



Saturnalsland Local Trust Committee

Regular Meeting Agenda

Date: February 16, 2023
Time: 11:30 am
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

			Pages
1.	CALL TO ORDER	11:30 AM - 11:45 AM	
2.	APPROVAL OF AGENDA		
3.	TRUSTEE REPORT		
4.	CHAIR'S REPORT		
5.	ELECTORAL AREA DIRECTOR'S REPORT		
6.	TOWN HALL AND QUESTIONS	11:45 AM - 12:00 PM	
7.	COMMUNITY INFORMATION MEETING - None		
8.	PUBLIC HEARING - None		
9.	MINUTES	12:00 PM - 12:10 PM	
9.1	Local Trust Committee Special Meeting Minutes Dated December 14, 2022 (for Adoption)		3 - 6
9.2	Local Trust Committee Public Hearing Record Dated December 14, 2022 (for Receipt)		7 - 8
9.3	Section 26 Resolutions-without-meeting Report Dated Feb 2023		9 - 10
10.	BUSINESS ARISING FROM THE MINUTES		
10.1	Follow-up Action List Dated Feb 2023		11 - 13
11.	DELEGATIONS		
12.	CORRESPONDENCE		

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

13.	APPLICATIONS AND REFERRALS	12:10 PM - 12:40 PM	
13.1	SA-RZ-2022.2 (Gaines) - Staff Report (attached)		14 - 33
14.	LOCAL TRUST COMMITTEE PROJECTS		
15.	REPORTS	12:40 PM - 12:50 PM	
15.1	Work Program Reports (attached)		
15.1.1	<u>Local Trust Committee Work Program Review - Staff Report (attached)</u>		34 - 37
15.1.2	<u>Active Projects Report Dated Feb 2023</u>		38 - 38
15.1.3	<u>Future Projects Report Dated Feb 2023</u>		39 - 39
15.2	Applications Report Dated Feb 2023 (attached)		40 - 42
15.3	Trustee and Local Expense Report Dated Dec 2022 (attached)		43 - 43
15.4	Adopted Policies and Standing Resolutions (attached)		44 - 47
15.5	Local Trust Committee Webpage		
15.6	Islands Trust Conservancy Report Dated Nov 2022		48 - 49
16.	NEW BUSINESS	12:50 PM - 1:30 PM	
16.1	Letter from W̱SANEC Leadership Council Staff regarding Draft 2021 Islands Trust Policy Statement Amendments		50 - 58
16.2	Mayne LTC request re Siting and Use Permit Option		59 - 59
16.3	Letter from Matthew Tolan re: Consent to Realignment of Gaines Road		60 - 97
16.4	Funding reimbursement approval for Wetlands book launch event		98 - 102
16.5	Bylaw notification requirements on Saturna		
17.	UPCOMING MEETINGS		
17.1	Next Regular Meeting Scheduled for May 18, 2023 at the Saturna Recreation and Cultural Centre, Saturna Island		
18.	TOWN HALL	1:30 PM - 1:45 PM	
19.	CLOSED MEETING - None		
20.	ADJOURNMENT	1:45 PM - 1:45 PM	



DRAFT

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

Saturna Island Local Trust Committee

Minutes of Special Meeting

Date: December 14, 2022

Location: Electronic Meeting

Members Present: David Maude, Chair
Mairead Boland, Local Trustee
Lee Middleton, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Brad Smith, Island Planner
Sarah Shugar, Recorder

There were approximately 7 members of the public in attendance.

1. CALL TO ORDER

Chair Maude called the meeting to order at 11:30 a.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved.

3. COMMUNITY INFORMATION MEETING

3.1 SA-RZ-2022.1 (Bertolami and Crooks) - Proposed Bylaws 136 and 137

Planner Smith presented proposed Bylaws 136 and 137 that would re-designate and rezone a portion of the subject parcel located at 104 Narvaez Bay Road currently designated Forest Land (F) and zoned Forest General (FG) to a designation of Rural (R) and a zoning of Rural General (RG). In addition, 10 subdivision densities would be removed from the subject parcel located at 119 Payne Road and transferred to the subject parcel located at 104 Narvaez Bay Road via a LUB amendment that would increase the subdivision density on the newly created Rural General zoned portion of 104 Narvaez Bay Road to a maximum of 12 new lots.

Trustee Boland asked for clarification regarding correspondence received from M. Trischuck dated December 12, 2022. Planner Smith reported the correspondence expressed support for proposed Bylaws 136 and 137. The correspondence also expressed support for the opportunity to provide more housing on Saturna Island and an

increase of the number of additional densities from 10 up to 15 or 16 should be considered.

A member of the public expressed support for Community Information Meetings to be held in person. The member of the public asked whether there would be 12 additional lots in total and where would the new lots be located on Harris Road and/or Narvaez Bay Road.

Planner Smith reported 10 densities would be transferred from the Bertolami property on Payne Road to the Crooks property on Narvaez Bay Road and that the location of the new lots would be decided at the time of subdivision.

Applicant Barry Crooks reported this is a rezoning application and subdivision is not being considered at this time.

A member of the public expressed support for application SA-RZ-2022.1 as it is a win-win for the community.

4. PUBLIC HEARING

4.1 SA-RZ-2022.1 (Bertolami and Crooks) - Proposed Bylaws 136 and 137

4.1.1 Recess for Public Hearing

The meeting recessed for public hearing at 11:49 a.m.

4.1.2 Recall to Order

The meeting was recalled to order at 12:00 p.m.

5. BUSINESS ITEMS

5.1 SA-RZ-2022.1 (Bertolami and Crooks) - Proposed Bylaws 136 and 137 - Post Public Hearing Staff Report

Planner Smith presented a staff report dated November 30, 2022 regarding proposed Bylaws 136 and 137.

SA-2022-041

It was MOVED and SECONDED,

that the Saturna Island Local Trust Committee proposed Bylaw No. 136, cited as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2022", be read a second time.

CARRIED

SA-2022-042

It was MOVED and SECONDED,

that the Saturna Island Local Trust Committee proposed Bylaw No. 136, cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2022”, be read a third time.

CARRIED

SA-2022-043

It was MOVED and SECONDED,

that the Saturna Island Local Trust Committee proposed Bylaw No. 137 cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2022”, be read a second time.

CARRIED

SA-2022-044

It was MOVED and SECONDED,

that the Saturna Island Local Trust Committee proposed Bylaw No. 137 cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2022”, be read a third time.

CARRIED

SA-2022-045

It was MOVED and SECONDED,

that the Saturna Island Local Trust Committee proposed Bylaws No. 136 and 137 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

CARRIED

SA-2022-046

It was MOVED and SECONDED,

that the Saturna Island Local Trust Committee proposed Bylaw No. 136 be forwarded to the Minister of Municipal Affairs for approval.

CARRIED

6. ADJOURNMENT

By general consent the meeting was adjourned at 12:07 pm.

David Maude, Chair

Certified Correct:

Sarah Shugar, Recorder



**Saturna Island Local Trust Committee
Record of Public Hearing
Bylaw No. 136 & 137**

Date: December 14, 2022
Location: Electronic Meeting

Members Present: David Maude, Chair
Mairead Boland, Trustee
Lee Middleton, Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Brad Smith, Island Planner
Sarah Shugar, Recorder

Others Present: There were approximately 7 members of the public.

1. CALL TO ORDER

Chair Maude called the Public Hearing to order at 11:49 a.m. and acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. INTRODUCTIONS AND OPENING STATEMENT FROM THE CHAIR

Chair Maude introduced himself, the Trustees and staff. He then read the notice of Public Hearing in accordance with the Local Government Act and stated that oral and written submissions were equally acceptable as long as the submissions were given to the Trustees before the close of the Public Hearing. He advised that documents related to the application are available for review on the Islands Trust website and that no further submissions may be submitted to the Trustees after the close of the Public Hearing.

3. REVIEW OF PUBLIC HEARING NOTICE

Planner Smith reported the Public Hearing Notice was advertised in the Driftwood newspaper, the Saturna Scribbler and all notification requirements were completed. A copy of the Public Hearing Binder is available on the Islands Trust website. Planner Smith outlined the key points of proposed Bylaws 136 and No. 137. The proposed Bylaws would re-designate and rezone a portion of the subject parcel located at 104 Narvaez Bay Road currently designated Forest Land (F) and zoned Forest General (FG) to a designation of Rural (R) and a zoning of Rural General (RG). In addition, 10 subdivision densities would be removed from the subject parcel located at 119 Payne Road and transferred to the subject parcel located at 104 Narvaez Bay Road via a LUB

amendment that would increase the subdivision density on the newly created Rural General zoned portion of 104 Narvaez Bay Road to a maximum of 12 new lots.

Planner Smith provided a summary of referral responses and reported one written submission has been received prior to the meeting.

4. BYLAWS 136 & 137 – SUBMISSIONS

Chair Maude asked if any members of the public would like to speak to proposed Bylaw No. 136, cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2022” and proposed Bylaw No. 137 cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2022”.

Priscilla Ewbanks resident of Narvaez Bay Road expressed support for the rezoning application as an exemplary example of the use of density transfer as a benefit for the community. She spoke to the need for continuous forest habitat for species at risk and that the conservation of the contiguous forest area on Brown Ridge and Mount Fisher is an excellent outcome. She expressed appreciation to the applicants, Trustees and staff and for the work on this application.

Chair Maude called a second time for any comments or submissions on the proposed bylaws. Chair Maude called for submissions a third and final time.

5. ADJOURNMENT

There being no further submissions, Chair Maude declared the Public Hearing closed at 11:59 a.m.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD.

David Maude, Chair

Certified Correct:

Sarah Shugar, Recorder

DATE

Resolutions Without Meetings Log

Saturna Island

Resolution Number	Action	Date
2022-013 Bylaws 136/137 - Dec 14 CIM Electronically That the Saturna Island Local Trust Committee direct staff to schedule a community information meeting in conjunction with the public hearing for proposed Bylaws No. 136 and No. 137 to be held electronically on December 14, 2022.	Carried	04-Nov-2022
2022-012 Bylaws 136/137 - Dec 14 PH electronically That the Saturna Island Local Trust Committee direct staff to schedule a public hearing for proposed Bylaw No. 136 and No. 137 to be held electronically on December 14, 2022.	Carried	04-Nov-2022
2022-011 Bylaws 136/137 Policy Statement Directives Policies Checklist That the Saturna Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directive Policies Checklist and determined that proposed Bylaw No. 136 and 137 are not contrary to or at variance with the Islands Trust Policy Statement.	Carried	04-Nov-2022
2022-010 Bylaw No. 137 - First Reading That the Saturna Island Local Trust Committee Bylaw No. 137, cited as "Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2022" be given first reading.	Carried	04-Nov-2022
2022-009 Bylaw 136 - First Reading That the Saturna Island Local Trust Committee Bylaw No. 136, cited as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2022", be given first reading.	Carried	04-Nov-2022

Resolutions Without Meetings Log

Saturna Island

Resolution Number	Action	Date
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2022-008

Carried

01-Nov-2022

To adopt October 20, 2022 Minutes

That the Saturna Island Local Trust Committee regular meeting minutes of October 20, 2022, be adopted as presented.



Follow Up Action Report

Saturna Island

14-Feb-2020

Activity	Responsibility	Dates	Status
1 Letter to be sent from the chair to the appropriate agencies/people regarding the LTCs resolution supporting interim sanctuary zones for the recovery of Southern Resident Killer Whales (SKRWs). (see minutes and contact Trustee Middleton for further details). Trustee Middleton to provide draft wording for letter	Clare Frater Mike Richards	Target: 31-Dec-2022	In Progress
2 Letter to be sent from the chair to the appropriate agencies/people regarding the LTCs resolution supporting the regulation of commercial whale watching boats similar to the regulatory regime in the adjacent Washington State waters. (see minutes and contact Trustee Middleton for further details). Trustee Middleton to provide draft wording for letter	Clare Frater Mike Richards	Target: 31-Dec-2022	In Progress

19-May-2022

Activity	Responsibility	Dates	Status
1 5.1 Staff to develop staff report summarizing status of GW solutions groundwater report, results specific to Saturna to date and possible next steps for next meeting agenda	Brad Smith Narrisa Chadwick	Target: 30-Jun-2022	Completed
2 13.1 Fee bylaw - schedule CIM for Oct 20, 2022 re discussion of fees bylaw - DEFERRED TO NEW TERM	Brad Smith Jas Chonk Robert Kojima	Target: 01-Feb-2023	Completed



Follow Up Action Report

Saturna Island

20-Oct-2022

Activity	Responsibility	Dates	Status
1 8.1 July 21, 2022 LTC meeting minutes adopted as amended	Robin Ellchuk	Target: 04-Nov-2022	Completed
2 12.1 SA-RZ-2022.1 (Bertolami/Crooks) - staff to draft amending bylaws (OCP and LUB) consistent with option 3 and initiate bylaw referrals	Brad Smith Jas Chonk	Target: 04-Nov-2022	Completed
3 15. Minor amendments project - BL 133 and 134 adopted - update amending bylaws 133/134 and base LUB/OCP bylaws - update website - close out file	Brad Smith Jas Chonk Robin Ellchuk	Target: 04-Nov-2022	Completed
4 12.1 SA-RZ-2022.1 (Bertolami/Crooks) Staff to schedule a special meeting via zoom on Thursday Nov 3 at 1130 am to consider 1st and 2nd reading of amending bylaws	Brad Smith Jas Chonk	Target: 20-Oct-2022	Completed
5 12.1 SA-RZ-2022.1 (Bertolami/Crooks) Staff to schedule a special meeting /public hearing on Wednesday December 14 at 1130	Brad Smith Jas Chonk	Target: 11-Nov-2022	Completed
6 16.1 Staff to adopt 2023 regular meeting schedule as proposed	Robin Ellchuk	Target: 04-Nov-2022	Completed

14-Dec-2022

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Saturna Island

14-Dec-2022

Activity	Responsibility	Dates	Status
1 SA-RZ-2022.1 - Public hearing held for BL 136/137 and then given 2nd/3rd reading - staff to send updated BLs to EC and then BL 136 to Ministers office	Brad Smith Jas Chonk	Target: 19-Dec-2022	Completed

DATE OF MEETING: February 16, 2023
TO: Saturna Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: 445 East Point Rd Rezoning Application – Preliminary Report
Applicant: John Gaines

RECOMMENDATION

1. That the Saturna Island Local Trust Committee directs staff to proceed with application GL-RZ-2023.1 (Gaines) and to prepare draft bylaws.
2. That the Saturna Island Local Trust Committee directs the applicant to demonstrate proof of water and septic viability for up to two new building lots in the area proposed for rezoning consistent with a terms of reference to be provided to the applicant by staff.

REPORT SUMMARY

The purpose of this preliminary report is to provide information regarding rezoning application GL-RZ-2023.1 (Gaines) and to seek direction from the Saturna Island Local Trust Committee (LTC) to proceed, or not proceed, with the application, including the preparation of draft bylaws.

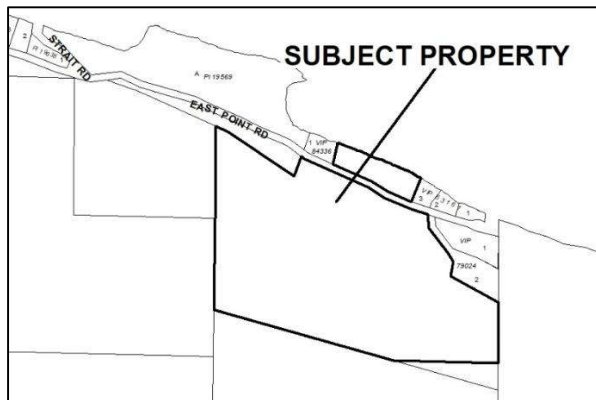
The above recommendation is supported as:

- At the outset, the proposal is reasonable and appears consistent with Saturna Island Official Community Plan No. 70 (OCP) policies;
- The property owner has demonstrated a willingness to collect the additional information required to support LTC's decision-making;
- Requiring proof of water and septic viability is prudent given the close proximity of the proposed new RG zone to the ocean and the future plans for subdivision; and,
- Proceeding with draft bylaws will facilitate First Nations, public and agency consultation to identify any outstanding issues or concerns with the proposed rezoning.

BACKGROUND

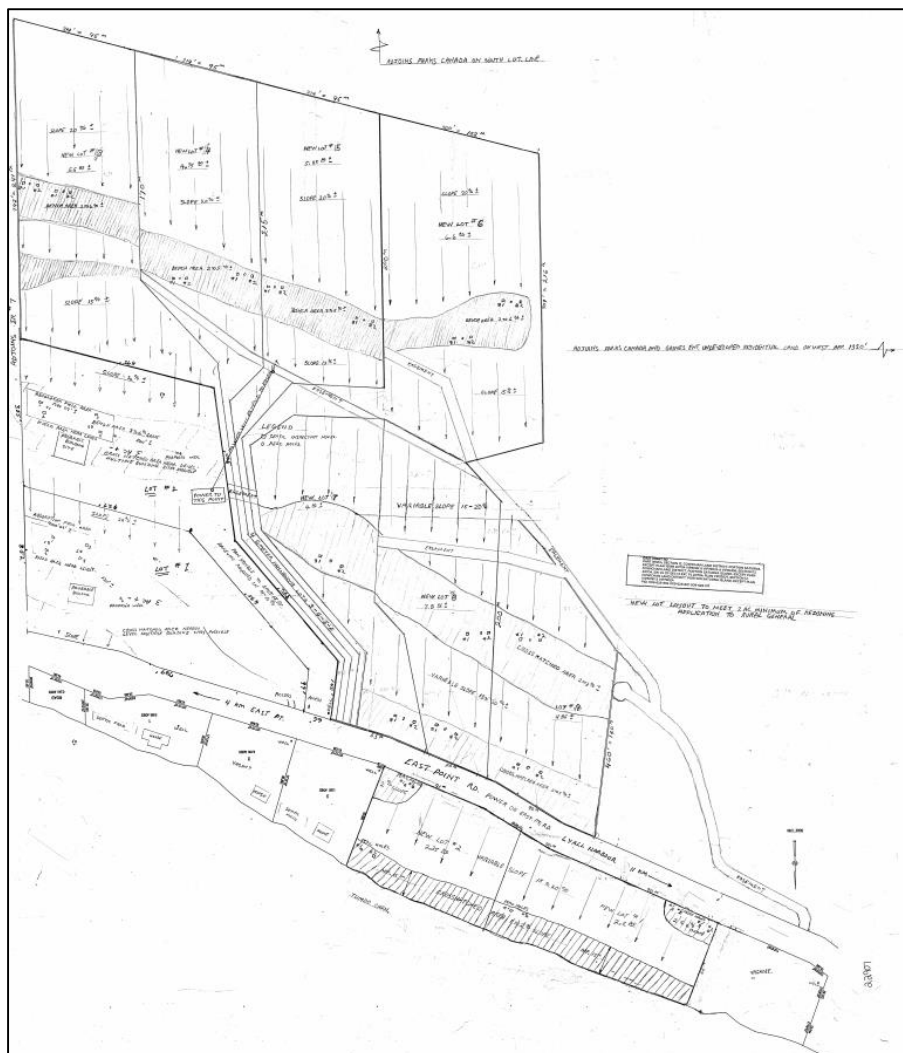
A rezoning application was submitted in January 2023. The applicant is seeking to rezone the waterfront portion of the subject parcel located at 445 East Point from Rural Residential (RR) to Rural General (RG) to allow for the creation of two waterfront RG zoned lots through subdivision (Figure 1).

Figure 1. Location of Subject Property



This rezoning is part of a broader plan by the applicant to subdivide the parcel to create 9 new lots and a remainder lot (Figure 2. – higher resolution version included as Attachment 2).

Figure 2. Proposed subdivision lot layout



Prior to the submission of the rezoning application, the applicant submitted a subdivision referral application to the Islands Trust (x-ref SA-SUB-2022.1) to create seven new RG lots on the already zoned RG portion of the lot above East Point Road with the same layout as proposed in Figure 2, and 3 new RR zoned lots along the water.

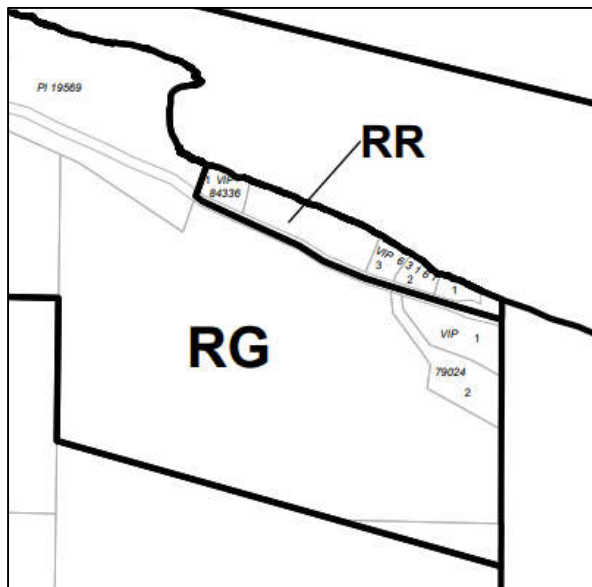
However, upon staff review of the proposed subdivision, it was confirmed that the existing RR minimum average lot size requirement in the LUB does not allow for a new RR zoned lot as the existing RR zoned area is too small, as explained below in the Analysis section.

The subject parcel presently has no dwellings or other buildings. A site visit was conducted in early 2022. Attachment 1 provides additional site context including relevant mapping.

ANALYSIS

Application Proposal Summary

The subject parcel is split zoned with RR along the water and RG above East Point Road, as shown below:



GIS staff have calculated the approximate area of the RR zoned portion to be 1.84 hectares.

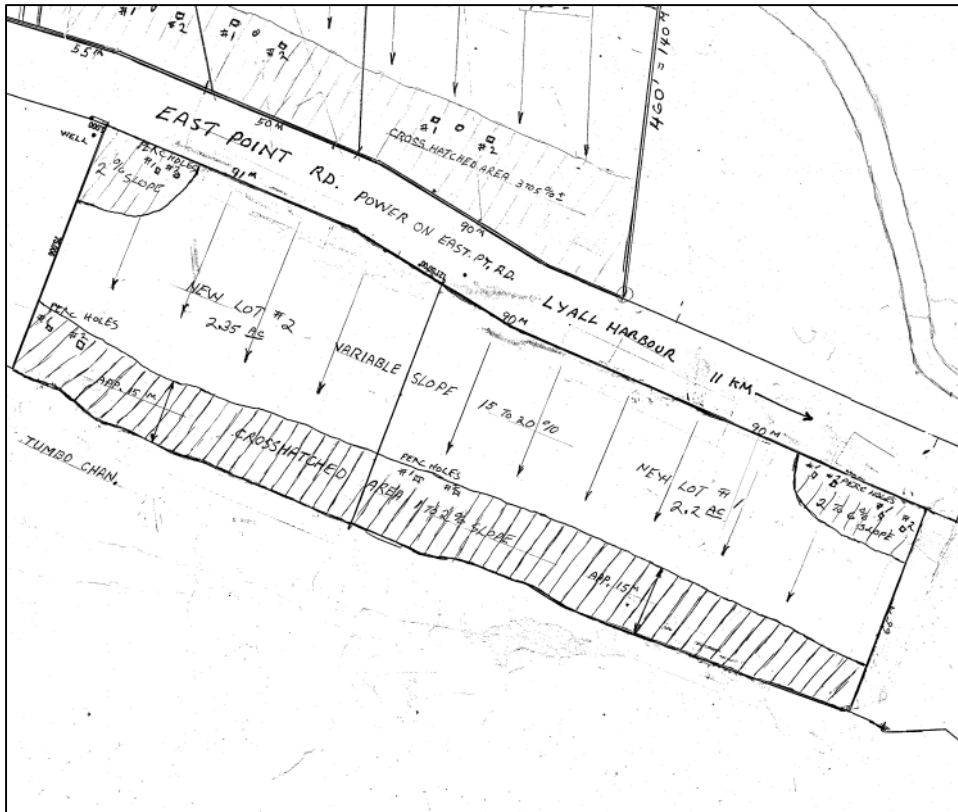
The LUB includes minimum and average lot sizes for subdivision in the RR zone:

4.1.10 No lot having an area less than 0.81 hectares (2 acres) may be created by subdivision in the Rural Residential Zone except where a proposed lot fronts on the ocean, it may have an area not less than 0.4 hectares (1 acre).

4.1.11 No subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 2.02 hectares (5 acres).

In this case, given the RR portion is only 1.84 hectares, it is not possible to create even one new RR lot through subdivision, in accordance with provision 4.1.11.

As such, the applicant is now seeking rezoning to RG to allow for the creation of two RG zoned lots (Lot 1 0.89 ha and Lot 2 0.91 ha) along the waterfront using two of the existing subdivision densities from the parent parcel (ie. rezoning would not result in an overall increase in the total number of allowable lots which is currently 16 – see covenant section below).



This would allow for one primary dwelling to be built on each waterfront lot with no accessory cottage as OCP states the minimum lot size to get an accessory cottage right is 1.21 HA (policy D.1.G.2).

Minimum and average lot sizes for subdivision in the RG zone are:

Subdivision Lot Size Requirements

4.2.11 No lot having an area less than 0.81 hectares (2 acres) may be created by subdivision in the Rural General Zone.

4.2.12 No subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 2.02 hectares (5 acres).

Although the two waterfront lots on their own would not meet the RG 2.02 ha minimum average lot size, by rezoning to RG the waterfront lots can be averaged with the RG lots upland of East Point Road to meet the minimum average lot size requirement, as those lots are larger.

LTC Covenant FB133052

LTC covenant FB133052 (Attachment 3) restricts subdivision on the subject parcel to a maximum of 16 lots (15 new lots and a remainder). The subdivision as proposed would use up 10 of those densities (ie. 9 new RG lots plus remainder), leaving 6 potential future lot densities.

1. The Land shall not be subdivided into lots exceeding 16 (consisting of not more than 15 new lots and a remainder) in number.
2. All of this Agreement constitutes a single covenant by the Transferor to the Transferee in accordance with s. 219 of the *Land Title Act*, and that covenant burdens the Land and runs with it and binds the successors in title to the Land. The covenant created by this Agreement burdens and charges all of the Land and any parcel into which it is subdivided by any means and any parcel into which it is consolidated.

Policy/Regulatory

Islands Trust Policy Statement

The proposal appears consistent with Islands Trust Policy Statement (ITPS) policies, in particular with respect to policies related to ecosystem protection and preservation, stewardship of resources, and growth and development.

The LTC may wish to consider the advice of staff under the groundwater supply considerations section below in respect of freshwater resource policy 4.4.2 which states:

Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.

If the LTC decides to proceed, the ITPS policy checklist will be presented to LTC for review and consideration in a future staff report when the draft bylaws are presented for 1st reading.

Official Community Plan

The entire subject parcel is designated as Rural in the OCP. The proposed rezoning of the waterfront portion from RG to RR does not require an OCP amendment as the Rural designation will not change. In general, the application is consistent with the Rural designation policies of the OCP.

Rezoning to RG would allow for one primary dwelling to be built on each proposed waterfront lot with no accessory cottage as OCP states the minimum lot size to get an accessory cottage right is 1.21 HA (policy D.1.G.2).

Community Amenity Density Reserve (CADR) Policy

The OCP includes a Community Amenity Density Reserve (CADR) Policy that enables the transfer of density in cases where land conservation objectives can be realized by removing existing development potential and transferring it to a more suitable location.

C.1.4 Community Density Reserve - To facilitate keeping development in appropriate areas, including changes in density, while maintaining the policy requirements of C.1.3, the Trust Committee will maintain an accounting system for tracking and controlling changes in density that it may approve from time to time in the future. The Reserve may be used to increase density in areas deemed appropriate by the community through the zoning process and to secure “amenities” of value to the community. Each transfer should accomplish some environmental or heritage policy objective of the Plan. Details are described further in Appendix A.

This provision will be used to accomplish land conservation objectives. Protection of agricultural land, lands with streams, forest ecosystems, water supply areas, wetlands, heritage sites, shorelands, bluffs and areas of scenic or recreational significance may be enhanced by removing any existing development potential and transferring it to a more suitable location. This transferability provides property owners with an opportunity to achieve some private objectives while securing the protection of significant lands as “amenities” valued by the community.

In this case, given the applicant is seeking to enable the potential for two waterfront lots through rezoning that would not be viable without rezoning, the LTC could seek a community amenity of a density transfer into the CADR from the densities that will carry over with the remainder parcel. In other words, the LTC could ask the applicant to agree to downzone one or more of the remaining 6 lots, with those ‘lost’ densities being added to the CADR. The applicant could also provide some additional or alternative amenity to the community, at the discretion of the LTC.

Land Use Bylaw

The proposed rezoning is consistent with the provisions of the LUB, as described in the summary above.

Groundwater and Septic Considerations

The LUB does not have specific regulations with respect to demonstrating proof of water or septic viability.

However, the OCP does include Policy C.2.2 (d) that directs the LTC to consider the capability of the land base to accommodate the scale and intensity of proposed land uses and Policy C.2.2 (c) that considers groundwater contamination:

- C.2.2** In considering permits, referrals, applications and bylaw amendments, the Saturna Island Local Trust Committee should use all available means within its direct jurisdiction to ensure the preservation and protection of the Area’s diverse natural environment by:
- a) maintaining sufficient habitat in its natural state for wildlife, plant life and marine life to flourish;
 - b) protecting coastal systems and marine areas subject to development or contamination;
 - c) protecting groundwater supplies by ensuring the water absorbing capacity of the ground in water catchment areas is maintained, and by preventing contamination;
 - d) basing land use decisions on the inherent capability of land and water areas to accommodate the type, scale and intensity of proposed land uses;

The LTC will also need to consider 4.4.2 of the Islands Trust Policy Statement in respect of water supply.

Given the provisions above, and the close proximity of the newly proposed RG zone to the ocean makes the drilling of a well potentially vulnerable to saltwater intrusion, staff recommend that the LTC require proof of water at time of rezoning to service each proposed new waterfront lot.

Staff also recommend that the LTC require the applicant demonstrate septic viability on each new waterfront lot at time of rezoning to ensure there is an adequate area for septic treatment and drainage.

Alternatively, the LTC could defer the consideration of the proof of water and septic viability to the time of subdivision. This is not recommended by staff as there is no point in proceeding with the rezoning if there's saltwater intrusion or other groundwater issues.

If the LTC directs the applicant to demonstrate proof of water and septic viability, staff will provide a terms of reference (TOR) to the applicant with specific requirements to be met.

Archaeological Sites

Islands Trust reviews all applications/permits using Remote Access to Archaeological Data (RAAD) mapping to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places.

In this case, there are registered archaeological sites along the water front in relatively close proximity to the subject parcel, and there is archaeological potential identified on the subject parcel itself.



The LTC could consider requiring a s. 219 covenant restricting development on the portion of the lot fronting the ocean (~15 m upland) to further ensure any possible impacts to First Nations archeological resources along the foreshore are mitigated.

Further to that review, staff have directed the applicants to the following guidelines:

- All archaeological and cultural heritage is protected under the *Heritage Conservation Act* and areas of archaeological potential may contain undocumented archaeological sites which would be automatically protected under the *Heritage Conservation Act* (including all intact or disturbed sites) and require a permit from the BC Archaeology Branch. Further information regarding permits: <https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits>.
- In the event that archaeological features or materials are found, either intact or disturbed on the subject property, stop work immediately and contact the BC Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.
- Any impacts, would include the following: landscaping, tree removal, digging, using heavy equipment, development, fencing, footings, or any form of groundwork.
- For more information regarding registered archaeological sites and archaeological potential on the subject property, submit an Archaeological Information Request Form: www.archdatarequest.nrs.gov.bc.ca.

Consultation

Statutory Requirements

In accordance with regular statutory requirements, a public hearing is required and it is normal practice to hold a Community Information Meeting (CIM) prior to that. With direction from LTC, these would be scheduled either separately or concurrently after draft bylaws are complete, reviewed and have received at least First Reading.

Public hearing notice would be posted as per statutory and bylaw requirements in advance of a public hearing.

Agencies

Staff have identified the following agencies for bylaw referral; the LTC may direct staff to include other agencies not listed.

- CRD, Planning and Protective Services, Building Inspection
- Island Health
- Parks Canada
- Mayne Island Local Trust Committee
- North Pender Island Local Trust Committee
- South Pender Island Local Trust Committee

First Nations

Staff have identified the following First Nations for bylaw referral:

- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Malahat First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Snuneymuxw First Nation
- Stz'uminus First Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tseycum First Nation
- WSANEC Leadership Council

Rationale for Recommendation

Based on the foregoing, the recommendation on page 1 is supported as:

- At the outset, the proposal is reasonable and appears consistent with Saturna Island Official Community Plan No. 70 (OCP) policies;
- The property owner has demonstrated a willingness to collect the additional information required to support LTC's decision-making;
- Requiring proof of water and septic viability is prudent given the close proximity of the proposed new RG zone to the ocean and the future plans for subdivision; and,

- Proceeding with draft bylaws will facilitate First Nations, public and agency consultation to identify any outstanding issues or concerns with the proposed rezoning.

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

2. Deny the application

The LTC may deny the application.

Resolution:

That the Saturna Island Local Trust Committee proceed no further with application SA-RZ-2023.1 (Gaines)

3. 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 Saturna Island Local Trust Committee hold application SA-RZ-2023.1 (Gaines) in abeyance.

NEXT STEPS

With direction from the LTC, Staff will draft amending bylaws for further consideration by the LTC.

Submitted By:	Brad Smith, Island Planner	February 9, 2023
Concurrence:	Robert Kojima, Regional Planning Manager	February 9, 2023

ATTACHMENTS

1. Site context and mapping
2. Site Plan and proposed lot layout
3. Covenant FB133052

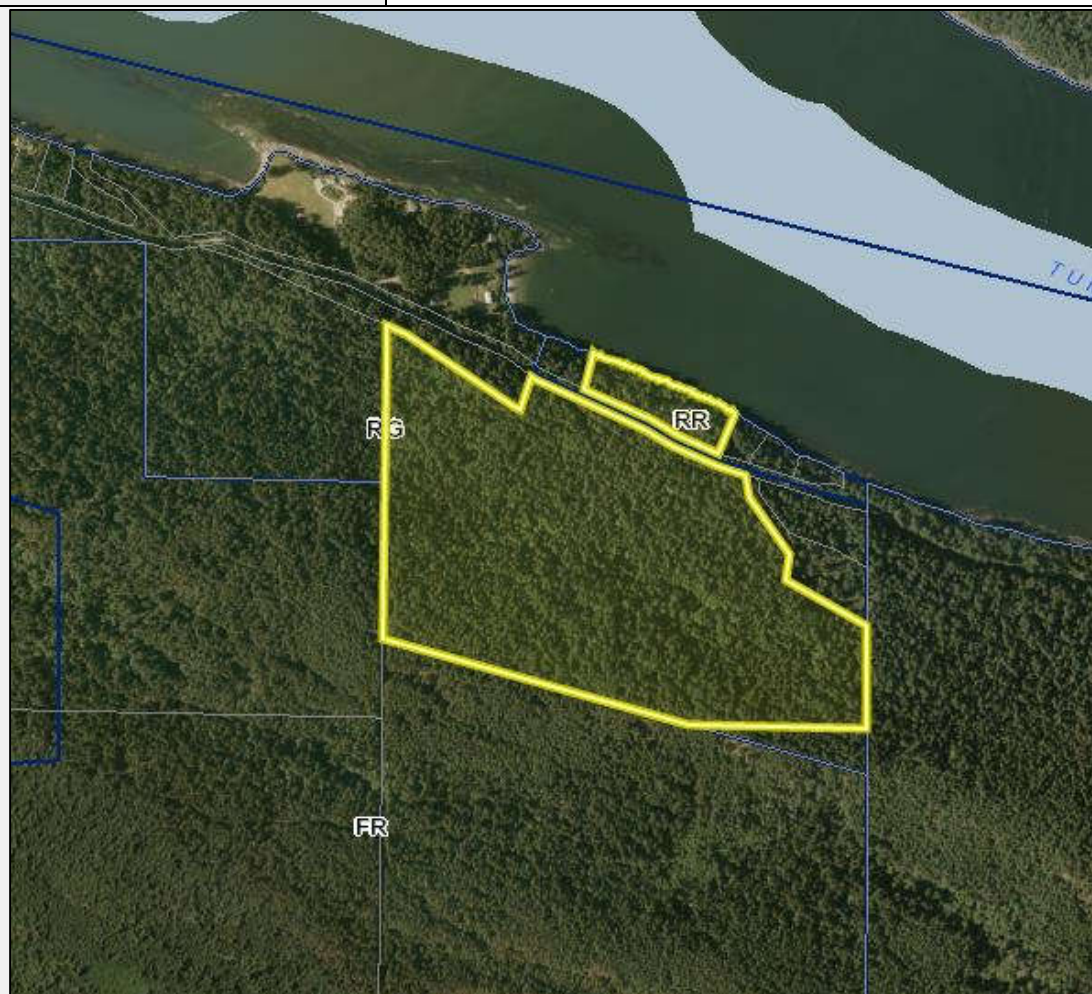
ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	The North West 1/4 Of Section 12, Saturna Island, Cowichan District, Except Parts In Plans 19569, 20704, VIP63161, VIP79024 and VIP84336
PID	009-628-894
Civic Address	445 East Point Road, Saturna Island
Lot Size	37.64 hectares (93.02 acres)

LAND USE

Current Land Use	Rural General (RG), Rural Residential (RR) The parcel is currently split zoned – the portion of lands along the waterfront are zoned RR, the portion of lands above East Point Road are zoned RG
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Surrounding Land Use	Rural General (RG), National Park (NP), First Nations reserve lands
----------------------	---

HISTORICAL ACTIVITY

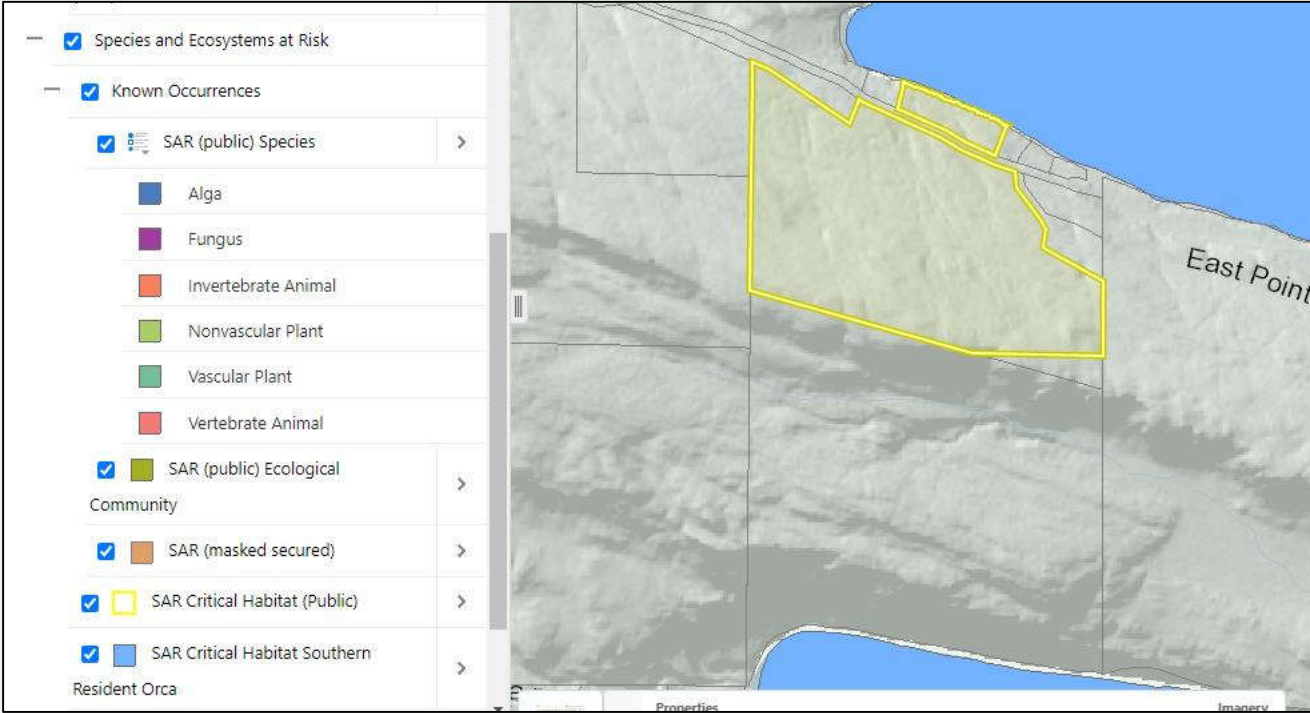
File No.	Purpose
None	SA-SUB-2004.1 proposal to create 3 new lots, SA-SUB-2006.1 – proposal to create 1 new lot, SA-SUB-2022.3 – proposal to create 10 new lots

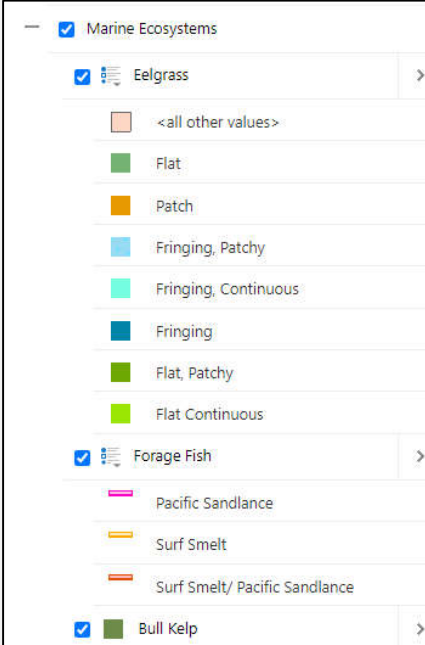
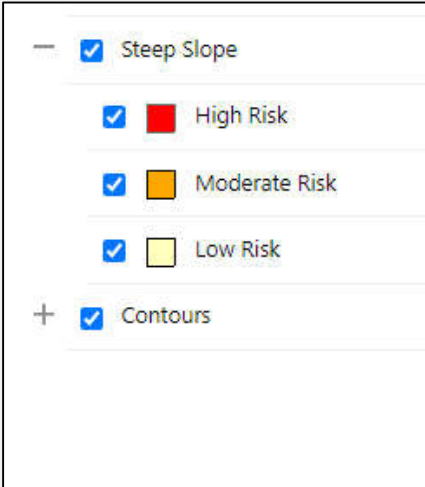
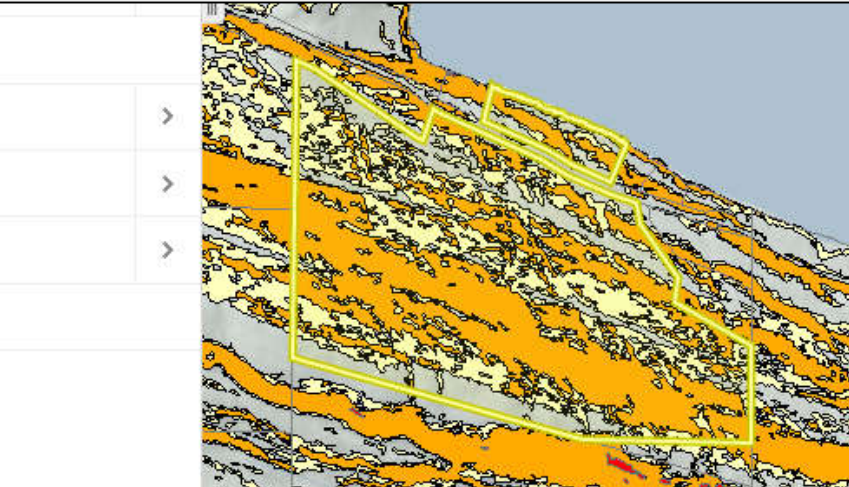
POLICY/REGULATORY

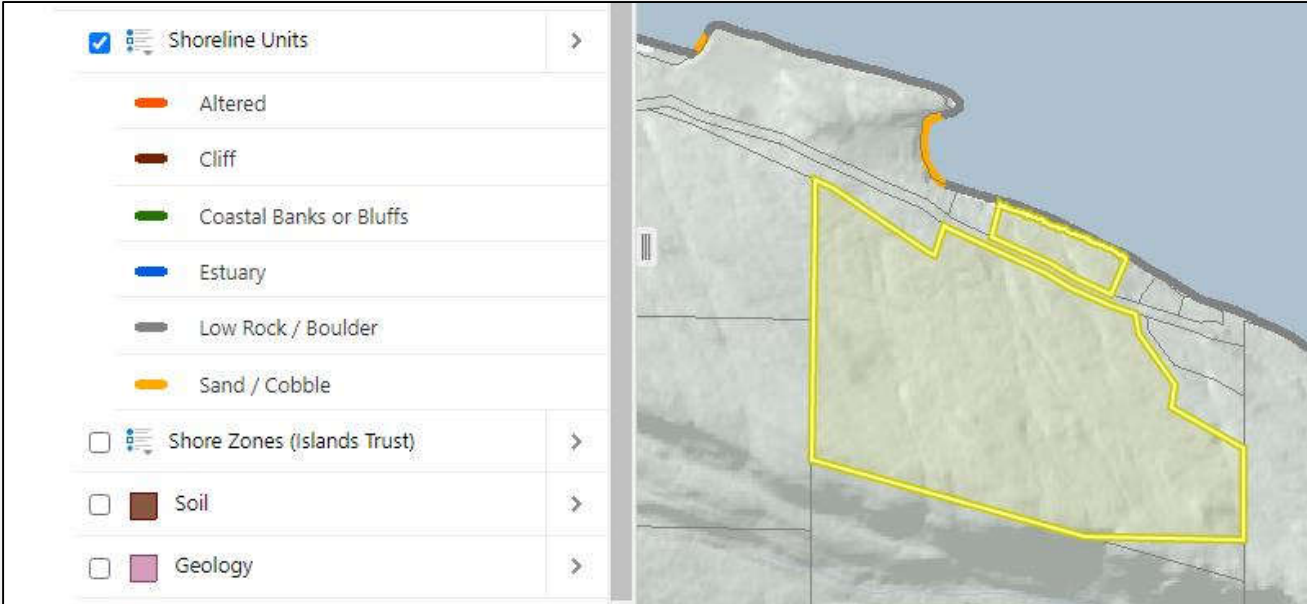
Official Community Plan Designations	Saturna Island OCP No. 70, 2000 Designations: Rural (R)
Land Use Bylaw	Saturna Island LUB No. 119, 2018: Rural General (RG), Rural Residential (RR)
Other Regulations	None
Covenants	LTC covenant FB133052 restricts subdivision to a maximum of 16 lots (15 new lots and a remainder)
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	There are no Islands Trust Conservancy covenants or properties in the direct area; therefore no referral has been made to the Board.
Regional Conservation Strategy	The proposal does not impact the objectives and priorities of the Islands Trust Fund regional conservation plan.
Species at Risk	None identified – waterfront adjacent to SAR Southern Resident Orca habitat

	
Sensitive Ecosystems	None identified

	
Hazard Areas	Significant portions identified as steep slope (primarily moderate and low risk)
	
Archaeological Sites	There are registered archaeological sites along the shoreline in close proximity to the subject parcel. Staff have directed the applicant to the following guidelines: • All archaeological and cultural heritage is protected under the <i>Heritage Conservation Act</i> and areas of archaeological potential may contain undocumented archaeological sites which would be automatically protected under the <i>Heritage Conservation Act</i> (including all intact or disturbed sites) and require a permit from the BC Archaeology Branch. Further information regarding permits: https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits. • In the event that archaeological features or materials are found, either intact or disturbed on the subject property, stop work

	immediately and contact the BC Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca. - Any impacts, would include the following: landscaping, tree removal, digging, using heavy equipment, development, fencing, footings, or any form of groundwork. - For more information regarding registered archaeological sites and archaeological potential on the subject property, submit an Archaeological Information Request Form: www.archdatarequest.nrs.gov.bc.ca, or contact Islands Trust to access mapping of the subject property.
Climate Change Adaptation and Mitigation	N/A
Shoreline Classification	Low rock/boulder
	
Shoreline Data in TAPIS	Small area of eelgrass identified in water zone near subject property.



-3 JAN 2008 12 41

FB133052

Land Title Act

Form C

(Section 219.81)

Province of British Columbia

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

Page 1 of 4 Pages

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

Jones Emery Hargreaves Swan, Barristers & Solicitors,
1212, 1175 Douglas Street, Victoria, B.C. V8W 2E1
(250) 382-7222 File No.: 05-1052 GJ/tm
LTO Client No.: 10211

WENDY SMITH REGISTRY

Signature of Applicant's Solicitor or Agent

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

(PID)

009-628-894

(LEGAL DESCRIPTION)

The North West 1/4 of Section 12, Saturna Island, Cowichan District
except parts in Plans 19569, 20704, VIP63161, VIP79024 and VIP
84336

3. NATURE OF INTEREST:*

DESCRIPTION

Section 219 Covenant

DOCUMENT REFERENCE
(page and paragraph)

Entire Document

PERSON ENTITLED TO INTEREST

Transferee

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

(a) Filed Standard Charge Terms

(b) Express Charge Terms

(c) Release

☐ D.F. No.☒ Annexed as Part 2☐ There is no Part 2 of this instrumentHM 08/01/03 12:44:09 01 VI
CHARGE787749
\$63.65

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

5. TRANSFEROR(S):*

GAINES ENTERPRISES LTD. (Inc. No. 86798), P.O. Box 36, Saturna Island, BC, V0N 2Y0

6. TRANSFEREE(S): (including postal address(es) and postal code(s))*

SATURNA ISLAND LOCAL TRUST COMMITTEE, a corporation under the *Islands Trust Act*,
R.S.B.C. 1996, c. 239 and having its office at Suite 200 - 1627 Fort Street, Victoria, BC, V8R 1H8

7. ADDITIONAL OR MODIFIED TERMS:*

N/A

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

Execution Date

Officer Signature(s)

LAYLEE ROHANI
Barrister, Solicitor, Notary Public
1212 - 1175 DOUGLAS STREET
VICTORIA, B.C. V8W 2E1
(250) 382-7222

Y	M	D
08	01	02

Party(ies) Signature(s)

GAINES ENTERPRISES LTD. by its
authorized signatory:

Per:

Name: JOHN DOUGLAS GAINES

Officer Certification:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

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

Land Title Act
Form D

Page 2

EXECUTIONS CONTINUED

Officers Signature

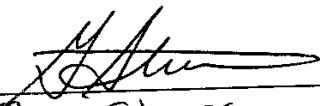


LINDA JOAN ADAMS
Commissioner for Taking Affidavits
for British Columbia
200 - 1627 Fort Street
Victoria, BC V8R 1H8
Ph (250) 405-5151

Y	M	D
07	12	07

Transferor Signature

SATURNA ISLAND LOCAL TRUST
COMMITTEE by its authorized signatories:

Per: 

Name: Gary Steeres

Per: _____

Name: _____

Officer Certification:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

- * If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.
- ** If space insufficient, continue executions on additional page(s) in Form D.



**TERMS OF INSTRUMENT - PART 2
SECTION 219 COVENANT**

THIS AGREEMENT made the ____ day of OCTOBER, 2007

BETWEEN:

GAINES ENTERPRISES LTD. (Inc. No. 86798),
P.O. Box 36, Saturna Island, BC, V0N 2Y0
(the "Transferor")

AND:

SATURNA ISLAND LOCAL TRUST COMMITTEE,
a corporation under the *Islands Trust Act*, R.S.B.C. 1996, c. 239
and having its office at Suite 200 - 1627 Fort Street, Victoria, BC, V8R 1H8
(the "Transferee")

WHEREAS:

- A. The Transferor has applied to the Transferee to subdivide Part of the Fractional North West 1/4 of Section 12, Saturna Island, Cowichan District, completed by G. J. Anderson, B.C.L.S. on August 15th, 2007, a copy of which is attached as Schedule 'A' (the "Plan of Subdivision").
- B. The Transferor owns all and singular that certain parcel of land more particularly described in Item 2 of Part 1 of this Form C (the "Land") to be created by the Plan of Subdivision.
- C. The Transferee as a condition to granting approval to the Plan of Subdivision, has requested the Transferor to enter into a covenant on the terms and conditions hereinafter contained, pursuant to s. 215 of the *Land Title Act*.
- D. The Transferor has agreed to grant this covenant on the terms and conditions hereinafter contained to ensure that the development of the Land proceeds in a manner that benefits the Transferor and is in the public interest.

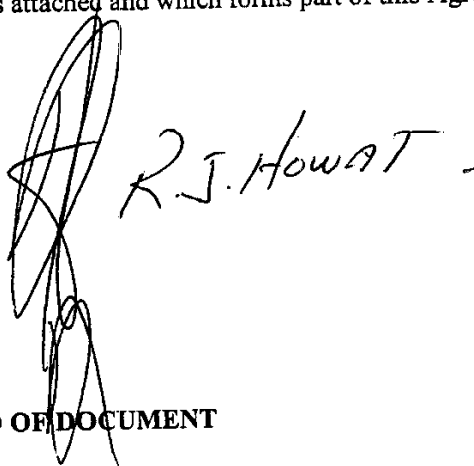
NOW THEREFORE WITNESSETH that in consideration of the sum of TWO (\$2.00) DOLLARS now paid by the Transferee to the Transferor (the receipt and sufficiency of which is hereby acknowledged by the Transferor), the Transferor covenants and agrees with the Transferee, as a covenant granted in accordance with s. 219 of the *Land Title Act*, as follows:

1. The Land shall not be subdivided into lots exceeding 16 (consisting of not more than 15 new lots and a remainder) in number.
2. All of this Agreement constitutes a single covenant granted by the Transferor to the Transferee in accordance with s. 219 of the *Land Title Act*, and that covenant burdens the Land and runs with it and binds the successors in title to the Land. The covenant created by this Agreement burdens and charges all of the Land and any parcel into which it is subdivided by any means and any parcel into which it is consolidated.



Page 4

3. The Agreement benefits and binds the Transferor and the Transferee, their assigns, successors, heirs, executors, administrators and personal representatives. The Transferor is not liable for any breach of this Agreement which occurs after the Transferor has ceased to be the owner of the Land.
4. This Agreement is the entire agreement between the parties concerning its subject, and supersedes and terminates all other agreements, understandings or promises concerning its subject. The Transferee has made no representations and gives no warranties to the Transferor regarding the subject of this Agreement or any related matter or proceeding.
5. A waiver of any breach of this Agreement is binding only if given in an instrument executed by the party giving the waiver, and only if the waiver is an express waiver of the breach in question. A waiver of a breach of this Agreement operates to waive only the breach in respect of which it has expressly been given.
6. Nothing in this Agreement exempts the Transferor or the Land from any statutory requirement or from the ordinary jurisdiction of the Transferee, its bylaws, permits, regulations and orders.
7. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in full force unaffected by that holding or by the severance of that part.
8. The Transferor agrees to do everything reasonable necessary, at the Transferor's expense, to ensure that this Agreement is registered against title to the Land with priority over all financial charges, liens, encumbrances, or the registration of which is pending, at the time of application for registration of this Agreement in the Land Title Office.
9. This Agreement is a contract between the Transferor and the Transferee and is also a deed executed and delivered under seal by the Transferor to the Transferee.
10. As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.



END OF DOCUMENT

Page 53 of 53

File No.: 6500-02
Term End Report

DATE OF MEETING: February 16, 2023
TO: Saturna Island Local Trust Committee
FROM: Robert Kojima, Regional Planning Manager
Southern Team
COPY: Brad Smith, Island Planner
SUBJECT: Local Trust Committee Work Program Review

RECOMMENDATION

1. That the Saturna Island Local Trust Committee make any amendments to the Work Program

REPORT SUMMARY

The Local Trust Committee is asked to review its 'Work Program' and provide direction for any changes to its Active and Future Projects. This report provides a summary of current and recently completed LTC Projects, an overview of the currently identified future projects, and identifies other potential projects the LTC may wish to consider this term. The report also summarizes the status of major applications.

Completed and On-going Projects

Over the past term the LTC undertook the following projects:

Project	Summary	Current Status	Comments
Secondary Suites	Project to permit secondary suites in certain locations	Completed	Initiated in 2018, completed in 2019
Groundwater Sustainability	Mapping, data gathering and delineation of groundwater regions	Completed	Southern Gulf Islands-wide project completed in 2021
STVR Review	Review of temporary use policies for short term vacation rentals	Completed	Project initiated in 2018 and completed in 2019.
Minor OCP and LUB Amendments	Amendments to OCP and LUB to make updates and corrections	Completed	Project initiated in 2021, completed in 2022

Under recently adopted Trust Council policy, an LTC can have one active Minor Project at a time, in addition to any Major Projects funded through a business case approved by Trust Council.

The LTC completed several projects in the last term, with amendments to the Land Use Bylaw and Official Community Plan being recently completed. The LTC could consider identifying an active 'Minor Project' for which staff would request funding up to \$5000 starting in the next fiscal year. The LTC can also consider if they wish to develop a business case for funding for a Major Project for the following fiscal year.

Potential Future Projects

The LTC should start to consider future projects, particularly any Major Projects, as scoping for business cases should start in April 2023. The following section identifies potential future projects from several sources.

1. Future Projects List: as issues are identified, an LTC can add potential projects to the 'Future Projects List' at any time. These are tracked in a report included in each agenda package. Currently there is only one potential project identified on the Future Projects List:

Date added	Issue	Description	Comments
2021	Groundwater Implementation	Consider regulations, DPA and updates to subdivision servicing regulations based on Southern Gulf Islands Groundwater project	Would likely be a major project if proceeding with all options. Could be a minor project to update subdivision servicing regulations based on work being undertaken by other LTCs.

The LTC should review the Future Projects List and update it by removing or adding any initiatives it may want to consider during the term.

2. Strategic initiatives: the following are potential projects that have been advanced through the Regional Planning Committee, with a brief description of each:
 - a. Affordable Housing: a broader review of housing policies and regulations, including consideration of implementation of Islands Trust housing toolkit recommendations and coordination with CRD [Southern Gulf Islands Housing Strategy](#).
 - b. Coastal Douglas-fir Ecosystem Protection: Regional Planning Committee prepared a toolkit with options for protecting significant tracts of mature forest.
 - c. Cultural Heritage Protection implementation: phase 1 of a project to develop criteria for identification of cultural heritage sites was undertaken last year, however that did not include delivery of mapping. Implementation could include designation of Heritage Conservation Areas, based on existing mapping, designation of shoreline areas or First Nations recommendations.
 - d. Shoreline Review: Regional Planning Committee funded a report on shoreline protection last term. Several LTCs initiated projects to review shoreline and marine policies and regulations last term.

3. OCP/LUB Review: Saturna's OCP and LUB have had targeted updates in the last several years. However, the OCP has not been thoroughly reviewed since 2001. The LTC could consider developing a business case for an OCP Review to be started later in the term.
4. Other potential projects: the LTC should identify any other potential initiatives or issues, either as an LTC or through a process of community consultation.

The LTC may wish to consider scheduling a special meeting to engage in more detailed deliberations on identifying future projects or to engage in community consultation on future priorities.

Business Cases for Major Projects

Major projects are any LTC projects that are anticipated to require a budget over \$5,000 in any given fiscal year. These projects would be supported by a planner from the Regional Planning Team and are required to have a business case approved by Trust Council. LTCs wishing to undertake a Major Project should start developing a business case in the spring, and finalize and endorse the business case by end of summer in order to have it reviewed by Regional Planning Committee and by the Financial Planning Committee in October and November meetings. The Financial Planning Committee's recommendations on the business case would then be considered at the December Trust Council for inclusion in the budget for the following fiscal year.

Administrative Bylaws

All LTCs have administrative bylaws that govern the LTC's procedures. Recent amendments to the LTC's administrative bylaws include:

1. Amendments to the meeting procedures bylaw to permit electronic meetings

The LTC deferred consideration of the fees bylaw to the new term:

2. Adoption of a new Fees Bylaw to implement application fee changes recommended by the Regional Planning Committee

Pending Administrative Bylaw amendments that the LTC can expect next year include:

1. Amendments to the development procedures bylaw to allow for alternative notification for public hearings
2. Adoption of a Land Use Permit Delegation Bylaw: this bylaw would delegate the approval of development permits to staff for all DPAs except Form and Character, however as Saturna's OCP has limited DPA designations, this is not currently a priority.
3. Amendments to the Freedom of Information Bylaw will be brought to all LTCs by the Director of Legislative Services in the new year.

Applications

Compared to other Local Trust Committees, the Saturna LTC considers a limited number of applications last term

- One Temporary Use Permit
- One Development Variance Permit
- Three Development Permits

- One ALR application
- Two Rezonings, one of which is on-going
- Staff also reviewed referrals for 39 building permits and four subdivisions.

Summary reports with the current status of all applications are provided in each agenda package. Staff reports are included in agendas when an LTC decision or direction is required.

Standing Policies and Resolutions

The LTC has, over the years, adopted a number of policies in the form of standing resolutions. These resolutions direct how staff act in certain instances, and can provide guidance to the LTC itself. A report of standing resolutions is included in each staff report and the LTC should review these policies early in the term and considering rescinding outdated policies.

Rationale for Recommendation

The Work Program identifies active and future LTC projects. At the start of the term, the LTC should consider identifying an active project and should also identify future priorities. Deliberation on the setting of strategic priorities for the term may also be undertaken by scheduling a special meeting.

ALTERNATIVES

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

1. Schedule a Special Meeting

The LTC may wish to schedule a special meeting to review the Work Program. The resolution can be worded as:

That the Saturna Island Local Trust Committee request staff to schedule a special meeting for the purpose of setting LTC priorities.

2. Amend the Work Program

The LTC can amend either list. The resolution may be worded as:

That the Saturna Island Local Trust Committee amend the [Active Projects List/Future Projects List] as follows: [indicate amendments].

Submitted By:	Robert Kojima, Regional Planning Manager	December 14, 2022
---------------	--	-------------------

Active Projects Report

Saturna Island

2. LUB/OCP Minor Amendments

Responsible

Dates

1. To consider a number of minor amendments to the OCP and LUB - COMPLETED

Brad Smith

Rec'd: 20-May-2021

Target: 30-Sep-2022

Future Projects Report

Saturna Island

1. *Groundwater Sustainability Project*

Responsible

Date Received

Phase 1 report pending completed

LTC direction to defer proceeding with consideration of implmentation



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
SA-RZ-2022.1	Ilio Bertolami and Barry Crooks	24-Aug-2022	Application for rezoning to transfer density - Bylaws 136 (OCP and 137 (LUB)
Planner: Brad Smith			
Planning Status			
Status Date: 09-Jan-2023			
BLs 136/137 granted Executive Committee approval - BL 136 sent to Minister's office			
Status Date: 14-Dec-2022			
Public hearing held for proposed BL 136/137 - LTC gave 2nd/3rd reading post public hearing			
Status Date: 03-Nov-2022			
Draft amending bylaws 136/137 given 1st reading			
File Number	Applicant Name	Date Received	Purpose
SA-RZ-2023.1	Gaines, John	12-Jan-2023	Application for a rezoning to permit the creation of 2 new waterfront lots 2 acres or greater.
Planner: Brad Smith			
Planning Status			
Status Date: 08-Feb-2023			
Preliminary report on Feb 16 agenda			
Status Date: 18-Jan-2023			
Planner Brad Smith assigned.			
Status Date: 13-Jan-2023			
File created in EDM.			



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2017.1	RONALD H HALL	22-Nov-2017	Referral of a subdivision to create one new lot.

Planner: Brad Smith

Planning Status

Status Date: 08-Feb-2023

Applicant still working on proof of water

Status Date: 13-Oct-2022

Planner emailed applicant seeking status update

Status Date: 10-Feb-2022

Applicant still working on proof of water

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2018.1	RONALD HALL	01-Feb-2018	Referral of a subdivision to create one new lot.

Planner: Brad Smith

Planning Status

Status Date: 08-Feb-2023

Applicant still considering options

Status Date: 13-Oct-2022

Planner emailed applicant seeking status update

Status Date: 10-Feb-2022

Applicant still considering options



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2022.1	Gaines Enterprises Ltd.	01-Feb-2022	Application for a proposed eleven lot subdivision.

Planner: Brad Smith

Planning Status

Status Date: 01-Feb-2023

Applicant has submitted rezoning application (SA-RZ-2023.1)

Status Date: 08-Sep-2022

Planner discussed options with applicant - applicant still exploring alternative layouts

Status Date: 18-Mar-2022

Applicant advised that layout plan does not comply with zoning and to revise. MoTI advised of delayed response so applicant can revise plan

Islands Trust
LTC EXP SUMMARY REPORT F2023
Invoices posted to Month ending December 2022

660 Saturna	Invoices posted to Month ending December 2022	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-660	LTC "Trustee Expenses"	104.00	0.00	104.00
LTC Local				
65200-660	LTC - Local Exp - LTC Meeting Expenses	1,952.00	606.70	1,345.30
65210-660	LTC - Local Exp - APC Meeting Expenses	333.00	0.00	333.00
65220-660	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-660	LTC - Local Exp - Special Projects	271.00	0.00	271.00
TOTAL LTC Local Expense		<u>2,806.00</u>	<u>606.70</u>	<u>2,199.30</u>
Projects				
73001-660-2012	Saturna OCP/LUB	<u>1,000.00</u>	<u>1,283.50</u>	<u>-283.50</u>
TOTAL Project Expenses		<u>1,000.00</u>	<u>1,283.50</u>	<u>-283.50</u>

Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
2021-007 (Standing) 14.4 Potable rain water catchment systems That the Saturna LTC endorses the use of potable rain water catchment systems as proof of adequate potable water for residential subdivision, subject to the withholding of temporary or final occupancy permits until such catchment systems are in place.	Carried	21-Oct-2021
2020-006 (Standing) 15.2 Whale Watching Vessel Operation in the Waters of the Local Trust Area Whereas the waters of the Saturna Island Local Trust area extend to the US border in Boundary Pass and Georgia Strait, the Saturna Island Local Trust Committee resolves that in the waters of the Local Trust area commercial whale watching boats be regulated and or licensed to mirror the regulatory regime under development in the adjacent waters of Washington State.	Carried	14-Feb-2020
2020-005 (Standing) 15.2 Whale Watching Vessel Operation in the Waters of the Local Trust Area Be it resolved that the Saturna Island Local Trust Committee fully supports the interim sanctuary zone for the recovery of Southern Resident Killer Whales (SRKW) in the waters of the Saturna Island Local Trust Area.	Carried	14-Feb-2020
2019-047 (Standing) 14.4 Adopted Policies and Standing Resolutions Be it resolved that in the waters of the Saturna Local Trust Area we support large commercial vessel speed reduction initiatives as part of the Southern Resident Killer Whale 2019 Conservation agreement signed between Canada and shipping industry stakeholders. We acknowledge voluntary speed reduction efforts in the Local Trust Waters and view the requirement to reduce transit speeds in support of SRKW recovery to be the equivalent of a voluntary bylaw in the Saturna Local Trust Area.	Carried	18-Jul-2019

Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
2019-036 (Standing) 13.2 Unlawful Short-Term Vacation Rental Enforcement Policy - Staff Report that the Saturna Island Local Trust Committee only authorize enforcement against unlawful short term vacation rentals, unless one of the following circumstances exists: 1. There is more than one complainant from the immediate neighbourhood; 2. The complaint is made by a representative of an improvement district and it concerns overuse of water; 3. The complaint concerns use of a common driveway servicing at least two separate lots; 4. There is a written complaint by owners or residents in the immediate neighbourhood about bona fide nuisance issues such as noise or parking congestion related to the STVR.	Carried	09-May-2019
2019-017 (Standing) 7.1 Follow-up Action List Dated May 2019 that Saturna Local Trust Committee no longer wishes to receive bylaw referrals from adjacent local trust committee areas unless the planner deems it in the interest of the LTC to review and comment on a specific referral.	Carried	09-May-2019
2019-011 (Standing) 13.2 Unlawful Dwelling Policy - Mayne Policies & Standing Resolutions Table that the Saturna Island Local Trust Committee directs staff to take enforcement action against unlawful dwellings only if one of the following conditions exists: There is a complaint from an immediate neighbour; or there is a referral from an agency responsible for health and safety issues that is doing concurrent enforcement. Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Saturna Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.	Carried	17-Jan-2019

Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
2018-050 (Standing)	Carried	04-Oct-2018
- Proposed or amended licenses for non-medical 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.		
2012-011 (Standing)	Carried	09-Feb-2012
It was Moved and Seconded that where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Saturna Island Land Use Bylaw No. 78, 2002 permits public assembly uses, such as halls, recreation facilities or restaurants, and where there have been no issues related to parking or past complaints for the preceding three years, planning 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		

Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
-------------------	--------	------

2011-000 (Standing)

Carried

22-Jun-2011

It was Moved and Seconded that the Saturna Island Local Trust Committee adopt a Standing Resolution to direct staff to place the in camera minutes on the agenda when there is a need to close the meeting or at least once a year.

2009-009 (Standing)

Carried

25-Feb-2009

It was Moved and Seconded that the Saturna Island Local Trust Committee draft minutes be adopted by Resolution without meeting within 30 days of the meeting and posted to the website.

2007-016 (Standing)

Carried

16-May-2007

Travel Trailer or Camper

It was Moved and Seconded that staff be directed to not take enforcement action against property owners when a travel trailer or camper is located on a lot when:

- The travel trailer or camper is being used for recreational purposes by the owners of the lot and;
- The travel trailer or camper is being used intermittently and for short periods not exceeding two months.

Notwithstanding this direction, staff is to take action to prevent the recreational use of travel trailers or campers on inappropriately zoned land if:

- The travel trailer or camper is being used as a second residence or;
- The trailer or camper is situated within the setbacks for a structure or;
- There are serious safety issues, unsightliness, noise, or health problems related to the use or;
- A complaint based on the above three items is received from a person who owns neighboring property.

Nothing in this direction should be interpreted by a property owner as giving permission to violate the Land Use Bylaw and the Saturna Island Trust Committee may change this policy at any time and may give direction to enforce the Bylaw at any time.



HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY NOVEMBER 22, 2022 BOARD MEETING

NOTE: For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

1. ORGANIZATION UPDATES/TEAM

- ***This meeting was the first Islands Trust Conservancy (ITC) Board meeting following the Islands Trust Council elections. Two new board members were elected to the ITC board (Trustee Scott and Trustee Yates) and one appointed by the Executive Committee (Trustee Elliott). ITC Board members appointed by the Minister of Municipal Affairs will continue on the ITC Board and are unaffected by local government elections.***
- Nominations for the Chair, Vice-Chair and Financial Planning Committee (FPC) representative were held. Trustee Adams was voted Chair of ITC Board, Trustee Smith was voted Vice-Chair, and Trustee Scott is the FPC representative. The ITC Manager advised that ITC will have an ex officio seat on the Governance Committee once the committee is constituted, noting the ITC Chair will appoint a member to the committee.
- The ITC Board continues to have a vacancy for one Ministerial appointment. The posting for the vacancy closed on October 7, 2022. The ITC Board is awaiting news from the [Crown Agencies and Board Resourcing Office](#) regarding a potential new member.

2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Board approved the draft 2023-2025 Islands Trust Conservancy Interim Plan and directed staff to forward it to the Minister of Municipal Affairs by December 31, 2022, for review and approval.
- The ITC Board reviewed a referral for Galiano Islands Local Trust Committee bylaws 231 and 232. The ITC Board recommended that the Galiano Island Local Trust Committee approve bylaws 231 and 232 because they bring zoning into agreement with the use of conservation lands and further strengthen the conservation status for District Lots 64 and 68, which are adjacent to Islands Trust Conservancy covenanted areas.

3. COVENANT AND PROPERTY ACQUISITIONS

- The ITC Board received reports on covenants and acquisitions for information.

4. COVENANT AND PROPERTY MANAGEMENT

- ITC Board approved a request for tree planting by the Pender Islands Parks and Recreation Commission in Enchanted Forest Covenant (South Pender Island).



ISLANDS TRUST CONSERVANCY

ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

5. COMMUNICATIONS AND OUTREACH

- ITC staff provided an overview and orientation presentation to incoming Board members.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- The ITC Board accepted a donation of approximately \$45,000 from the estate of William Tempest for the purpose of conservation initiatives on Hornby Island. From this approx. \$25,000 has been designated for covenant management activities and approx. \$20,000 to the Opportunity Fund for grants for Hornby Island.

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 of interest:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/>
- **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)

BRIEFING

To: LTCs in W̱SÁNEĆ Territory **For the Meeting of:** Various

From: Trust Programs Committee **Date Prepared:** September 2, 2022

SUBJECT: Aug 4, 2022 Letter from W̱SÁNEĆ Leadership Council Staff regarding Draft 2021 Islands Trust Policy Statement Amendments

PURPOSE: To provide, for information, a letter from W̱SÁNEĆ Leadership Council staff regarding draft 2021 Islands Trust Policy Statement amendments.

BACKGROUND: On August 26, 2022, Trust Programs Committee received a letter from the W̱SÁNEĆ Leadership Council (WLC) regarding WLC staff's response to draft 2021 Islands Trust Policy Statement Amendments.

Trust Programs Committee passed the following resolution:

that Trust Programs Committee forward the letter of August 4, 2022, from W̱SÁNEĆ Leadership Council staff to all local trust committees in their territory

This letter has also been shared with Trust Council and provincial staff.

WLC staff participated in both Phase 1 and Phase 2 of early and meaningful engagement related to the Policy Statement Amendment Project. Additional correspondence from W̱SÁNEĆ Leadership Council regarding the Policy Statement has been posted to the Islands 2050 webpage at <https://islandstrust.bc.ca/programs/islands-2050/>.

Staff will continue early and meaningful engagement with W̱SÁNEĆ Leadership Council on the Policy Statement Amendment Project and will provide a formal referral after first reading.

ATTACHMENT(S):

1. Aug 4, 2022 Letter from W̱SÁNEĆ Leadership Council Staff regarding Draft 2021 Islands Trust Policy Statement Amendments

FOLLOW-UP: Staff will follow up as directed.

Prepared By: Clare Frater, Director, Trust Area Services



WLC Staff Response to 2021 Islands Trust Policy Statement Amendments August 4, 2022

Below is a staff level review of the 2021 Islands Trust Policy Statement Amendments. WLC staff have organized this document by outlining past WSÁNEĆ Technical Advisory Committee (WTAC) recommendations, noting where Islands Trust amendments have incorporated and satisfied WTAC recommendations, and providing feedback on how to move forward. WLC staff have divided our review of the Islands Trust Policy Statement by the headers provided in that document (e.g. Introduction, Present Context, etc.).

As a note, this review is at the staff level and, due to capacity issue, it has not been reviewed by the WSÁNEĆ Leadership Council Board of Directors or the WSÁNEĆ Technical Advisory Committee. WLC staff hope for future opportunities to provide input where these advisory committees and decision-makers can be included.

Introduction:

Past WTAC recommendation:

1. Include the story of TELEIÁĆES ("Relatives of the Deep"/Gulf Islands). This story brings a different level of understanding/context to those that may wonder why WSÁNEĆ want involvement in decisions regarding the Gulf Islands.

Feedback:

The story of TELEIÁĆES is not in the Policy Statement document. The WLC would like to see the inclusion of the story of TELEIÁĆES ("Relatives of the Deep"/Gulf Islands). This story brings a different level of understanding/context to those that may wonder why First Nations want involvement in decisions regarding the Islands. If other First Nations have similar stories, Islands Trust should attach them also as an appendix to the Policy Statement.

Present Context:

Past WTAC recommendations:



1. Incorporate Bill c-15, an act respecting the United Nations Declaration on the Rights of Indigenous Peoples.
2. There is a need for cumulative impact studies to ensure responsible informed decision making. This work needs to incorporate First Nations values and be in collaboration with First Nations.
3. Support First Nations in the development of cultural overlay mapping, mapping for environmental and ecological systems, and heritage mapping.
4. Preserve environment to protect Douglas Treaty rights and ensure they can be exercised into the future.
5. Approach environmental issues in ways that further reconciliation with First Nations, the original and proper caretakers of the land.

2021 Policy Statement:

- Trust Council adopted a Reconciliation Declaration that speaks to UNDRIP and free, prior and informed consent
- notes the need to “effectively preserve the environment” and, that “decision making will need to be guided by the best possible science and Indigenous ways of knowing”.
- Protects the environment for the generations to come and for First Nations that wish to come home or have access to traditional uses.
- Official community plans and regulatory bylaws, identify, preserve and protect and support the restoration of indigenous cultivation and harvesting areas and coordinate with, and advocate to, other government agencies to regulate and monitor harvesting.
- Commits to consulting with FNs prior to decisions regarding hunting and to preserve traditional harvesting areas.

WLC Staff Feedback:

The Islands Trust has adopted a Reconciliation Declaration that utilizes UNDRIP, and within the Policy Statement the Islands Trust has created policy that aligns with the principles of UNDRIP. However, support for UNDRIP is not imbedded in the Policy Statement and the Reconciliation Declaration 2019-2022 is not permanent. The WLC advise that a commitment to implementing the principles of UNDRIP is embedded into the Policy Statement.

The Policy Statement does a good job in utilizing scientific studies, cultural knowledge, First Nations’ values and informed decision making, but it does not commit to additional impact



studies or cultural site identification and mapping. The gathering of this cultural data is an important project for the implementation of this Policy Statement as the data held by the Provincial databases regarding Indigenous cultural sites are wholly insufficient. The WLC would like to see a commitment to resourcing data-gathering projects, which may be an item that can be negotiated as part of a WSÁNEĆ MOU.

The Policy Statement has greatly increased the protection of the environment and it does acknowledge the harvesting rights of First Nations, it also recognizes the need to solve environmental issues in collaboration with First Nations and other organizations but it lacks a framework in which this will occur. This is discussed further in the feedback for Governance.

The Islands Trust Object and Its Meaning

Past WTAC recommendations:

1. Add information about First Nations and their history.
2. Mention First Nations rights and unceded title

2021 Policy Statement:

- Recognizes that it is in the homeland of 28,000 First Nations, that there is culturally significant species, archaeological sites and harvesting areas.
- First Nations have been here since time immemorial and are caretakers and stewards
- With creation stories, place names, laws and protocols
- Indigenous cultural heritage is a unique amenity of the Islands Trust.
- First Nations have been removed through colonization

WLC Staff Feedback:

Information regarding First Nations and their history were not added to the Object and its Meaning, possibly because the Object is stated in legislation and the Policy Statement is not intended to make a legislative change. However, Islands Trust did provide contextual information on First Nations through a statement that follows the Object and Its Meaning. Douglas Treaty rights and title, and Indigenous title is not specifically mentioned in this document. The WLC requests that Islands Trust recognizes its duty to uphold Douglas Treaty rights and title, and Indigenous title more generally.



Location of the Islands Trust Area

2021 Policy Statement:

Includes a map of the 13 major Islands.

WLC Feedback:

In this section, WLC staff recommend the inclusion of a map that demonstrates the locations of the First Nations that have been named in the Policy and a place names map in SENCOTEN and/or Hul'qumi'num.

Regional Governance:

Past WTAC recommendations:

1. First Nations should not be considered stakeholders. First Nations have a much stronger position that requires legal consultation than your typical stakeholder.
2. First Nations should be actively included in governance. First Nations involvement should not 'just' be as collaborators. WSÁNEĆ have responsibilities to the land and have been removed as caretakers.
3. There needs to be a more evidence based approach/whose information/ownership and controls. Not just 'evidence based' but based on best available science and social science and committed to indigenous ways of knowing."
4. We need a cooperation accord and information/data sharing agreements.

2021 Policy Statement:

- Trust Council recognizes that meaningful engagement/participation and cooperation with First Nations is critical and that First Nations play an integral role in governance and cooperative decision making in the Trust Area.
- Islands Trust commits to meaningful engagement/participation and cooperative/engagement mechanisms such as Protocol agreements, other cooperative arrangements and MOUs.
- The Islands Trust Policy Statement includes finding solutions using the best available area based mapping and indigenous ways of knowing.



WLC Staff Feedback:

In this policy statement, engagement and cooperation with First Nations is stated over 20 times. Engaging with First Nations is a priority of Islands Trust as they recognize that it is essential to the implementation of the Policy Statement. However, without an inclusive method of decision making, First Nations that do not have protocol agreements, or those that are in the process of making these agreements, will have no avenue of accountable engagement. Additionally, this method may limit tier one (First Nation to First Nation) collaboration and has the potential to reduce cooperation amongst First Nations. With that said, protocol agreements to clarify interests and establish commitments are essential and need to be created between the WSÁNEĆ Leadership Council, our constituent First Nations, and Islands Trust.

Ecosystem Preservation and Protection

Past WTAC recommendations:

1. The creation of protected areas, including areas that are 'off limits' and protected ecological networks that are intended to curb development.
2. Include active remediation projects.
3. All environmental preservation, protection, and mitigation projects should be established with First Nations as we need to ensure projects protect but do not alienate rights or block First Nations' economies.
4. When considering land acquisition, work with Local First Nations and land trusts
5. Reconnection of fragmented forest ecosystems.
6. Ecosystems Preservation and Protection.

2021 Policy Statement:

- approaches to protecting the environment are being put in place for First Nations that wish to come home or have access to traditional uses.
- official community plans and regulatory bylaws are to identify, preserve, protect and support the restoration of indigenous cultivation and harvesting areas.
- advocate to other government agencies to regulate and monitor harvesting
- consult with First Nations prior to decisions regarding hunting and to preserve First Nations traditional harvesting areas.
- retain large land holdings to enable sustainable forest harvesting and minimize the fragmentation of forests



- coordinate with, and advocate to, the provincial government to adopt legislation establishing sustainable forest harvesting.
- agricultural and development activity needs to be respectful of Indigenous harvesting, and should not adversely impact (and be directed away from) traditional harvesting areas, middens and other archeologically significant resources and areas.
- in cooperation with First Nations and the Conservancy Board, will advocate for acquisitions in order to protect natural areas.

WLC Staff Feedback:

This policy statement increases environmental protection policies and recognizes the need to include First Nations' rights to access land and natural resources. It speaks not only to protection of the environment but the remediation of the environment, which was an important element to the WSÁNEĆ Technical Advisory Committee.

Additionally, there are tools embedded in the Policy Statement to protect land from development and pollution, but the policy statement does not speak to the creation of protected areas. The WLC recommends a commitment to additional impact studies, and ecosystem mapping to assist in protection and remediation of the environment.

Further, WLC staff find it problematic that the Policy Statement does not commit resources to do pursue these goals. This may be tackled through a protocol agreement or an MOU with the WLC but should also be a priority of the Islands Trust outside of a protocol agreement. This protocol agreement could include dedicated funding for environmental remediation projects important to WSÁNEĆ peoples, studies to determine causes of shellfish pollution in the Islands Trust area, and commitments to funding for WSÁNEĆ monitoring programs.

Heritage Preservation and Protection

Past WTAC recommendation:

1. Protect and preserve First Nations history, cultural and archaeological, in collaboration with First Nations

2021 Policy Statement:

- recognizes heritage as a 'unique amenity' that is to be preserved and protected. This



includes, places, objects, knowledge, artistic impressions, natural landscapes, which includes Indigenous cultural heritage. This is not limited to areas that are utilized and occupied by indigenous peoples.

- First Nations have a right to identify, interpret and safeguard its value, outside of colonial frameworks.
- regional planning decisions should not have adverse impacts on Indigenous cultural heritage
- committees and island municipalities in their bylaws, need to identify, preserve, protect and support restoration of indigenous cultural heritage- in cooperation with First Nations.
- engage with Indigenous organizations/people to seek the best available archaeological data and provide educational materials and tools to help preserve and protect indigenous cultural heritage.

WLC Staff Feedback:

The additions that have been made to the policy statement in regards to the preservation and protection of heritage mostly cover the recommendations that were made by the WTAC. The concern of the WLC is the implementation of these policies and the inclusion of WLC in decision making on projects that may impact cultural heritage. The WLC staff recommend that Islands Trust make additional commitments to the WLC through protocol agreements and/or MOUs on this topic. Within these agreements, commitments could be made to further develop internal archaeological potential mapping at the Islands Trust; develop cultural heritage protocol for engagement, the use of WSÁNEĆ cultural workers, and other items of value to both parties; and, a role in decision making for WLC when Islands Trust contemplates Development Permits.

Housing

Past WTAC recommendation:

1. Promote First Nations housing opportunities that brings WSÁNEĆ people back out to the islands. That would be a real win.

2021 Policy Statement:

- The Islands Trust shall advocate to organizations to foster safe, secure and affordable housing for indigenous peoples.



WLC Staff Feedback:

The WLC staff recommends that Islands Trust enter into an MOU to explore housing opportunities for WSÁNEĆ community members.

Additional Recommendations:

- Islands Trust include a commitment to place name changes, the use of First Nations art in developments, installing signage related to First Nations history/culture, and specific targeted reconciliation policies.
- Islands Trust prioritize First Nations economic opportunities.

Conclusion:

After completing the review of the 2021 Islands Trust Policy Statement, it is clear that the Islands Trust team has made meaningful and important changes to the Policy Statement. As mentioned above, there are many instances throughout the document where WLC staff can see that our feedback has been incorporated. However, WLC staff are concerned about future amendments to this document which may alter the elements important to the WLC. There is a chance that some commitments to environmental and cultural protection and First Nations engagement will be taken out of the Policy Statement. The WLC would like to support the strong commitments that are made in this iteration of the Policy Statement to First Nations collaboration, the environmental, and to First Nations culture. WLC staff would like to thank the Islands Trust staff who have provided the opportunity to review the Policy Statement which will may impact the rights and title of the WSÁNEĆ People.

From: David Maude <dmaude@islandstrust.bc.ca>

Sent: Tuesday, January 31, 2023 7:04 PM

To: Mayne Island Local Trust Committee <MayneIslandLocalTrustCommittee@islandstrust.bc.ca>; North Pender Island Local Trust Committee <NorthPenderIslandLocalTrustCommittee@islandstrust.bc.ca>; South Pender Island Local Trust Committee <SouthPenderIslandLocalTrustCommittee@islandstrust.bc.ca>; Saturna Island Local Trust Committee <SaturnaIslandLocalTrustCommittee@islandstrust.bc.ca>; Galiano Island Local Trust Committee <GalianoIslandLocalTrustCommittee@islandstrust.bc.ca>

Cc: Paul Brent <pbrent@mac.com>

Subject: Siting and Use Permits option

Fellow Trustees.

Second try, the Trust email seems to be having issues....

There have been some ongoing concerns with regard to CRD Building Inspection, the timeliness and costs of inspections and permit issuance and the barriers these might present to enable economical and creative housing solutions.

There is a potential that CRD could withdraw Building Inspection which could be replaced by Siting and Use Permits (Link below to the Hornby Bylaw for your reference). This would undertake involve a full public process both by the Trust and CRD that likely would take some time to accomplish.

At the Mayne Island January 30 meeting, the following motion was passed:

"That the Mayne island LTC request Trustee Maude write to Saturna Island LTC, South Pender Island LTC, Galiano Island LTC and North Pender Island LTC to request their thoughts on Mayne Island LTC asking CRD to identify interest in implementing siting and use permits in the event CRD should discontinue use of building permits."

What we would like is some feedback that we could pass onto Director Brent as to whether there is interest amongst the islands to pursue this as an option.

Thank you.

<https://islandstrust.bc.ca/document/hornby-ltc-siting-and-use-permit-bylaw-no-168/>

**Mayne Island Trustee
Trust Council Vice Chair**

Wi'la'mola - we are all travelling together



DATE OF MEETING: February 16, 2023
TO: Saturna Island Local Trust Committee
FROM: Brad Smith
Southern Team
SUBJECT: Request for consent to realignment of Gaines Road
Applicant: Tolan Matthew
Location: Lot 11 and Lot 12, Plan VIP78516 , Saturna Island

RECOMMENDATION

- 1. That the Saturna Island Local Trust Committee consents with the proposed realignment of Gaines Road and designates the Chair of the Local Trust Committee to sign the plan applications for Reference Plans EPP86340 and EPP86342.**

PURPOSE

The purpose of this report is to consider a request from the property-owner for the LTC to provide consent to a proposed road realignment on two Saturna Island land parcels, which are also subject to *Land Title Act* s. 219 covenants between the title holder and the LTC.

The above recommendation is supported as staff have reviewed the two LTC held covenants and conclude that the proposed realignment of Gaines Road has no impact on the conditions within the two covenants.

BACKGROUND

The owner of Lot 11 and Lot 12, Plan VIP78516 is seeking a road realignment of Gaines Road in order to correct the location of the existing legal road dedication between Lot 11 and Lot 12 so that it aligns with the road improvements as they presently exist.

The Islands Trust and the Saturna Island Local Trust Committee of the Islands Trust are the holders of Covenant EX28222 and Covenant EX28223 registered on title to Lot 12. As such, in order to complete the road dedication, the property owner requires consent of the LTC. Consent would be given by signing the plan applications for Reference Plan EPP86340 and EPP86342 included as attachments 3 and 4.

ANALYSIS

Review of Covenant Conditions

Covenant EX28222 - The conditions in LTC covenant EX28222 state:

NOW THEREFORE in consideration of the approval of subdivision by MOTM the Covenantors covenant with the Covenantees as follows:

1. Water will not be drawn from any of the New Wells situate on Lots 1 and 2, Sections 17 and 20 and Lots 4, 8, 10 and 12, Section 17, all of Saturna Island, Cowichan District, Plan VIP 78516 unless and until, in respect of each lot:
 - (a) a pump is located approximately six metres from the bottom of the hole to provide a large available drawdown and sufficient sediment trap; and,
 - (b) a 3/4 inch PVC pipe is installed at the time of pump installation to facilitate future monitoring of the local aquifer.
2. Water will be drawn from each of the New Wells for domestic purposes only on the condition that the bacterial water quality is tested annually and a treatment facility will be installed to the satisfaction of a Professional Engineer so as to ensure that water meets Canadian Drinking Water Quality Guidelines.
3. The burden of the covenants set out above will run with the Lands and will be binding upon the Covenantors, their heirs, personal representative, successors and assigns, but only during their respective seisions of the Lands.

Covenant EX28223 - The conditions in LTC covenant EX28223 state:

Pre-Adjustment Restrictions

3. The Covenantor must not build, construct or place more than one Single Family Dwelling on the Land and must not allow more than one Single Family Dwelling to remain on the Land.
4. The Covenantor must not build, construct or place more than one Cottage on the Land and must not allow more than one Cottage to remain on the Land.
5. The Land may not be further subdivided.

Building Permits and Subdivision Approval

6. The Covenantor must not apply for, and agrees that the approving officer may refuse to approve, and subdivision that would contravene this Covenant.
7. The Covenantor must not apply for any building permit, and agrees that the Capital Regional District is under no obligation to issue any building permit, that relates to a building that the Covenantor is prohibited from building, constructing, placing or allowing to remain on the Land or the Adjusted Land under this Covenant.

Staff are of the view that the proposed road realignment has no impact on the covenant conditions described above. Following completion of the road alignment, the Islands Trust covenants will remain registered on title to the new lot resulting from the consolidation with Lot 12.

NEXT STEPS

With direction from the LTC, staff will initiate chair sign-off of the two plan application forms.

Submitted By:	Brad Smith, Island Planner	February 7, 2023
Concurrence:	Robert Kojima, Regional Planning Manager	February 8, 2023

ATTACHMENTS

1. Letter to Saturna Island Local Trust Committee
2. LTC Covenant EX28222 and Covenant EX28223
3. Plan Application for EPP86340 (for execution on pages 3 and 5)
4. Plan Application for EPP86342 (for execution on pages 3 and 5)
5. Title for Lot 11 and Lot 12
6. Plan EPP36339 re: Road Cancellation (now filed)
7. Plan EPP86340 re: Road Dedication
8. Plan EPP86341 re: Consolidation of Lot 11
9. Plan EPP86342 re: Consolidation of Lot 12

Matthew Tolan
T 604.640.4186
F 604.622.5859
mtolan@blg.com

Borden Ladner Gervais LLP
1200 Waterfront Centre
200 Burrard St, P.O. Box 48600
Vancouver, BC, Canada V7X 1T2
T 604.687.5744
F 604.687.1415
blg.com



File No.: 560357.000008

February 3, 2023

Saturna Island Local Trust Committee - Islands Trust

200 – 1627 Fort Street
Victoria, BC
V8R 1H8

Dear Saturn Island Local Trust Committee Members:

Re: Consent to Realignment of Gaines Road, Saturna Island

I confirm that we represent F. Williams Holdings Ltd. (the “**F. Williams**”), which is the owner of Lot 11 (“**Lot 11**”) and Lot 12 (“**Lot 12**”), Plan VIP78516 (see legal descriptions in the attached Schedule), between which a portion of Gaines Road runs.

We are writing to you on behalf of F. Williams in relation to a proposed road realignment of Gaines Road (the “**Road Realignment**”) which F. Williams and the British Columbia Ministry of Transportation and Infrastructure (“**MoTI**”) are undertaking in order to correct the location of the existing legal road dedication between Lot 11 and Lot 12 so that it aligns with the road improvements as they presently exist. For reference, Lot 11 is located to the north of (i.e. above) Gaines Road and Lot 12 is located to the south of (i.e. below) Gaines Road.

In order to do complete the Road Realignment, F. Williams and MoTI, the following three steps must be completed in succession (for which I reference the sketch plan (the “**Sketch Plan**”) in the attached Schedule):

1. MoTI will cancel the portion of the existing road dedication plan coloured in **green** on the Sketch Plan (the “**Cancelled Road**”), and will raise title to each portion of the Cancelled Road (Please note that as of the date of this Letter, this step has been completed);
2. F. Williams will dedicate the portions of Lot 11 and Lot 12 coloured in **orange** on the Sketch Plan as road (which will be completed by filing Reference Plan EPP86340 with the Land Title Office); and
3. MoTI will transfer:
 - (a) the western portion of the Cancelled Road (i.e. the **green** area to the left) to F. Williams, which portion will be consolidated with the remainder of Lot 11 existing after dedicating the road in Step 2 (which consolidation will be completed by filing Reference Plan EPP86341 with the Land Title Office); and

- (b) the eastern portion of the Cancelled Road (i.e. the **green** area to the right) to F. Williams, which portion will be consolidated with the remainder of Lot 12 existing after dedicating the road in Step 2 (which consolidation will be completed by filing Reference Plan EPP86342 with the Land Title Office).

The Islands Trust and the Saturna Island Local Trust Committee of the Islands Trust are the owners of Covenant EX28222 and Covenant EX28223 registered on title to Lot 12 (together, the “**Islands Trust Covenants**”). As such, in order to complete the road dedication contemplated in Step 2 above, and the consolidation of the remainder of Lot 12 with the eastern portion of the cancelled road contemplated in Step 3(b) above, we require consent (which consent would be given by signing the plan applications for Reference Plan EPP86340 and EPP86342).

Please note that following completion of the Road Realignment, the Islands Trust Covenants will remain registered on title to the new lot resulting from the consolidation with Lot 12. As such, it is our view that the Islands Trust’s interests will not be affected by the Road Realignment.

On that basis, we kindly ask that you grant consent to the Road Realignment by executing (i) the Plan Application for Reference Plan EPP86340 (on pages 3 and 4), and the (ii) Plan Application for Reference Plan EPP86342 (on pages 3 and 4), copies of which are enclosed with this Letter.

To facilitate your review, we have enclosed title searches for Lot 11 and Lot 12, and signed Survey Plan Certificates for Reference Plans EPP86339, EPP86340, EPP86341 and EPP86342.

We trust that you will find the foregoing and enclosed to be in order. However, should you have any questions or comments, please do not hesitate to contact us.

Yours truly,

BORDEN LADNER GERVAIS LLP



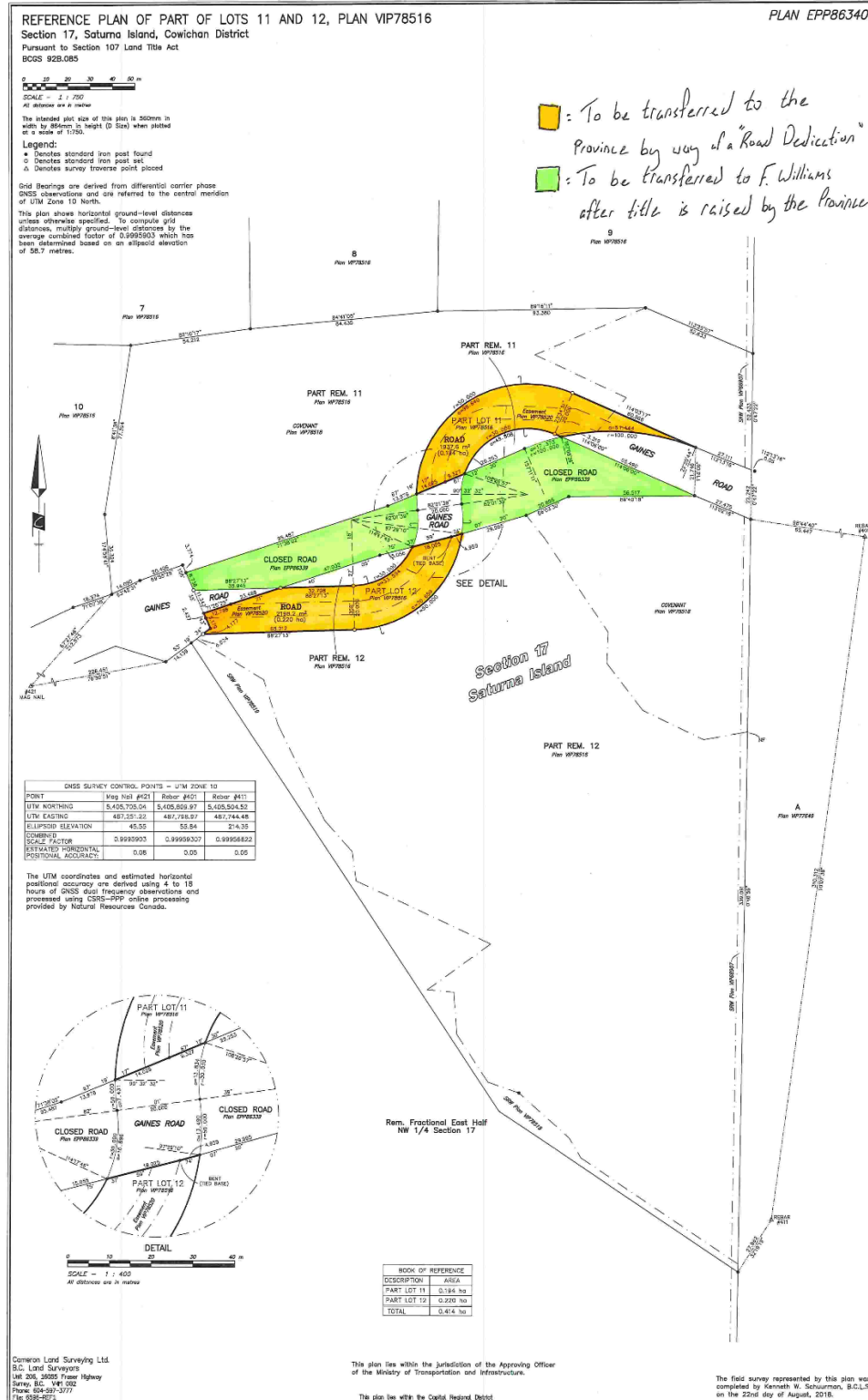
Matthew Tolan
Encl.

cc: Brad Smith (Island Planner, Southern Team – Islands Trust)
Karin Hilliard (Contract Land Agent – Ministry of Transportation and Infrastructure)
Dorie-Anne Leggett (Cassady & Company – Counsel for the Ministry of Transportation and Infrastructure)

SCHEDULE

Lot 11: PID: 026-227-681, Lot 11 Section 17 Saturna Island Cowichan District Plan VIP78516

Lot 12: PID: 026-227-690, Lot 12 Section 17 Saturna Island Cowichan District Plan VIP78516



LAND TITLE ACT
FORM C
 (Section 219.81)

16 MAR 2005 11 57

EX028222

Province of
 British Columbia

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

Page 1 of 4

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

WOLFGANG SCHWEGLER
 410-1040 W. GEORGIA ST.
 VANCOUVER V6E 4H1
 TEL. 604 684 4505

Wolfgang Schwegler
 Davis & Company, Barristers & Solicitors
 2800 Park Place, 666 Burrard Street
 Vancouver, BC V6C 2Z7
 Telephone No. 604.687.9444
 Client No. 10371 File Ref. nls

Signature of Solicitor

DYE & DURHAM CO. INC.

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

PID

(LEGAL DESCRIPTION)

026227444 026227673
 not yet assigned
 026227592 026227690
 026227614
 026227657

Lots 1 and 2, Sections 17 and 20, Saturna Island, Cowichan
 District, Plan VIP **78516**
 Lots 4, 8, 10 and 12, Section 17, Saturna Island, Cowichan
 District, Plan VIP **78516**

3. NATURE OF INTEREST:*

DESCRIPTION

DOCUMENT REFERENCE
(page and paragraph)

PERSON ENTITLED TO INTEREST

no
~~Restrictive~~ Covenant
 section 219 Land Title Act

Entire Instrument

Transferee

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

- (a) Filed Standard Charge Terms
 (b) Express Charge Terms
 (c) Release

☐
☒
☐

D.F. No.

Annexed as Part 2

There is no part 2 of this Instrument

01 05/03/16 11:57:36 01 VI 623049
 CHARGE \$64.75

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

5. TRANSFEROR(S)*

F. WILLIAMS HOLDINGS LTD.

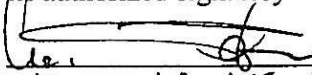
6. TRANSFEREE(S): (INCLUDING POSTAL ADDRESS(ES) AND POSTAL CODE(S))*

ISLANDS TRUST, a corporation under the *Islands Trust Act* of British Columbia, having an office at
 2nd Floor, 1627 Fort Street, Victoria, BC, V8R 1H8

7. ADDITIONAL OR MODIFIED TERMS:*

N/A

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

Officer Signature(s)		Execution Date			Party(ies) Signature(s) (ALL SIGNATURES TO BE IN BLACK INK)	
		Y	M	D		
(Signature)		04	11	23	E. WILLIAMS HOLDINGS LTD. by	
(Print Name)	Michael Wagner				its authorized signatory	
	2800 - 666 Burrard Street					
	Vancouver, BC V6C 2Z7				Print name - WOLFGANG SCHUSTER	
	Tel: (604) 643-6360					
	Fax: (604) 605-3795					
(Address)	Notary in and for the Province of British Columbia					
(Professional Capacity)						

OFFICER CERTIFICATION:

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

- * If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.
 ** If space insufficient, continue on additional page(s) in Form D.



TERMS OF INSTRUMENT - PART 2

RESTRICTIVE COVENANT

THIS AGREEMENT is dated for reference November 1, 2004

BETWEEN:

F. WILLIAMS HOLDINGS LTD., having a head office in British Columbia at 2800 Park Place, 666 Burrard Street, Vancouver, BC, V6C 2Z7

(the "Covenantor")

AND:

ISLANDS TRUST, a corporation under the *Islands Trust Act* of British Columbia, having an office at 2nd Floor, 1627 Fort Street, Victoria, BC, V8R 1H8

(the "Covenantee")

WHEREAS:

A. The Covenantors are owners in fee simple of lands on Saturna Island described as Lot 1, Sections 17 and 20, and Lots 2 to 12 inclusive, Saturna Island, Cowichan District, Plan VIP (the "Lands");

B. The *Land Title Act*, s. 219 provides, inter alia, that a covenant including provisions in respect of the use of land may be registered as a charge against title to the Land in favour of the Covenantee;

C. The Covenantee is Islands Trust;

D. On each lot of the Lands created by subdivision there are wells which have been drilled (the "New Wells");

E. The Covenantors have agreed to grant this covenant in consideration of MOTH approving the said subdivision.



NOW THEREFORE in consideration of the approval of subdivision by MOTH the Covenantors covenant with the Covenantees as follows:

1. Water will not be drawn from any of the New Wells situate on Lots 1 and 2, Sections 17 and 20 and Lots 4, 8, 10 and 12, Section 17, all of Saturna Island, Cowichan District, Plan VIP 78516 unless and until, in respect of each lot:
 - (a) a pump is located approximately six metres from the bottom of the hole to provide a large available drawdown and sufficient sediment trap; and,
 - (b) a 3/4 inch PVC pipe is installed at the time of pump installation to facilitate future monitoring of the local aquifer.
2. Water will be drawn from each of the New Wells for domestic purposes only on the condition that the bacterial water quality is tested annually and a treatment facility will be installed to the satisfaction of a Professional Engineer so as to ensure that water meets Canadian Drinking Water Quality Guidelines.
3. The burden of the covenants set out above will run with the Lands and will be binding upon the Covenantors, their heirs, personal representative, successors and assigns, but only during their respective seisions of the Lands.

IN WITNESS WHEREOF the Covenantors have executed this Covenant as their act and deed as if under seal by signing the attached Form C General Instrument - Part 1 on the date stated.

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

Approving Officer

END OF DOCUMENT

3/7
LAND TITLE ACT
FORM C
(Section 219.81)

16 MAR 2005 11 57

EX028223

Province of
British Columbia

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

PAGE 1 of 5 pages

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

10
WOLFGANG SCHWEGLER
410-1040 W. GEORGIA ST.
VANCOUVER V6E 4H1
TEL 604 684 4505

~~Wolfgang Schwegler~~
Davis & Company, Barristers & Solicitors
2800 Park Place, 666 Burrard Street
Vancouver, BC, V6C 2Z7
Telephone No. (604) 687-9444
Client No. 10371 File Ref. nls

Signature of Solicitor

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

not yet assigned
02627690

Lot 12, Section 17, Saturna Island, Cowichan District, Plan
VIP 78516

3. NATURE OF INTEREST:*

DESCRIPTION

DOCUMENT REFERENCE
(page and paragraph)

PERSON ENTITLED TO INTEREST

no
Restrictive Covenant
section 219 Land Title Act

Entire Instrument

Transferee

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

- (a) Filed Standard Charge Terms
(b) Express Charge Terms
(c) Release

☐
☒
☐

D.F. No.

Annexed as Part 2

There is no Part 2 of this Instrument

01

CHARGE

05/03/16 11:57:49 01 VI

623049

\$64.75

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

5. TRANSFEROR(S):*

F. WILLIAMS HOLDINGS LTD.

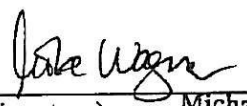
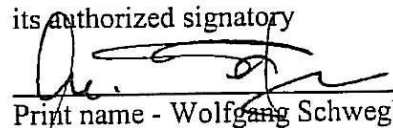
6. TRANSFEREE(S): (including postal address(es) and postal code(s))*

SATURNA ISLAND LOCAL TRUST COMMITTEE ISLANDS TRUST, a corporation under the
Islands Trust Act of British Columbia, having an office at 2nd Floor, 1627 Fort Street, Victoria, BC,
V8R 1H8

7. ADDITIONAL OR MODIFIED TERMS:*

N/A

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

Officer Signature(s)		Execution Date			Party(ies) Signature(s) (ALL SIGNATURES TO BE IN BLACK INK)	
		Y	M	D		
 (Signature) Michael Wagner 2800 - 666 Burrard Street Vancouver, BC V6C 2Z7 (Print Name) Tel: (604) 643-6360 Fax: (604) 605-3795 (Address) Notary in and for the Province of British Columbia (Professional Capacity)		04	11	23	F. WILLIAMS HOLDINGS LTD. by its authorized signatory  Print name - Wolfgang Schwegler	

OFFICER CERTIFICATION:

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

- * If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.
 ** If space insufficient, continue on additional page(s) in Form D.



TERMS OF INSTRUMENT - PART 2**RESTRICTIVE COVENANT**

THIS AGREEMENT is dated for reference November 1, 2004

BETWEEN:

F. WILLIAMS HOLDINGS LTD., having a head office in British Columbia at 2800
Park Place, 666 Burrard Street, Vancouver, BC, V6C 2Z7

(the "Covenantor")

AND:

SATURNA ISLAND LOCAL TRUST COMMITTEE ISLANDS TRUST, the Trust
Committee having jurisdiction on and in respect of Saturna Island in the Province of
British Columbia, pursuant to the *Islands Trust Act*, R.S.B.C. 1996, c. 239, and
having an address at 2nd Floor, 1627 Fort Street, Victoria, BC, V8R 1H8

WHEREAS:

A. The Covenantor is the registered owner of the following lands and premises situate on
Saturna Island, and legally described as:

Lot 12
Section 17
Saturna Island
Cowichan District
Plan VIP 78516

("Land");

B. Section 219 of the *Land Title Act*, R.S.B.C. 1996, c. 250, as amended, permits the registration
of a covenant of a negative or positive nature in favour of the Covenantee on the Land;

C. The Covenantor has agreed to grant this covenant on the terms and conditions hereinafter
contained to ensure that the development of the Land proceeds in a manner that benefits the
Covenantor and is in the public interest.

NOW THEREFORE in consideration of the sum of TWO (\$2.00) DOLLARS now paid by the
Covenantee to the Covenantor (the receipt and sufficiency of which is hereby acknowledged by the
Covenantor), the Covenantor covenants and agrees with the Covenantee, as a covenant granted in
accordance with s. 219 of the *Land Title Act*, as follows:



Interpretation

1. In this Covenant:

"Cottage" has, subject to section 2, the same meaning as in Saturna Island Zoning Bylaw, 1981 as that bylaw was on the date this Covenant was granted;

"Single Family Dwelling" has, subject to section 2, the same meaning as in Saturna Island Zoning Bylaw, 1981 as that bylaw was on the date this Covenant was granted;

2. For the purpose of this Covenant a Cottage is not a Single Family Dwelling.

Pre-Adjustment Restrictions

3. The Covenantor must not build, construct or place more than one Single Family Dwelling on the Land and must not allow more than one Single Family Dwelling to remain on the Land.

4. The Covenantor must not build, construct or place more than one Cottage on the Land and must not allow more than one Cottage to remain on the Land.

5. The Land may not be further subdivided.

Building Permits and Subdivision Approval

6. The Covenantor must not apply for, and agrees that the approving officer may refuse to approve, and subdivision that would contravene this Covenant.

7. The Covenantor must not apply for any building permit, and agrees that the Capital Regional District is under no obligation to issue any building permit, that relates to a building that the Covenantor is prohibited from building, constructing, placing or allowing to remain on the Land or the Adjusted Land under this Covenant.

General

8. All of this Covenant constitutes a single covenant granted by the Covenantor to the Covenantee in accordance with s. 219 of the *Land Title Act*, and that covenant burdens the Land and the Adjusted Land and runs with and binds the successors in title to the Land and the Adjusted Land. The covenant created by this covenant burdens and charges all of the Land and the Adjusted Land and any parcel into which the Land or the Adjusted Land is subdivided by any means and any parcel into which the Land or the Adjusted Land are consolidated.

9. This Covenant benefits and binds the Covenantor and the Covenantee, their assigns, successors, heirs, executors, administrators and personal representatives. The Covenantor is not



liable for any breach of this Covenant which occurs after the Covenantor has ceased to be the owner of the Land or the Adjusted Land.

10. This Covenant is the entire agreement between the parties concerning its subject, and supersedes and terminates all other agreements, understandings or promises concerning its subject. The Covenantee has made no representations and gives no warranties to the Covenantor regarding the subject of this Covenant or any related matter or proceeding.

11. A waiver of any breach of this Covenant is binding only if given in an instrument executed by the party giving the waiver, and only if the waiver is an express waiver of the breach in question. A waiver of breach of this Covenant operates to waive only the breach in question. A waiver of breach of this Covenant operates to waive only the breach in respect of which it has expressly been given.

12. Nothing in this Covenant exempts the Covenantor, the Land or the adjusted Land from any statutory requirement or from the ordinary jurisdiction of the Covenantee, its bylaws, permits, regulations and orders.

13. If any part of this Covenant is held to be invalid, illegal or unenforceable by a court having jurisdiction to do so, that part is to be considered to have been severed from the rest of this Covenant and the rest of this Covenant remains in full force unaffected by that holding or by the severance of that part.

14. The Covenantor agrees to do everything reasonably necessary, at the Covenantor's expense, to ensure that this Covenant is registered against title to the Land with priority over all financial charges, liens, encumbrances, or the registration of which is pending, at the time of application for registration of this Covenant in the Land Title Office.

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

The covenant must be tendered with the application to deposit the subdivision plan. The covenant must have the following statement typed or stamped on it and signed by the Approving Officer:



Approving Officer

END OF DOCUMENT

APPLICATION TO DEPOSIT PLAN
AT LAND TITLE OFFICE
PROVINCE OF BRITISH COLUMBIA

Your electronic signature is a representation that
(a) you are a subscriber under section 168.6 of the *Land Title Act*, RSBC 1996 c.250, and that you are authorized to electronically sign this application by an e-filing direction made under section 168.22(2) of the act, and
(b) if this application requires an execution copy, that you are a designate authorized to certify this application under section 168.4 of the *Land Title Act*, RSBC 1996, c.250, that you certify this application under section 168.42(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.

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

Borden Ladner Gervais LLP

1200 - 200 Burrard Street

P.O. Box 48600

Vancouver

BC

V7X 1T2

Tel. No. 604-687-5744

File No. 560357.000008

Client No. 10439

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [LEGAL

DESCRIPTION]

SEE SCHEDULE

3. APPLICATION FOR DEPOSIT OF:

PLAN TYPE	PLAN NUMBER	CONTROL NUMBER	NUMBER OF NEW LOTS CREATED
Reference or Explanatory (Section 107)	EPP86340	166-457-0962	

4. OWNER(S): (updated owner(s) name(s), occupation(s), postal address and postal code)

F. WILLIAMS HOLDINGS LTD.

1200 WATERFRONT CENTRE, 200 BURRARD STREET

VANCOUVER

V7X 1T2

BRITISH COLUMBIA

CANADA

Incorporation No

C1035029

5. ADDITIONAL INFORMATION:

☐ Is there a supporting document required for this plan application?
Click on the Help Guide button on the top of this form for more information.

ADDITIONAL PARCEL INFORMATION

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]
**026-227-681 LOT 11 SECTION 17 SATURNA ISLAND COWICHAN DISTRICT PLAN
VIP78516**

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]
**026-227-690 LOT 12 SECTION 17 SATURNA ISLAND COWICHAN DISTRICT PLAN
VIP78516**

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

PLAN NUMBER: EPP86340

CONTROL NUMBER: 166-457-0962

Owner/Charge Owner - Corporate

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Owner/Charge Owner [as appropriate]

F. WILLIAMS HOLDINGS LTD.

[fill in corporate registered owner]
C1035029

[fill in Incorporation Number]

[signature] Authorized signatory

[fill in the name of signatory]

[signature] Authorized signatory

[fill in the name of signatory]

Owner/Charge Owner - Corporate

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Owner/Charge Owner [as appropriate]

ISLANDS TRUST

[fill in corporate registered owner]

[fill in Incorporation Number]

[signature] Authorized signatory

[fill in the name of signatory]

[signature] Authorized signatory

[fill in the name of signatory]

PLAN NUMBER: EPP86340

CONTROL NUMBER: 166-457-0962

Owner/Charge Owner - Corporate

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Owner/Charge Owner - Corporate

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Owner/Charge Owner [as appropriate]

SATURNA ISLAND LOCAL TRUST COMMITTEE
ISLANDS TRUST

[fill in corporate registered owner]

[fill in Incorporation Number]

[signature] Authorized signatory

[fill in the name of signatory]

[signature] Authorized signatory

[fill in the name of signatory]

Owner/Charge Owner [as appropriate]

CAPITAL REGIONAL DISTRICT

[fill in corporate registered owner]

[fill in Incorporation Number]

[signature] Authorized signatory

[fill in the name of signatory]

[signature] Authorized signatory

[fill in the name of signatory]

PLAN NUMBER: EPP86340

CONTROL NUMBER: 166-457-0962

Owner/Charge Owner - Corporate

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Owner/Charge Owner [as appropriate]

MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE

[fill in corporate registered owner]

[fill in Incorporation Number]

[signature] Authorized signatory

[fill in the name of signatory]

[signature] Authorized signatory

[fill in the name of signatory]

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

PLAN NUMBER: EPP86340

CONTROL NUMBER: 166-457-0962

Select the approval type from the following selections in the drop down. *Appropriate editable text will auto fill in the text box*

Approval - Approving Officer, LTA s. 88

Plan EPP86340 is Approved under the Land Title Act on _____, 2022 [date].

[signature] Approving Officer

[Fill in name of Approving Officer]

Ministry of Transportation and Infrastructure

[Fill in name of municipality, or as case may be]

[include file reference if desired]

Select the approval type from the following selections in the drop down. *Appropriate editable text will auto fill in the text box*

APPLICATION TO DEPOSIT PLAN
AT LAND TITLE OFFICE
PROVINCE OF BRITISH COLUMBIA

Your electronic signature is a representation that
(a) you are a subscriber under section 168.6 of the *Land Title Act*, RSBC 1996 c.250, and that you are authorized to electronically sign this application by an e-filing direction made under section 168.22(2) of the act, and
(b) if this application requires an execution copy, that you are a designate authorized to certify this application under section 168.4 of the *Land Title Act*, RSBC 1996, c.250, that you certify this application under section 168.42(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.

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

Borden Ladner Gervais LLP

1200 - 200 Burrard Street

P.O. Box 48600

Vancouver

BC

V7X 1T2

Tel. No. 604-687-5744

File No. 560357.000008

Client No. 10439

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [LEGAL

DESCRIPTION]

SEE SCHEDULE

3. APPLICATION FOR DEPOSIT OF:

PLAN TYPE	PLAN NUMBER	CONTROL NUMBER	NUMBER OF NEW LOTS CREATED
Reference or Explanatory	EPP86342	166-457-1151	1

4. OWNER(S): (updated owner(s) name(s), occupation(s), postal address and postal code)

F. WILLIAMS HOLDINGS LTD.

1200 WATERFRONT CENTRE, 200 BURRARD STREET

VANCOUVER

V7X 1T2

BRITISH COLUMBIA

CANADA

Incorporation No

C1035029

5. ADDITIONAL INFORMATION:

☐ Is there a supporting document required for this plan application?
Click on the Help Guide button on the top of this form for more information.

ADDITIONAL PARCEL INFORMATION

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

**026-227-690 LOT 12 SECTION 17 SATURNA ISLAND COWICHAN DISTRICT PLAN
VIP78516 EXCEPT PLAN EPP86340**

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

**NO PID NMBR THAT PART OF CLOSED ROAD SHOWN AS AREA B ON PLAN EPP86339
SECTION 17 SATURNA ISLAND COWICHAN DISTRICT**

[Related Plan Number]
EPP86339

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

PLAN NUMBER: EPP86342

CONTROL NUMBER: 166-457-1151

Owner/Charge Owner - Corporate

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Owner/Charge Owner [as appropriate]

F. WILLIAMS HOLDINGS LTD.

[fill in corporate registered owner]
C1035029

[fill in Incorporation Number]

[signature] Authorized signatory

[fill in the name of signatory]

[signature] Authorized signatory

[fill in the name of signatory]

Owner/Charge Owner - Corporate

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Owner/Charge Owner [as appropriate]

ISLANDS TRUST

[fill in corporate registered owner]

[fill in Incorporation Number]

[signature] Authorized signatory

[fill in the name of signatory]

[signature] Authorized signatory

[fill in the name of signatory]

PLAN NUMBER: EPP86342

CONTROL NUMBER: 166-457-1151

Owner/Charge Owner - Corporate

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Owner/Charge Owner [as appropriate]
SATURNA ISLAND LOCAL TRUST COMMITTEE
ISLANDS TRUST

[fill in corporate registered owner]

[fill in Incorporation Number]

[signature] Authorized signatory

[fill in the name of signatory]

[signature] Authorized signatory

[fill in the name of signatory]

Owner/Charge Owner - Corporate

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Owner/Charge Owner [as appropriate]

CAPITAL REGIONAL DISTRICT

[fill in corporate registered owner]

[fill in Incorporation Number]

[signature] Authorized signatory

[fill in the name of signatory]

[signature] Authorized signatory

[fill in the name of signatory]

PLAN NUMBER: EPP86342

CONTROL NUMBER: 166-457-1151

Owner/Charge Owner - Corporate

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Owner/Charge Owner [as appropriate]
MINISTRY OF TRANSPORTATION AND
INFRASTRUCTURE

[fill in corporate registered owner]

[fill in Incorporation Number]

[signature] Authorized signatory

[fill in the name of signatory]

[signature] Authorized signatory

[fill in the name of signatory]

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

TITLE SEARCH PRINT

2023-02-03, 09:37:24

File Reference: 560357.000008

Requestor: 29752 - Matthew Tolan

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN******Land Title District**

Land Title Office

VICTORIA

VICTORIA

Title Number

From Title Number

CA5174351

EX28219

Application Received

2016-05-11

Application Entered

2016-05-14

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

F. WILLIAMS HOLDINGS LTD., INC.NO. C1035029
1200 WATERFRONT CENTRE, 200 BURNARD STREET
VANCOUVER, BC
V7X 1T2

Taxation Authority

Capital Assessment Area

Description of Land

Parcel Identifier:

026-227-681

Legal Description:

LOT 11 SECTION 17 SATURNA ISLAND COWICHAN DISTRICT PLAN VIP78516

Legal Notations

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL
GOVERNMENT ACT, SEE EV10678

Charges, Liens and Interests

Nature:

COVENANT

Registration Number:

EX28226

Registration Date and Time:

2005-03-16 11:58

Registered Owner:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA
CAPITAL REGIONAL DISTRICT

Remarks:

INTER ALIA
PART AS SHOWN ON PLAN VIP78518

TITLE SEARCH PRINT

2023-02-03, 09:37:24

File Reference: 560357.000008

Requestor: 29752 - Matthew Tolan

Nature:	EASEMENT
Registration Number:	EX28229
Registration Date and Time:	2005-03-16 12:00
Remarks:	INTER ALIA PART AS SHOWN ON PLAN VIP78520 APPURTENANT TO LOT A, PLAN VIP77649

Duplicate Indefeasible Title	NONE OUTSTANDING
-------------------------------------	------------------

Transfers	NONE
------------------	------

Pending Applications	NONE
-----------------------------	------

TITLE SEARCH PRINT

2023-02-03, 09:37:24

File Reference: 560357.000008

Requestor: 29752 - Matthew Tolan

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN******Land Title District**

Land Title Office

VICTORIA

VICTORIA

Title Number

From Title Number

CA5174352

EX28220

Application Received

2016-05-11

Application Entered

2016-05-14

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

F. WILLIAMS HOLDINGS LTD., INC.NO. C1035029
1200 WATERFRONT CENTRE, 200 BURNARD STREET
VANCOUVER, BC
V7X 1T2

Taxation Authority

Capital Assessment Area

Description of Land

Parcel Identifier:

026-227-690

Legal Description:

LOT 12 SECTION 17 SATURNA ISLAND COWICHAN DISTRICT PLAN VIP78516

Legal Notations

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL
GOVERNMENT ACT, SEE EV10678

Charges, Liens and Interests

Nature:

COVENANT

Registration Number:

EX28222

Registration Date and Time:

2005-03-16 11:57

Registered Owner:

ISLANDS TRUST

Remarks:

INTER ALIA

Nature:

COVENANT

Registration Number:

EX28223

Registration Date and Time:

2005-03-16 11:57

Registered Owner:

SATURNA ISLAND LOCAL TRUST COMMITTEE ISLANDS TRUST

TITLE SEARCH PRINT

2023-02-03, 09:37:24

File Reference: 560357.000008

Requestor: 29752 - Matthew Tolan

Nature:	COVENANT
Registration Number:	EX28226
Registration Date and Time:	2005-03-16 11:58
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA CAPITAL REGIONAL DISTRICT
Remarks:	INTER ALIA PART AS SHOWN ON PLAN VIP78518

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	EX28228
Registration Date and Time:	2005-03-16 11:59
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF CANADA
Remarks:	INTER ALIA PART AS SHOWN ON PLAN VIP78519

Nature:	EASEMENT
Registration Number:	EX28229
Registration Date and Time:	2005-03-16 12:00
Remarks:	INTER ALIA PART AS SHOWN ON PLAN VIP78520 APPURTENANT TO LOT A, PLAN VIP77649

Duplicate Indefeasible Title	NONE OUTSTANDING
-------------------------------------	------------------

Transfers	NONE
------------------	------

Pending Applications	NONE
-----------------------------	------

SURVEY PLAN CERTIFICATION
PROVINCE OF BRITISH COLUMBIA

PAGE 1 OF 2 PAGES

By incorporating your electronic signature into this form you are also incorporating your electronic signature into the attached plan and you

(a) represent that you are a subscriber and that you have incorporated your electronic signature to the attached electronic plan in accordance with section 168.73 (3) of the Land Title Act, RSBC 1996 c.250; and

(b) certify the matters set out in section 168.73 (4) of the Land Title Act, Each term used in this representation and certification is to be given the meaning ascribed to it in part 10.1 of the Land Title Act.

**Kenneth
Schuurman
XYJFWR**

Digitally signed by Kenneth
Schuurman XYJFWR
Date: 2022.09.30 13:48:05
-07'00'

1. BC LAND SURVEYOR: (Name, address, phone number)

Kenneth W. Schuurman
#234, 18525 53 Avenue

604.597.3777
ken@cameronlandsurveying.com

Surrey

BC V3S 7A4

☐ Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION:

Control Number: **166-457-0886**

Plan Number: **EPP86339**

This original plan number assignment was done under Commission #: **800**

3. CERTIFICATION:

☒ Form 9

☐ Explanatory Plan

☐ Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

The field survey was completed on:	2018	September	29	(YYYY/Month/DD)	The checklist was filed under ECR#:
The plan was completed and checked on:	2018	November	18	(YYYY/Month/DD)	218914

☒ None ☐ Strata Form S

☒ None

☐ Strata Form U1

☐ Strata Form U1/U2

Arterial Highway ☐

Remainder Parcel (Airspace) ☐

4. ALTERATION: ☐

STATUTORY RIGHT-OF-WAY PLAN
To Accompany A Gazette Notice Closing
Part of Road Dedicated by Plan VP78516
Section 17, Saturna Island, Cowichan District

PLAN EPP86339

Pursuant to Section 113 of the Land Title Act
 BCOS 92B.085



All distances are in metres

The intended plot size of this plan is 560mm in width by 864mm in height (D Size) when plotted at a scale of 1:750

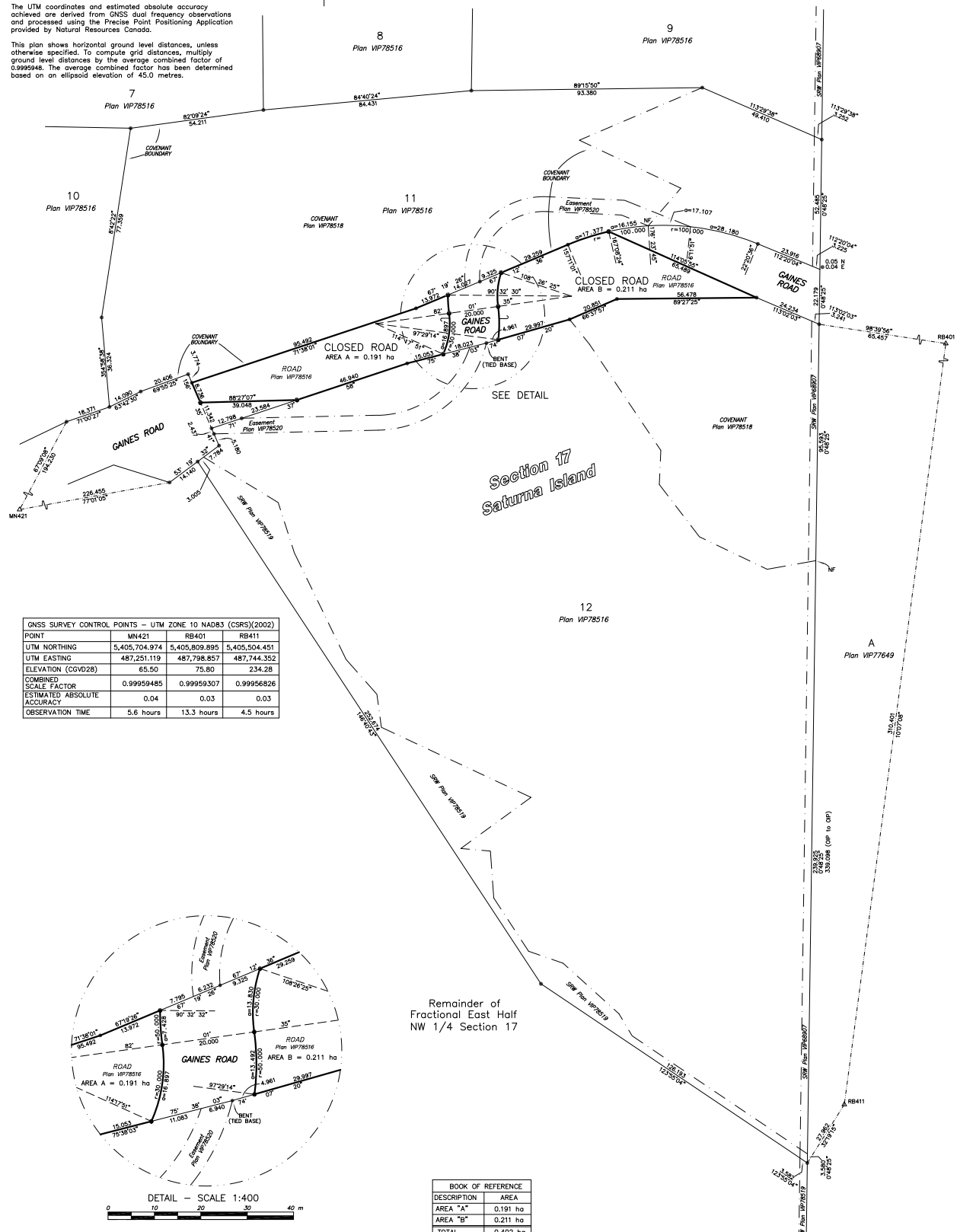
Legend:

- Denotes standard iron post found
- Denotes standard iron post set
- △ Denotes survey traverse point placed
- NF Denotes not found
- MN Denotes mag nail
- RB Denotes rebar

Grid Bearings are derived from dual frequency GNSS observations and are referred to the central meridian of UTM Zone 10 (123° West Longitude).

The UTM coordinates and estimated absolute accuracy achieved are derived from GNSS dual frequency observations and processed using the Precise Point Positioning Application provided by Natural Resources Canada.

This plan shows horizontal ground level distances, unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.9995948. The average combined factor has been determined based on an ellipsoid elevation of 45.0 metres.



GNSS SURVEY CONTROL POINTS - UTM ZONE 10 NAD83 (CSRS)(2002)			
POINT	MN421	RB401	RB411
UTM NORTHING	5,405,704.974	5,405,809.895	5,405,504.451
UTM EASTING	487,251.119	487,798.857	487,744.352
ELEVATION (CGVD28)	65.50	75.80	234.28
COMBINED SCALE FACTOR	0.99959485	0.99959307	0.99956826
ESTIMATED ABSOLUTE ACCURACY	0.04	0.03	0.03
OBSERVATION TIME	5.6 hours	13.3 hours	4.5 hours

Remainder of
 Fractional East Half
 NW 1/4 Section 17

BOOK OF REFERENCE	
DESCRIPTION	AREA
AREA "A"	0.191 ha
AREA "B"	0.211 ha
TOTAL	0.402 ha

SURVEY PLAN CERTIFICATION
PROVINCE OF BRITISH COLUMBIA

PAGE 1 OF 2 PAGES

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(b) certify the matters set out in section 168.73 (4) of the Land Title Act, Each term used in this representation and certification is to be given the meaning ascribed to it in part 10.1 of the Land Title Act.

**Kenneth
Schuurman
XYJFWR**

 Digitally signed by Kenneth
Schuurman XYJFWR
Date: 2022.09.30 13:49:22
-07'00'

1. BC LAND SURVEYOR: (Name, address, phone number)

Kenneth W. Schuurman
#234, 18525 - 53 Avenue

 604.597.3777
 ken@cameronlandsurveying.com

Surrey **BC V3S 7A4**
☐ Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION:

Control Number: **166-457-0962**Plan Number: **EPP86340**This original plan number assignment was done under Commission #: **800**

3. CERTIFICATION:

☒ Form 9 ☐ Explanatory Plan ☐ Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

The field survey was completed on:	2018	September	29	(YYYY/Month/DD)	The checklist was filed under ECR#:
The plan was completed and checked on:	2018	November	18	(YYYY/Month/DD)	218915

☒ None ☐ Strata Form S

☒ None ☐ Strata Form U1 ☐ Strata Form U1/U2

 Arterial Highway ☐

 Remainder Parcel (Airspace) ☐

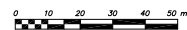
 4. ALTERATION: ☐

REFERENCE PLAN OF PART OF LOTS 11 AND 12, PLAN VP78516

PLAN EPP86340

Section 17, Saturna Island, Cowichan District

Pursuant to Section 107 Land Title Act
BCGS 92B.085



All distances are in metres

The intended plot size of this plan is 560mm in width by 864mm in height (D Size) when plotted at a scale of 1:750.

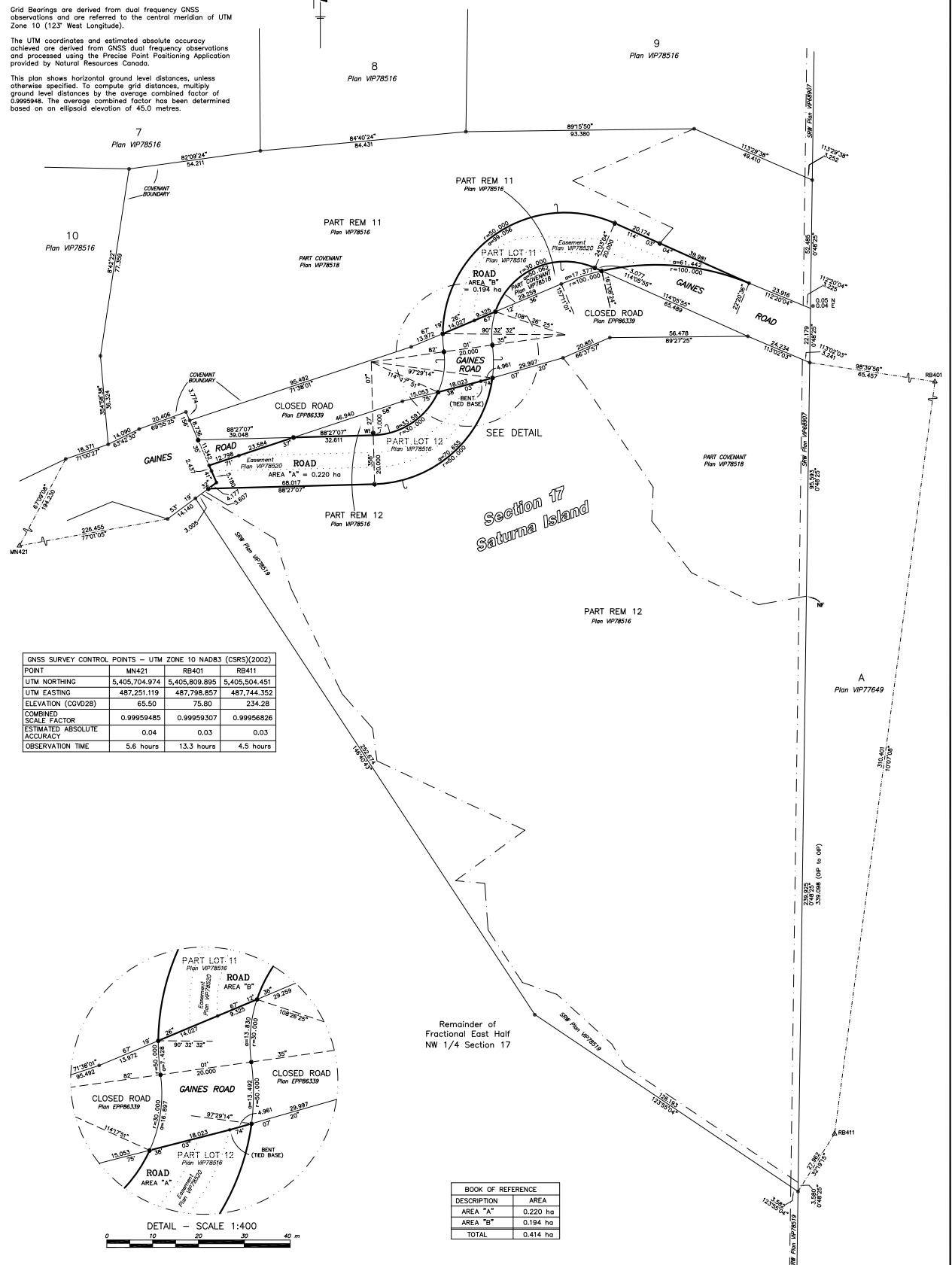
Legend:

- Denotes standard iron post found
- Denotes standard iron post set
- Δ Denotes survey traverse point placed
- Wt Denotes Witness
- MN Denotes mag nail
- RB Denotes rebar

Grid Bearings are derived from dual frequency GNSS observations and are referred to the central meridian of UTM Zone 10 (123° West Longitude).

The UTM coordinates and estimated absolute accuracy achieved are derived from GNSS dual frequency observations and processed using the Precise Point Positioning Application provided by Natural Resources Canada.

This plan shows horizontal ground level distances, unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.9995948. The average combined factor has been determined based on an ellipsoid elevation of 45.0 metres.



GNSS SURVEY CONTROL POINTS - UTM ZONE 10 NAD83 (CSRS)(2002)			
POINT	MN421	RB401	RB411
UTM NORTHING	5,405,704.974	5,405,809.895	5,405,504.451
UTM EASTING	487,251.119	487,798.857	487,744.352
ELEVATION (CGVD28)	65.50	75.80	234.28
COMBINED SCALE FACTOR	0.99959485	0.99959307	0.99956826
ESTIMATED ABSOLUTE ACCURACY	0.04	0.03	0.03
OBSERVATION TIME	5.6 hours	13.3 hours	4.5 hours

SURVEY PLAN CERTIFICATION
PROVINCE OF BRITISH COLUMBIA

PAGE 1 OF 2 PAGES

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**Kenneth
Schuurman
XYJFWR**

Digitally signed by Kenneth
Schuurman XYJFWR
Date: 2022.09.30 13:50:44
-07'00'

1. BC LAND SURVEYOR: (Name, address, phone number)

Kenneth W. Schuurman

#206, 16055 Fraser Highway

604.597.3777

ken@cameronlandsurveying.com

Surrey

BC V4N 0G2

☐ Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION:

Control Number: **166-457-1044**

Plan Number: **EPP86341**

3. CERTIFICATION:

☒ Form 9

☐ Explanatory Plan

☐ Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

The field survey was completed on: **2018 September 29** (YYYY/Month/DD)

The checklist was filed under ECR#:

The plan was completed and checked on: **2018 November 18** (YYYY/Month/DD)

218917

☒ None ☐ Strata Form S

☒ None

☐ Strata Form U1

☐ Strata Form U1/U2

Arterial Highway ☐

Remainder Parcel (Airspace) ☐

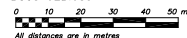
4. ALTERATION: ☐

REFERENCE PLAN OF LOT 11, PLAN VIP78516: EXCEPT PART DEDICATED ROAD ON PLAN EPP86340,
AND PART OF CLOSED ROAD SHOWN AS AREA "A" ON STATUTORY RIGHT-OF-WAY PLAN EPP86339
Section 17, Saturna Island, Cowichan District

PLAN EPP86341

Pursuant to Section 100(1)(b) Land Title Act

BCGS 92B.085



All distances are in metres

The intended plot size of this plan is 560mm in width by 864mm in height (D Size) when plotted at a scale of 1:750.

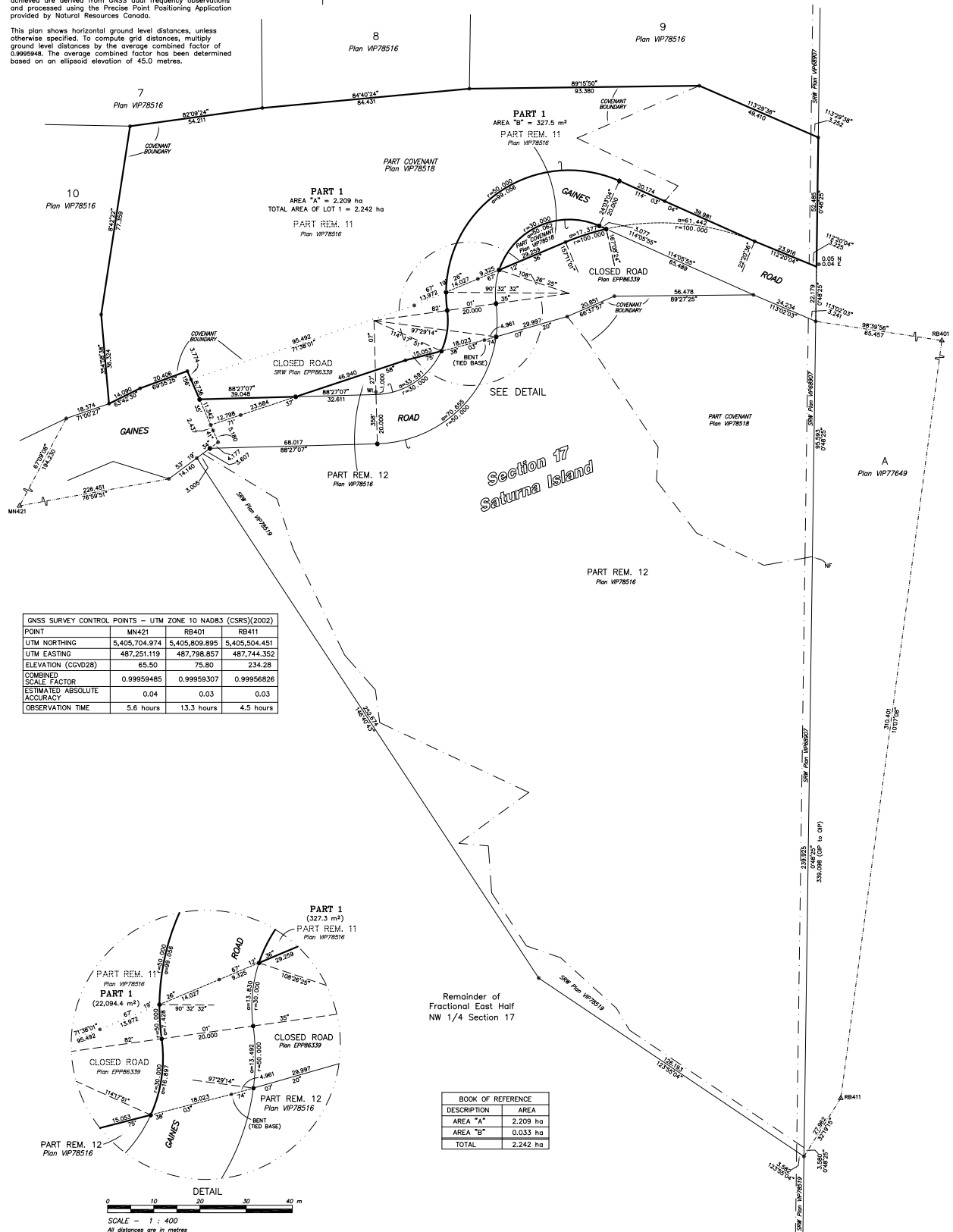
Legend:

- Denotes standard iron post found
- Denotes standard iron post set
- Δ Denotes survey traverse point placed
- Wt Denotes Witness
- MN Denotes mag nail
- RB Denotes rebar

Grid Bearings are derived from dual frequency GNSS observations and are referred to the central meridian of UTM Zone 10 (123° West Longitude).

The UTM coordinates and estimated absolute accuracy achieved are derived from GNSS dual frequency observations and processed using the Precise Point Positioning Application provided by Natural Resources Canada.

This plan shows horizontal ground level distances, unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.9995948. The average combined factor has been determined based on an ellipsoid elevation of 45.0 metres.



SURVEY PLAN CERTIFICATION
PROVINCE OF BRITISH COLUMBIA

PAGE 1 OF 2 PAGES

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**Kenneth
Schuurman
XYJFWR**

Digitally signed by Kenneth
Schuurman XYJFWR
Date: 2022.09.30 13:52:31
-07'00'

1. BC LAND SURVEYOR: (Name, address, phone number)

Kenneth W. Schuurman

#206, 16055 Fraser Highway

604.597.3777

ken@cameronlandsurveying.com

Surrey

BC V4N 0G2

☐ Surveyor General Certification [For Surveyor General Use Only]

2. PLAN IDENTIFICATION:

Control Number: **166-457-1151**

Plan Number: **EPP86342**

3. CERTIFICATION:

☒ Form 9

☐ Explanatory Plan

☐ Form 9A

I am a British Columbia land surveyor and certify that I was present at and personally superintended this survey and that the survey and plan are correct.

The field survey was completed on: **2018 September 29** (YYYY/Month/DD)

The checklist was filed under ECR#:

The plan was completed and checked on: **2018 November 19** (YYYY/Month/DD)

218939

☒ None ☐ Strata Form S

☒ None

☐ Strata Form U1

☐ Strata Form U1/U2

Arterial Highway ☐

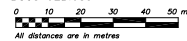
Remainder Parcel (Airspace) ☐

4. ALTERATION: ☐

REFERENCE PLAN OF LOT 12, PLAN VIP78516: EXCEPT PART DEDICATED ROAD ON PLAN EPP86340, AND PART OF CLOSED ROAD SHOWN AS AREA "B" ON STATUTORY RIGHT-OF-WAY PLAN EPP86339
Section 17, Saturna Island, Cowichan District

PLAN EPP86342

Pursuant to Section 100(1)(b) Land Title Act
BCGS 92B.085



All distances are in metres

The intended plot size of this plan is 560mm in width by 864mm in height (D Size) when plotted at a scale of 1:750.

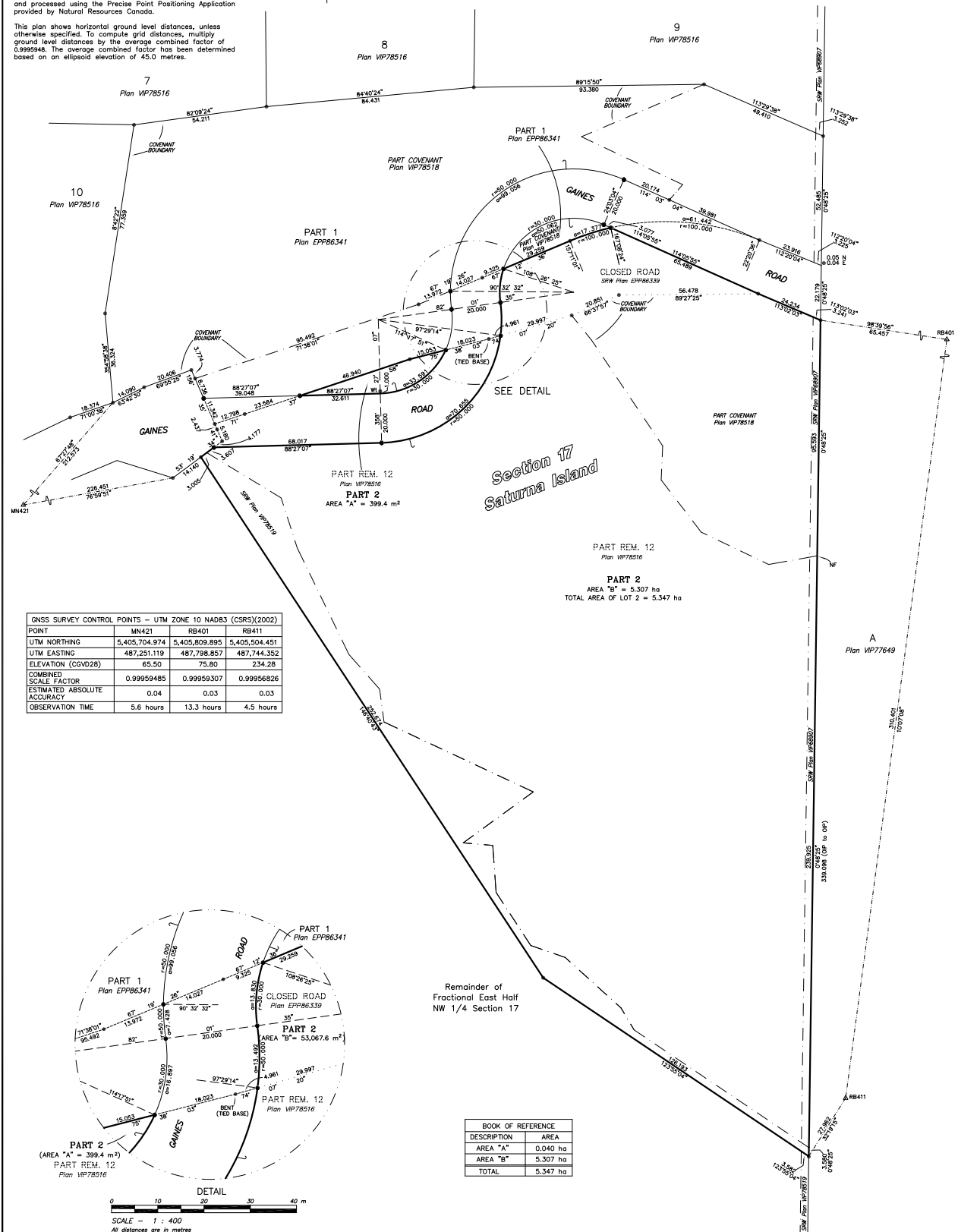
Legend:

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- RB Denotes rebar

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This plan shows horizontal ground level distances, unless otherwise specified. To compute grid distances, multiply ground level distances by the average combined factor of 0.999504. The average combined factor has been determined based on an ellipsoid elevation of 45.0 metres.



From: Lee Middleton
Sent: Thursday, February 9, 2023 12:56 PM
To: Brad Smith
Cc: Saturna Island Local Trust Committee
Subject: Wetland Conservation and Book
Attachments: Wetland Project BOOKTALK.pdf; ATT00001.htm; Mark Timmings Invoice.pdf; ATT00002.htm

To: Saturna Local Trust Committee

RE: Wetland Project Book Launch W̱SÁNEĆ Nation Speaker reimbursement.

The Wetland Project is well known on Saturna documenting the life and sounds of the approximately 6 acre wetland on the interior of the East Point peninsula. Marc Timmings has brought this Wetland to some degree of international fame through his Wetland Symphony and World Wide Earth Day radio broadcasts from the Wetland. Follow this link to learn more about the Wetland Project. www.wetlandproject.com

Below is information on a launch event that was held on Saturna. Reconciliation was a central theme of the event and Philip Kevin Paul, a celebrated W̱SÁNEĆ poet was invited to read his poetry about the land and waters of Saturna. The Saturna LTC was asked to offset Mr. Paul's expenses to attend the event (which had a beyond capacity attendance). The Saturna LTC has sponsored two reconciliation events on Saturna: The Tsawout Thirteen Moons installation and the W̱SÁNEĆ / English dictionary launch event. The request to support the Wetland Book Launch seemed to fit well into the LTCs past support of reconciliation efforts on Saturna. When I made the funding request of Trust Admin I was told that the way such support functions has changed. As time was of the essence former Trustee Brent and myself paid the invoice to sent by the organizers to cover Mr. Paul's speaking fee.

I am now requesting this amount be reimbursed through whichever channel would now approve such expenditure at the Trust and ask the LTC to make a resolution accordingly - I propose the funds be drawn from the LTC budget as with the past two LTC contributions to Reconciliation events. The cheque may be made payable to Mark Timmings as per the invoice and he will reimburse Paul and I.

Many thanks for this consideration.

Lee Middleton

From: Mark Timmings timmings@orcasonline.com
Subject: Wetland Project BOOKTALK
Date: November 14, 2022 at 9:34 AM
To: Lee Middleton lmiddleton@islandstrust.bc.ca

MT



SATURNA BOOKTALK

Wetland Project: Sound, Ecology and Post-Geographical Art

Saturday, November 19, 2022, 6:30 to 9 pm

[Saturna Lodge](#), 130 Payne Road, Saturna Island, BC

Join Brady Marks and Mark Timmings for an informal chat about their new artists' book exploring the sounds of the TEKTEKSEN marsh. Special guests

artists book exploring the sounds of the 1EK1EKSEN marsh. Special guests include project collaborators photographer Nancy Angermeyer, birdwatcher Pam Janszen, poet Philip Kevin Paul, choral director Sharon Schermbrucker and members of the Saturna community choir. Refreshments will be served.

The book will be available for purchase at the launch (\$45 cash or cheque).

We respectfully acknowledge that this event takes place on the unsundered, sacred, ancestral lands and waters of the WSÁNEĆ First Nations and within the extended territories of the Hulqumínum- and hənqəminəm-speaking peoples.

Presented by Saturna Community Library as part of the BOOKTALKS series.



Wetland Project: Sound, Ecology and Post-Geographical Art is made possible with generous support from Canada Council for the Arts, British Columbia Arts Council, Cale Moodie, Hemlock Printers Ltd., The Pienaar/Hoskinson Family, Hamber Foundation, Terrence and Lisa Turner, Marnie Fleming and Colin Mooers, Saturna Island Community Foundation, Sharon Schermbrucker, Maureen Welton, Beth Bell, Tintin Michel Deslandes, Ellen McGinn and Charles Reif, Susie Washington-Smyth, Marisa Orth-Pallavicini and David Cadman, Sheila Fox and Sharon Wagner, Priscilla and Tom Haggart, Ron Monk, and Joan Selby and Jamie Ritchie.



Canada Council
for the Arts

Conseil des arts
du Canada



BRITISH COLUMBIA
ARTS COUNCIL



BRITISH
COLUMBIA



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neutral
by Hemlock Printers
www.hemlock.com/zero



invoice

November 21, 2022

Saturna Island Local Trust Committee
c/o Lee Middleton
Saturna Island, British Columbia
V0N 2Y0

WETLAND PROJECT: SOUND, ECOLOGY AND POST-GEOGRAPHIC ART BOOKTALK EVENT

Philip Kevin Paul (poet, writer and member of the WSÁNEĆ First Nations)

Speaker/artist fee (as per CARFAC schedule)	\$350.00
---	----------

Travel and per diem expenses	500.00
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Sub-total	\$850.00
------------------	----------

GST/PST	N/A
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TOTAL	\$850.00
--------------	----------

2% administration charge per month applied on accounts exceeding 30 days.

Thank you