Council

4.4.6 Trust Council shall coordinate with, and advocate to, the provincial government to ensure:

- that where a road must sever agricultural land to provide access to lands beyond, the road is built to the minimum standard necessary to service that land; (4.1.10)
- that farming in the Agricultural Land Reserve in the Trust Area does not adversely impact Indigenous food security and traditional harvesting practices, cultural heritage, or the environmental integrity of protected area networks in the Trust Area; (new)
- that legislation, guidelines, and incentives are established to support local farmers in adopting the highest standards of environmental protection of ecosystems, wildlife habitats, and native species diversity, in accordance with the Islands Trust Object; (new)
- that support is given to small-scale sustainable farmers to reduce greenhouse gas emissions emanating from agriculture and adapt to climate variability in the Trust Area; (new)
- that a separate farm class to provide property tax incentives be retained; (4.1.12)
- that the threshold for farm income necessary for farm class status is appropriate to the small scale of sustainable agriculture within the Trust Area; and (4.1.12)
- that the total land area subject to the farm class may include land that is left uncultivated to protect environmental integrity. (4.1.12)

4.5 Soil and Mineral Stewardship Policies

Commitments of Trust Council

4.5.1 It is Trust Council's policy that the preservation and protection of healthy and productive soils is integral to the environmental integrity, food security, and carbon capture and storage capacity of the Trust Area. (new)

4.5.2 It is Trust Council's policy that there should be no extraction of peat, metals, minerals, or petroleum resources in the Trust Area. (4.6.1)

4.5.3 It is Trust Council's policy that there should be no extraction of aggregate from the foreshore or the sea floor of the Trust Area. (4.6.2)

4.5.4 It is Trust Council's policy that there should be no removal or excavation of soil or fill from middens or foreshore areas that have been identified as culturally significant areas. (new)

Directive Policies for Local Trust Committees and Island Municipalities

4.5.5 Local trust committees and island municipalities shall, in their regulatory bylaws related to soil removal and deposit, include policies that foster the preservation, protection, and restoration of productive soils in the Trust Area. (4.6.3)

4.5.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit the removal or excavation of soil or fill from middens or foreshore areas that have been identified as culturally significant areas. (new)

4.6 Coastal and Marine Stewardship Policies

Commitments of Trust Council

4.6.1 Trust Council commits to take a precautionary approach to the stewardship of coastal and marine ecosystems in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)

4.6.2 It is Trust Council's policy that coastal and marine food harvesting and aquaculture in the Trust Area should be small-scale, sustainable, regenerative, supportive of local climate action and food security, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new/4.5.1)

4.6.3 It is Trust Council's policy that development, activity, buildings, or structures should not result in a loss of marine or coastal habitat, restrict public access to, from or along the marine shoreline, or interfere with natural coastal processes. (4.5.3, 4.5.4)

4.6.4 It is Trust Council's policy that development should be directed to sites away from: (4.5.5)

- areas of environmental sensitivity, including eelgrass meadows, kelp forests, forage fish spawning areas, tidal salt marshes, mud flats, and coastal wetlands;
- areas of naturally occurring stocks of clams or oysters; and
- First Nations' traditional harvesting areas, middens, and other archaeologically significant resources.

4.6.5 It is Trust Council's policy that aquaculture should be directed to sites away from: (4.5.6)

- areas of recreational significance;
- areas where an aquaculture operation would conflict with established or designated upland land uses; and
- areas where an aquaculture operation would conflict with marine or freshwater protection
- areas where an aquaculture operation would conflict with established or designated anchorage or moorage.

4.6.6 It is Trust Council's policy that aquaculture related development, activity, buildings, or structures should not result in site alteration including, but not limited to, substrate modification or the use of metal pipes or plates. (4.5.7)

4.6.7 It is Trust Council's policy that the following restrictions are necessary in order to preserve and protect the sensitive coastal and marine waters of the Trust Area:

- finfish farms should not be permitted; (4.5.2)
- artificial reefs should not be developed, except where they provide significant environmental benefit;[7] (3.4.3)
- ocean dumping should not be permitted; (new)
- seawalls and other hard shoreline armouring should not be developed; (new)
- moorage and anchorage sites in eelgrass meadows should not be permitted; (new)
- new private docks should be limited to boat access only properties; (new)
- freighter anchorage sites in the Trust Area should be eliminated; and (new)
- oil tankers should not be permitted to transit through Trust Area waters. (new)

[7] *Interpretive Note: Small scale habitat enhancement structures known as 'reef balls', which are placed in marine areas with the approval of Fisheries and Oceans Canada, are not considered to be artificial reefs for the purposes of this policy.*

Directive Policies for Local Trust Committees and Island Municipalities

4.6.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate locations for marine dependent land uses and means to prevent further loss or degradation of coastal and marine ecosystems in their planning area. (3.4.4, 4.5.8)

4.6.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies that preserve, protect, and support the restoration of eelgrass meadows, kelp forests, forage fish spawning areas, tidal salt marshes, mud flats, and coastal wetlands, acknowledging their multifaceted roles in supporting carbon capture and storage, soft shoreline protection, and the provision of habitats and spawning areas for coastal and marine aquatic species. (new)

4.6.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location of buildings and structures such that they do not: (4.5.5, 4.5.10)

- adversely impact sensitive coastal and marine ecosystems, naturally occurring stocks of shellfish, eelgrass meadows, kelp forests, forage fish spawning areas, tidal salt marshes, mud flats, coastal wetlands, middens, or archaeological sites;
- interfere with natural coastal processes;
- restrict First Nations' access to traditional coastal and marine harvesting sites;
- restrict public access to, from, or along the marine shoreline

4.6.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location and operation of commercial aquaculture tenures away from:

- areas of cultural, spiritual, archaeological, or recreational significance;
- areas where an aquaculture operation would conflict with established or designated upland land uses, anchorages or moorages. (new, based on 4.5.6)

4.6.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location, size, and nature of marinas such that they do not compromise the environmental integrity of the coastal and marine environment, Indigenous cultural heritage, or community character in their planning area. (4.5.9)

4.6.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boathouses, boardwalks, and causeways. (4.5.11)

4.6.14 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit new private docks except where properties are boat-access only. (new)

4.6.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, consider the current and anticipated impacts of sea level rise and determine shoreline buffers and setbacks accordingly. (new)

4.6.16 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit the use of seawalls and other hard shoreline armouring in the Trust Area and include policies that foster soft shoreline protection. (new)

Coordination Policies for Trust Council

4.6.17 Trust Council shall coordinate with, and advocate to, federal and provincial government agencies to:

- establish a network of protected coastal and marine areas and implement statutes and guidelines for sustainable coastal zone management (3.4.2)
- adopt legislation establishing sustainable aquaculture practices that protect environmental integrity and First Nations rights to traditional shellfish harvesting in the Salish Sea; (new)
- develop existing and new programs such as "harvest refugia", which protect and enhance the populations of native marine species of the Trust Area; (3.4.6)
- research the impacts of the introduction of new marine species into the coastal and marine waters of the Trust Area before such species are introduced; (3.4.7)
- prohibit finfish farms in the marine waters of the Trust Area; (4.5.2)
- prohibit the development of artificial reefs in the Trust Area except where they provide significant environmental benefit. (3.4.3)

4.6.18 Trust Council shall coordinate with, and advocate to, federal and provincial government agencies to:

- develop legislation to regulate sewage discharge from shoreline areas and boats; and (3.4.8)
- support the removal of abandoned and derelict vessels, plastics, ghost fishing gear, and other marine debris from the coastal and marine waters of the Trust Area; (new)
- eliminate and prohibit the use of commercial freighter anchorage sites in the Trust Area, acknowledging the multiple adverse impacts this practice incurs on the sensitive coastal and marine ecosystems, environmental integrity, and carbon capture and storage potential in the Trust Area; and (new)
- prohibit oil tankers from transiting through the coastal and marine waters of the Trust Area. (new)
- develop effective oil spill prevention, preparedness, and geographic response plans for the Trust Area, acknowledging the unique risks and vulnerabilities of the Salish Sea. (new)

PART 5: HERITAGE PRESERVATION AND PROTECTION (new)

GOAL: To Preserve and Protect Natural, Cultural, and Community Heritage in the Trust Area

CONTEXT:

The Islands Trust Area is a place of exceptional cultural heritage and has been home to the BOḰEĆEN, K'ómoks, Lək̓ ʷəŋən, Lyackson, MÁLEXEŁ, Qualicum, Quw'utsun Tribes, scəẃaθən məsteyəxʷ, Scia'new, səl̓ilwətaʔɬ, SEMYOME, shíshálh, Sḵwx̱wú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SȾÁUTW̱, Stz'uminus, ɬaʔəmen, toq qaymɩxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W̱JOŁEŁP, W̱SIḴEM, Xeláltxw, Xwémalhkwu/ʔop qaymɩxʷ, and xʷməθkʷəy̓əm Peoples since time immemorial. The relationship of First Nations to these lands, waters, and place is intrinsically linked to the preservation and protection of the Trust Area.

Heritage Preservation: Trust Council recognizes heritage as a 'unique amenity' of the Trust Area that is to be preserved and protected under the Islands Trust Object. In this context, heritage includes places, objects, knowledge, artistic expressions, or events that are of historical, cultural, aesthetic, educational, or scientific significance. In the Trust Area, heritage preservation includes the Indigenous cultural heritage of First Nations who have called these lands and waters home since time immemorial, in addition to the extraordinary natural landscapes and community heritage buildings on each island.

Indigenous Cultural Heritage: Indigenous cultural heritage in the Trust Area includes, but is not limited to, areas utilized and occupied by Indigenous Peoples such as village sites, cultural and spiritual areas, known and unknown archaeological areas, objects and artifacts, culturally modified trees, cultivation areas, harvesting areas on land and marine foreshores, fish weirs and clam gardens, medicinal plants and culturally significant species and landmarks. Indigenous cultural heritage also includes ancestral loved ones' resting places, trees used for burial boxes, cairns, caves used for cultural purposes, petroglyphs and pictographs, and place names. First Nations have an inherent right to identify their own cultural heritage, interpret its meaning, and safeguard its value. This inherent right exists outside of the colonial frameworks that have traditionally regulated and defined heritage.

Community Heritage:
Community heritage in the Trust Area can include buildings, settlement areas, places, objects, artistic expressions, or events identified by the community as having heritage character or heritage value to the community, to be protected for future generations.

Natural Heritage:
Natural heritage in the Trust Area is understood to include natural features, geological and physiographical formations, and delineated natural areas which are of outstanding universal value from an aesthetic, conservation, or scientific perspective.

5.1 Heritage Preservation and Protection Policies

Commitments of Trust Council

5.1.1 It is Trust Council's policy that the preservation, protection, and restoration of natural, cultural, and community heritage in the Trust Area is essential to the Islands Trust Object and must be guided by meaningful, respectful, and culturally sensitive engagement with First Nations. (5.6.1)

5.1.2 It is Trust Council's policy that local and regional planning decisions should not incur adverse impacts to the natural heritage, Indigenous cultural heritage, or community heritage in the Trust Area. (new)

Directive Policies for Local Trust Committees and Island Municipalities

5.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, preserve, protect, and support the restoration of natural heritage sites in their planning area. (new)

5.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, preserve, protect, and support the restoration of Indigenous cultural heritage in their planning area in cooperation with First Nations and other government agencies. (5.6.3)

5.1.5 Local trust committees and island municipalities shall, in their Official Community Plans and regulatory bylaws, identify, preserve, protect, and support the restoration of local community heritage in their planning area. (5.6.2)

Coordination Policies for Trust Council

5.1.6 Trust Council shall engage with First Nations, First Nation organizations and societies, Indigenous Knowledge Holders, other government agencies, non-governmental organizations, and Trust Area communities to seek the best available archaeological inventory data, Indigenous Knowledge, and cultural knowledge regarding natural heritage, Indigenous cultural heritage, and local community heritage in the Trust Area. (new)

5.1.7 Trust Council shall engage with, and advocate to, other government agencies, non-governmental organizations, property owners, residents, and visitors with educational materials and tools to help preserve and protect natural heritage, Indigenous cultural heritage, and local community heritage in the Trust Area. (new)

5.1.8 Trust Council shall encourage other government agencies, non-governmental organizations, property owners and residents to protect natural, cultural, and community heritage in the Trust Area through tax incentive programs, voluntary donations, acquisitions, conservation covenants and careful management. (new)

PART 6: SUSTAINABLE AND RESILIENT COMMUNITIES

GOAL: To Foster Sustainable and Resilient Communities in the Trust Area

CONTEXT:

Sustainability and Resilience: Sustainable and resilient communities can be understood to be communities that are able to meet their own needs and adapt to new environmental, social, and economic pressures without compromising the integrity of the environment or the ability of future generations to meet their own needs. Resilience, in this context, refers to the capacity of communities to continue to function in the face of external stressors such as climate change, while also learning to adapt, reorganize and evolve into new modes of sustainability. With responsible stewardship and sustainable, regenerative use, ecosystems will be better able to support Trust Area communities in a myriad of ways, including through the provision of clean drinking water, natural processes of carbon capture and storage, nature-based mitigation of climate impacts to the built environment, the safeguarding of local and Indigenous food security and harvesting, as well as the many health benefits of nature connection.

Rural Island Planning: Islands within the Trust Area are rural and contrast markedly with surrounding urban areas, as do their respective resident communities. Traditional land use planning approaches are often ill-suited or insufficient in addressing the unique strengths, vulnerabilities, and water supply constraints of island ecosystems, or the higher standards of preservation and protection mandated by the Islands Trust Object. In the face of accelerating climate and biodiversity crises, business as usual is no longer viable. Trust Area communities play a critical role in the stewardship of the islands and must collectively and equitably work towards place-based, multigenerational, and integrated solutions to sustainability. This involves collective commitments to reduce greenhouse gas emissions, foster new low-carbon ways of living, reduce individual and community ecological footprints, and support those most vulnerable to adapt to the impacts of climate change. Trust Council also recognizes that new development models must be established to transition to more compact, energy efficient, and appropriately situated development that is carefully planned and managed to safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage, now and into the future.

Affordable Housing: The Trust Area is facing an acute shortage of diverse and affordable housing options needed to support the long-term sustainability and resilience of Trust Area communities. The Canada Housing and Mortgage Corporation considers housing to be 'affordable' when it costs less than 30% of before-tax household income. Housing is not affordable when it costs so much that individuals and families have trouble paying for other necessities such as food, health and transportation. For renters, shelter costs include rent and any payments for electricity, fuel, water and other municipal services. For owners, shelter costs include mortgage payments (principal and interest), property taxes, and any condominium fees, along with payments for electricity, fuel, water and other municipal services.
In the Trust Area, factors such as rising real estate prices and building costs, an increase in short-term rentals paired with a growing lack of long-term rentals, changing demographics, and increasing numbers of people wanting to move to the islands, are all significantly affecting the availability, affordability, and suitability of housing options across the Trust Area. An increasing percentage of island workers are thus forced to commute from off-island locations. Seniors are finding it challenging to age in place. Socio-economic disparities are widening. In this context, Trust Council acknowledges the need for multijurisdictional and integrated approaches to address these community housing needs in a manner that is appropriate to the Trust Area and its unique amenities and environment.

6.1 Rural Island Planning Policies

Commitments of Trust Council

6.1.1 It is Trust Council's policy that the rural characteristics of islands in the Trust Area, including the scenic value of rural landscapes, opportunities for nature connection, and low levels of noise and light pollution, are unique amenities that are to be preserved and protected in accordance with the Islands Trust Object. (5.1.1-5.1.3)

6.1.2 It is Trust Council's policy that all development in the Trust Area, of any scale or for any purpose, should be compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (new)

6.1.3 It is Trust Council's policy that growth, development, and economic opportunities in the Trust Area should be small scale, sustainable, climate resilient, compatible with community character, and in alignment with the Islands Trust Object. (5.2.1, 5.7.1)

6.1.4 Trust Council shall strive to identify, monitor, and address the impacts of climate change on Trust Area communities through climate vulnerability assessments, adaptive management approaches, and nature-based solutions that are informed by the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)

6.1.5 It is Trust Council's policy that recreational activities, trails, and active transportation networks in the Trust Area should be small scale, appropriately located, and sustainable, and should safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (5.5.1)

6.1.6 It is Trust Council's policy that destination gaming facilities such as casinos and commercial bingo halls are not appropriate to, and should not be located in, the Trust Area. (5.5.2)

6.1.7 It is Trust Council's policy that there should be public access, on each major island in the Trust Area, to beaches and areas of recreational significance, while not compromising Indigenous cultural heritage or First Nations access to coastal and marine harvesting areas, or the environmental integrity of terrestrial and aquatic ecosystems. (5.5.5)

Directive Policies for Local Trust Committees and Island Municipalities

6.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure that growth and development, of any scale or for any purpose, is compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (new)

6.1.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prioritize the protection of tree cover, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area. (5.1.3, 5.2.2)

6.1.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies related to the aesthetic, environmental, and social impacts of development. (5.2.3)

6.1.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources, and community character. (5.2.4)

6.1.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, establish appropriate density limits for efficient and sustainable use of the land base that help to safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (5.2.5)

6.1.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards. (5.2.6)

6.1.14 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate locations, types, and safe public access to:

- recreational facilities;
- bicycle, pedestrian, and equestrian trail systems; and
- community marinas, boat launches, docks, and anchorages that are small scale, sustainable, and that do not compromise the integrity of protected areas, terrestrial and aquatic ecosystems, Indigenous cultural heritage, or Indigenous access to coastal and marine harvesting areas. (5.5.4-5.5.7)

6.1.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit destination gaming facilities such as casinos and commercial bingo halls. (5.5.3)

6.1.16 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies addressing economic opportunities that are compatible with sustainability and protection of community character. (5.7.2)

6.1.17 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies addressing their community's long-term needs for educational, institutional, community, and health-related facilities and services, as well as cultural and recreational facilities and services. (5.8.6)

6.1.18 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to reduce the climate vulnerability of communities, including nature-based solutions and actions that prioritize:

- protection of the carbon capture and storage capacity of natural areas;
- low-carbon housing, buildings, transportation, and agriculture;
- preservation, protection, and restoration of biodiversity;
- freshwater sustainability;
- soft shoreline and foreshore protections; and
- wildfire risk mitigation (new)

Coordination Policies for Trust Council

6.1.19 Trust Council shall coordinate with, and advocate to, regional districts, improvement districts, and provincial and federal government agencies to adapt their policies and support systems to safeguard the rural island character, sustainability, and resilience of Trust Area communities, in accordance with the Islands Trust Object. (new)

6.1.20 Trust Council shall coordinate with, and advocate to, government agencies, non-governmental organizations, communities, property owners, residents, and visitors to help develop and adopt climate mitigation and adaptation strategies, action plans, and measures that are appropriate to the unique strengths and vulnerabilities of rural islands in the Trust Area. (new)

6.1.21 Trust Council shall advocate to provincial government agencies to work with local communities through public consultation processes to evaluate and modify road construction and road system proposals to encompass the environmental, economic, and social values of the community. (5.3.9)

6.1.22 Trust Council shall advocate to property owners, residents, and visitors to reduce the burning of wood and fossil fuels by adopting sustainable alternative technologies. (5.1.4)

6.1.23 Trust Council shall advocate to government agencies, non-governmental agencies, property owners, residents, and visitors to use renewable sources of energy within the Trust Area. (5.8.8)

6.2 Housing Policies

Commitments of Trust Council

6.2.1 It is Trust Council's policy that all housing in the Trust Area should be compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area.

6.2.2 It is Trust Council's policy that community sustainability and resilience are supported by the availability of diverse and affordable housing that cater to a range of age groups and income levels. (5.8.6)

6.2.3 Trust Council commits to foster a strategic, multijurisdictional, equitable, and integrated approach to addressing the diverse housing needs of Trust Area communities, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing.

Directive Policies for Local Trust Committees and Island Municipalities

6.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to address housing needs in their planning area by identifying appropriate locations where density increases could support safe, secure, and affordable housing, while safeguarding protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage. (new)

6.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify and assess the impacts of short-term rentals of dwellings on the availability of safe, secure, and affordable housing in their planning area and, where necessary, regulate and limit the number of short-term rentals accordingly. (new)

6.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate floor area and lot coverage limits for residential development in their planning area, in order to effectively minimize greenhouse gas emissions, cumulative effects, biodiversity loss, climate vulnerability, and destruction of Indigenous cultural heritage. (new)

Coordination Policies for Trust Council

6.2.7 Trust Council shall coordinate with, and advocate to, other government agencies, non-governmental organizations, and Trust Area communities, to foster safe, secure, and affordable housing in the Trust Area, in alignment within the Islands Trust Object, and respectful of the integrity of the environment and Indigenous cultural heritage in the Trust Area. (new)

6.2.8 Trust Council shall advocate to other government agencies, non-governmental organizations, and property owners to foster safe, secure, and affordable housing for Indigenous Peoples in the Trust Area, in alignment with the Islands Trust Object and respectful of protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (new)

6.3 Transportation Policies

Commitments of Trust Council

6.3.1 It is Trust Council's policy that community sustainability and resilience are supported by appropriately situated public and active transportation networks that serve to reduce greenhouse gas emissions, support electric vehicles and electric bicycles, and promote health and well-being. (new)

6.3.2 It is Trust Council's policy that no island in the Trust Area should be connected to Vancouver Island, the mainland or another island by a bridge or tunnel[8]. (5.3.2)

6.3.3 It is Trust Council's policy that local trust committees and island municipalities should be consulted and involved in decision-making related to the provision of transportation and ferry services, utilities, or facilities that may affect the sustainability and resilience of communities in their planning areas. (5.3.1)

Directive Policies for Local Trust Committees and Island Municipalities

6.3.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, foster the establishment of appropriately situated public and active transportation networks, including but not limited to bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use and support a transition to electric vehicle and electric bicycles. (5.3.7)

6.3.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to ensure that road location, design, construction, and systems do not adversely impact the integrity of protected area networks, contiguous forests, watershed ecosystems, freshwater networks, groundwater recharge areas, agricultural lands, coastal and marine areas, or Indigenous cultural heritage in the Trust Area. (5.3.5)

6.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, develop a classification system of rural roadways, including scenic or heritage road designations, in recognition of the Islands Trust Object. (5.3.4)

6.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate areas for the landing of emergency helicopters. (5.3.6)

Coordination Policies for Trust Council

6.3.8 Trust Council shall advocate to provincial and federal agencies to ensure safe shipment of materials that are hazardous to the environment. (5.3.8)

6.3.9 Trust Council shall advocate to provincial government agencies to work together with local communities through public consultation processes to evaluate and modify road construction, road system proposals, and active transportation networks to address the environmental, economic, and social values of communities in the Trust Area. (5.3.9)

6.3.10 Trust Council shall advocate to provincial government agencies in support of the electrification of ferries in the Trust Area. (new)

[8] …with the sole exception of the existing bridge between North and South Pender Islands

6.4 Waste Disposal Policies

Commitments of Trust Council

6.4.1 It is Trust Council's policy that it is acceptable for waste originating in the Trust Area to be safely disposed of within the Trust Area. (5.4.1)

6.4.2 It is Trust Council's policy that:

- neither hazardous nor industrial waste should be disposed of in the Trust Area;
- local recycling operations should be established; and
- local programs for chipping of wood waste and disposal of hazardous wastes should be established. (5.4.2)

6.4.3 It is Trust Council's policy that there should be minimal burning of solid waste in the Trust Area. (5.4.3)

Directive Policies for Local Trust Committees and Island Municipalities

6.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify acceptable locations for the disposal of solid waste. (5.4.4)

Coordination Policies for Trust Council

6.4.5 Trust Council shall coordinate with, and advocate to, government agencies, corporations, property owners, and residents to contribute to the reduction of greenhouse gas emissions by reducing waste, and to use innovative technologies and safe alternatives for disposal of sewage effluent. (5.4.5)

From: Becky McErlean
Sent: Wednesday, August 4, 2021 4:27 PM
To: Jas Chonk
Subject: Gambier Island Referral Package for BL Nos. 153 & 154 Keats Is Shoreline Protection
Attachments: Bylaw 153 and 154 Referral Form.docx; Gambier LTC Bylaw No. 153 OCP.pdf; Gambier LTC Bylaw No. 154 LUB.pdf

Importance: High

Hello Jas,

Please find attached a referral package for the Galiano Island LTC related to Keats Island from the Gambier Island Local Trust Committee of the Islands Trust, regarding proposed bylaws No. 153 and 154.

Proposed Bylaw No. 153 will, if adopted, amend the Keats Island Official Community Plan Bylaw No. 77, 2002 to:

- Designate nearshore upland and marine areas as a Shoreline Development Permit Area for the purpose of protecting the natural environment, ecosystems and biodiversity, and to protect development from hazardous conditions.
- Areas currently proposed to be designated within the Development Permit Area are as follows:
    - 15 metres measured upland of the present natural boundary of the sea;
    - 100 metres seaward of the natural boundary of the sea;
    - Note that Plumper Cove Provincial Park and areas zoned Marine Conservation (MC) in the LUB have not been included.

Proposed Bylaw No. 154 will, if adopted, amend the Keats Island Land Use Bylaw No. 78, 2002 to:

- Increase the setback from the natural boundary of the sea for buildings and structures from 7.5 metres to 15 metres;
- Limit the size and type of structures exempted from the setback from the natural boundary of the sea;
- Update marine structure regulations, including:
    - Reducing dock float size and ramp widths;
    - Increasing setbacks between adjacent docks and lot boundaries.
- Include new Shoreline Development Permit Area guidelines intended to protect the marine shoreline, guide dock construction and shoreline modifications, and restore or enhance vegetation along the shoreline.

For background information, staff reports and location maps, please see the Gambier Island Local Trust Committee Projects webpage: https://islandstrust.bc.ca/island-planning/gambier/projects/.

To access the Keats Island Official Community Plan and Land Use Bylaw, please click: https://islandstrust.bc.ca/island-planning/gambier/bylaws/. In addition to seeking your input, this matter is also being forwarded to a number of other agencies and First Nations.

We will be reviewing all referral responses on or before the Gambier Island Local Trust Committee regular business meeting scheduled on **November 4, 2021**. If you have any questions or concerns

regarding the proposed bylaws, or you would like to participate in the Gambier Island Local Trust Committee electronic meetings, please contact Jaime Dubyna, Planner, by email to jdubyna@islandstrust.bc.ca or phone (250-247-2212).

Responses should be addressed to northinfo@islandstrust.bc.ca or by mail to Islands Trust, 700 North Road, Gabriola Island, BC V0R 1X5. If we do not receive a reply from you within the time requested, we will proceed with the bylaw process.

Thank you for your attention to this matter.

Becky McErlean
Legislative Clerk/Deputy Secretary
Islands Trust
700 North Road | Gabriola BC V0R 1X3
T 250-247-2206 | islandstrust.bc.ca
You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I am humbly thankful to live and work in the treaty lands and territories of the BOḰEĆEN, K'ómoks, Lək̓ ʷəŋən, Lyackson, MÁLEXEŁ, Qualicum, Quw'utsun Tribes, scəẃaθən məsteyəxʷ, Scia'new, səl̓ilwətaʔɬ, SEMYOME, shíshálh, Sḵwx̱wú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SX̱ÁUTW̱, Stz'uminus, ɬaʔəmen, toq qaymɩxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W̱JOŁEŁP, W̱SIḴEM, Xeláltxw, Xwémalhkwu/ʔop qaymɩxʷ, and xʷməθkʷəy̓əm.

BYLAW REFERRAL FORM

700 North Road
Gabriola Island BC V0R 1X3
Ph: (250) 247-2063
Fax: (250) 247-7514
northinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Gambier Island Local Trust Area – **Keats Island** **Bylaw Nos.:** 153 (OCP) & 154 (LUB) **Date:** July 27, 2021

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within approximately 60 days by **October 18, 2021**. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Gambier Island Local Trust Committee

PURPOSE OF BYLAWS:

The purpose of the bylaws is to establish a new Development Permit Area (Shoreline) and to amend siting and size regulations in relation to the natural boundary of the sea and marine structures.

Proposed Bylaw No. 153 will, if adopted, amend the Keats Island Official Community Plan Bylaw No. 77, 2002 to establish Development Permit Area 3: Shoreline (DPA 3) for the purpose of protecting the natural environment, its ecosystems and biodiversity, and to protect development from hazardous conditions. The DPA 3 would be applicable to nearshore upland and marine areas, and includes objectives to:

- regulate new development to preserve, protect and restore foreshore and marine areas;
- balance development opportunities with the conservation and restoration of the shoreline and marine environment;
- minimize disruption of natural features and processes and retain natural vegetation;
- maintain safe public use and access to important recreation areas, while not compromising shoreline ecological integrity;
- adapt to anticipated effects of climate change;
- protect coastal properties and development from hazardous conditions.

Proposed Bylaw No. 154 will, if adopted, amend the Keats Island Land Use Bylaw No. 78, 2002 to:

- increase the setback from the natural boundary of the sea from 7.5 metres to 15 metres;
- limit the floor area, number and types of structures permitted within the setback from the natural boundary of the sea;
- increase setbacks between private floats and docks from side lot lines and from adjacent private floats and docks;
- reduce the permitted float area and dock ramp width.

Proposed Bylaw No. 154 would also include the DPA 3 guidelines, exemptions and applicability.

GENERAL LOCATION:

Keats Island

OTHER INFORMATION:

Please direct any communications regarding this referral to Jaime Dubyna, Island Planner, at (250) 247-2212 or by email to jdubyna@islandstrust.bc.ca.

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

Jaime Dubyna

Name: Jaime Dubyna

Title: Island Planner

This referral has been sent to the following agencies:

First Nations
Skwxwú7mesh Úxwumixw (Squamish Nation)
Tsleil-Waututh Nation
Musqueam First Nation
Sechelt First Nation
Halalt First Nation
Penelakut Tribe
Lake Cowichan First Nation
Cowichan Tribes
Stz'uminus First Nation
Lyackson First Nation
Snaw'Naw'As Nation and Te'Mexw Treaty Association

Regional Agencies
Sunshine Coast Regional District

Provincial Agencies
Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Adjacent Local Trust Committees and Municipalities
Lasqueti Local Trust Committee
Gabriola Local Trust Committee
Galiano Local Trust Committee

Non-Agency Referrals
Islands Trust Conservancy, Keats Conservation Group, Eastbourne Community Association, Keats Landing Leaseholders, Keats Camp, Barnabas Ministries and Keats Island Shoreline Protection Working Group

PLEASE TURN OVER

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Gambier Island Local Trust Area – Keats Island	**Bylaw No. 153 (OCP)**
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Gambier Island Local Trust Area – Keats Island	**Bylaw No. 154 (LUB)**
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 153

A BYLAW TO AMEND KEATS ISLAND OFFICIAL COMMUNITY PLAN, 2002

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

1. Bylaw No. 77, cited as "Keats Island Official Community Plan, 2002" is amended as per Schedules "1" and "2" attached to and forming part of this bylaw.

2. This bylaw may be cited for all purposes as "Keats Island Official Community Plan, 2002, Amendment No. 1, 2021".

READ A FIRST TIME THIS	22ND	DAY OF	JULY	, 2021
READ A SECOND TIME THIS	_____	DAY OF	_____	, 20XX
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	, 20XX
READ A THIRD TIME THIS	_____	DAY OF	_____	, 20XX
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS				
	_____	DAY OF	_____	, 20XX
APPROVED BY THE MINISTER OF MUNICPAL AFFAIRS AND HOUSING THIS				
	_____	DAY OF	_____	, 20XX
ADOPTED THIS	_____	DAY OF	_____	, 20XX

_____ _____

Chair **Secretary**

GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 153

Schedule "1"

1. Schedule "A" of "Keats Island Official Community Plan, 2002" is amended as follows:

1.1 **PART A – ADMINISTRATION AND INTERPRETATION,** is amended by replacing *Local Government Act* references to "Section 911" with "Section 528".

1.2 **PART B – GOALS, OBJECTIVES AND POLICIES,** is amended by replacing *Local Government Act* references to "Section 946" with "Section 514".

1.3 **PART C – DEVELOPMENT PERMIT AREAS,** is amended by replacing *Local Government Act* references to "Section 919.1(1)" with "Section 488(1)" and "Section 920.01" with "Section 485".

1.4 **PART C – DEVELOPMENT PERMIT AREAS,** is amended by adding a new subsection 3:

"**3. DEVELOPMENT PERMIT AREA 3: SHORELINE**
The development permit area (DPA) is established, pursuant to Section 488(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity; and Section 488(1)(b) of the *Local Government Act* for the protection of development from hazardous conditions.

The Shoreline DPA (DP-3) is designated as an area for which development approval information may be required as authorized by Section 484 of the *Local Government Act*.

Location
The Shoreline Development Permit Area (DP-3) includes all land designated on **Schedule E – Development Permit Areas** of this plan.

The Shoreline Development Permit Area applies to all land measured 15 metres upland of the present natural boundary of the sea, the foreshore area and all that area of land covered by water between the natural boundary of the sea and a line drawn parallel to and 100 metres seaward of the natural boundary of the sea.

Justification
It is the Object of the Islands Trust to "preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia."

It is the policy of the Islands Trust Council that protection must be given to the natural processes, habitats and species of the Trust Area, and that development activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes.

It is also policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address:

- the protection of sensitive coastal areas;
- the planning for and regulation of development in coastal regions to protect natural coastal processes;
- the protection of public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments; and
- the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and to direct development away from such hazards.

Keats Island includes a mix of rock (hard) and sediment (soft) shorelines that offer a range of natural habitats, ecological functions, cultural heritage and aesthetic values. The shoreline has environmental and cultural significance for forage fish, eelgrass, shorebirds and shellfish, marine mammals such as seals and many other marine organisms, as well as values that define the character of the Keats Island community. The Keats shoreline has been the location of cultural sites, canoe landings and gathering places for First Nations since time immemorial. The shoreline also includes area that are transition zones of uplands and wetlands that may be susceptible to erosion or flooding.

Development activities on the upland such as land clearing and increasing impermeable surfaces can have harmful impacts on site drainage, bank stability, nesting habitat, sensitive natural areas, shading of intertidal areas critical for fish habitat and cultural and heritage sites.

Since the adoption of the OCP, there has been an increase in residential development on Keats Island along the shoreline. As of 2020, there were 90 individual parcels fronting the natural boundary of the sea on Keats Island. The subdivision and development of these parcels in combination with the development that has already occurred, may, cumulatively, have a detrimental impact on the 13.72 km of shoreline habitat and function.

In 2013, approx. 9% of the Keats shoreline was identified to have been modified by 30% or more by development, principally by boat ramps, seawalls, rip rap and revetments. Applications for private docks and shoreline protection structures have increased since that time. Shoreline armouring, such as retaining walls, alter the shoreline and can result in loss of habitat and upland connectivity and may increase wave action and erosion on adjacent properties. Marine structures, such as ramps or docks, and their supporting pilings can have significant impact on fish movement and their habitat, and damage important marine vegetation.

Anticipated sea level rise and more frequent severe storm events as a result of climate change, may increase coastal flooding and erosion. It is recognized that there is a need for balance between ecological protection or other environmental values and the use of privately owned land.

Objectives
The objectives of this development permit area are as follows:

OBJ 3.1 TO PLAN AND REGULATE NEW DEVELOPMENT IN A MANNER THAT PRESERVES, PROTECTS AND RESTORES THE LONG-TERM PHYSICAL INTEGRITY, CONNECTIVITY, AND ECOLOGICAL AND MARINE RESOURCE VALUES OF SHORELINES AND ASSOCIATED FORESHORE AND UPLAND AREAS;

OBJ 3.2 TO BALANCE DEVELOPMENT OPPORTUNITIES WITH THE ECOLOGICAL CONSERVATION AND RESTORATION OF THE SHORELINE AND MARINE ENVIRONMENT;

OBJ 3.3 TO MINIMIZE THE DISRUPTION OF NATURAL FEATURES AND PROCESSES AND TO RETAIN, WHEREVER POSSIBLE, NATURAL VEGETATION AND NATURAL FEATURES;

OBJ 3.4 TO MAINTAIN THE PUBLIC'S SAFE USE AND ACCESS TO IMPORTANT RECREATION AREAS IN A WAY THAT DOES NOT COMPROMISE THE ECOLOGICAL INTEGRITY OF THE SHORELINE;

OBJ 3.5 TO ADAPT TO THE ANTICIPATED EFFECTS OF CLIMATE CHANGE;

OBJ 3.6 TO PROTECT COASTAL PROPERTIES AND DEVELOPMENT FROM DAMAGE AND HAZARDOUS CONDITIONS THAT CAN ARISE FROM EROSION AND FLOODING.

Development Approval Information

Development Permit Area 3 is designated as an area for which development approval information may be required as authorized by Section 485 of the *Local Government Act*. Development approval information in the form of a report from a Qualified Professional may be required due to the special conditions and objectives described above.

INFORMATION NOTE: Development Permit Area guidelines for DP-3 Shoreline are in the Keats Island Land Use Bylaw."

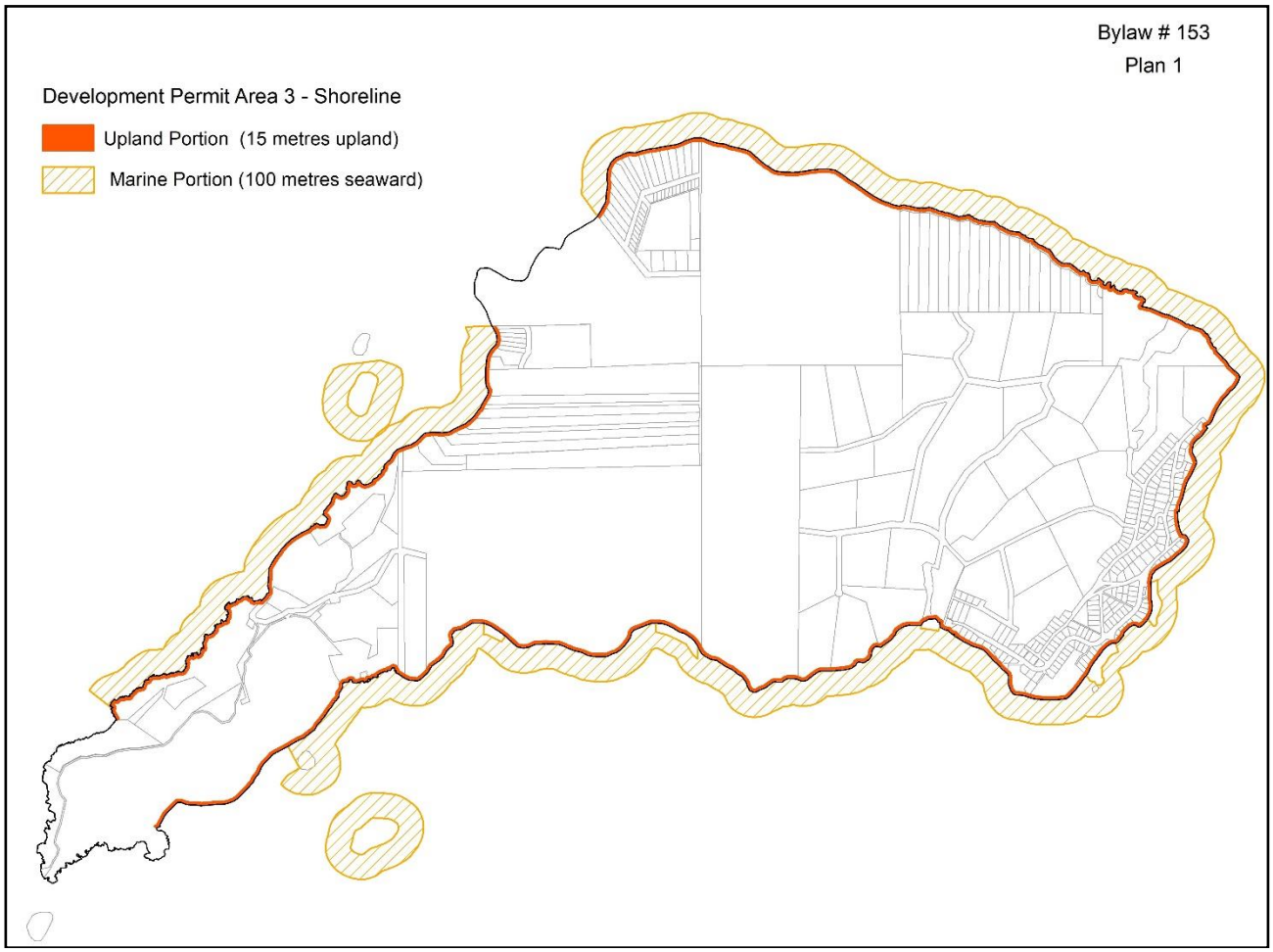
GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 153

Schedule "2"

1. **Schedule "E" – DEVELOPMENT PERMIT AREAS,** is amended by designating a new Development Permit Area 3: Shoreline as shown on Plan No. 1 attached to and forming part of this bylaw and by making such alterations to Schedule "E" of Bylaw No. 77 as are required to effect this change.

GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 153

Plan No. 1



PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 154

A BYLAW TO AMEND KEATS ISLAND LAND USE BYLAW, 2002

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

1. Bylaw No. 78, cited as "Keats Island Land Use Bylaw, 2002" is amended as per Schedule "1" attached to and forming part of this bylaw.

2. This bylaw may be cited for all purposes as "Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2021".

READ A FIRST TIME THIS	22ND	DAY OF	JULY	, 2021
READ A SECOND TIME THIS	_____	DAY OF	_____	, 20XX
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	, 20XX
READ A THIRD TIME THIS	_____	DAY OF	_____	, 20XX
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS				
	_____	DAY OF	_____	, 20XX
ADOPTED THIS	_____	DAY OF	_____	, 20XX

_____ _____

Chair **Secretary**

GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 154

Schedule "1"

1. Schedule "A" of Keats Island Land Use Bylaw, 2002 is amended as follows:

1.1 **PART 1 – ADMINISTRATION AND INTERPRETATION,** Section 1.5 **DEFINITIONS,** Subsection 1.5.1 is amended by adding the following definition in alphabetical order:

"platform means an unenclosed flat surface raised from the ground to serve for the loading and offloading of materials and supplies."

1.2 **PART 2 – GENERAL LAND USE REGULATIONS,** Section 2.7 **MEASUREMENT OF SETBACKS Buildings and Structures,** Subsection 2.7.3 is amended by removing it in its entirety and replacing it with the following:

"No building or structure except a platform with a maximum area of 5 square metres, or a set of stairs or a walkway for the purposes of accessing the foreshore or a permitted float, dock, wharf or other permitted marine related structure, may be constructed, reconstructed, moved, extended or located within 15 metres (49.2 feet) of the natural boundary of the sea."

1.3 **PART 2 – GENERAL LAND USE REGULATIONS,** Section 2.7 **MEASUREMENT OF SETBACKS Buildings and Structures,** Subsection 2.7.5 is amended by replacing "3.0 metres" with "5.0 metres".

1.4 **PART 2 – GENERAL LAND USE REGULATIONS,** Section 2.7 **MEASUREMENT OF SETBACKS Buildings and Structures,** is amended by inserting the following new subsection as follows:

"**2.7.6** Private floats and docks shall be sited at least 10 metres from any existing dock or structure."

1.5 **PART 2 – GENERAL LAND USE REGULATIONS,** Section 2.7 **MEASUREMENT OF SETBACKS Buildings and Structures,** is amended by renumbering Subsection 2.7.6 – Sewage Disposal Fields to Subsection 2.7.7.

1.6 **PART 4 – ZONE REGULATIONS,** Section 4.1 **COMMUNITY RESIDENTIAL 1 (CR1) ZONE,** Subsection 4.1.4 is amended by inserting the words ", dock ramps" after "docks" and before "and stairs".

1.7 **PART 4 – ZONE REGULATIONS,** Section 4.1 **COMMUNITY RESIDENTIAL 1 (CR1) ZONE,** Subsection 4.1.6 is amended by replacing "65 square metres (700 square feet)" with "35 square metres (377 square feet)".

1.8 **PART 4 – ZONE REGULATIONS,** Section 4.1 **COMMUNITY RESIDENTIAL 1 (CR1) ZONE,** Subsection 4.1.7 is amended by replacing "47 square metres (500 square feet)" with "25 square metres (269 square feet)" and by replacing "158 square metres (1,700 square feet)" with "85 square metres (915 square feet)".

1.9 **PART 4 – ZONE REGULATIONS,** Section 4.1 **COMMUNITY RESIDENTIAL 1 (CR1) ZONE,** Subsection 4.1.8 is amended by replacing "2.4 metres (8 feet)" with "1.5 metres (4.9 feet)".

1.10 **PART 4 – ZONE REGULATIONS,** Section 4.4 **RURAL RESIDENTIAL (RR) ZONE,** Subsection 4.4.6 is amended by replacing "65 square metres (700 square feet)" with "35 square metres (377 square feet)".

1.11 **PART 4 – ZONE REGULATIONS,** Section 4.4 **RURAL RESIDENTIAL (RR) ZONE,** Subsection 4.4.7 is amended by replacing "47 square metres (500 square feet)" with "25 square metres (269 square feet)" and by replacing "158 square metres (1,700 square feet)" with "85 square metres (915 square feet)".

1.12 **PART 4 – ZONE REGULATIONS,** Section 4.4 **RURAL RESIDENTIAL (RR) ZONE,** Subsection 4.4.8 is amended by replacing "2.4 metres (8 feet)" with "1.5 metres (4.9 feet)".

1.13 **PART 4 – ZONE REGULATIONS,** Section 4.5 **RURAL COMPREHENSIVE (RC) ZONE,** Subsection 4.5.7 is amended by replacing "Article 6 of this subsection" with "Subsection 4.5.6".

1.14 **PART 4 – ZONE REGULATIONS,** Section 4.5 **RURAL COMPREHENSIVE (RC) ZONE,** Subsection 4.5.6 is amended by replacing "65 square metres (700 square feet)" with "35 square metres (377 square feet)".

1.15 **PART 4 – ZONE REGULATIONS,** Section 4.5 **RURAL COMPREHENSIVE (RC) ZONE,** Subsection 4.5.7 is amended by replacing "47 square metres (500 square feet)" with "25 square metres (269 square feet)" and by replacing "158 square metres (1,700 square feet)" with "85 square metres (915 square feet)".

1.16 **PART 4 – ZONE REGULATIONS,** Section 4.5 **RURAL COMPREHENSIVE (RC) ZONE,** Subsection 4.5.8 is amended by replacing "2.4 metres (8 feet)" with "1.5 metres (4.9 feet)".

1.17 **PART 4 – ZONE REGULATIONS,** Section 4.6 **PRIVATE INSTITUTIONAL 2 (PI2) ZONE,** Subsection 4.6.5 is amended by replacing "3,000 square metres (32,970 square feet)" with "1,000 metres (10,764 square feet)".

1.18 **PART 4 – ZONE REGULATIONS,** Section 4.10 **PROVINCIAL MARINE PARK (P2) ZONE,** Subsection 4.10.6 is amended by replacing "dock floats" with "a wharf float".

1.19 **PART 4 – ZONE REGULATIONS,** Section 4.10 **PROVINCIAL MARINE PARK (P2) ZONE,** Subsection 4.10.7 is amended by replacing "dock" with "wharf".

1.20 **PART 4 – ZONE REGULATIONS,** Section 4.12 **MARINE 2 – COMMUNAL MOORAGE (M2) ZONE,** Subsection 4.12.5 is amended by replacing "2.4 metres (8 feet)" with "1.5 metres (4.9 feet)".

1.21 **PART 4 – ZONE REGULATIONS,** Section 4.12 **MARINE 2 – COMMUNAL MOORAGE (M2) ZONE,** Subsection 4.12.6, **Table 4.1,** Site Specific Regulation (a) is amended by replacing "65 square metres (700 square feet)" with "35 square metres (377 square feet)" and by replacing "47 square metres (500 square feet)" with "25 square metres (269 square feet)"

and by replacing “158 square metres (1,700 square feet)” with “85 square metres (915 square feet)”.

1.22 **PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES,** is amended by adding a new Section **9.3 DP-3 SHORELINE** as shown on Appendix 1 attached to and forming part of this bylaw.

GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 153

Appendix 1

9.3 DP-3 SHORELINE

Applicability

.1 The following activities shall require a development permit whenever they occur within the Development Permit Area 3: Shoreline (DP-3), unless specifically exempted under Subsection 9.3.2:

- construction of, addition to or alteration of a building or structure;
- land alteration, including vegetation removal and disturbance of soils; and
- subdivision of land.

Exemptions

.2 The following activities are exempt from the requirement to obtain a development permit for DP-3:

a) Development or alteration of land to occur outside the designated Development Permit Area, as determined by a BC Land Surveyor;
b) Repair and maintenance of pre-existing lawful buildings, structures or utilities, except for shoreline protection structures, provided there is no alteration of undisturbed land or vegetation and that they are entirely within the existing building or structure footprint. For clarity, repair, maintenance, alteration or reconstruction of shoreline protection works such as retaining walls, requires a development permit whether or not they meet the definition of 'structure' in the Keats Island Land Use Bylaw;
c) The installation of a mooring buoy;
d) Construction, reconstruction or repair of the following structures sited within the setback from the natural boundary of the sea:
    i. A platform not exceeding 5 square metres in area;
    ii. A set of stairs or a walkway for the purpose of accessing the foreshore or a permitted marine related structure;
e) Small-scale manual removal of non-native, invasive plants or noxious weeds, conducted in accordance with best management practices;
f) Construction of a fence so long as no trees of native species are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence;
g) The construction of a trail if all of the following apply:
    i. Trail design and location must minimize vegetation disturbance;
    ii. No native trees are removed;
    iii. The trail is 1 metre wide or less;
    iv. The trail is for personal, non-vehicular use only;
    v. The trail is constructed of soil, gravel, mulch or other pervious surface;
    vi. The trail is designed to prevent soil erosion where slopes occur;
h) Repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphalting or similar surfacing;

i) Gardening and property maintenance activities, not involving artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including lawn mowing, weeding, shrub pruning, vegetation planting and minor soil disturbances that do not alter the general contours of the land;
j) Pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture (ISA), which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown, or the pruning or removal of a structural root within the critical root zone;
k) The removal of trees that have been examined by an International Society of Arboriculture (ISA) certified arborist or registered professional forester and certified in writing to pose an immediate threat to life or property;
l) Vegetation removal to prevent wildlife or other potential emergencies;
m) Emergency works required to prevent, control or reduce an immediate threat to human life, the natural environment or public or private property, including:
    i. Forest fire, flood and erosion protection works;
    ii. Protection, repair or replacement of public facilities;
    iii. Clearing of an obstruction from a bridge, culvert, dock wharf or stream;
    iv. Bridge repairs.
n) A farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*;
o) Forest management activities, as defined in the *Private Management Forest Land* Regulation, on land classified as managed forest land under the *Private Managed Forest Land Act;*
p) The subdivision of land parcels where a conservation covenant satisfactory to and in favour of the Gambier Island Local Trust Committee or the Islands Trust Conservancy Board has already been registered for the maintenance of natural drainage and protection of environmentally sensitive areas;
q) Subdivision involving lot consolidation;
r) Works conducted and/or authorized by the Province and its Ministries or Agencies, and by Fisheries and Oceans Canada (or subsequent federal department).

Guidelines

.3 Prior to undertaking any applicable development activities within DP-3, an owner of property shall apply to the Local Trust Committee for a development, and the following guidelines apply:

General Guidelines:

a) In general, development of the shoreline area should be limited, should minimize negative impacts on the ecological health of the immediate area, should not disrupt coastal sediment transport processes, and should not impede public access.
b) It should be demonstrated that locating development entirely outside of the Development Permit Area has been considered, and a description of why that is not being proposed should be provided.
c) New, or additions to, upland buildings or structures should be located and designed to avoid the need for shoreline protection works throughout the life of the structure.
d) New development on steep slopes or bluffs should be set back sufficiently from the top of the slope or bluff to ensure that shoreline protection measures will not become necessary during the life of the structure, as demonstrated by a geotechnical analysis and recommendations for the site by a Geotechnical Engineer or Professional Geoscientist.

e) Sea level rise, storm surges and other anticipated effects of climate change should be addressed in all development permit applications.
f) All development within this Development Permit Area is to be undertaken and completed in such a manner as to prevent the release of sediment to the shore or to any watercourse or storm sewer that flows to the marine shore. An erosion and sediment control plan, including actions to be taken prior to land clearing and site preparation and the proposed timing of development activities to reduce the risk of erosion, may be required as part of the development permit application.
g) Where this Development Permit Area includes critical habitat of any Species at Risk, including terrestrial or aquatic provincial red- and blue-listed species or SARA-listed species; or where a unique, sensitive or rare species has been identified by Islands Trust mapping, these areas should be left undisturbed. If disturbance cannot be entirely avoided, development and mitigation and/or compensation measures shall be undertaken only under the supervision of a Registered Professional Biologist with advice from applicable senior environmental agencies.
h) Development activities along the foreshore or in marine areas should be conducted during the low risk timing window for spawning and nursery periods.
i) All development that takes place below the natural boundary of the sea should be done in a way that minimizes degradation of water quality and disturbance of the substrate.

Guidelines for the Construction and Replacement of Docks and Ramps

j) Construction details such as design, materials, methods, timing of construction and access shall be provided at the time of permit application.
k) Docks, floats and ramps should be sited to avoid sensitive ecosystems such as eelgrass beds, forage fish habitat and to avoid interference with natural processes such as currents and littoral drift. This may require an environmental assessment by a Qualified Professional Biologist to identify such features and processes on the site in question.
l) Docks must be designed to ensure that public access along the shore is maintained.
m) Dock and float design should allow natural light penetration to the submerged land underneath. Natural light penetration can be facilitated by spacing the decking surface of the dock, incorporating grating and minimizing the width of the structure. Where possible, docks should be aligned in a north-south direction to allow for the maximum extent of light.
n) Piers on pilings and floating docks are preferred over solid-core piers or ramps. Piers should use the minimum number of pilings necessary, with preference to large spans over more pilings.
o) All docks shall be constructed so that they do not rest on the bottom of the seabed at low water/low tide levels. Dock and float design shall allow the free flow of water beneath it.
p) Docks should not use unenclosed plastic foam or other non-biodegradable materials that have the potential to degrade over time. Docks should be constructed of stable materials that will not degrade water quality. The use of creosote-treated pilings is not permitted.
q) The access ramps, walkways and stairs for docks should not exceed a maximum width of 1.5 metres.
r) Preference is given to mooring buoys that are considered “seagrass-friendly” and are designed to reduce scouring of the sea floor. These include buoys with a mid-line float so as to prevent unnecessary damage to eelgrass habitat.

Guidelines for Shoreline Modifications

s) Shoreline protection or stabilization measures shall not be permitted for the sole purpose of reducing the setback regulations in the Land Use Bylaw or for reclaiming land lost due to erosion.

t) Shoreline protection measures should not be allowed for the purpose of extending lawns or gardens, or to provide space for additions to existing or new structures.

u) Applications for shoreline protection or stabilization works may be considered to protect existing structures and shall include a report, prepared by a Professional Engineer with experience in coastal and/or geotechnical engineering, which describes the proposed modification and shows:
   i. The need for the proposed modification to protect existing structures;
   ii. If any natural hazards, erosion, or interruption of geohydraulic processes may arise from the proposed modification, including at sites on other properties or foreshore locations;
   iii. The cumulative effect of shoreline protection or stabilization along the drift sector where the works are proposed;
   iv. Whether there will be any degradation of water quality or loss of fish or wildlife habitat because of the modification;
   v. Whether conditions should be incorporated into the development permit to achieve the objectives of this Development Permit Area.

v) Where shoreline protection or stabilization measures are proposed, they shall be designed by a Professional Engineer with experience in coastal and/or geotechnical engineering, and:
   i. Limit the size to the minimum necessary to prevent damage to existing structures or established uses on the adjacent upland;
   ii. Apply the 'softest' possible shoreline protection measure that will still provide satisfactory protection;
   iii. Not be expected to cause erosion or other physical damage to adjacent or down-current properties, or public land;
   iv. Address compatibility with adjacent shoreline protection works.

Shoreline protection or stabilization measures are modifications to the shoreline, or adjacent seaward or landward areas, for the purpose of protection against erosion. Structural protection measures are often referred to as 'hard' or 'soft'. 'Hard' measures refer to those with solid, hard surfaces, such as concrete bulkheads, while 'soft' measures rely on less rigid materials such as biotechnical vegetation measures (i.e. the specialized use of woody plant materials to stabilize soil) or beach enhancement. There is a range of measures varying from soft to hard that include:

• **Vegetation enhancement** • **Upland drainage control** • **Biotechnical measures** • **Beach enhancement** • **Anchor trees** • **Gravel placement** • **Rock (rip rap) revetments** • **Gabions** • **Concrete groins** • **Retaining walls or bulkheads** • **Seawalls**	

In general, the harder the construction measure, the greater the impact on shoreline processes, including sediment transport, geomorphology and biological functions.

w) Entirely 'hard' structural shoreline protection measures such as concrete walls, lock block or stacked rock (rip rap), may be considered as a last resort only when a geotechnical and biophysical analysis demonstrates that:
    i. An existing structure is at immediate risk from shoreline erosion caused by tidal action, currents or waves. Evidence of normal sloughing, erosion or steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not sufficient demonstration of need;
    ii. It is not feasible to instead construct a retaining wall that meets the land use bylaw setback;
    iii. The erosion is not being caused by upland conditions, such as the loss of vegetation and uncontrolled drainage associated with upland development;
    iv. All possible on site drainage solutions by directing drainage away from the shoreline have been exhausted;
    v. Non-structural or 'soft' shoreline protection measures are not feasible or not sufficient to address the stabilization issues;
    vi. The shoreline protection measure is designed so that neighbouring properties are not expected to experience additional erosion; and
    vii. All shoreline protection structures are installed upland of the present natural boundary of the sea.
x) An existing shoreline protection structure may be replaced if the existing structure can no longer adequately serve its purpose, provided that:
    i. The replacement structure is of the same size and footprint as the existing structure;
    ii. The replacement structure is designed, located, sized and constructed to mitigate the loss of ecological functions, and include habitat restoration measures when feasible;
    iii. Replacement walls or bulkheads do not encroach seaward of the natural boundary or seaward of the existing structure unless there are significant safety or environmental concerns. In such cases, the replacement structure should utilize the 'softest' approach possible and should abut the existing shoreline protection structure;
    iv. Where impacts to critical marine habitats would occur by leaving the existing works in place, they can be removed as part of the replacement measure.
y) Materials used for shoreline protection or stabilization should consist of inert materials. Materials should not consist of debris or contaminated material that could result in pollution of tidal waters.
z) Placement of fill upland of the natural boundary of the sea greater than (10) cubic metres in volume shall only be considered when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Such fills shall be located, designed and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration. This may require a sediment and erosion plan prepared by a Professional Engineer or Geoscientist with experience in coastal and/or geotechnical engineering.
aa) Placement of fill below (seaward of) the natural boundary shall be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, typically as part of a beach nourishment design. All fill proposals

below the natural boundary are subject to approval by the appropriate provincial and/or federal authorities.

bb) All upland fill and beach nourishment materials should be clean and free of debris and contaminated material.

Guidelines for Vegetation Management, Restoration and Enhancement

cc) Existing native vegetation and trees should be retained or replaced wherever possible to protect against erosion and slope failure, and to minimize disruption to fish and wildlife habitat.

dd) Existing vegetation and trees to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.

ee) If the area has been previously cleared of native vegetation, or is cleared during the process of development, the development permit may specify replanting requirements to restore or enhance the natural environment or control erosion. Areas of undisturbed bedrock exposed to the surface or sparsely vegetated areas should not require planting. The Local Trust Committee may require provision of a security to be used to fulfill the replanting and vegetation maintenance conditions of the permit if the permit holder fails to do so.

ff) Vegetation species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should be native to the area, and be selected for erosion control and/or fish and wildlife habitat values as needed. While native species are preferred, suitably adapted, non-invasive, non-native vegetation may be acceptable.

gg) All replanting shall be maintained by the property owner for a minimum of 2 years from the date of completion of the planting to ensure survival. This may require removal of invasive, non-native weeds and irrigation. Unhealthy, dying or dead stock will be replaced at the owner's expense within that time in the next regular planting season. The Local Trust Committee may require provision of a security to be used to fulfill the replanting and vegetation maintenance conditions of the permit if the permit holder fails to do so.

Guidelines for Subdivision

hh) All lots in a proposed subdivision must be configured to have sufficient area for permitted principal and accessory uses without encroaching into land use bylaw setbacks, the Development Permit Area, or creating a likelihood of shoreline protection measures for the permitted level of development.

ii) New roads, driveways and wastewater disposal (septic) systems should not be located within the Development Permit Area.

From:	Daniela Murphy
Sent:	Thursday, August 5, 2021 12:15 PM
To:	Karla Campbell; Christine Condron; chris.laughlin@viha.ca; Bylaw Enforcement; Martin.Collins@gov.bc.ca; doug.pepper@gov.bc.ca; McIntyre, Cathie BCA:EX; Nichols, Kris MUNI:EX; Leech, Haley TRAN:EX; Darryl.Slater@gov.bc.ca; developmentreferrals@BCTransit.com; FrontCounterBC@gov.bc.ca; amanda.vanderkloof@bcas.ca; info@nsswaterworks.ca; saltspring@rcmp-grc.gc.ca; jguy@sd64.org; chamber@saltspringchamber.com; dlundy@saltspringfire.com; info@islandpathways.ca; Becky McErlean; Jas Chonk; mtippett@cvrd.bc.ca
Cc:	jarnet@crd.bc.ca; Shannon.lambie@gov.bc.ca; Kristine Mayes; Rob Pingle; Geordie Gordon
Subject:	Referral of Salt Spring Island Local Trust Committee Proposed Bylaws No. 504 & 505 - 221 Drake Road, Salt Spring Island (Dragonfly Commons)
Attachments:	SS-BL-504_1st Reading.pdf; SS-BL-505_1st Reading.pdf; SS-RZ-2017.2_BL-504_BL-505_Referral_FRM.pdf

Dear Referral Coordinator,

The Salt Spring Island Local Trust Committee (SS LTC) has asked that its proposed bylaws: Bylaw No. 504 cited as "Salt Spring Island Official Community Plan 2008, Amendment No. 4, 2017, and Bylaw No. 505 cited as "Salt Spring Island Land Use Bylaw 1999, Amendment No. 4, 2017" be referred to you for comment. Please find both of these proposed bylaws attached to this email.

The proposed bylaws would rezone the subject property from Rural (R) to Residential 4 variant (a) (R4(a)) to permit:

- 30 affordable dwelling units;
- a common building not exceeding a total floor area of 250 square metres with a maximum of two bedrooms, two bathrooms and a kitchen; and,
- a limited number of home-based businesses.

Proposed Bylaws No. 504 and 505 were previously referred for comment and questions in 2017. Bylaw No. 505, amending Salt Spring Island Land Use Bylaw No. 355, was previously worded only to reduce the minimum lot size required for subdivision of the subject property. As Bylaw No. 505 has been substantially reworded to reflect a different approach by the applicant, re-referral is necessary. Bylaw No. 504, amending the Salt Spring Island Official Community Plan, remains unchanged from the previous referral. Comments on both bylaws are welcome.

The staff report and information relating to the application can be found on our website, https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/ under SS-RZ-2017.2

A reply is respectfully requested by **Monday, September 20, 2021** . We understand that there are numerous demands on your time, however, we genuinely welcome any comments or questions you may have.

Should you have any questions, or require further information, please contact Planner Geordie Gordon at ggordon@islandstrust.bc.ca or 250-537-9144.

Please direct referral responses to ssiinfo@islandstrust.bc.ca

Or by mail to: Islands Trust, 1 – 500 Lower Ganges Road, Salt Spring Island, BC V8K 2N8

Thank you for your time and attention to this matter.
Yours truly,

Daniela Murphy
Legislative Clerk/Deputy Secretary
Islands Trust
1-500 Lower Ganges Road | Salt Spring Island BC V8K 2N8
T 250-538-5606 | islandstrust.bc.ca
You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea
I am humbly thankful to live and work in the treaty lands and territories of the BOḰEĆEN, K'ómoks, Lək̓ ʷəŋən, Lyackson, MÁLEXEŁ, Qualicum, Quw'utsun Tribes, scəẃaθən məsteyəxʷ, Scia'new, səl̓ilwətaʔɬ, SEMYOME, shíshálh, Sḵwx̱wú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SȾÁUTW̱, Stz'uminus, ɬaʔəmen, toq qaymɩxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W̱JOŁEŁP, W̱SIḴEM, Xeláltxw, Xwémalhkwu/ʔop qaymɩxʷ, and xʷməθkʷəy̓əm.

BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area **Bylaw No.:** 504 and 505 **Date:** August 5, 2021

You are requested to comment on the attached Bylaws for potential effect on your agency's interests. We would appreciate your response within 45 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaws will be held at a later date.

APPLICANTS NAME / ADDRESS:

Fernando and Tammy Dos Santos, 416 Old Scott Road, Salt Spring Island, BC, V8K 2L7, f.dos.santos111@gmail.com

PURPOSE OF BYLAW:

The purpose of OCP proposed bylaw amendment No. 504 is to re-designate the property from rural neighbourhood (RL) to a residential neighbourhood (RN) variant which would allow for medium density of approximately 7 lots/hectare or 3 lots/acre.

The purpose of LUB proposed bylaw amendment No. 505 is to rezone the property from its Rural(R) designation to a Residential (R4) variant to allow for the development of up to 30 lots on the subject property.

GENERAL LOCATION:

221 Drake Road, Salt Spring Island

LEGAL DESCRIPTION:

LOT A, SECTION 20, RANGE 3 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 28650 – PID 001-751-581

SIZE OF PROPERTY AFFECTED:	ALR STATUS:	OFFICIAL COMMUNITY PLAN DESIGNATION:
4.26 Hectares	None	Presently Rural Neighbourhood

OTHER INFORMATION:

To review the staff report or for more information on application SS-RZ-2017.2, go to: http://www.islandstrust.bc.ca/islands/local-trust-areas/salt-spring/current-applications/current-application-documents/

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

(Signature)

Name: Geordie Gordon

Title: Planner 2

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Stz'uminus First Nation

Pauquachin First Nation
Tsartlip First Nation
Tsawout First Nation
Tseycum First Nation

Semiahmoo First Nation
Tsawwassen First Nation

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only

Regional Agencies

CRD – All Referrals & K. Campbell (SSI Senior Manager)
CRD – SSI Economic Development Commission
CRD – SSI Parks and Recreation
CRD – SSI Building Inspection
CRD – SSI Director
CRD – SSI Transportation Commission
CRD – Environmental Eng. Division
CRD – Housing Secretariat
CRD – Parks & Community Services
CRD – Ganges Sewer Commission
CRD – SSI Liquid Waste Disposal Local Service Commission
Vancouver Island Health Authority
Islands Trust Bylaw Enforcement and Compliance
SSI Advisory Planning Commission
SSI Agricultural Advisory Planning Commission

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture
BC Assessment Authority
Ministry of Municipal Affairs
Ministry of Transportation & Infrastructure
Ministry of Forest Lands, Natural Resource Operations and Rural Development Water Authorizations
BC Transit
Front Counter BC

Non-Agency Referrals

BC Ambulance Service
North Salt Spring Waterworks District
RCMP
School District No. 64
SSI Chamber of Commerce
SSI Fire-Rescue
Island Pathways

Adjacent Local Trust Committees and Municipalities

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

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Salt Spring Island Trust Area	504 & 505
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 504

A BYLAW TO AMEND SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 434, 2008

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

1. Citation

   This bylaw may be cited for all purposes as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 4, 2017".

2. Salt Spring Island Local Trust Committee Bylaw No. 434, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008", Schedule "A", Volume 1 is amended as shown on Schedule No. 1, attached to and forming part of this bylaw.

READ A FIRST TIME THIS 5TH DAY OF OCTOBER 2017

READ A SECOND TIME THIS _____ DAY OF _____ 20___

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20___

READ A THIRD TIME THIS _____ DAY OF _____ 20___

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20___

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS

_____ DAY OF _____ 20___

ADOPTED THIS _____ DAY OF _____ 20___

Chair **Secretary**

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 504

SCHEDULE NO. 1

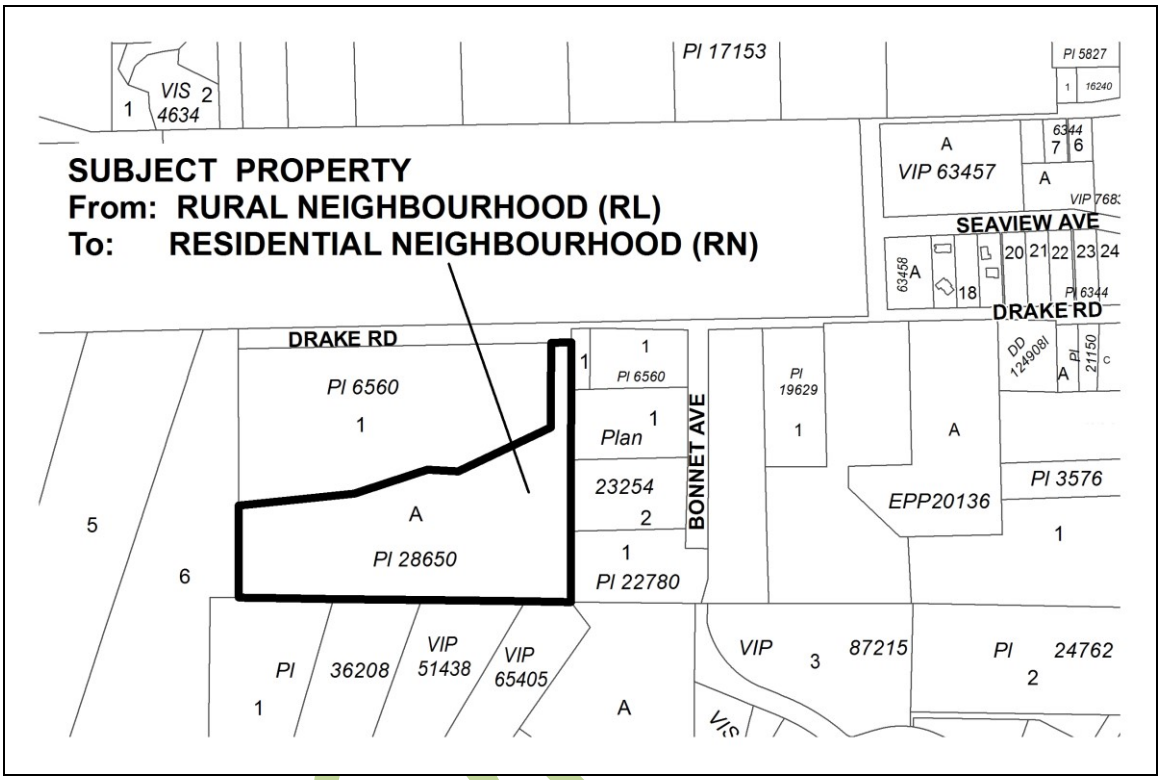
1. Schedule "A", Volume 1 is amended as follows:

1.1 Map 1 – "Plan Area with Land and Shoreline Use Designations" is amended by changing the land use designation of Lot A, Section 20, Range 3 East, North Salt Spring Island, Cowichan District Plan 28650 (PID 001-751-581) from Rural Neighbourhood (RL) to Residential Neighbourhood (RN) as shown on Plan No. 1.

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 504

PLAN NO. 1



PROPOSED

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 505

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW, 1999

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

1. Citation

   This bylaw may be cited for all purposes as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 4, 2017".

2. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "Salt Spring Island Land Use Bylaw, 1999," is amended as shown on Schedule Nos. 1 and 2 attached to and forming part of this bylaw.

READ A FIRST TIME THIS 27TH DAY OF JULY 2021

READ A SECOND TIME THIS _____ DAY OF _____ 20___

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20___

READ A THIRD TIME THIS _____ DAY OF _____ 20___

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20___

ADOPTED THIS _____ DAY OF _____ 20___

Chair **Secretary**

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 505

SCHEDULE NO. 1

1. Bylaw No. 355 is amended as follows:

1.1 Section 9.9 – RESIDENTIAL ZONES, Sub-section 9.9.4 - "Exceptions in Particular Locations" is amended by adding a new R4(a) zone variation as follows:
"Zone Variation – R4(a)

(17) Despite all other regulations of this bylaw, the only principal uses permitted within lands zoned R4(a) are:
(a) Affordable housing units in single family dwelling units,
(b) Affordable housing units in Duplexes,

(18) Despite subsection 9.9.2 Size, Siting and Density of Permitted Uses, Buildings and Structures:
(a) The maximum number of affordable housing dwelling units is 30.

(19) Despite all other regulations of this bylaw, the following accessory structure is permitted within lands zoned R4(a):
(a) a common building with a maximum floor area of 250m^2 and containing:
(i) a maximum of two bedrooms;
(ii) a maximum of two bathrooms including a shower enclosure and/or bathtub;
(iii) a kitchen;.
(iv) more than three separate rooms.

(20) Home-based businesses are permitted as an accessory use. Despite Section 3.13, only the following occupations may be conducted as a home-based business within lands zoned R4(a):
(a) Sales of products manufactured elsewhere, provided persons employed in the home-based business carry out all distribution of such products offsite.
(b) Business and professional offices where in–person services are conducted off-site.
(c) Child day care, limited to a maximum of two children, exclusive of the operators' children.

1.2 And by making such alterations to Bylaw No. 355 as are required to effect these changes.

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 505

SCHEDULE NO. 2

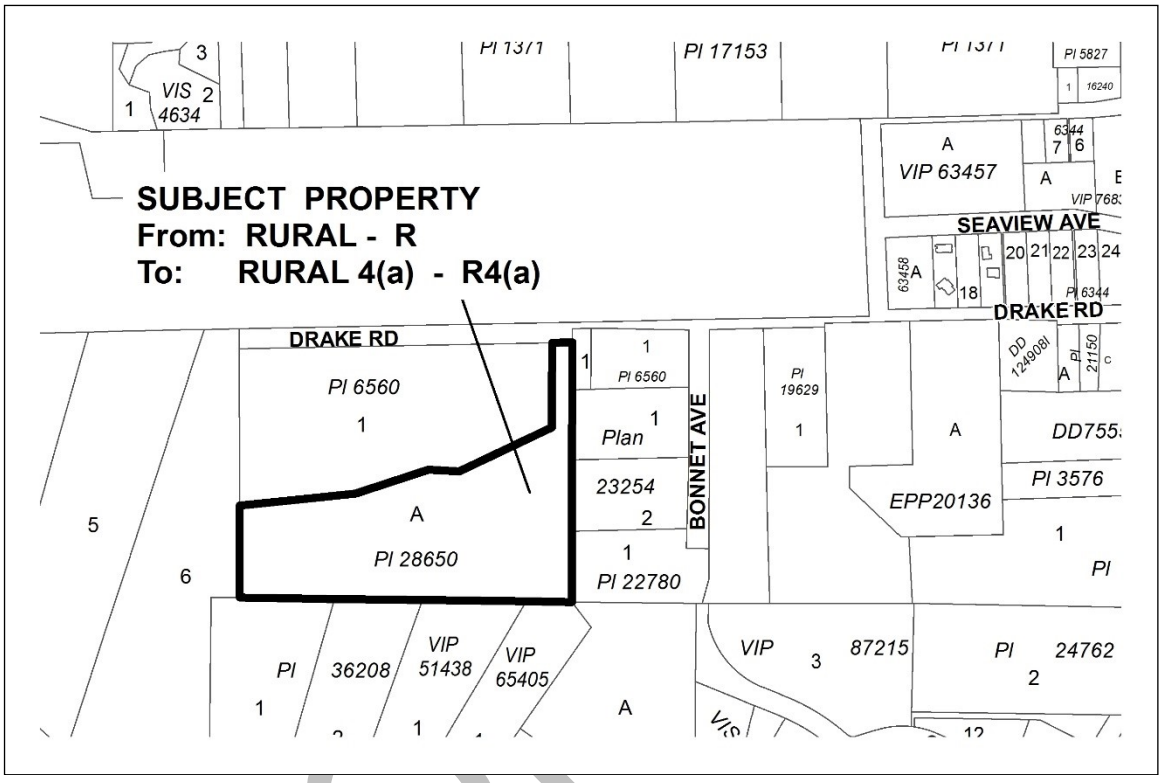
2. Bylaw No. 355 is amended as follows:

1.1 **SCHEDULE "A" – ZONING MAP** is amended by changing the zoning classification of Lot A, Section 20, Range 3 East, North Salt Spring Island, Cowichan District (PID 001-751-581, 221 Drake Road), from Rural to Residential 4 (R4(a)) as shown on Plan 1.

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 505

PLAN NO. 1



PROPOSED

From:	Daniela Murphy
Sent:	Thursday, August 5, 2021 2:29 PM
To:	Karla Campbell; Christine Condron; chris.laughlin@viha.ca; chamber@saltspringchamber.com; info@nsswaterworks.ca; dlundy@saltspringfire.com; info@islandpathways.ca; annemacey@shaw.ca; 'Elizabeth White'; Martin.Collins@gov.bc.ca; McIntyre, Cathie BCA:EX; developmentreferrals@BCTransit.com; doug.pepper@gov.bc.ca; Leech, Haley TRAN:EX; FrontCounterBC@gov.bc.ca; Jas Chonk; Becky McErlean; mtippett@cvrd.bc.ca
Cc:	jarnet@crd.bc.ca; Kristine Mayes; Rob Pingle; Shannon.lambie@gov.bc.ca
Subject:	Referral of Salt Spring Island Local Trust Committee Proposed Bylaws No. 523 & 524 - 125 Churchill Road, Salt Spring Island (Francis Bread Bakery)
Attachments:	SS-BL-523_1st R.pdf; SS-BL-524_1st R.pdf; SS-RZ-2020.2_BL-523_BL-524_Referral_FRM.pdf

Dear Referral Coordinator,

The Salt Spring Island Local Trust Committee (SS LTC) has asked that its proposed bylaws: Bylaw No. 523 cited as "Salt Spring Island Official Community Plan 2008, Amendment No. 1, 2021, and Bylaws No. 524 cited as "Salt Spring Island Land Use Bylaw 1999, Amendment No. 1, 2021" be referred to you for comment. Please find both of these proposed bylaws attached to this email.

The proposed bylaws would rezone the subject property from Residential 7 (R7) to Commercial 4 variant b (C4(b)) to permit:

- indoor retail sales;
- indoor production of food and drink items, clothing, crafts, artwork, jewellery and similar items (provided water consumption does not exceed 1,600 litres/day);
- one restaurant not exceeding a total floor area of 110 square metres with a maximum of 38 indoor and outdoor seats; and,
- two commercial guest accommodation units not to exceed 25 square metres each.

The staff report and information relating to the application can be found on our website, https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/ under SS-RZ-2020.2.

A reply is respectfully requested by **Monday, September 20, 2021**. We understand that there are numerous demands on your time, however, we genuinely welcome any comments or questions you may have.

Should you have any questions, or require further information, please contact Planner Kristine Mayes at kmayes@islandstrust.bc.ca or 250-537-9144.

Please direct referral responses to ssiinfo@islandstrust.bc.ca

Or by mail to: Islands Trust, 1 – 500 Lower Ganges Road, Salt Spring Island, BC V8K 2N8

Thank you for your time and attention to this matter.
Yours truly,

Daniela Murphy
Legislative Clerk/Deputy Secretary
Islands Trust
1-500 Lower Ganges Road | Salt Spring Island BC V8K 2N8
T 250-538-5606 | islandstrust.bc.ca
You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I am humbly thankful to live and work in the treaty lands and territories of the BOḰEĆEN, K'ómoks, Lək̓ ʷəŋən, Lyackson, MÁLEXEŁ, Qualicum, Quw'utsun Tribes, scəẃaθən məsteyəxʷ, Scia'new, səl̓ilwətaʔɬ, SEMYOME, shíshálh, Sḵwx̱wú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SƛÁUTW̱, Stz'uminus, ɬaʔəmen, toq qaymɩxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W̱JOŁEŁP, W̱SIḴEM, Xeláltxw, Xwémalhkwu/ʔop qaymɩxʷ, and xʷməθkʷəy̓əm.

BYLAW REFERRAL FORM

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

Island: Salt Spring Island Trust Area **Bylaw No.:** 523 and 524 **Date:** August 5, 2021

You are requested to comment on the attached Bylaws for potential effect on your agency's interests. We would appreciate your response within 45 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected. For your information a Public Hearing to consider the Bylaws will be held at a later date.

APPLICANTS NAME / ADDRESS:

Peter Hunt and Meghan Carr/125 Churchill Road, Salt Spring Island, BC V8K 2R3

PURPOSE OF BYLAW:

To permit indoor retail sales, Indoor production of food and drink items, clothing, crafts, artwork, jewellery and similar items (provided water consumption does not exceed 1,600 litres/day); one restaurant not exceeding a total floor area of 110 square metres with a maximum of 38 indoor and outdoor seats; and two commercial guest accommodation units not to exceed 25 square metres each.

GENERAL LOCATION:

125 Churchill Road, Salt Spring Island

LEGAL DESCRIPTION:

LOT 3, SECTIONS 3 AND 4, RANGE 4 EAST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN VIP54776

SIZE OF PROPERTY AFFECTED:	ALR STATUS:	OFFICIAL COMMUNITY PLAN DESIGNATION:
0.89 hectares (2.21 acres)	Non-ALR	Residential Neighbourhoods

OTHER INFORMATION:

Use(s) have been operating unlawfully since 2011 & 2015 (Commercial Guest Accommodation Units) and 2018 (Restaurant). To review the staff report or for more information on application SS-RZ-2020.2, go to: http://www.islandstrust.bc.ca/islands/local-trust-areas/salt-spring/current-applications/current-application-documents/

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

D. Murphy on behalf of Planner Mayes
(Signature)

Name: Kristine Mayes
Title: Planner 1

This referral has been sent to the following agencies:

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

Hul'qumi'num Treaty Group (for information only)
Te'Mexw Treaty Association (for information only

Regional Agencies
CRD – All Referrals & K. Campbell (SSI Senior Manager)
CRD – Building Inspection
CRD – Economic Development Commission
CRD – Parks and Recreation Commission
CRD – SSI Transportation Commission
Vancouver Island Health Authority

Non-Agency Referrals
Chamber of Commerce
North Salt Spring Waterworks District
SSI Fire-Rescue
Island Pathways SSI – Partners Creating Pathways
Salt Spring Island Agricultural Advisory Planning Commission
Salt Spring Island Advisory Planning Commission
Salt Spring Island Agricultural Alliance

Provincial Agencies
Agricultural Land Commission
BC Assessment Authority
BC Transit
Ministry of Agriculture, Food and Fisheries
Ministry of Transportation & Infrastructure
Front Counter BC

Adjacent Local Trust Committees and Municipalities
Galiano Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Cowichan Valley Regional District

BYLAW REFERRAL FORM
RESPONSE SUMMARY

☐ **Approval Recommended for Reasons Outlined Below**

☐ **Approval Recommended Subject to Conditions Outlined Below**

☐ **Interests Unaffected by Bylaw**

☐ **Approval Not Recommended Due to Reason Outlined Below**

Salt Spring Island Trust Area	523 and 524
(Island)	(Bylaw Number)
(Signature)	(Title)
(Date)	(Agency)

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 523

A BYLAW TO AMEND SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN
BYLAW NO. 434, 2008

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

1. Citation

   This bylaw may be cited for all purposes as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2021".

2. Salt Spring Island Local Trust Committee Bylaw No. 434, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008," is amended as shown on Schedule Nos. 1 and 2 attached to and forming part of this bylaw.

READ A FIRST TIME THIS 29TH DAY OF JUNE 2021

READ A SECOND TIME THIS _____ DAY OF _____ 20_____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20_____

READ A THIRD TIME THIS _____ DAY OF _____ 20_____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20_____

ADOPTED THIS _____ DAY OF _____ 20_____

_____ _____

Chair **Secretary**

PROPOSED

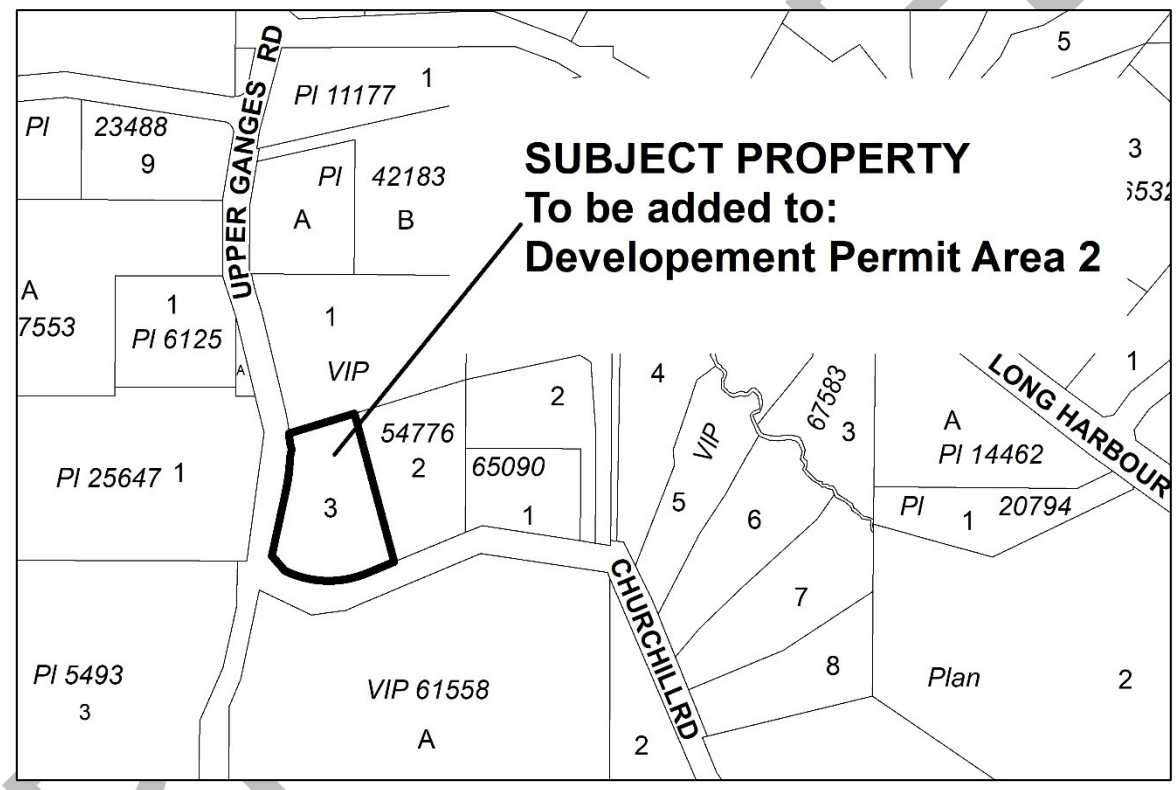
SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 523

SCHEDULE NO. 1

1. Schedule "A", Volume 2 is amended as follows:

2.1 Map 19 – Development Permit Area 2 Non-Village Commercial and General Employment is amended by including Lot 3, Sections 3 and 4, Range 4 East, North Salt Spring Island, Cowichan District, Plan VIP54776 as shown on Plan No. 1 of this bylaw.

PLAN NO. 1



PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 524

A BYLAW TO AMEND SALT SPRING ISLAND LAND USE BYLAW NO. 355, 1999

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

1. Citation

   This bylaw may be cited for all purposes as "Salt Spring Island Land Use Bylaw, 1999, Amendment No. 1, 2021".

2. Salt Spring Island Local Trust Committee Bylaw No. 355, cited as "Salt Spring Island Land Use Bylaw, 1999," is amended as follows:

   2.1 By inserting in Subsection 9.2.4 – Exceptions in Particular Locations – the following new Commercial 4 Zone Variation (b) – C4(b) after Zone Variation C4(a):

   "Zone Variation – C4(b)

   (18) The following additional *use*s are permitted:

   (a) *Indoor Retail Sales.*
   (b) *Indoor* production of food and drink items, clothing, crafts, artwork, jewellery and similar items for *retail* or *wholesale sales*, provided there is a retail outlet on the premises and provided water consumption does not exceed 1600 litres/day;
   (c) One restaurant not to exceed a total *floor area* of 110 square metres with a maximum number of 38 of *indoor* and *outdoor* seats; and
   (d) Two *Commercial guest accommodation units* in *cabins* not to exceed a total *floor area* of 25 square metres each.

   (19) A *vegetation screen* must be provided and maintained within the *buffer area* along any property line that abuts property not *zone*d for *commercial use* in accordance with Section 3.4.

   (20) Despite Subsection 9.2.3, the Minimum average area of *lots* in a *subdivision* is 1 ha.

   And by making consequential numbering alterations to effect this change.

   2.2 By changing the zoning classification of Lot 3, Sections 3 and 4, Range 4 East, North Salt Spring Island, Cowichan District, Plan VIP54776 from Residential 7 – (R7) to Commercial 4 Zone Variation (b) – C4(b), as shown on Plan No. 1 attached to and

PROPOSED

forming part of this bylaw, and by making such alterations to Schedule "A" of Bylaw No. 355 as are required to effect this change.

READ A FIRST TIME THIS 29TH DAY OF JUNE 2021

READ A SECOND TIME THIS _____ DAY OF _____ 20_____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20_____

READ A THIRD TIME THIS _____ DAY OF _____ 20_____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20_____

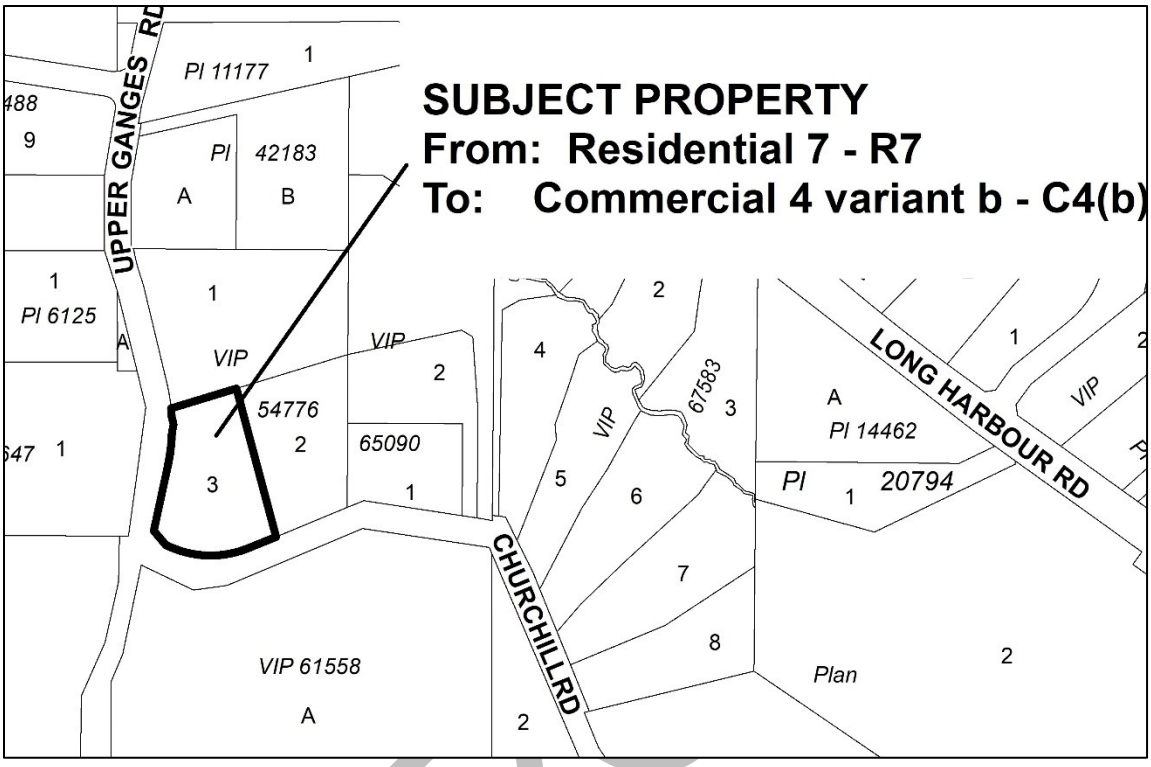
ADOPTED THIS _____ DAY OF _____ 20_____

_____ _____

Chair **Secretary**

PROPOSED

Plan No. 1



PROPOSED

Islands Trust

Print Date: August 31, 2021

Top Priorities Report

Galiano Island

1. *Affordable Housing Strategy - STVR Review*	Responsible	Dates
Phase 1: STVR review: public hearing in February 2021	Brad Smith	Rec'd: 04-Mar-2019 Target: 31-Mar-2021

2. *Groundwater Sustainability*	Responsible	Dates
Phase 1 and 2: mapping and data analysis - COMPLETING SPRING 2021 Phase 3: Implement of mapping and data analysis - Project Charter - February 2021	Narrisa Chadwick William Shulba	Rec'd: 02-Apr-2019 Target: 30-Sep-2022

3. *Land Use Bylaw amendments*	Responsible	Dates
To review LUB for: any technical/administrative bylaw amendments (e.g. definition references and numbering), shoreline zoning wording, crown lot rezonings, and review park zoning (specifically to allow stairs in setbacks). LTC review in early 2021, public hearing in spring 2021	Brad Smith	Rec'd: 28-Apr-2020 Target: 31-Mar-2021

Projects Report

Galiano Island

1. *Parking Issues*	Responsible	Date Received
Issue for discussion with MoTI and public parking issues generated from associated islands. (see correspondence from P. Midgely on agenda of Apr/12)		23-Jul-2012

2. *Light Industrial Zoning*	Responsible	Date Received
A review and inventory assessment of existing and potential light industrial zones.		18-Nov-2013

3. *Coastal Douglas-Fir Protection*	Responsible	Date Received
Review 'Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)' and provide recommendations from toolkit. - LPC is intending to develop a model bylaw in 2021-22. Include review the Contiguous Forest Mapping in the Islands Trust Area Report.		04-Feb-2019

4. *Cannabis Retail and production*	Responsible	Date Received
Consider review of policies and regulations to address cannabis retail sales and production		05-Mar-2019

5. *Dock review*	Responsible	Date Received
To review policies and regulations relating to private moorage, including suitable locations, siting and size, and incorporating First Nations sites		02-Apr-2019

Projects Report

Galiano Island

6. *Emergency Access Planning*	Responsible	Date Received
Follow-up from CRD emergency planning process - include consideration of developing driveway guidelines for emergency access within land use bylaw		02-Apr-2019

7. *Review of forestry land designations, policies and community benefit approaches*	Responsible	Date Received
Project represents a consolidation of a number of previously identified projects with a similar theme related to forestry zoning on Galiano Island. Project scope within previous projects included: current and potential future approaches to community benefit agreements, use of split zoning, F1 forest lot issues, issues regarding lands without managed forest status, amendments to re-designate and rezone crown owned Forest lots (Bylaws 231, 232 at First Reading)		03-Feb-2020

8. *Review of Road Network Plan*	Responsible	Date Received
Review of Road Network Plan - include December 11th APC memo in review process - meet with MOTI		02-Mar-2020

9. *Review of LUB tiny home/trailer regulations, maximum house sizes and lot coverage*	Responsible	Date Received
		01-Jun-2021

10. *Review of LUB water management and cistern regulations*	Responsible	Date Received
		02-Nov-2020

Projects Report

Galiano Island

11. *Revisit rezoning of DL 87*	Responsible	Date Received
		12-Apr-2021

Applications

Development Permit

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

Planner: Phil Testemale

Planning Status

Status Date: 30-Aug-2021

On agenda for Sept 7 LTC meeting

Status Date: 19-Aug-2021

RP Bio anticipates report back by August 25, 2021

Status Date: 05-Jul-2021

LTC motion requesting more information. EA Addendum assessing the impacts and mitigative measures for decommissioning the road within the DPA

File Number	Applicant Name	Date Received	Purpose
GL-DP-2021.3	Ted Murray/Ted Murray Architect Inc.	22-Jun-2021	309 MONTAGUE PARK RD - Application for a DP for development in a 2-shoreline and marine DPA encroachment

Planner: Brad Smith

Planning Status

Status Date: 31-Aug-2021

Planner provided detailed comments to applicant re next steps - applicant requires biologists report for DPA 2 incursion

Status Date: 11-Aug-2021

Planner conducted site visit and discussed proposal with property owner

Status Date: 07-Jul-2021

Created and sent payt recd ltr to Applicant, emailed AppPkg to LTC; created physical folder. - SR

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GL-DP-2021.4	Gerald Longson Architect AIBC	13-Aug-2021	160 MONTAGUE RD - application for a DP for development in a commercial form and character DPA, x-ref GL-DVP-2021.9

Planner: Brad Smith

Planning Status

Status Date: 30-Aug-2021

Planner to schedule a site visit for early September

Status Date: 24-Aug-2021

BC Cont Site Disclosure Statement received - DL

Status Date: 23-Aug-2021

reviewed by RPM, assigned to Brad, LTC emailed, payment receipt and chance find LTR emailed to applicant -DL

File Number	Applicant Name	Date Received	Purpose
GL-DP-2021.5	Neave O'Shaughnessy	17-Aug-2021	835 STURDIES BAY RD - application for a DP for development in a sensitive ecosystem DPA

Planner: Phil Testemale

Planning Status

Status Date: 31-Aug-2021

Planner to schedule a site visit in September

Status Date: 23-Aug-2021

Reviewed by RPM, assigned to Phil T, payment received/chance-find LTR sent to applicant, LTC emailed - DL

Status Date: 17-Aug-2021

files received, EDM folder created, applicant emailed, payment processed - DL

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2021.5	Ted Murray/Ted Murray Architect Inc.	22-Jun-2021	309 MONTAGUE PARK RD - Application for a variance for siting of a new deck in a rear yard setback

Planner: Brad Smith

Planning Status

Status Date: 11-Aug-2021

Planner conducted site visit and discussed proposal with property owner

Status Date: 07-Jul-2021

Created and sent payt recd ltr to Applicant, emailed AppPkg to LTC; created physical folder. - SR

Status Date: 05-Jul-2021

RPM assigned Planner. - SRialp

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2021.6	Terry Ingram	28-Jun-2021	1665 Sturdies Bay Rd - application for variance relaxations on a septic field

Planner: Phil Testemale

Planning Status

Status Date: 19-Aug-2021

Application deferred to October 4 agenda. Require information from engineer and possible renotification

Status Date: 11-Aug-2021

Island Planner conducted site visit and took photos

Status Date: 06-Aug-2021

Permit and Notice drafted. To DS for notification. Sept 7 LTC Agenda for consideration.

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2021.7	Gerald Longson Architect AIBC	29-Jun-2021	401 SHOPLAND RD - convert the existing two vehicle bay, workshop and sleeping loft into a cottage all within the structure of the existing building

Planner: Phil Testemale

Planning Status

Status Date: 11-Aug-2021

Island Planner conducted site visit and discussed proposal with property owner and architect

Status Date: 06-Aug-2021

October 4 LTC agenda for consideration. Applicant advised.

Status Date: 12-Jul-2021

Payment receipt letter sent to applicant, planner and LTC emailed. Assigned to Phil -DL

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2021.8	Neave O'Shaughnessy	27-Jul-2021	835 STURDIES BAY RD - application for the siting of a water supply line along the BC hydro easement.

Planner: Phil Testemale

Planning Status

Status Date: 23-Aug-2021

Reviewed by RPM, assigned to Phil T, payment received/chance-find LTR sent to applicant, LTC emailed - DL

Status Date: 13-Aug-2021

cheques received via Canada Post -DL

Status Date: 28-Jul-2021

Applicant has been requested to submit a DP in combination with their DVP application. -DL

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2021.9	Gerald Longson Architect AIBC	13-Aug-2021	160 MONTAGUE RD - Application for a variance for siting of a front entry and HC lift in the front and side yard setbacks

Planner: Brad Smith

Planning Status

Status Date: 25-Aug-2021

updated site plans sent, added to application package -DL

Status Date: 19-Aug-2021

Assigned to planner Brad Smith, applicant emailed payment received letter and chance find archeological docs. LTC emailed - DL

Status Date: 18-Aug-2021

files received, EDM folder created, cheque received via Canada Post, GIS mapping emailed - DL

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2005.2	Romagnoli	21-Mar-2005	Application to amend the LUB to rezone from F1 to F3 - Bylaw 210

Planner: Brad Smith

Planning Status

Status Date: 31-Aug-2021

Applicant still seeking covenant holder - update to be provided at October meeting

Status Date: 01-Jun-2021

LTC has given applicants until Sept 30, 2021 to come to suitable terms on a covenant or application will be closed

Status Date: 18-May-2021

Applicant has stalled on reaching agreement with Galiano Conservancy - correspondence from applicant on agenda for June 1 LTC meeting

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2014.1	Crystal Mountain Society	28-Oct-2014	20300 PORLIER PASS RD: Application for rezoning to amend the OCP and LUB to allow for a Forest Retreat Centre - Bylaws 256 (OCP) and 257 (LUB)

Planner: Brad Smith

Planning Status

Status Date: 31-Aug-2021
Application on Sep 7 agenda

Status Date: 14-Jun-2021
Community Information Meeting completed via Zoom on June 14, 2021

Status Date: 27-May-2021
ITC endorsed new site layout with 6 conditions

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2019.1	GIGAHRS	11-Sep-2019	Georgia View Rd: rezoning application for to amend the OCP and LUB to permit an affordable housing development - Bylaws 276, (OCP), 277 (LUB), 274 (Housing Agreement)

Planner: Brad Smith

Planning Status

Status Date: 30-Aug-2021
Applicant submitted updated Water Management Plan

Status Date: 24-Jun-2021
Planner met with applicant to review housing agreement

Status Date: 15-Jun-2021
Draft housing agreement received back from legal review, sent to applicant

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2019.2	Gauvreau, Lisa	01-Oct-2019	Application to amend the LUB rezone to commercial - Bylaw 271 (LUB)

Planner: Brad Smith

Planning Status

Status Date: 31-Aug-2021

Application on Sep 7, 2021 agenda

Status Date: 10-Aug-2021

Island Planner met with project manager to review project status/next steps

Status Date: 05-Jul-2021

LTC directed staff to undertake notice to waive public hearing

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2020.1	KING, FRED & DEBBIE	27-Oct-2020	51 Galiano Way - Application for rezoning to amend the OCP to permit residential use - Bylaw 279 (LUB)

Planner: Brad Smith

Planning Status

Status Date: 31-Aug-2021

Planner to contact applicant for status update

Status Date: 22-Jun-2021

Applicant working on TOR items - no clear timeline for coming back to LTC

Status Date: 09-Mar-2021

Planner conducted site visit with applicant

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2021.1	New Commons Development	08-Mar-2021	409 Porlier Pass Road - Application for rezoning to amend the LUB to permit an affordable housing development with a total of 20 units (within 4 buildings). Bylaw 280 (LUB)

Planner: Brad Smith

Planning Status

Status Date: 31-Aug-2021

Staff memo on Sept 7 agenda

Status Date: 05-Aug-2021

Island Planner and freshwater specialist met with applicant to review updated water management plan

Status Date: 23-Jun-2021

Planner and freshwater specialist met with applicant to review water reports

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2021.2	Andy Gaylor of McElhanney Ltd.	16-Aug-2021	COOK RD - application for rezoning to emend the OCP and LUB to permit a rezoning from F1 to create an F3 zoned parcel, two 2.0 hectare Rural Residential-zoned parcels, and 12+ ha of parkland and road dedication. And to allow a small enclosed sawmill in proposed F3 zoned area.

Planner: Brad Smith

Planning Status

Status Date: 31-Aug-2021

Planner to provide TOR to applicant in September

Status Date: 26-Aug-2021

reviewed by RPM, assigned to Brad, requested applicant to send and unlocked version of their Title Certificate. -DL

Status Date: 25-Aug-2021

payment received, GIS and RPM emailed -DL

Applications

Subdivision

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

Planner: Brad Smith

Planning Status

Status Date: 18-May-2021

Applicant has received preliminary conditions approval letter from MOTI - subdivision subject to successful rezoning

Status Date: 19-Feb-2021

Applicant working on referral report items

Status Date: 15-Dec-2020

Referral report reviewed with applicant

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2021.1	Lawrence Waterfall	09-Jul-2021	350 MARY ANN POINT RD - Referral of a subdivision application for 3 new lots

Planner: Phil Testemale

Planning Status

Status Date: 19-Aug-2021

Revised subdivision layout plan received

Status Date: 07-Aug-2021

Response sent to MoTI. cc'd to LTC, CRD, GIPRC and Freshwater Specialist

Status Date: 20-Jul-2021

fees paid, Mapping request sent, sent to RPM for review - DL

Islands Trust

LTC EXP SUMMARY REPORT F2022

Invoices posted to Month ending June 2021

625 Galiano	Invoices posted to Month ending June 2021	Budget	Spent	Balance
65000-625	LTC "Trustee Expenses"	331.00	99.55	231.45
LTC Local				
65200-625	LTC - Local Exp - LTC Meeting Expenses	4,771.00	1,071.71	3,699.29
65210-625	LTC - Local Exp - APC Meeting Expenses	370.00	570.35	-200.35
65220-625	LTC - Local Exp - Communications	250.00	815.41	-565.41
65230-625	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		5,685.00	2,457.47	3,227.53
Projects				
73001-625-2002	Galiano OCP/LUB	1,500.00	1,106.97	393.03
73001-625-4114	Galiano Groundwater Strategy Implementation	2,500.00	0.00	2,500.00
TOTAL Project Expenses		4,000.00	1,106.97	2,893.03

Islands Trust

Print Date: August 30, 2021

Standing Resolutions Log

Galiano Island

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

Standing Resolutions Log

Galiano Island

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

Islands Trust

Standing Resolutions Log

Galiano Island

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

Islands Trust

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2016-000 (Standing)	**Rescinded**	**05-Dec-2016**
Without fettering its discretion, the LTC provided the following guidance with respect to its consideration of TUP applications for Commercial Vacation Rentals: 1. A Commercial Vacation Rental use should only be considered in one dwelling per lot 2. Permits being considered in Water Management Areas should include conditions requiring cisterns with a minimum capacity of 16,000 litres and a water meter. 3. In order to assist in assessing cumulative impacts, staff are requested to continue to provide an updated map showing the location, status, and maximum number of guests of all Commercial Vacation Rental TUP applications.		
2014-029 (Standing)	**Carried**	**07-Apr-2014**
That the Galiano Island Local Trust Committee will consider as a community benefit for all rezoning applications where there is an increase in density, the establishment of an instrumented observation well.		
2014-000 (Standing)	**Carried**	**03-Feb-2014**
On properties where there is an open bylaw enforcement file, planning staff should refer planning applications to the Bylaw Enforcement Manager for comment where one or more of the following circumstances exist: 1. There have been significant delays or longer than typical timelines in the enforcement process 2. The LTC is considering on-going, relevant policy or regulatory changes that could impact enforcement 3. Litigation has been recommended 4. Legal counsel has been involved (beyond providing a basic interpretation) 5. There has been enforcement action beyond seeking voluntary compliance (e.g. a BEN warning or ticket, adjudication, a compliance agreement negotiated, etc.) 6. There has been, or is an expectation of, joint enforcement with other jurisdictions 7. There is potential for impact on other related enforcement files.		

Islands Trust

Standing Resolutions Log

Galiano Island

Resolution Number	Action	Date
2011-205 (Standing)	**Carried**	**17-Oct-2011**
That where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property on which Galiano Island Land Use Bylaw No. 127, 1999 permits public assembly uses, such as restaurants or community halls, and where there have been no issues related to parking or past complaints for the preceding three years , staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration.		
2010-115 (Standing)	**Carried**	**18-Oct-2010**
That the Galiano Island Local Trust Committee will advertise Public Hearing Notices in the Active Page Magazine in addition to the legally required advertising in the Driftwood Newspaper.		
2009-085 (Standing)	**Carried**	**11-May-2009**
That staff refer all applications adjacent to a park or ocean access to the Galiano Island Parks and Recreation Commission for comment		

ISLANDS TRUST CONSERVANCY

ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY JULY 13, 2021 BOARD MEETING (OPEN PORTION)

NOTE: Islands Trust Conservancy has made changes to the format of this report to make its production and delivery more efficient. For more detail on Conservancy meetings, including meeting minutes, please visit https://islandstrust.bc.ca/whats-happening/meetings-and-events/

JOINT MEETING – Islands Trust Conservancy Board + Islands Trust Executive Committee

- The Islands Trust Conservancy Board and Islands Trust Executive Committee shared a liaison meeting and corresponded on many of the topics outlined in the sections below. The liaison meeting is intended to enhance collaboration between the two bodies by deepening understanding of the current programs and upcoming opportunities each is influencing and to proactively identify points where working together would generate a more positive outcome than would otherwise be possible. This meeting occurs annually as per Islands Trust policy.

1. ORGANIZATION UPDATES/TEAM

- Islands Trust Conservancy Manager Kate Emmings welcomed Wendy Tyrrell as the new Species at Risk Program Coordinator. Wendy comes to the Conservancy from Habitat Acquisition Trust where she worked for 14 years, originally as the Land Protection Coordinator and the past six years as the Habitat Management Program Coordinator. Having joined Islands Trust Conservancy in July 2021, Wendy is now positioned to lead the Species at Risk (SAR) Program through its second and third years.

2. STRATEGIC PLANNING/ADMINISTRATION

- The Minister of Municipal Affairs is selecting three appointees to serve on the Islands Trust Conservancy Board. The Board hopes that at least two of these appointees will be actively on the Board by the end of August 2021.

3. COVENANT AND PROPERTY ACQUISITIONS

- The Islands Trust Conservancy Board reported that they have entered into a lease agreement with the BC Parks Foundation for Saturnina Island in the Gabriola Island Local Trust Area.
- Ecosystem Protection Specialist Kathryn Martell provided on update for the Crystal Mountain application currently in progress on Galiano Island after recently visiting the site.

4. COVENANT AND PROPERTY MANAGEMENT

- The Islands Trust Conservancy Board reviewed the Regional Conservation Plan Progress Report and noted that the recent "heat dome" effect in the Islands Trust Area and the Salish Sea may have had wide-ranging effects on forage fish populations. They agreed that the effects from the event could be something to monitor in the future.

5. COMMUNICATIONS AND OUTREACH

- Islands Trust Conservancy Chair Kate-Louise Stamford discussed her attendance of a recent Saturnina Island event hosted by the BC Parks Foundation, noting that Islands Trust Conservancy leaders (herself and Manager Kate Emmings) were guests and highlighting that the event was well-attended by press, students, and donors. Islands Trust Conservancy Board discussed partnership between Islands Trust Conservancy and the BC Parks Foundation, specifically in terms of the opportunities it provides for securing and managing land and for communications. Further, they discussed the importance of improving the inclusion of Snuneymuxw First Nation in the Saturnina Island process.
- The Islands Trust Conservancy Board discussed a plan to make a statement of support for the Howe Sound UNESCO Biosphere Reserve nomination. The process for a formal declaration has almost been completed.
- The 2020/2021 Annual Report process has been slightly delayed by a delayed financial audit. The Board resolved to hold a special meeting to review the audit results on August 24, 2021.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- During the liaison meeting, Executive Committee members recognized Acting Fundraising Specialist Carla Funk for her work and for her plan to bring national attention to the Conservancy through a legacy giving platform called "Willpower". They discussed fundraising results, the importance of developing long-term connections, and suggested commissioning a simple infographic to convey that the Conservancy is not competing with smaller local conservation groups; rather, all are working together to protect the land with the Conservancy often feeding funds directly to the smaller conservancies to "kick-start" conservancy projects (i.e., Opportunity Fund).

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: https://islandstrust.bc.ca/conservancy/

Shortcuts here:

- **Goals:** https://islandstrust.bc.ca/conservancy/conservation-planning/planning-2018-2027/
- **Opportunity Fund:** (context) https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/ ; (to donate online) https://islandstrust.bc.ca/donate-to-conservancy/
- **Request key updates via email:** https://islandstrust.bc.ca/subscribe/ (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)

Ministry of
Energy, Mines and
Low Carbon Innovation

August 03, 2021 File: 14675-20-0800175

Mr. Brad Bowcott,
Galiano Excavating Ltd.

Galiano Island BC V0N1P0

Via email to:

ATTENTION: Mr. Brad Bowcott, Galiano Excavating Ltd.

Re: Application for *Mines Act* Permit – Mine Number 0800175
Property: 1128 Montague Harbour Rd, Galiano Island (DL12)

This letter serves as formal notice that the Notice of Work and Reclamation application dated January 19, 2021 for the above noted property has been discontinued for the proposed project.

I have reviewed information regarding the application (Application) for a *Mines Act* permit at 1128 Montague Harbour Road at the southern end of Galiano Island (the Property, also described as PID 023-531-975, Lot 1, DL 12, Galiano Island, Cowichan District, Plan VIP63916). The Property and surrounding property lines are shown in Figure 1. (Reference of a Covenant over Parts of DL 12, Galiano Island, dated March 1996).

The Application area at the south part of the Property is shown in Figure 2. (Plan Showing Proposed Gravel Quarry). This map was submitted by the applicant, Brad Bowcott of Galiano Excavating Ltd., and forms part of the Application. The Application proposes a gravel pit for construction aggregate of up to 8,000 tonnes per year for almost 12 years. I have decided to reject this Application; a summary of my reasons is outlined below.

Parts of the Property are covered by a restrictive covenant (the Covenant) registered in the Land Title Office under number EK94049 and jointly applied by the BC Ministry of Transportation and Infrastructure (MOTI) and the Capital Regional District (CRD), which restricts excavation, among other things, without the written consent of both the MOTI and the CRD.

A map of the Covenant area with a legal survey of the Covenant boundary is shown in Figure 3. This map overlays the location of the proposed gravel pit (in red) in relation to the Covenant boundary, property boundaries and other land features. Figure 3. indicates the proposed gravel pit is within the legally surveyed boundary of the Covenant and therefore subject to conditions of the Covenant.

On July 14, 2021, I sent an email to the Applicant, Mr. Bowcott of Galiano Excavating Ltd., and copied Mr. Ben Mabberly, the landowner upon which the gravel pit is proposed. My email included two maps which indicate the area of the proposed gravel pit is within the Covenant area. My email included three questions which I indicated would inform my decision on the Application:

- Do you have written authorization from both MOTI and the CRD to excavate and remove soil from the proposed gravel pit which is within the covenant area?

Ministry of Energy, Mines and Low Carbon Innovation
Mines, Competitiveness and Authorizations Division

Contact:
Phone: 778-698-3649
Email: SouthwestMinesDivision@gov.bc.ca

Mailing Address:
PO Box 9395, Stn Prov Govt
Victoria, B.C. V8W 9M9

- Are you aware that if a *Mines Act* permit is issued, you may not be able to proceed with the gravel operation due to the covenant restrictions?
- Do you have anything else to add in support of your application that I may consider?

I heard back from Mr. Mabberly later that same day. He wrote, "The new application would be outside of the Covenant area." and provided two maps. Figure 1. of this letter is one of the maps Mr. Mabberly provided in his response. It shows the Covenant area but not in relation to the proposed mine area. The other map provided by Mr. Mabberly is contained in the March 1994 geotechnical report by C.N. Ryzuk & Associates Ltd, which is attached to the Covenant as Annexure #2. The map appears to be a hand drawn sketch of the Property and Covenant boundary, with a note (Note 3.) that indicates field stations shown on the map represent the estimated location of the stations marked by labelled survey flagging, and that the locations are approximate.

The Covenant, signed by Mr. Mabberly in 1996, states that the Grantor (which includes), agrees that he will not cause the removal of any vegetation or soils from the Covenant area without first obtaining the written permission of the MOTI and the CRD.

On July 15, 2021, I received an email from Galiano Excavating Ltd. in response to my email of the previous day, which indicated that they would get back to me soon. As of the writing of this letter I have not heard back from Galiano Excavating Ltd.

In response to my questions above, it appears to me that neither Mr. Bowcott (nor Galiano Excavating Ltd.) nor Mr. Mabberly have, or are expecting to receive, written authorization from both the MOTI and CRD to excavate within the Covenant area. Without such written authorization, excavation within the Covenant area may not proceed, even if a *Mines Act* permit was issued. I have not received additional information from Mr. Mabberly or from Mr. Bowcott or Galiano Excavating Ltd. since their respective emails to me of July 14 and 15, 2021.

I am aware that parts of the Property within the Covenant have been excavated in the past by mechanical means, most recently in 2020, to produce sand and/or gravel as construction aggregate.

The definition of a mine under the *Mines Act* includes:

> " a place where mechanical disturbance of the ground or any excavation is made to explore for or to produce coal, mineral bearing substances, placer minerals, rock, limestone, earth, clay, sand or gravel,"

The aforementioned excavation(s) constitutes a mining activity carried out without a written exemption, authorization or permit issued under section 10 of the *Mines Act*.

I am also aware that the proposed permit area is within two Development Permit Areas (DPAs) designated under the Galiano Island Official Community Plan. The DPAs are referred to as DPA 4 (Elevated Groundwater Catchment Area) and DPA 7 (Steep Slope Hazard).

I am aware that the availability, quantity, and quality of the groundwater resources on Galiano Island, and especially clean water for domestic use, are very sensitive and important issues for the residents and non-resident property owners on Galiano Island.

As an appointed Inspector of Mines under section 6 of the *Mines Act* and as a delegated statutory decision maker under section 8.3 of the *Mines Act*, I am not bound to the regulations of the Islands Trust or local government, but I may consider them in my decision-making.

The Southwest Mines office has already received various correspondence from members of the Galiano public with concerns about this Application, past excavations on the Property, and concerns about groundwater issues in the area of the Property. This correspondence has been received despite any public notice of the Application.

Having considered the above information, the primary basis for my rejection of the Application is that written permission from the MOTI or CRD to excavate within the Covenant area has not been provided to Mr. Mabberly as the landowner and Grantor of the Covenant; nor does it appear written permission is forthcoming from the MOTI or CRD. Without the required written permission, I will not consider further review of the Application.

Given the degree of interest in this Application at this stage, I see no need to proceed with further processing and review of the Application without the required written permission from the MOTI or CRD. The applicant or landowner is welcome to reapply for a *Mines Act* permit at this location when the required written permission is obtained, or at another location on the Property outside the Covenant area. I recommend any future *Mines Act* permit applications on the Property include, but not be limited to both a geotechnical (ground stability) study and a hydrogeological (groundwater) study prepared by Qualified Professionals with appropriate training and experience in these disciplines.

Future proposals for mining activities on the above noted property will require the submission of a new *Mines Act* permit application via the on-line Notice of Work form. Should you require further information or have questions please do not hesitate to contact me.

Regards,

Don Harrison
Inspector of Mines

Email: Donald.Harrison@gov.bc.ca
Phone: 778-698-7014

cc: Ben Mabberly, ( )
Haley Leech, MOTI (Haley.Leech@gov.bc.ca)
Shawn Carby, CRD (scarby@crd.bc.ca)
Robert Kojima, Islands Trust (rkojima@islandstrust.bc.ca)
Matthew MacLean, EMLI (Matthew.MacLean@gov.bc.ca)

Figure 1.

Reference of a Covenant over Parts of DL 12, Galiano Island, dated March 1996

(on following page)

019.764

REFERENCE PLAN OF COVENANT OVER PARTS OF DISTRICT LOT 12, GALIANO ISLAND, COWICHAN DISTRICT.

B.C.G.S. 92B.084

PLAN VIP 63915

Deposited in the Land Title Office at Victoria, B.C., this 26 day of AUGUST, 1996.

EK 940498 D/ Registrar

Deposited pursuant to Section 99(1)(e) of the Land Title Act.

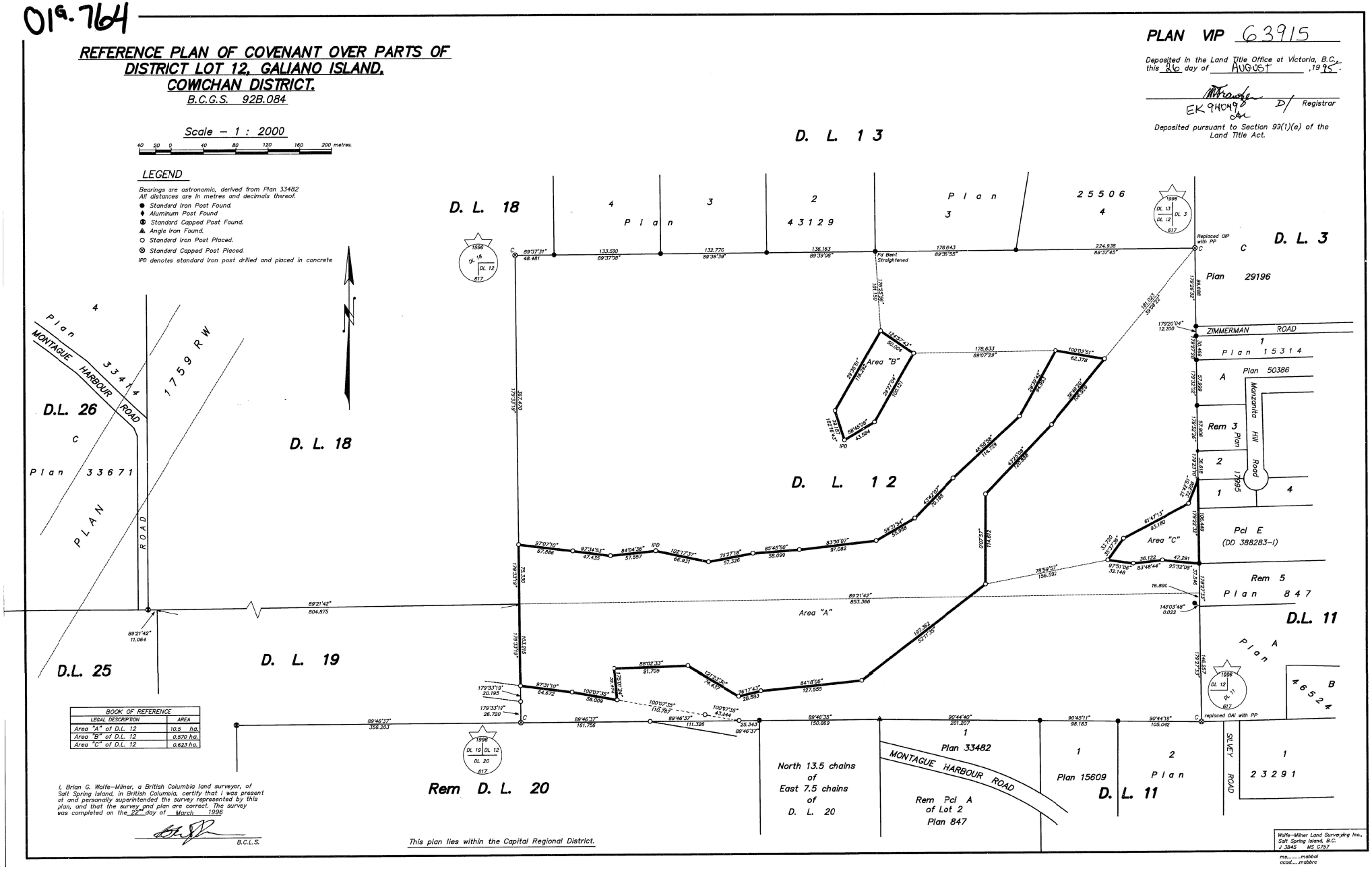
Scale – 1 : 2000

40 30 0 40 80 120 160 200 metres.

LEGEND

Bearings are astronomic, derived from Plan 33482
All distances are in metres and decimals thereof.
- ● Standard Iron Post Found.
- ♦ Aluminum Post Found
- ⊛ Standard Capped Post Found.
- ▲ Angle Iron Found.
- ○ Standard Iron Post Placed.
- ⊗ Standard Capped Post Placed.

IPD denotes standard iron post drilled and placed in concrete



BOOK OF REFERENCE	
LEGAL DESCRIPTION	AREA
Area "A" of D.L. 12	10.5 ha.
Area "B" of D.L. 12	0.570 ha.
Area "C" of D.L. 12	0.623 ha.

I, Brian G. Wolfe–Milner, a British Columbia land surveyor, of Salt Spring Island, in British Columbia, certify that I was present at and personally superintended the survey represented by this plan, and that the survey and plan are correct. The survey was completed on the 22nd day of March 1996

B.C.L.S.

This plan lies within the Capital Regional District.

Wolfe–Milner Land Surveying Inc., Salt Spring Island, B.C. J 3845 MS 0757

ms.....mabbal
ocad.....mabbrc

Figure 2.

Plan Showing Proposed Gravel Quarry

(on following page)

PLAN SHOWING PROPOSED GRAVEL QUARRY

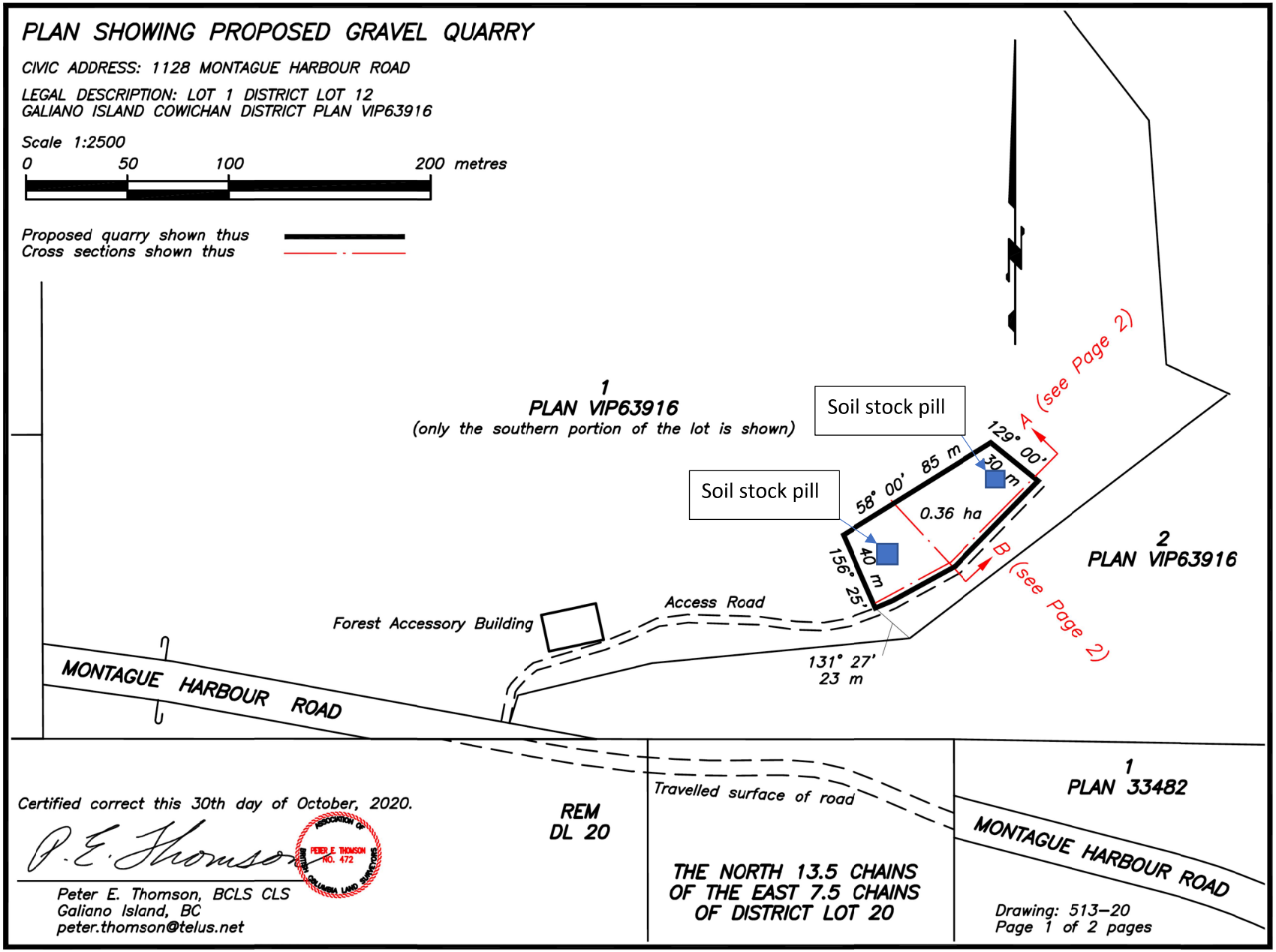
CIVIC ADDRESS: 1128 MONTAGUE HARBOUR ROAD

LEGAL DESCRIPTION: LOT 1 DISTRICT LOT 12
GALIANO ISLAND COWICHAN DISTRICT PLAN VIP63916

Scale 1:2500

0 50 100 200 metres

Proposed quarry shown thus
Cross sections shown thus



Certified correct this 30th day of October, 2020.

P. E. Thomson

PETER E. THOMSON NO. 472 ASSOCIATION OF BRITISH COLUMBIA LAND SURVEYORS

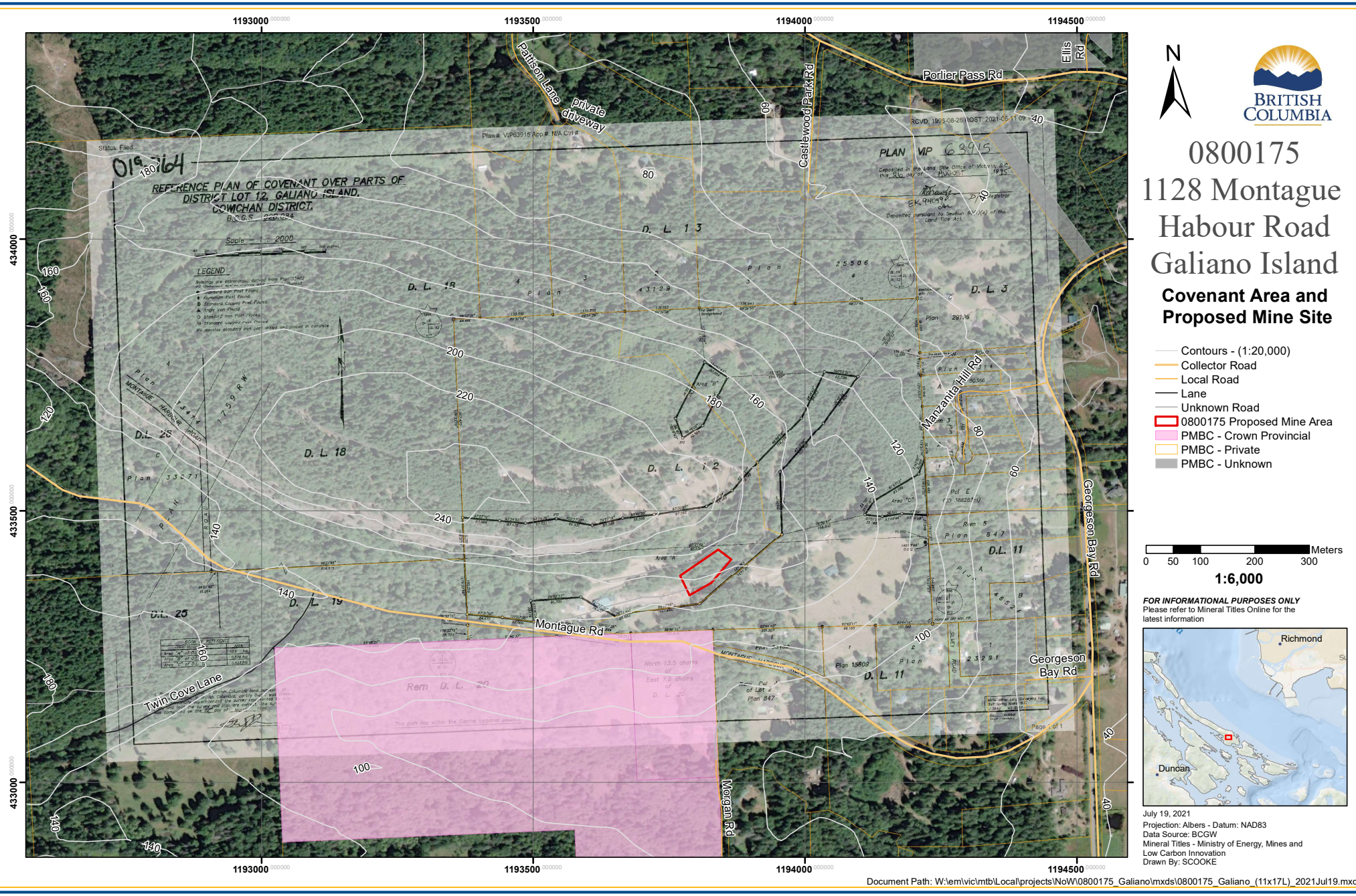
Peter E. Thomson, BCLS CLS
Galiano Island, BC
peter.thomson@telus.net

Drawing: 513–20
Page 1 of 2 pages

Figure 3.

1128 Montague Harbour Road, Galiano Island - Covenant Area and Proposed Mine Site

(on following page)


1193000
1193500
1194000
1194500
434000
433500
433000
Pattison Lane private driveway
Porlier Pass Rd
Ellis Rd
Castlewood Park Rd
Manzanita Hill Rd
Georgeson Bay Rd
Montague Rd
Twin Cove Lane
Morgan Rd
Georgeson Bay Rd
PLAN VIP 63915
REFERENCE PLAN OF COVENANT OVER PARTS OF DISTRICT LOT 12, GALIANO ISLAND, COWICHAN DISTRICT.
LEGEND
D. L. 13
D. L. 18
D. L. 12
D. L. 3
D.L. 11
D.L. 25
D. L. 19
Rem D. L. 20
Plan 15809
Plan 25506
Plan 43129
Plan 29116
Plan 33571
Plan 847
Rem 5
Lot E
Lot 1
Lot 2
Area "A"
Area "B"
Area "C"
Area "D"
Area "E"
Area "F"
Area "G"
Area "H"
Area "I"
Area "J"
Area "K"
Area "L"
Area "M"
Area "N"
Area "O"
Area "P"
Area "Q"
Area "R"
Area "S"
Area "T"
Area "U"
Area "V"
Area "W"
Area "X"
Area "Y"
Area "Z"
Area "AA"
Area "AB"
Area "AC"
Area "AD"
Area "AE"
Area "AF"
Area "AG"
Area "AH"
Area "AI"
Area "AJ"
Area "AK"
Area "AL"
Area "AM"
Area "AN"
Area "AO"
Area "AP"
Area "AQ"
Area "AR"
Area "AS"
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Area "AU"
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Area "BD"
Area "BE"
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Area "BJ"
Area "BK"
Area "BL"
Area "BM"
Area "BN"
Area "BO"
Area "BP"
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Area "BR"
Area "BS"
Area "BT"
Area "BU"
Area "BV"
Area "BW"
Area "BX"
Area "BY"
Area "BZ"
Area "CA"
Area "CB"
Area "CC"
Area "CD"
Area "CE"
Area "CF"
Area "CG"
Area "CH"
Area "CI"
Area "CJ"
Area "CK"
Area "CL"
Area "CM"
Area "CN"
Area "CO"
Area "CP"
Area "CQ"
Area "CR"
Area "CS"
Area "CT"
Area "CU"
Area "CV"
Area "CW"
Area "CX"
Area "CY"
Area "CZ"
Area "DA"
Area "DB"
Area "DC"
Area "DD"
Area "DE"
Area "DF"
Area "DG"
Area "DH"
Area "DI"
Area "DJ"
Area "DK"
Area "DL"
Area "DM"
Area "DN"
Area "DO"
Area "DP"
Area "DQ"
Area "DR"
Area "DS"
Area "DT"
Area "DU"
Area "DV"
Area "DW"
Area "DX"
Area "DY"
Area "DZ"
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