



Saturna Island Local Trust Committee

Regular Meeting Agenda

Date: May 25, 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 Minutes Dated February 16, 2023 (for Adoption)	3 - 9
9.2 Section 26 Resolutions-without-meeting Report Dated May 2023	10 - 10
10. BUSINESS ARISING FROM THE MINUTES	
10.1 Follow-up Action List Dated May 2023	11 - 12
11. DELEGATIONS	
12. CORRESPONDENCE	
<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
13. APPLICATIONS AND REFERRALS	12:10 PM - 12:50 PM
13.1 SA-RZ-2023.1 (Gaines) – Staff Report (attached)	13 - 25

13.2	SA-RZ-2022.1 (Bertolami/Crooks) - Proposed Bylaws 136 and 137 - Consideration of Adoption - Staff Report (attached)	26 - 34
14.	LOCAL TRUST COMMITTEE PROJECTS	
15.	REPORTS	12:50 PM - 1:00 PM
15.1	Work Program Reports (attached)	
15.1.1	<u>Active Projects Report Dated May 2023</u>	35 - 35
15.1.2	<u>Future Projects Report Dated May 2023</u>	36 - 36
15.2	Applications Report Dated May 2023 (attached)	37 - 39
15.3	Trustee and Local Expense Report Dated March 2023 (attached)	40 - 40
15.4	Adopted Policies and Standing Resolutions (attached)	41 - 45
15.5	Local Trust Committee Webpage	
15.6	Islands Trust Conservancy Report Dated Feb 2023	46 - 47
16.	NEW BUSINESS	1:00 PM - 1:40 PM
16.1	Draft Annual Report Wording - for approval (attached)	48 - 48
	That the Saturna Island Local Trust Committee approves the format and outline of contents for the 2022/23 Annual Report.	
16.2	Saturna Island LTC Freedom of Information and Protection of Privacy Bylaw No. 139 - Request for Decision (attached)	49 - 53
16.3	New Fee Bylaw - Request for Decision (Deferred from May 19, 2022 meeting - attached)	54 - 72
16.4	Property owner request re: ALR inclusion/exclusion application on Narvaez Bay Road - Staff Memo (attached)	73 - 159
17.	UPCOMING MEETINGS	
17.1	Next Regular Meeting Scheduled for July 20, 2023 at the Saturna Recreation and Cultural Centre, Saturna Island	
18.	TOWN HALL	1:40 PM - 1:55 PM
19.	CLOSED MEETING - None	
20.	ADJOURNMENT	1:55 PM - 1:55 PM

DRAFT

Saturna Island Local Trust Committee Minutes of Regular Meeting

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

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

Staff Present: Brad Smith, Island Planner
Bruce Belcher, Planning Technician
Pat Todd, Recorder

Other Present: There were approximately seven (7) members of the public in attendance.

1. CALL TO ORDER

Chair Maude called the meeting to order at 11:32 a.m. He acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

16.5 To create a proposed motion for the Bylaw Procedures for Saturna Island.

By general consent, the agenda was adopted as amended.

3. TRUSTEE REPORT

Trustee Middleton gave an update regarding a generous land donation by Judy Meyers to Nature Trust of B.C. Elements will come before the Local Trust Committee (LTC) such as bylaws and density. There are some issues to overcome.

Governance Committee of the Islands Trust has formed a strong team. One factor being reviewed is meeting procedures and the need to increase dialogue.

Trustee Boland spoke to staff being tremendously helpful as she “learns the ropes”. The Financial Committee is working on the budget which will go to Trust Council early in March. The Financial Committee is making efforts to increase transparency of budget design and format. There are three Trustees, of which she is one, on the working group to look at process which will be reviewed in April 2023.

4. CHAIR'S REPORT

Chair Maude stated there are a lot of things happening with regards to the Islands Trust currently and Chair Maude believes that there are many positive changes. Items include budget and review of practices and procedures of Bylaw Enforcement. Chair Maude spoke to the Trust Council being very strong team of individuals who are working well together and that would like to have a Provincial Review of the Trust as there is a need to update policies.

5. ELECTORAL AREA DIRECTOR'S REPORT

Capital Regional District Director (CRD) Brent commended the LTC for continuing to work with Nature Trust of B.C. which acquired 143 acres last year. An easement for the well on the property is underway. CRD Strategic Plan is almost completed with housing of primary importance. There have been many projects funded however none have happened on Southern Gulf Islands and therefore this will be one of the items of focus and the CRD is looking forward to working closely with the Saturna Island LTC.

6. TOWN HALL AND QUESTIONS

Priscilla Ewbank: requesting maps detailing logging history on Saturna Island. Planner Smith stated that he could print out maps with property lines and information that is available. To review these maps would likely require community input. There is an Islands Trust (IT) report regarding land disturbance that might be helpful with the review of the maps.

SA-2023-001

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee direct staff to work with Ms. Ewbank to prepare a base map for work with community to document historical logging activity.

CARRIED

Member of the public: spoke in support of funding request for the Wetland Project book launch. This project is both sound with regards to Ecology and with Post Geographical Art (Saturna Booktalk). Feels Islands Trust is very good regarding engagement with First Nation.

7. COMMUNITY INFORMATION MEETING - None

8. PUBLIC HEARING – None

9. MINUTES

9.1 Local Trust Committee Special Meeting Minutes Dated December 14, 2022

By general consent, the Local Trust Committee meeting minutes of Dec. 14, 2022 were adopted.

9.2 Local Trust Committee Public Hearing Record Dated December 14, 2022

Received for information.

9.3 Section 26 Resolutions-without-meeting Report Dated Feb 2023

Received for information.

10. BUSINESS ARISING FROM THE MINUTES

10.1 Follow-up Action List Dated Feb 2023

Planner Smith reported that the rezoning application bylaw has been approved by Trust Council and has been forwarded to Ministry.

SA-2023-002

It was MOVED and SECONDED,

that Saturna Local Trust Committee direct staff to initiate a Resolution- without-Meeting for Bylaws No. 136 and 137 upon receipt of Ministry approval of Bylaw 136.

CARRIED

11. DELEGATIONS - none

12. CORRESPONDENCE- none

13. APPLICATIONS AND REFERRALS

13.1 SA-RZ-2022.2 (Gaines)

Planner Smith reviewed the application for rezoning from Rural Residential (RR) to Rural General (RG). Subdivision application is with Ministry. Spoke to the recommendations in the report.

Discussion

- There isn't a standard for water volume used per day in Saturna land use bylaw;
- Could defer proof of water to subdivision process;
- Definition of quantity and quality of water, at the local level, is important;
- The province requires proof of a sufficient well however there are potentially other options for sufficient water e.g., catchment water;
- This property has two existing wells;
- Need to balance community consulting and community input with planning;
- Registered Archeological sites and noted sites of Archeological potential;
- Sites are highlighted on the map of the property so that the owner is aware of building outside of protected area;
- Staff recommends a Covenant to protect any potential Archeological sites. The proposed Bylaw is sent to First Nations, prior to adoption, so that First Nations can note any concerns;
- and
- The provincial authority requires a groundwater and a hydrologist report to rezone the property and IT Bylaws could augment.

Applicant:

- Reviewed the long and complicated processes undergone to date;
- There have been a number of changes throughout the years and does not feel an Amenity should be required;
- Development to date has not revealed any additional archeological material; and
- Increased set-backs would be detrimental to applicant plans and would increase costs and damage to terrain.

Planner Smith spoke to the applicant's points and that rezoning creates the possibility for 2 densities and RG averaging would work for all lots.

SA-2023-003

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee direct staff to proceed with application SA-RZ-2023-1 (Gaines) and to prepare draft bylaws.

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS

SA-2023-004

It was MOVED and SECONDED,

that Saturna Local Trust Committee direct staff to add review of Saturna Island Bylaw for Split Zones to Futures Project List.

CARRIED

15. REPORTS

15.1 Work Program Reports

15.1.1 Local Trust Committee Work Program Review – received for information

15.1.2 Active Projects Report Dated Feb 2023 – received for information

15.1.3 Future Projects Report Dated Feb 2023

- Review of Bylaw Compliance;
- Eradicate discrepancy;
- Affordable Housing Initiative has been noted in Strategic Initiatives; and
- Trustees to consider projects and bring forward to the next LTC meeting.

15.2 Applications Report Dated Feb 2023 – received for information

15.3 Trustee and Local Expense Report Dated Dec 2022 – received for information

15.4 Adopted Policies and Standing Resolutions – received for information

15.5 Local Trust Committee Webpage – will be updated upon conclusion of meeting

15.6 Islands Trust Conservancy Report Dated Nov 2022 – received for information

16. NEW BUSINESS

- 16.1 Letter from WISANEC Leadership Council Staff regarding Draft 2021 Islands Trust Policy Statement Amendments** - Received and reviewed. This letter is very informative.

16.2 Mayne LTC request re Siting and Use Permit Option

Chair Maude spoke to the request and discussion regarding the CRD not being responsible for building permits for islands using Siting and Use permits. Noted that some of the islands are already utilizing this process.

CRD Director Brent reported CRD is looking at situation and options. There are building inspection issues and often engineering reports required.

Mr. Gaines stated construction/development would be much easier if process were streamlined.

Planner Smith identified that building permit review applications move as quickly as manpower allows.

SA-2023-005

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee write a letter of support to Mayne Island Local Trust Committee Chair to investigate implementation of Siting and Use Permits and their ask of Capital Regional District to discontinue use of building permits within Local Trust area.

CARRIED

16.3 Letter from Matthew Tolan re: Consent to Realignment of Gaines Road

Planner Smith reviewed request to adjust right-of-way.

SA-2023-006

It was MOVED and SECONDED,

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.

CARRIED

Planner Smith to facilitate signing of documents.

16.4 Funding reimbursement approval for Wetlands book launch event

Trustee Middleton reviewed history of supported projects/events.

SA-2023-007

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee pay the invoice for Wetlands book launch event in support of local community to First Nations reconciliation.

CARRIED

Trustee Middleton will co-ordinate payment with Financial Services.

16.5 Bylaw notification requirements on Saturna

Trustee Middleton spoke to discussion at LT Council.

SA-2023-008

It was MOVED and SECONDED,

that it be resolved that Clause 2 in Saturna Local Trust Committee Bylaw 30 – A Bylaw to Authorize Inspection of Alleged Infractions Against Regulations – is replaced on an interim basis with the wording of Clause 14.1 from Saturna Local Trust Committee Bylaw 119 – Land Use Bylaws amalgamated. This clause reads “The Island Trust Bylaw Enforcement Officer or any other person designated by the Saturna Island Local Trust Committee to administer this Bylaw is authorized to enter, at any reasonable time and after having given 24 hours prior notification to the occupier, upon any property that is subject to regulation under this Bylaw, for the purpose of determining whether the regulations are being observed.” This Standing Resolution will remain in place until such time a review of Bylaw No. 30 and Bylaw No. 119 Section 1.4 “Inspection and Enforcement” can be reviewed and re-enacted through public process embodying Bylaw Enforcement Best Practices outlined in the 2022 Ombudsperson of British Columbia report concerning Local Government Bylaw Enforcement Policy and Practice.

CARRIED

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

Priscilla Ewbank: spoke in appreciation of Planner Smith’s attention to detail, professionalism and thoughtful decisions and considerations.

A member of the public: regarding building inspections the Home Owner’s Warranty needs to be a factor in the discussion. Some builders have official certification while other don’t.

SA-2023-009

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee direct staff to place “Review of Bylaw No. 30 and Bylaw No. 119” on the Projects List to embody Best Bylaw Practices as outline in the Ombudsperson Report 2022.

CARRIED

19. CLOSED MEETING – None

20. ADJOURNMENT

By general consent, the meeting was adjourned at 2:15 p.m.

David Maude, Chair

Certified Correct:

Pat Todd, Recorder



Resolutions Without Meetings Log

Saturna Island

Resolution Number	Action	Date
2023-001	Carried	06-Apr-2023
May mtg date change		
THAT the Saturna Island Local Trust Committee May 18, 2023 regular scheduled business meeting be moved to May 25, 2023.		

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

16-Feb-2023

Activity	Responsibility	Dates	Status
1 9.1 December 14, 2022 LTC special meeting minutes adopted as presented	Robin Ellchuk	Target: 24-Feb-2023	Completed
2 13.1 SA-RZ-2022.2 (Gaines) - LTC directed staff to proceed - staff to develop draft bylaw and initiate referrals - Jas to assign new amending LUB bylaw # for planner	Brad Smith Jas Chonk	Target: 28-Feb-2023	Completed

Follow Up Action Report

Saturna Island

16-Feb-2023

Activity	Responsibility	Dates	Status
3 16.3 Realignment of Gaines rd - Staff to initiate LTC chair sign-off of plan applications EPP86340 & EPP86342 and send to applicant's lawyer office	Brad Smith Robin Ellchuk	Target: 28-Feb-2023	Completed
4 Town hall - staff to provide a printed 24 * 36 cadastral base map for community use to document historical logging activity	Brad Smith	Target: 28-Feb-2023	Completed
5 10.1 FUAL - SA-RZ-2022.1 - staff to initiate RWM for BL 136/137 upon receipt of BL 136 from Minister's office	Jas Chonk	Target: 17-Mar-2023	Completed
6 15.1.3 - Add review of LUB split zone regulations and review of Bylaw No. 119 and No. 30 bylaw enforcement provisions to future projects	Brad Smith	Target: 17-Feb-2023	Completed
7 16.5 Bylaw notifications - staff to update standing resolutions page with resolution passed by the LTC with respect to bylaw notification process and 24 hour notification	Jas Chonk Robin Ellchuk	Target: 24-Feb-2023	Completed

DATE OF MEETING: May 25, 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 Bylaw No. 138, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2023” be read a first time.
2. That the Saturna Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 138, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2023”, is not contrary to or at variance with the Islands Trust Policy Statement.
3. That the Saturna Island Local Trust Committee direct staff to schedule a public hearing on application SA-RZ-2023.1 (Gaines).
4. That the Saturna Island Local Trust Committee direct staff to schedule a community information meeting on application SA-RZ-2023.1 (Gaines) to be held concurrently with a public hearing.

REPORT SUMMARY

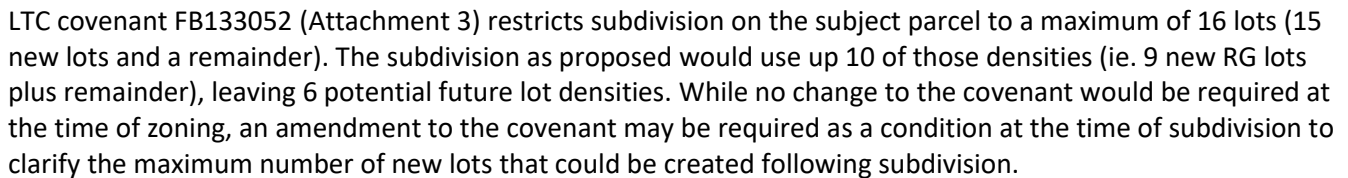
The purpose of this staff report is to provide referral response for Bylaw No. 138 in respect of rezoning application GL-RZ-2023.1 (Gaines) and to seek direction from the Saturna Island Local Trust Committee (LTC) with respect to first reading and scheduling of a community information meeting (CIM) and public hearing.

The above recommendations are supported as:

- The proposed rezoning is consistent with Saturna Island Official Community Plan No. 70 (OCP) policies;
- There were no specific concerns or objections raised during the bylaw referral period;
- Proof of water and septic will be required at time of subdivision;
- Proceeding with a CIM and public hearing will facilitate further public input and identify any outstanding issues or concerns with the proposed rezoning.

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



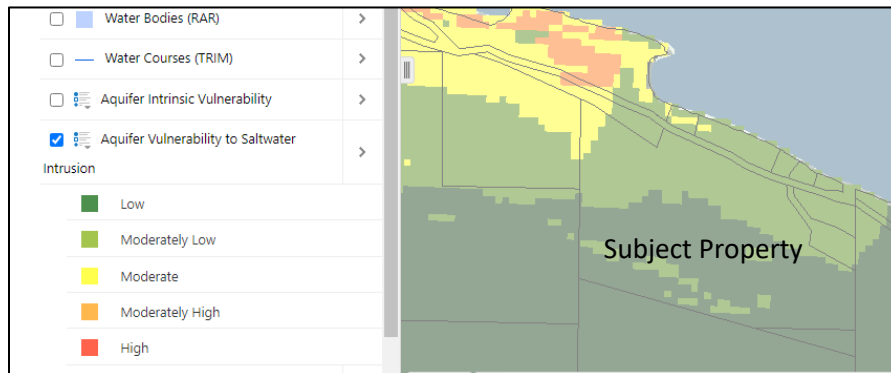
Islands Trust Policy Statement

At the February 17, 2023 meeting, staff recommended that the LTC direct the applicant to provide proof of water and septic viability as a condition of rezoning. The LTC could still direct the applicant to complete this work in consideration of freshwater resource policy 4.4.2 which states:

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. Alternatively, the LTC could continue to defer the consideration of the proof of water and septic viability to the time of subdivision.

Figure 2 shows aquifer vulnerability as low to moderately low for the subject property. There are two drilled wells already located in the area proposed for rezoning and very few other wells located in close proximity. Given the parcel size, it is likely there are areas viable for septic to service the two new lots. For these reasons, the LTC could deem the proposal to not be contrary to the ITPS, as recommended by staff.

Figure 2. Aquifer Vulnerability to Saltwater



Consultation

Referrals - Agencies

Staff have sent draft Bylaw No. 138 to the following agencies for bylaw referral:

- 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

Island Health responded that they had no concerns with the proposed amendments. North Pender and South Pender LTC's responded "*interests unaffected by the bylaw.*"

Referrals - First Nations

Staff have sent draft Bylaw No. 138 to 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

Tsawwassen First Nation (TFN) responded that they have no concerns at this time. However, when any physical works are considered for the rezoned area, TFN requests an opportunity to review all copies of interim and final environmental and archaeological reports before any new construction commences.

Snuneymuxw First Nation have deferred comments regarding the referral and assert that Snuneymuxw's deferral is not an acknowledgment of any potential impacts or infringements to the Snuneymuxw Treaty of 1854, Aboriginal rights, or title, nor is it a derogation or interpretation of Snuneymuxw's treaty rights. Snuneymuxw First Nation assert that they reserve the right to review this deferral if new information arises.

Ts'uubaa-asatx (Lake Cowichan) First Nation does not have any comments at this time. They also assert to reserve the right to raise objections if any cultural use, archaeological sites or environmental impacts are identified when the above development is being carried out or if it is discovered that impacts on their rights or interests occur that they had not foreseen.

No other First Nations responded to the bylaw referral.

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.

In this case, staff recommend a CIM be scheduled on the same day immediately prior to the public hearing.

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

Rationale for Recommendation

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

- The proposed rezoning is consistent with Saturna Island Official Community Plan No. 70 (OCP) policies;
- There were no specific concerns or objections raised during the bylaw referral period;
- Proof of water and septic will be required at time of subdivision;
- Proceeding with a CIM and public hearing will facilitate further public input and 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	May 15, 2023
Concurrence:	Robert Kojima, Regional Planning Manager	May 16, 2023

ATTACHMENTS

1. Draft Bylaw No. 138
2. Islands Trust Policy Statement Checklist

DRAFT

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 138

A BYLAW TO AMEND SATURNA ISLAND LAND USE BYLAW NO. 119, 2018

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

1. Citation

This bylaw may be cited for all purposes as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2023”.

2. Saturna Island Local Trust Committee Bylaw No. 119, cited as “Saturna Island Land Use Bylaw No. 119, 2018,” is amended as follows:

2.1 Inserting a new row in the Site Specific Regulations Table immediately following the row referencing RG(d) with the Site-Specific Zone Reference of “RG(e)”, such that it reads:

RG(e)	The North West 1/4 Of Section 12, Saturna Island, Cowichan District, Except Parts In Plans 19569, 20704, VIP63161, VIP79024 and VIP84336	(4) Despite 4.2.12 no subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 2.3 hectares (5.68 acres).
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2.2 Schedule “B” – Zoning Map, is amended by changing the zoning classification of a portion of the lands legally described as The North West 1/4 Of Section 12, Saturna Island, Cowichan District, Except Parts In Plans 19569, 20704, VIP63161, VIP79024 and VIP84336 from Rural Residential (RR) to Rural General (e) [RG(e)], as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 119 as are required to effect this change.

3. SEVERABILITY

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

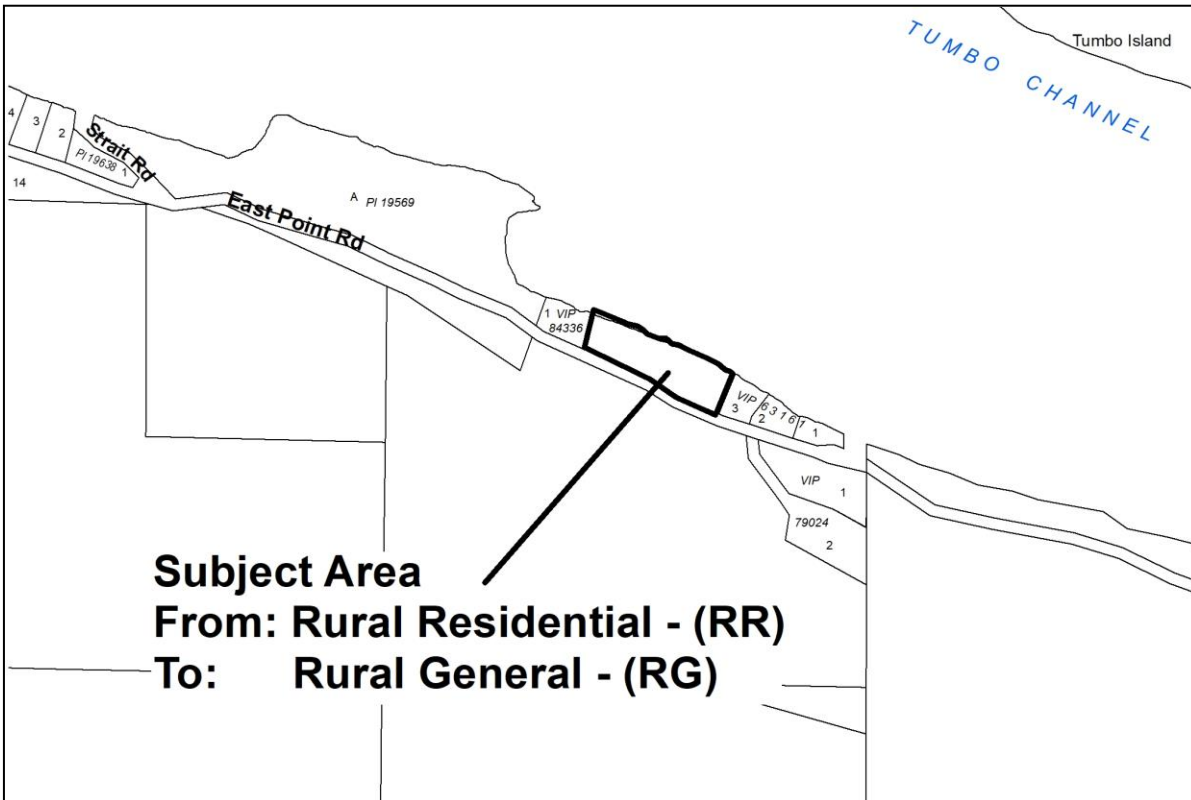
READ A FIRST TIME THIS	_____	DAY OF	_____	20____
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____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

CHAIR

SECRETARY

SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 138

Plan No. 1





Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

**Bylaw and File No: 138
SA-RZ-2023.1 (Gaines)
LTC Endorsement:**

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECK LIST

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

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

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

Part III Policies for Ecosystem Preservation and Protection

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

PART IV: Policies for the Stewardship of Resources

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

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

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

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

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

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

File No.: SA-RZ-2022.1 (Bertolami & Crooks)

DATE OF MEETING: May 25, 2023
TO: Saturna Island Local Trust Committee
FROM: Brad Smith, Island Planner
Victoria Office
SUBJECT: SA-RZ-2022.1 (Bertolami & Crooks) – Bylaw No. 136 and 137 – Post Public Hearing

RECOMMENDATION

1. 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 adopted.
2. 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 adopted.

REPORT SUMMARY

The purpose of this staff memo is to update the Saturna Island Local Trust Committee (LTC) on the status of application SA-RZ-2022.1 (Bertolami & Crooks) and to seek direction on adoption of proposed Bylaw No. 136 and No. 137.

The above recommendations are supported as:

- The proposed bylaws have been given 2nd and 3rd reading by the LTC, have been considered at a public hearing as per statutory requirements, and have been approved by the Islands Trust Executive Committee and the Minister of Municipal Affairs (for BL 137);
- There are no other associated administrative or statutory steps required prior to the LTC considering fourth reading and adoption.

BACKGROUND

The Saturna Island Local Trust Committee (LTC) is considering Bylaws No. 136 and 137 that would amend the LUB and OCP to 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.

The LTC gave first reading of proposed Bylaws No. 136 and No. 137 by Resolution without Meeting (RWM) on November 4, 2022. Also by RWM, the LTC directed staff to schedule a Community information Meeting (CIM) and a public hearing. A CIM and public hearing were held electronically via zoom on December 14, 2022.

Following the completion of the public hearing, the LTC gave proposed Bylaw No. 136 and No. 137 second and third reading at the December 14, 2022 meeting.

The LTC considered and determined that proposed bylaw No. 136 and No. 137 are not contrary to or at variance with the Islands Trust Policy Statement by RWM on November 4, 2022.

Executive Committee approved the proposed bylaws on January 11, 2023 and the Minister of Municipal Affairs approved Bylaw No. 137 on May 4, 2023.

ALTERNATIVES

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

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed. Additional information may result in a requirement to hold a new public hearing.

Resolution:

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

2. Hold the application in abeyance

The LTC may choose to hold the application in abeyance.

Resolution:

That the Saturna Island Local Trust Committee hold application SA-RZ-2022.1 (Bertolami & Crooks) in abeyance.

3. Deny the application

The LTC may deny the application.

Resolution:

That the Saturna Island Local Trust Committee proceed no further with application SA-RZ-2022.1 (Bertolami & Crooks).

NEXT STEPS

If adopted, staff will update the base LUB and OCP bylaws to reflect the changes generated by adoption of Bylaw No. 136 and 137 and will take the necessary steps to close-out the rezoning application file.

Submitted By:	Brad Smith, Island Planner	May 15, 2023
Concurrence By:	Robert Kojima, Regional Planning Manager	May 15, 2023

Attachment 1. Bylaw No 136
Attachment 2. Bylaw No. 137

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 136

A BYLAW TO AMEND SATURNA ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 70, 2000

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

1. CITATION

This Bylaw may be cited for all purposes as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2022”.

2. SCHEDULES

Saturna Island Official Community Plan Bylaw No. 70, 2000 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME THIS	4 TH	DAY OF	NOVEMBER	2022.
PUBLIC HEARING HELD THIS	14 TH	DAY OF	DECEMBER	2022.
READ A SECOND TIME THIS	14 TH	DAY OF	DECEMBER	2022.
READ A THIRD TIME THIS	14 TH	DAY OF	DECEMBER	2022.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	11 TH	DAY OF	JANUARY	2023.
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS THIS	4 TH	DAY OF	MAY	2023.
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 136**

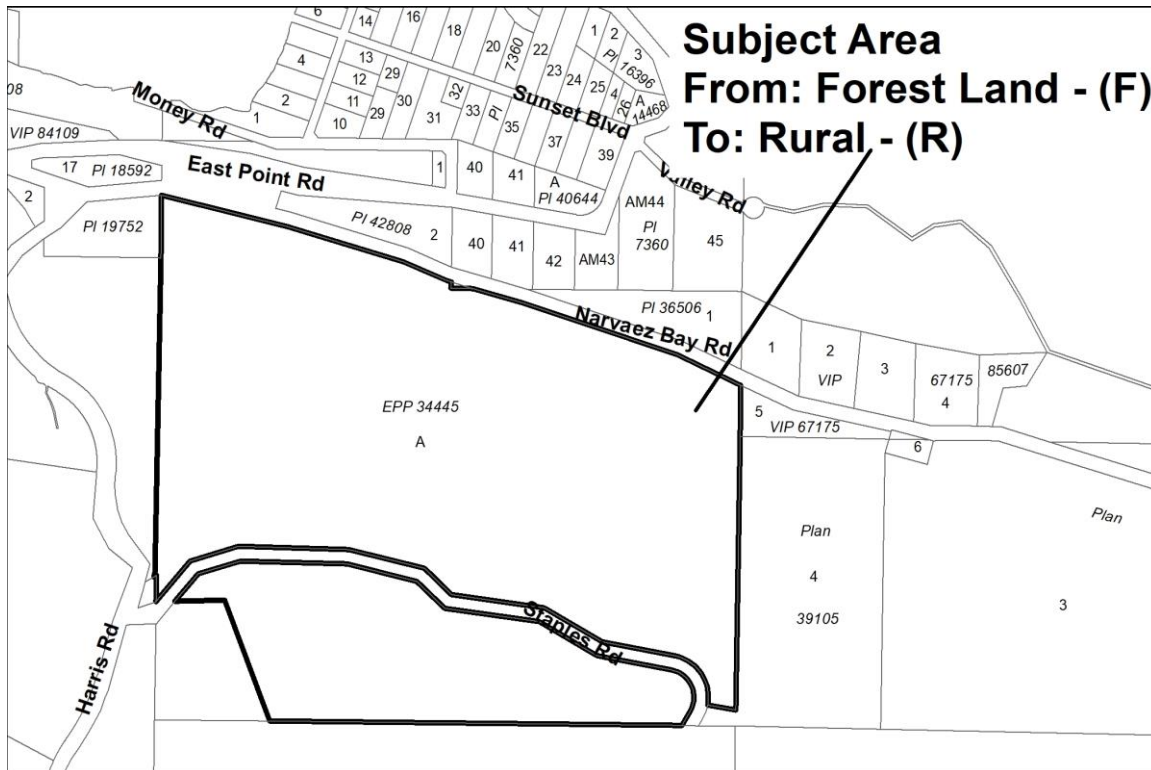
SCHEDULE 1

The Saturna Island Official Community Plan Bylaw No. 70, 2000, is amended as follows:

Schedule “B” – Land Use Designation Map, is amended by changing the land use designation of a portion of the land parcel legally described as *Lot A Sections 8 And 9 Saturna Island Cowichan District Plan EPP34445* from Forest Land (F) to Rural (R), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Land Use Bylaw No. 70 as are required to effect this change.

SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 136

Plan No. 1



PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 137

A BYLAW TO AMEND SATURNA ISLAND LAND USE BYLAW NO. 119, 2018

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

1. Citation

This bylaw may be cited for all purposes as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2022”.

2. Saturna Island Local Trust Committee Bylaw No. 119, cited as “Saturna Island Land Use Bylaw No. 119, 2018,” is amended as follows:

2.1 Subsection 4.2.14 – Site Specific Regulations, Article 4.2.14 (1) is amended by:

- i. Deleting the word “Colum” and replacing it with the word “Column” in the first sentence of Article 4.2.14 (1).
- ii. Deleting the reference to subsection “4.2.12” and replacing it with the reference to subsection “4.2.13” in the RG(a) Row, Column 3, Item Number (1) of the Site Specific Regulations Table.
- iii. Deleting the reference to subsection “4.2.11” and replacing it with the reference to subsection “4.2.12” in the RG(b) Row, Column 3, Item Number (2) of the Site Specific Regulations Table.
- iv. Deleting the reference to subsection “4.2.12” and replacing it with the reference to subsection “4.2.13” in the RG(b) Row, Column 3, Item Number (3) of the Site Specific Regulations table.
- v. Inserting a new row in the Site Specific Regulations Table immediately following the row referencing RG(b) with the Site-Specific Zone Reference of “RG(c)”, such that it reads:

RG(c)	Lot A Sections 8 and 9 Saturna Island Cowichan District Plan EPP34445	(4) Despite 4.2.13 no subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 3.7 hectares (9.1 acres).
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- vi. Inserting a new row in the Site Specific Regulations Table immediately following the newly added row referencing RG(d) with the Site-Specific Zone Reference of “RG (d)”, such that it reads:

RG(d)	Block A, Section 5, Saturna Island, Cowichan District, Except Part In Plan 25360	(5) Despite 4.2.13 no subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 6.0 hectares (14.8 acres).
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- 2.2 Schedule “B” – Zoning Map, is amended by changing the zoning classification of a portion of the lands legally described as Lot A Sections 8 and 9 Saturna Island Cowichan District Plan EPP34445 from Forest General (FG) to Rural General (c) [RG(c)], as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 119 as are required to effect this change.
- 2.3 Schedule “B” – Zoning Map, is amended by changing the zoning classification of a portion of the lands legally described as Block A, Section 5, Saturna Island, Cowichan District, Except Part In Plan 25360 from Rural General to Rural General (d) [RG(d)], as shown on Plan No. 2 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 119 as are required to effect this change.

3. SEVERABILITY

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

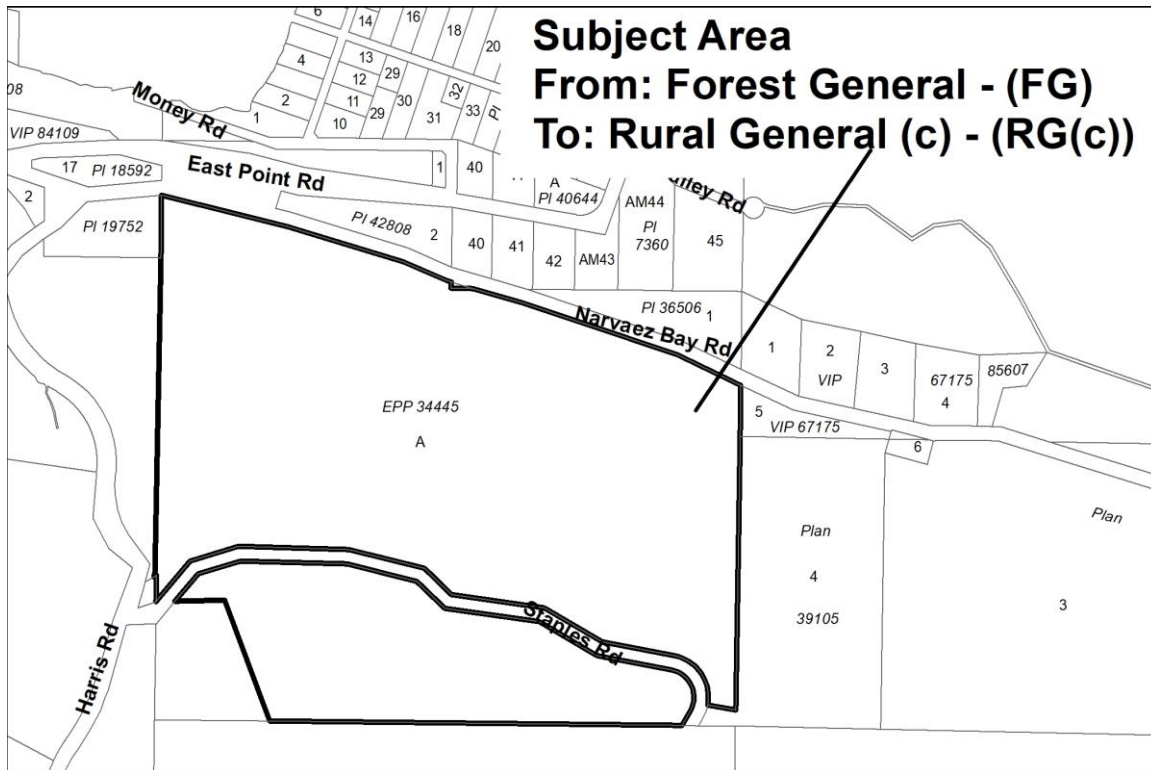
READ A FIRST TIME THIS	4 TH	DAY OF	NOVEMBER	2022.
PUBLIC HEARING HELD THIS	14 TH	DAY OF	DECEMBER	2022.
READ A SECOND TIME THIS	14 TH	DAY OF	DECEMBER	2022.
READ A THIRD TIME THIS	14 TH	DAY OF	DECEMBER	2022.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	11 TH	DAY OF	JANUARY	2023.
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

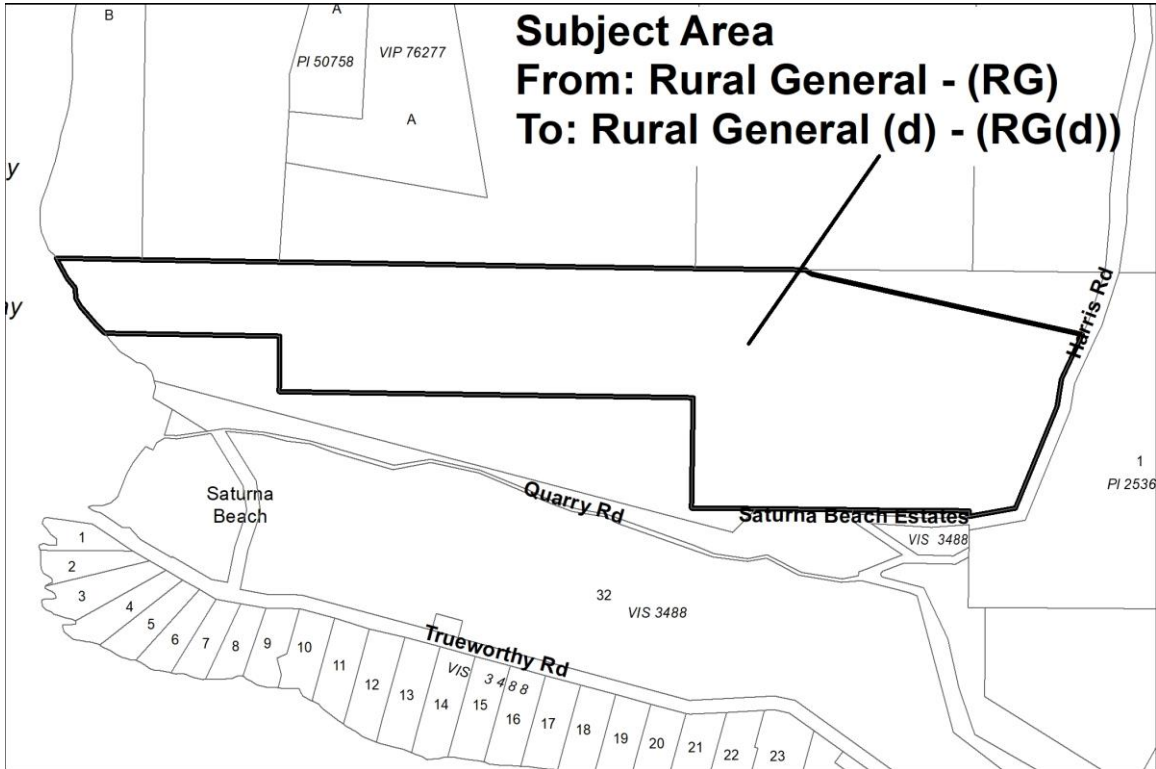
SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 137

Plan No. 1



**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 137**

Plan No. 2



Active Projects Report

	Responsible	Dates
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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 implementation

2. *Review of split zoning regulations in LUB*

Responsible

Date Received

Review of split zoning regulations in LUB

16-Feb-2023

3. *Review of bylaw enforcement notification requirements in BL 30 and 119*

Responsible

Date Received

16-Feb-2023



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: 16-May-2023			
BL 136 returned from ministers office, BL 136/137 included on May 25 agenda for consideration of adoption			
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			

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: 16-Feb-2023			
LTC directed staff to proceed - staff to draft amending bylaw and initiate referrals - LTC declined to direct staff to require proof of water and septic viability			
Status Date: 08-Feb-2023			
Preliminary report on Feb 16 agenda			
Status Date: 18-Jan-2023			
Planner Brad Smith assigned.			



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 March 2023

660 Saturna	Invoices posted to Month ending March 2023	<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	866.60	1,085.40
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>866.60</u>	<u>1,939.40</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
2023-008 (Standing) 16.5 Bylaw notification requirements on Saturna that it be resolved that Clause 2 in Saturna Local Trust Committee Bylaw 30 - A Bylaw to Authorize Inspection of Alleged Infractions Against Regulations - is replaced on an interim basis with the wording of Clause 14.1 from Saturna Local Trust Committee Bylaw 119 - Land Use Bylaws amalgamated. This clause reads "The Island Trust Bylaw Enforcement Officer or any other person designated by the Saturna Island Local Trust Committee to administer this Bylaw is authorized to enter, at any reasonable time and after having given 24 hours prior notification to the occupier, upon any property that is subject to regulation under this Bylaw, for the purpose of determining whether the regulations are being observed." This Standing Resolution will remain in place until such time a review of Bylaw No. 30 and Bylaw No. 119 Section 1.4 "Inspection and Enforcement" can be reviewed and re-enacted through public process embodying Bylaw Enforcement Best Practices outlined in the 2022 Ombudsperson of British Columbia report concerning Local Government Bylaw Enforcement Policy and Practice.	Carried	16-Feb-2023
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

Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
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 (SRKWs) 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
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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 January 24, 2023 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

- Nominations for the Chair, Vice-Chair and Financial Planning Committee (FPC) representative were held. Trustee Adams was elected Chair of ITC Board, Trustee Smith was elected Vice-Chair, and Trustee Yates was elected as the FPC representative.
- The ITC Board discussed the ITC ex officio seat on the Governance Committee, noting the ITC Chair will appoint a member to the committee. Shortly after the ITC meeting, the ITC Chair appointed Trustee Grant Scott as the ITC Board's ex-officio member on the Islands Trust Council's Governance 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 in November 2022 and directed staff to forward it to the Minister of Municipal Affairs by December 31, 2022, for review and approval. A meeting has been set to discuss the plan with Ministry staff. Staff will inform the ITC Board of the outcomes.
- The ITC Board reviewed and approved the 2026-2030 ITC Plan Project Charter.
- The ITC Board reviewed and approved the 2023-2026 Species at Risk Program Project Charter.
- The ITC Board reviewed the 2023/24 ITC Budget briefing from the Financial Planning Committee. The ITC Board discussed potential budget reductions and moved that ITC Budget has been carefully considered potential budget reductions and their implications, and concluded that its budget request is necessary and responsible going forward.

3. COVENANT AND PROPERTY ACQUISITIONS

- The ITC Board received reports on covenants and acquisitions for information.
- ITC registered a 11.35 hectare covenant, known as the Livingstone Covenant on Lasqueti island. This covenant is the first covenant on Lasqueti and is part of the Natural Area Protection Tax Exemption (NAPTEP) Program. It was gifted through the Federal Ecological Gifts Program.

4. COVENANT AND PROPERTY MANAGEMENT



ISLANDS TRUST CONSERVANCY

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

- ITC Board reviewed and approved the ITC NAPTEP Covenants Monitoring Report for 2022, and directed staff to address management concerns as identified in the report.
- ITC Board reviewed and approved the ITC Nature Reserve Monitoring Report 2022.

5. COMMUNICATIONS AND OUTREACH

- ITC has updated its website to include information about the species at risk program, see <https://islandstrust.bc.ca/conservancy/species-at-risk/>
- ITC is hosting Species at Risk focussed speaker series between February 16 and April 12, 2023. For more information, see <https://islandstrust.bc.ca/conservancy/species-at-risk/>

6. FUNDRAISING AND CONSERVANCY SUPPORT

- The ITC Board received a legacy donation of \$25,000 for the purposes of implementing a Western Screech-Owl research project on Link Island.
- The ITC Board reviewed an application from the Nature Conservancy of Canada and awarded a \$50,000 Opportunity Fund Grant for the acquisition of 161 ha (397 acres) of conservation lands on Reginald Hill on Salt Spring Island.
- The ITC Board awarded a \$4,614.75 grant from the Morrison Waxler Biodiversity Legacy Fund Grant program to expand the existing Nighthawk Hill NAPTEP covenant on North Pender 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)

Saturna Island Local Trust Committee

The Saturna Island Local Trust Committee (SALTC) held four regular business meetings in the 2022/23 fiscal year, as well as two Community Information Meetings, one special meeting and two public hearings.

Work for this period focused on advancing the SALTC priorities to make minor amendments to the Official Community Plan and Land Use Bylaw, and to consider a density transfer application to facilitate the donation of land for nature protection.

From April 1, 2022 to March 31, 2023, the SALTC received and considered one Liquor and Cannabis Regulation Branch referral and two rezoning applications.

During the same time period staff also reviewed six building permit referrals.

The SALTC also considered a new fees bylaw.

REQUEST FOR DECISION

To: Saturna Island Local Trust Committees **For the Meeting of:** May 18, 2023
From: David Marlor, Director, Legislative Services **Date Prepared:** March 30, 2023
SUBJECT: Freedom of Information and Protection of Privacy Bylaw

RECOMMENDATION:

1. That Saturna Island Local Trust Committee Bylaw No. 139, cited as “Saturna Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 139, 2023”, be read a first time.
2. That Saturna Island Local Trust Committee Bylaw No. 139, cited as “Saturna Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 139, 2023”, be read a second time.
3. That Saturna Island Local Trust Committee Bylaw No. 139, cited as “Saturna Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 139, 2023”, be read a third time.
4. That Saturna Island Local Trust Committee Bylaw No. 139, cited as “Saturna Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 139, 2023” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

DIRECTOR OF PLANNING SERVICES COMMENTS: The draft Freedom of Information and Protection of Privacy bylaw is in line with current legislation and Schedule of Fees.

1 PURPOSE:

To adopt the new Freedom of Information and Protection of Privacy bylaw and model bylaw to bring them in line with updated legislation.

2 BACKGROUND:

On November 25, 2021, the Government of British Columbia enacted Bill 22 bringing into force significant amendments to the *Freedom of Information and Protection of Privacy Act*. The *Act* governs how public bodies collect, use and disclose the personal information of individuals.

The current local trust committee freedom of information and protection of privacy bylaws have been unchanged since they were adopted in 1994. Since that time, amendments have been made to the *Act*, as well as fees updated.

At its regular business meeting June 21 to 23, 2022, Trust Council adopted a model Freedom of Information and Protection of Privacy Bylaw, and passed the following resolution:

That Trust Council request all local trust committees to consider adoption of a new Freedom of Information and Protection of Privacy bylaw based on the model bylaw.

Staff has drafted a new Freedom of information and Protection of Privacy Bylaw for each Island Local Trust Committee based on the adopted model bylaw.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Minimal staff time to update material on the website.

FINANCIAL:

Fees incurred can be charged current amounts for actual costs and reflect charges for various media formats, including digital records.

POLICY: N/A

IMPLEMENTATION/COMMUNICATIONS:

Staff would update the Islands Trust website with the new bylaws.

FIRST NATIONS:

There is no impact on First Nations on the adoption of the new Freedom of Information and Protection of Privacy bylaw and model bylaw.

OTHER:

There are no other implications of the recommendation.

4 RELEVANT POLICY(S): N/A

5 ATTACHMENT(S):

1. Saturna Island Local Trust Committee Bylaw No. 139

Alternative:

1. That Saturna Island Local Trust Committee Bylaw No. 139, cited as “Saturna Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 139, 2023” be amended and be read a first, second and third time. In this case, any amendments not consistent with the model would be reviewed by the Executive Committee to ensure they do not cause a financial burden to the organization.

2. That this report be referred back to staff for additional information.

Submitted By:	David Marlor, Director, Legislative Services	March 30, 2023
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DRAFT

SATURNA ISLAND LOCAL TRUST COMMITTEE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW NO. 139

A Bylaw to designate the head of the Saturna Island Local Trust Committee for the purposes of, and to set fees under, the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended.

GIVEN THAT:

- A. Section 77(a) of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended (the "Act"), gives the Saturna Island Local Trust Committee the authority to designate a person as the head of the Saturna Island Local Trust Committee for the purposes of the Act, and
- B. Section 77(c) of the Act gives the Saturna Island Local Trust Committee the authority to set any fees the Saturna Island Local Trust Committee requires to be paid under section 75 of the Act,

THE SATURNA ISLAND LOCAL TRUST COMMITTEE ENACTS AS FOLLOWS:

Citation

- 1. This bylaw may be cited as "Saturna Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 139, 2023".

Definitions and Interpretation

- 2. In this Bylaw:

"Act"	means the <i>Freedom of Information and Protection of Privacy Act</i> , RSBC 1996, Chapter 165, as amended.
"Commercial Applicant"	means a person who makes a request for access to a record to obtain information for use in connection with a trade, business, profession or other venture for profit.
"Head"	means the person designated under Section 3 of this Bylaw as the head of the of the Saturna Island Local Trust Committee for the purposes of the Act.
"Request"	means a request for information under Section 5 of the Act.
"Records"	includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records.

Designation of Head

3. The person from time to time appointed to the position of Secretary of the Islands Trust is designated as the Head of the Saturna Island Local Trust Committee for the purposes of the Act.
4. The person from time to time appointed to the position of Deputy Secretary of the Islands Trust and the person from time to time appointed to the position of Deputy Treasurer of the Islands Trust, each are authorized to perform any duty or exercise any function of the Head who is designated under Section 3.

Policies and Procedures

5. The Heads authorized to perform the duties of the Head shall operate in accordance with the Act and the Freedom of Information and Protection of Privacy policies, guidelines, and procedures, as set by the Islands Trust Council from time to time.

Fees

6. The fees that are payable by applicants under the Act are those set out in Schedule A to this bylaw.

Interpretation

7. Any word or expression used in this bylaw that is not defined in this bylaw has the meaning given to it in the Act on the date of final adoption of this bylaw.

Repeal

8. "Saturna Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 46, 1994", is hereby repealed and replaced by this bylaw.

READ A FIRST TIME this _____ DAY OF _____, 20__

READ A SECOND TIME this _____ DAY OF _____, 20__

READ A THIRD TIME this _____ DAY OF _____, 20__

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

ADOPTED THIS
_____ DAY OF _____, 20__

CHAIR

SECRETARY

Saturna Island Local Trust Committee
Freedom of Information and Protection of Privacy
Bylaw No. 139 - Schedule 'A'

Schedule of Maximum Fees

Item	Description of Services		Fees
1	(a)	Application Fee	\$10.00 (non-refundable)
	(b)	An applicant's request for his/her own personal information is not subject to any fees.	
2	For applicants other than commercial applicants:		
	(a)	for locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours
	(b)	for producing a record manually	\$7.50 per ¼ hour
	(c)	for producing a record from a machine readable record from a server or computer	\$7.50 per ¼ hour for developing a computer program to produce the record
	(d)	for preparing a record for disclosure and handling a record	\$7.50 per ¼ hour
	(e)	for shipping copies	actual costs of shipping method chosen by applicant
	(f)	for copying records	
		(i) floppy disks	\$2 per disk
		(ii) CDs and DVDs, recordable or rewritable	\$4 per disk
		(iii) computer tapes	\$40 per tape, up to 2 400 feet
		(iv) microfiche	\$3 per fiche
		(v) microfilm duplication	\$25 per roll for 16mm microfilm \$40 per roll for 35mm microfilm
		(vi) microfiche or microfilm to paper duplication	\$0.50 per page (8.5" x 11")
		(vii) photographs, colour or black and white	\$5 to produce a negative \$12 each for 16" x 20" photograph \$9 each for 11" x 14" photograph \$4 each for 8" x 10" photograph \$3 each for 5" x 7" photograph
		(viii) photographic print of textual, graphic or cartographic record, black and white	\$12.50 each (8" x 10")
		(ix) dot matrix, ink jet, laser print or photocopy, black and white	\$0.25 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
		(x) dot matrix, ink jet, laser print or photocopy, colour	\$1.65 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
		(xi) scanned electronic copy of a paper record	\$0.10 per page
		(xii) photomechanical reproduction of 105 mm cartographic record/plan	\$3 each
		(xiii) slide duplication	\$0.95 each
		(xiv) audio cassette tape (90 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
		(xv) video cassette recorder (VHS) tape (120 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
3	For commercial applicants for each service listed in Item 2		the actual cost to the public body of providing that service



DATE OF MEETING: May 25, 2023
TO: Saturna Island Local Trust Committee
FROM: Robert Kojima, Regional Planning Manager
Southern Team
COPY: Brad Smith, Island Planner
SUBJECT: Proposed Fee Bylaw

PURPOSE

To update the LTC on the status of the model fee bylaw and summarize steps taken by the Saturna LTC to date.

BACKGROUND

At its meeting in June 2021, Trust Council adopted a new Application Processing Services Policy that includes a model Fee Bylaw. At the same meeting, Trust Council recommended that local trust committees adopt new fees bylaws based on the model.

At its regular business meeting in June 2021, Trust Council adopted a new Application Processing Services Policy that includes a model Fee Bylaw. At the same meeting, Trust Council recommended that local trust committees adopt new fees bylaws based on the model.

The Model Fees Bylaw endorsed by Trust Council in 2021 establishes application fees that are more consistent with the costs of processing applications. There have been significant and growing gaps between application fees being received and costs incurred to process applications since the current fee bylaw was adopted in 2007. The Regional Planning Committee reviewed costs, fees and developed recommended new fees. RPC recognized that increased fees would not fund 100% of the cost of processing applications, but would create a more equitable balance between 'user pay' and the general taxpayer. Increased fees were also recommended in the recent governance review ("greater cost recovery is required").

It may be useful to clarify when application fees are paid to Islands Trust. Fees are required for the following:

- When owners apply to amend the zoning on their property.
- Land use permit applications, including temporary use permits, development permits, development variance permits
- Owners who apply to subdivide their land into new lots

Many services are not, or cannot be funded by fees, including:

- Owners applying for a building permit: at the request of regional districts, Islands Trust staff review building plans for compliance with zoning but cannot charge a fee.

- Inquiries: owners, professionals and other agencies do not pay a fee for inquiries about zoning, development permit areas, to ask about process or jurisdiction, or for staff to direct inquiries to appropriate agencies.
- Applications by community organizations, where there is a community benefit, can apply to have fees refunded.

In October 2021, the attached Request for Decision was presented to the LTC, and the LTC deferred consideration to the subsequent meeting. At the May 2022 LTC meeting, the LTC consider the RFD and passed the following resolution:

SA-2022-016

It was Moved and Seconded,

that Saturna Local Trust Committee defer a decision on the new fee bylaw until we have had public consultation in the form of a Community Information Meeting.

Discussion also occurred that there should be a Community Information Meeting to discuss further at the October 2022 LTC meeting, however that CIM was ultimately deferred due to the election.

To date all LTCs except North Pender and Saturna have adopted the new model fee bylaw.

If the LTC wishes to proceed as recommended by Trust Council, direction should be given in the form of the following:

That the Saturna Local Trust Committee request Staff to draft a new Fee Bylaw based on the model fee bylaw attached to Trust Council Policy “5.6.1 Application Processing Services.”

NEXT STEPS

If the LTC provides direction, staff will bring a bylaw back to the LTC at a future meeting for consideration of reading.

Submitted By:	Robert Kojima, Regional Planning Manager	May 12, 2023
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ATTACHMENTS

1. October 2021 RFD

REQUEST FOR DECISION

To: Local Trust Committees **For the Meeting of:** October 21, 2021

From: David Marlor, Director, Local Planning Services **Date Prepared:** September 15, 2021

SUBJECT: New Fee Bylaws

RECOMMENDATION:

That the Saturna Local Trust Committee request Staff to draft a new Fee Bylaw based on the model fee bylaw attached to Trust Council Policy “5.6.1 Application Processing Services.”

DIRECTOR COMMENTS:

The recommendation will allow staff to draft a fee bylaw specific to each local trust committee’s needs based on the model fee bylaw adopted by Trust Council.

1 PURPOSE: To update all local trust committee fee bylaws to be consistent with the new Application Processing Services policy.

2 BACKGROUND:

At its regular business meeting in June 2021, Trust Council adopted a new Application Processing Services Policy that includes a model Fee Bylaw. Trust Council also passed the following resolution:

That Trust Council request all local trust committees to consider adoption of a new application processing fees bylaw based on the model fees bylaw attached to Policy 5.6.1 “Application Processing Services”.

The Trust Council application processing services policy has been amended to:

1. clarify more specifically the activities covered by the application fee to remove ambiguity;
2. remove the need for planners to determine the work required at the start of the process, which has been identified as practically impossible to implement;
3. establish an objective of 80 per cent of the average processing cost for cost recovery;
4. add more clarity around when cost recovery agreements are required, and what are considered extraordinary cost charges; and
5. add a model fees bylaw to the policy as an attachment.

A new model fees bylaw has been developed that:

1. has updated fees that better reflect the actual average cost of processing the various types of applications, designed to include the staff costs and the fixed costs, such as meeting expenses and advertising;
2. adds consideration for recovery of costs associated with First Nation site visits if required;
3. adds more robust fee refund policy to improve fairness;
4. adds an annual automatic increase of fees of two percent to reflect the estimated actual cost increases due to inflation and collective agreement increases for staff;
5. retains ability of local trust committees to reduce fees by up to 20 percent, intended to allow flexibility recognizing local factors affecting cost of application processing;
6. adds flexibility to allow for reduced temporary use permits fees for community benefits as defined by the local trust committee in its official community plan; and
7. adds a 20 per cent higher fee for applications where development began without a permit or permission to reflect the higher cost of processing such an application.

Each local trust committee has been asked by Trust Council to update its fee bylaw to be consistent with the model fee bylaw approved by Trust Council. If a local trust committee wishes to adjust fees in accordance with items 5 and 6 above, the local trust committee should include this request in the resolution to develop a draft fee bylaw. While a local trust committee is under no legislative obligation to amend its fees bylaw, Trust Council has developed the model fee bylaw to assist in assuring the fees charged better reflect the cost of processing applications using shared resources throughout the Islands Trust Area.

Please note that fees charged are to recover the average cost of processing that type of application. Fees cannot be used to be punitive, or to raises funds above the average cost of processing an application. Local trust committees cannot charge fees for building permit referrals or Crown land referrals as there is no authority provided to do so.

Local trust committees are authorized to charge fees for different types of applications as follows:

- **Section 462 of the *Local Government Act*** provides that a local government may, by bylaw, impose fees related to applications and inspections to recover the average costs of processing official community plan amendments, land use bylaw amendments, subdivisions bylaw amendments, heritage conservation bylaw amendments, issuance of a development permit, development variance permit, temporary use permit, heritage alteration permit, land use contract amendments, heritage revitalisation agreement amendments, board of variance orders, and inspection of works and services related to applications and permits, and subdivision applications;
- **Section 31(2)(b) of the *Islands Trust Act*** provides that a local trust committee may impose fees to recover the cost of processing siting and use permits;
- **Section 41 of the *Liquor Control and Licensing Act*** provides that a local government may, by bylaw, impose fees to recover the cost of processing liquor and liquor licensing referrals; and
- **Section 35 of the *Cannabis Control and Licensing Act*** provides that a local government may, by bylaw, impose fees to recover the cost of processing a referral for a license under that Act.

Section 462 of the *Local Government Act* also states that local governments must not impose a fee, charge a tax or require works or services to be provided unless authorized by this Act or any other Act. For this reason, fees are not charged for processing of building permit and Crown land referrals, as there is no authorization in any Act for local trust committees to recover these costs.

Fee bylaws are administrative bylaws. There is no requirement for public input. The local trust committee may consider first, second and third readings all at one meeting. The Executive Committee must approve the bylaw before the local trust committee can consider adoption.

Ideally, all local trust committees will have considered updating their bylaws by March 2022 so that the assumptions on revenue can be included in the next fiscal year budget process.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Staff will draft a fee bylaw based on the model fee bylaw and bring back to a future local trust committee meeting for consideration.

FINANCIAL:

No financial implication from the recommendation.

POLICY:

Updating the Fee bylaw will be consistent with Trust Council Policy 5.6.1 Application Processing Services.

IMPLEMENTATION/COMMUNICATIONS:

Local planning staff assigned to the local trust committee will draft fee bylaw for local trust committee consideration.

FIRST NATIONS:

No First Nations implications from the recommendations.

OTHER:

No other implications from the recommendations.

4 RELEVANT POLICY(S):

Trust Council Policy 5.6.1 Application Servicing Process

5 ATTACHMENT(S):

Trust Council Policy 5.6.1 Application Processing Services

RESPONSE OPTIONS

Recommendation:

That the Saturna Local Trust Committee request Staff to draft a new fee bylaw based on the model fee bylaw attached to Trust Council Policy "5.6.1 Application Processing Services."

Alternative:

That the Saturna Local Trust Committee request Staff to draft a new fee bylaw based on the model fee bylaw attached to Trust Council Policy "5.6.1 Application Processing Services" with the following modifications: [list modifications].

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: Julia Mobbs, Director, Administrative Services/August, 2021



Policy:	5.6.1
Approved By:	Trust Council
Approval Date:	June 9, 2021 Repeals policies 5.6.1, 5.6.2 and 5.6.3
Amendment Dates:	
Policy Holder:	Director of Local Planning Services

APPLICATION PROCESSING SERVICES POLICY

Purpose

This policy is intended:

- to identify the services provided by Islands Trust and the different levels of costs associated with these services;
- to provide direction for the preparation of Fees Bylaws and Schedules by Local Trust Committees (LTCs);
- to provide the principles by which cost recovery for extraordinary services beyond the standard fee can be negotiated and agreed to by an applicant and a LTC;
- to recover from applicants 100 per cent of the average cost of processing the development applications, while permitting consideration of lower cost recovery for environmental protection and community benefit.

A. Definitions

1. Application Processing Services include:

- 1.1 Bylaw Amendments to an official community plan, zoning bylaw, subdivision bylaw or other land use bylaws;
- 1.2 Development Application Requests for:
 - 1.2.1 Development Permits,
 - 1.2.2 Development Variance Permits,
 - 1.2.3 Temporary Use Permits,
 - 1.2.4 Soil Removal and Deposit Permits,
 - 1.2.5 Heritage Alteration Permits,
 - 1.2.6 Board of Variance Orders,
 - 1.2.7 Liquor Licensing Permits,
 - 1.2.8 Cannabis Licensing Permits,
 - 1.2.9 Siting & Use Permits,
 - 1.2.10 Land Use Contracts;
- 1.3 Agency Referral Responses and Comments on applications referred from other agencies.

2. Service Levels include:

- 2.1 Information Service that involves providing information to applicants and the general public at no cost, as a public service, and funded by property taxation revenues.
 - 2.2 Standard Application Processing Service that involves providing a specific service to applicants as a direct response to an application, whether directly to Islands Trust or through a referral from another agency, and primarily funded by established fees paid by an applicant.
 - 2.3 Extraordinary Processing Service is a service provided to the applicant that is beyond the standard processing service, with funding provided by the applicant as a deposit with the application fee or through a cost recovery agreement.
3. Costs:
- 3.1 General Service Costs includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs.
 - 3.2 Estimated Direct Costs include advertisements, delivery of notices, hall rentals, minute taking at public hearings and community information meetings, and staff travel to attend public hearings and community information meetings.
 - 3.3 Extraordinary Processing Costs include costs beyond the standard processing service such as additional community information meetings, review of technical reports provided by specialists hired by the applicant, and specific legal services such as the preparation and registration of legal documents and the acquisition of legal advice.
4. Community Benefit:
- 4.1 Community benefit is the provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community benefit or amenity.

B. Policy

1. Standard Application Processing Services

Applicants are responsible for paying different rates based on the level of service. The details involved in each level of a standard application processing service are identified below.

1.1 Information Service – No Fee Required

Information services are considered a public service and include:

- 1.1.1 ***providing information*** on application process requirements including a meeting with staff;
- 1.1.2 ***providing assistance*** to complete an application;
- 1.1.3 ***determination*** of applicable fees;

1.1.4 **identification** of readily identifiable issues to be addressed.

1.2 Application and Processing Service – Included in Application Fee

For rezoning applications, temporary use permit applications, development variances, development permits, liquor and cannabis retail license applications, and strata conversion applications, the application fee covers the following services:

- 1.2.1 comprehensive staff assessment including site visit where required;
- 1.2.2 staff reports;
- 1.2.3 discussion between planners and applicant throughout process;
- 1.2.4 review of archaeological data;
- 1.2.5 staff referral to other agencies, advisory planning commissions, and analysis of their comments;
- 1.2.6 bylaw or resolution drafting, including review for compatibility with Trust Object and policies and the relevant Official Community Plan;
- 1.2.7 staff report with recommendation for Local Trust Committee (LTC) approval consideration;
- 1.2.8 processing bylaws through Executive Committee for approval consideration, if necessary;
- 1.2.9 forwarding to Minister of Municipal Affairs and Housing for approval consideration, if necessary;
- 1.2.10 adoption of all bylaws or issuing of permits as required.

1.3 Public Hearing – Included in Application Fee

Services related to a Public Hearing that will be provided to an applicant who has paid an application fee include:

- 1.3.1 conducting one public hearing with staff present (includes staff time, staff travel costs and estimated direct costs such as meeting place rental, newspaper notice of public hearing, minute taker fee, and delivery of notices when needed).

1.4 Community Information Meeting – Included in Application Fee

Services related to a Community Information Meeting that will be provided to an applicant who has paid an application fee include:

- 1.4.1 conducting one community information meeting with staff present (includes staff time, staff travel costs, and estimated direct costs such as meeting place rental and delivery of notices when needed).

2. Extraordinary Processing Services – additional fees required

Extraordinary Processing Services are services provided to the applicant that are beyond the standard processing services identified in 1.1- 1.4. Applicants are responsible for paying additional fees for extraordinary processing services.

2.1 Role of LTC in Determining Necessity for Extraordinary Services

- 2.1.1 Local trust committees (LTCs) can determine the necessary requirements for processing applications. These requirements may necessitate extraordinary processing services, where the actual or estimated processing service level costs are in excess of the costs of a standard application fee for a similar process because:
 - 2.1.1.1 of additional requirements such as additional public consultation, complex covenant requirements or extensive staff time; or,
 - 2.1.1.2 the processing requirements include services obtained from professions outside Islands Trust such as special technical assistance and/or specific legal services; or,
 - 2.1.1.3 the processing requirements include First Nations site visit(s).
- 2.1.2 The Regional Planning Manager is responsible for assisting LTCs in identifying and costing extraordinary processing service requirements and advising the LTCs of the options available to handle these requirements.
- 2.1.3 The Regional Planning Manager is responsible for ensuring that complex service requirements include terms of reference which outline detailed criteria and parameters for the extraordinary services that are required.

2.2 Provision of Extraordinary Processing Services

- 2.2.1 Extraordinary processing services can be provided by Islands Trust via a cost recovery agreement, with costs to be paid by the applicant, in addition to the applicable standard fee.
- 2.2.2 A resolution of the LTC following the recommendation of the Regional Planning Manager is required to proceed.
- 2.2.3 When extraordinary processing service requirements have been identified, the applicant should be advised by staff that the application cannot be processed until additional funds are provided by the applicant and a cost recovery agreement with the Islands Trust is signed and a security deposit has been received.

3. Extraordinary Services Cost Recovery Agreements

3.1 Extraordinary Services Cost Recovery – Principles

- 3.1.1 Cost Recovery Agreements reflect a service level which includes the extraordinary services needed to undertake the approval process for a complex application.
- 3.1.2 Cost Recovery Agreements will endeavour to recover all costs of processing that exceed the standard costs of processing services.
- 3.1.3 The existence of a Cost Recovery Agreement will not fetter a LTC's discretion with respect to an application before the committee.
- 3.1.4 Authority for negotiating Cost Recovery Agreements is provided within the respective LTC Fees Bylaws.
- 3.1.5 Cost Recovery Agreements will proceed only by resolution of the LTC after consultation with the Regional Planning Manager, except in situations where an applicant is seeking to discuss an issue directly with Islands Trust legal advisors, in which case the Director of Local Planning Services may approve the Cost Recovery Agreement.
- 3.1.6 The Cost Recovery Agreement letter will be submitted, together with the recommendation of the Regional Planning Manager and the LTC resolution, for approval by the Director of Local Planning Services (or designate) prior to final agreement with the applicant.

3.2 Services Requiring Extraordinary Services Cost Recovery Agreement

The services identified below are considered to be beyond the scope of standard processing services. These services require payment, in addition to standard application fees established in the Fees Bylaw, of additional fees based on a cost recovery agreement between the Islands Trust and an applicant:

- 3.2.1 staff time required for covenant development;
- 3.2.2 staff time to attend more public consultation meetings than that already covered by the standard application fee, including community information meetings, advisory planning commission meetings, and public hearings;
- 3.2.3 technical assessments or studies as required by the local trust committee;
- 3.2.4 retaining special technical assistance required by the local trust committee;
- 3.2.5 additional legal counsel services required for the application not covered under the estimated direct costs of the Fees Bylaw;
- 3.2.6 process agreement negotiation;
- 3.2.7 First Nations site visits;
- 3.2.8 other resources and/or services required by the local trust committee to process the application not covered by the Fees Bylaw.

4. Funding Basis and Fee Adjustments

- 4.1 Application processing services are funded primarily through fees, as per a LTC's Fees Bylaw. Local trust committees should adopt a Fees Bylaw consistent with the model Fees Bylaw in Attachment 1.
- 4.2 Standard fees in Fees Bylaws are to be based on average processing costs, as per Section 462 of the *Local Government Act*, Section 31(2)(b) of the *Islands Trust Act*, Section 41 of the *Liquor Control and Licensing Act*, and Section 35 of the *Cannabis Control and Licensing Act*. Standard fees are calculated as the product of staff labour costs multiplied by processing time (including Planner and administrative support). Standard application fees include estimated direct costs.
- 4.3 A local trust committee may enact variances of up to 20% below what is indicated in the Trust Council's Model Fees Bylaw when adopting a LTC Fees Bylaw. The following criteria must be considered when evaluating a fee variance:
 - 4.3.1 the level of community/environmental benefit offered by the type of application;
 - 4.3.2 variances in direct costs (e.g. hall rental); and,
 - 4.3.3 an amendment to an approved application occurring within 6 months of the approval date.
- 4.4 Variance to a Fees Bylaw must be adopted by bylaw amendment. All LTC Fees Bylaws and Fees Bylaw amendments must be approved by the Executive Committee before adoption by a LTC.
- 4.5 Where the model fees bylaw permits reduced fees for temporary use permits that have a community benefit and are small scale, the local trust committee fees bylaw must specify the actual community benefit to which the fee applies, and should be supported by policies in the official community plan on what are considered amenities to the community.
- 4.6 Applications for development that begin without a permit or bylaw authorisation are subject to a 20 per cent surcharge to recover the additional cost in processing these types of applications.

5. Application Fee Sponsorship

- 5.1 If eligible, as identified in [Trust Council Policy 4.1.13 Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications](#), the applicant may apply for development application fee sponsorship.

6. Development Approval Information

- 6.1 The Development Approval Information (DAI) Bylaw provides a mechanism to ensure that the LTC receives appropriate reports and documentation (such as reports from engineers, biologists, hydrogeologists, and geotechnical specialists) from applicants to support rezoning, temporary use permit, and development permit applications.
- 6.2 DAI bylaws reduce operational costs by ensuring that applications are complete and the information provided is appropriate.
- 6.3 Local trust committees should adopt a development approval information bylaw.
- 6.4 The Regional Planning Committee should develop a model Development Approval Information bylaw for addition as Attachment 2 to this policy.

C. Legislated References

Local Government Act, S.462

Local Government Act, S.486

Liquor Control and Licensing Act, S.41

Cannabis Control and Licensing Act, S.35

D. Attachments/Links to Supporting Forms, Documents, Websites, Related Policies and Procedures

- 1. Model Fees Bylaw

[INSERT LTC NAME] LOCAL TRUST COMMITTEE

BYLAW NO. [XX]

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications. Model fees reflect the cost recovery for application processing.

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections; Section 41 of the *Liquor Control and Licensing Act* and Section 35 of the *Cannabis Control and Licensing Act* provides that a local government may, by bylaw, impose fees for referral of a license under that Act, **[DENMAN AND HORNBY ONLY and Section 31(2)(b) of the Islands Trust Act provides that a local trust committee may impose a fees to recover the cost of processing siting and use permits]** ;

NOW THEREFORE the **[Insert LTC Name]** Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the **[Insert LTC Name]** Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

Citation

1.1 This bylaw may be cited as the "[Insert LTC Name] Local Trust Committee Fees Bylaw, No. [XX]".

Interpretation

2.1 In this bylaw:

"Applicant" means:

2.1.1 the person authorized under the _____ Island Local Trust Committee Procedures Bylaw No. ____, _____ to make an application in respect of a bylaw or permit under the *Islands Trust Act* or Part 14 or Part 15 of the *Local Government Act*;

2.1.2 an applicant for a license under the *Liquor Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;

- 2.1.3 an applicant for a license under the *Cannabis Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.4 an applicant for subdivision review under the *Land Title Act* or the *Strata Property Act*;
- 2.1.5 an applicant for the conversion of a previously occupied building to strata lots under the *Strata Property Act*;
- 2.1.6 an applicant for a soil deposit permit or soil removal permit issued pursuant to a bylaw enacted under Part 14 of the *Local Government Act*; or
- 2.1.7 an applicant to a board of variance established under Part 14 of the *Local Government Act*.

“Application Processing Fee” means the initial amount payable to the Islands Trust in respect of any application under this bylaw.

“Community Benefit” refers to an application that results in provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community benefit.

[NOTE: This is in relation to temporary use permits for a use under a specified size that provides a community benefit. The local trust committee would define community benefit here based on its official community plan definition of community benefit]

“General Service Cost” includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs..

“Estimated Direct Costs” for bylaw amendments listed in Table 1 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including:

1. newspaper advertising for one community meeting,
2. notifications, postal and delivery costs of statutory notifications for one public hearing,
3. rental of premises for one community meeting meetings and/or one public hearing,
4. contract minute-taker costs recording or preparation of minutes of one community meeting and/or one public hearing and,
5. staff travel expenses for one site visit, one community meeting and one public hearing.

“Estimated Direct Costs” for temporary use permits listed in Table 2 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including

1. one newspaper advertisement, notifications, postal and delivery costs of statutory notifications for one community meeting,
2. rental of premises for one community meeting,
3. contract minute-taker costs recording or preparation of minutes of one community meeting, and
4. staff travel expenses for one site visit, one community meeting.

“Islands Trust” means the Director of Local Planning Services or their authorized representative.

Application Fees

3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to Islands Trust the corresponding application processing fee in the amount shown in Column 2 subject to section 4. The application fee includes general service costs and estimated direct costs.

TABLE 1 – Bylaw Amendments (OCP and Zoning Bylaw)	
Column 1: Type of Application	Column 2: Fee
1. Major (e.g. change to density or land use designation)	\$7,800
2. Minor (e.g. policy change without changing density or land use designation not requiring an OCP amendment)	\$4,600

TABLE 2 – Permits	
Column 1: Development Permit in Respect of:	Column 2: Fee
1. Protection of Natural Environment, Ecosystems and Biological Diversity	\$1,000
2. Protection of Development from Hazardous Conditions	\$1,000
3. Protection of Farming	\$1,000
4. Objectives for Form and Character	\$1,700
5. Objectives to Promote Energy Conservation	\$1,000
6. Objectives to Promote Water Conservation	\$1,000
7. Objectives to Promote the Reduction of Greenhouse Gas Emissions	\$1,000
8. Development Permit Amendment	\$1,000

Type of Development Variance Permit	
9. Development variance permit (commercial, industrial or institutional development)	\$1900
10. Development variance permit (residential development)	\$1900
Type of Temporary Use Permit	
11. Temporary Use Permit (residential/commercial/industrial)	\$2150
12. Temporary Use Permit for residential uses and commercial uses under 95 square metres that provide community benefit..	\$1000
13. Temporary Use Permit Renewal	\$700
14. Temporary Use Permit Renewal (Community Benefit)	\$350
Other Permits	
15. Siting and Use Permit	\$250
16. Heritage Alteration Permit	\$1,700
Combination Applications	
17. Development Permit in respect of a protection area or water and energy conservation in combination with a companion application for a Development Variance Permit	\$2,500
18. Development Permit in respect of form and character in combination with a companion application for a Development Variance Permit	\$3,000

TABLE 3 – Subdivision Referrals	
Column 1	Column 2: Fee
1. Application for Subdivision Review – base fee	\$1,000
2. Application for Subdivision Review – per additional lot created	\$100
3. Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	\$500

TABLE 4 – Other Applications	
Column 1: Type of Application	Column 2: Fee
1. Board of Variance	\$2,200
2. Land Use Contract amendment	\$2,000
3. Liquor & Cannabis Regulation Branch – Retail License Application and Process	\$1,500
4. Liquor & Cannabis Regulation Branch – Temporary License Change	\$500
5. Strata Conversions	\$1,500

4. Fee for After-the-Fact Application

- 4.1 An application for a permit or bylaw amendment to authorize work or an activity already undertaken, or in operation as of the date the application is made, the rated in 3.1 will be subject to a 20% surcharge.

5. Collection and Refund of Application Processing Fee Amounts

- 5.1 The total application processing fee must be received before the processing of the application can begin.
- 5.2 An applicant may withdraw their application at any time through written notice to the Planning Assistant and/or the Planner responsible for processing the application.
- 5.3 If an applicant withdraws an application before staff undertakes any planning work on the application, the Islands Trust must refund to the applicant the Application Fee, less \$100.
- 5.4 For an application in Table 1, or a Temporary Use Permit in Table 2, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned by the regional planning manager to the planner; 50% refund if the first staff report has been submitted to the LTC; 25% refund once public notice of a public hearing or permit has been sent out, no refund will be provided after a Public Hearing or after consideration of the Permit by the local trust committee.
- 5.5 For applications in Table 2 (except for Temporary use Permit applications), Table 3 and Table 4, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned to the planner; no refund will be provided if the first staff report has been submitted to the LTC.

6. Extraordinary Service Costs (ESC)

- 6.1 Extraordinary Services Costs will be paid by the Applicant through a cost recovery agreement, entered into with Islands Trust, in addition to the application processing fee.

- 6.2 Where legal work is required for the preparation of covenants, registration of covenant at Land Title Offices, registration of notice of a permit or housing agreement at the Land Title Office or for other purposes related to the application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.3 Where site visits involving First Nations are required for the processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.4 Where there may be need for additional community information meeting or public hearing not covered by the application processing fee, staff will provide the Applicant with an estimate of costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.5 Where other additional costs beyond the general service costs and estimated direct costs not specified above are required for processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.6 If the amount paid by Islands Trust in respect of Extraordinary Service Costs is less than the deposit provided to the Islands Trust, the Islands Trust shall provide the Applicant with the amount and the applicant shall pay the amount upon receipt. The local trust committee may withhold the consideration of issuance of any permit or hold the consideration of adoption of any bylaw in abeyance until the amount has been paid.
- 6.7 Islands Trust must refund the unused portion of any Extraordinary Service Costs deposit to the applicant if it is unused for any reason.

7. Annual Fee Increases

- 7.1 Fees in section 3.1 increase by 2% on April 1st of each year following the date of adoption of the bylaw.
- 7.2 The (Insert LTC Name) will maintain a record of annual 2% increases and make that record available for public inspection.

8. Application Fee Sponsorship

- 8.1 Pursuant to Islands Trust Policy 4.1.13, Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications, an applicant may apply to the Executive Committee of Islands Trust for development application fee sponsorship.

9. Severability

- 9.1 In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the bylaw remains in force and in effect.

10. Repeal

- 10.1 “[Insert LTC Name] Local Trust Committee Fees Bylaw No. [XX]” is repealed upon adoption of this bylaw.
- 10.2 Any application for which a fee has been fully paid at the time this bylaw comes into force shall be processed to completion in accordance with the fee provisions of the repealed bylaw.

READ A FIRST TIME this st day of , 20

READ A SECOND TIME this st day of , 20



DATE OF MEETING: May 25, 2023
TO: Saturna Island Local Trust Committee
FROM: Brad Smith, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
SUBJECT: Property owner request for ALR exclusion

PURPOSE

The purpose of this staff memo is to provide the Saturna Island Local Trust Committee (LTC) with information on an Agricultural Land Reserve (ALR) exclusion proposal and to seek direction from the LTC as to whether they are willing to make an ALR exclusion application on behalf of the property owner.

BACKGROUND

The property owner, Mr. Ron Hall, has made a request through staff for the LTC to consider submitting an ALR exclusion application to the *Agricultural Land Commission* (ALC).

As of September 2020, exclusion applications may only be submitted by the Province, local governments, First Nation governments, and other prescribed bodies who own the land under application pursuant to s. 29(1)(a) of the *ALC Act*. However local governments and First Nation governments may also make exclusion applications for land they do not own within their jurisdiction pursuant to s. 17(1), and 29(1)(b) and (c) of the *ALC Act*.

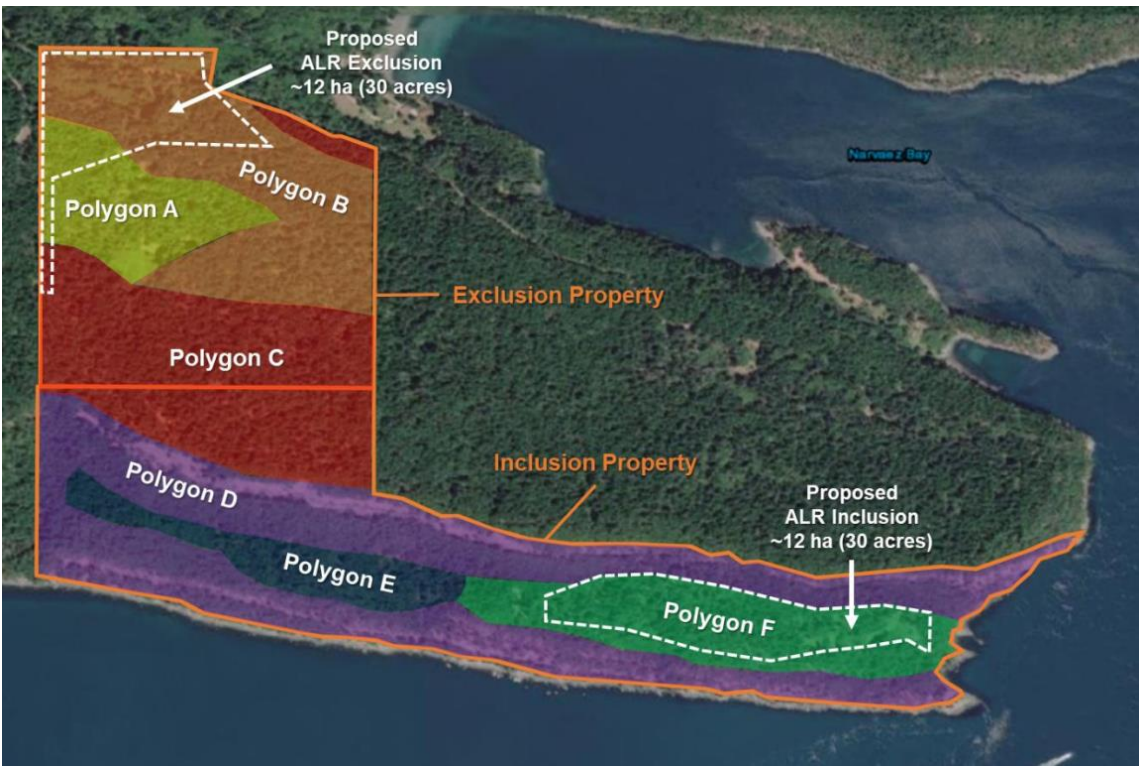
Here is a link to the ALC exclusion application guide for more process details:

https://www.alc.gov.bc.ca/assets/alc/assets/applications-and-decisions/exclusion_application_guide.pdf

If the LTC decides to proceed with the application, Islands Trust will be the 'owner' of the application, and Islands trust will pay the ALC the required \$750 upon application submission. This fee will need to be collected from the property owner.

The parcels proposed for inclusion/exclusion are located on located on Narvaez Bay Road with the PID numbers 004-521-889 (exclusion property) and 015-692-205 (inclusion property). Figure 1 shows the area on each parcel proposed for inclusion/exclusion.

Figure 1. Parcels Proposed for inclusion/Exclusion of ALR Lands



REPORT FINDINGS

A May 2023 Land Capability for Agriculture Assessment Report has been prepared by Madrone Environmental Consultants and submitted by the applicant (Attachment 1). The summary findings of the report are as follows:

Based on the collected information from our field assessment and background review, it is the objective, professional opinion of Madrone that the ALR exclusion and inclusion proposal by the Client (Figure 8; Appendix A) increases the overall capability of agriculture on Saturna Island should the proposal be accepted by Islands Trust and the ALC. The proposal, which would result in a ‘no net loss’ of land in the ALR, would improve ALR by at least two LCA classes (i.e., an improvement from Class 5 to 6 land in the Exclusion Property to Class 3 in the Inclusion Property) over an area of ~12.0 ha (30 acres). As such, the proposal would accommodate and encourage long-term farming by the landowner (i.e., the Client) by substantially broadening his options for agricultural activities. Moreover, the proposed ALR exclusion area will not, in Madrone’s professional opinion, affect the integrity and continuity of the land base of the ALR in the Exclusion Property.

Based on the findings of the professional report, and the fact that there is no proposed net loss of ALR lands, staff are of the view that the proposal is reasonable and could be supported by the LTC. However, there is significant work associated with the LTC undertaking the application: posting a 60 x 120 cm sign, advertising,

mailout, holding a public hearing, submitting the application and then attending the exclusion meeting. Essentially the LTC and staff will take on the initiative and own the application.

As such staff recommend requiring the property owner to provide any necessary technical support through their consultant and to enter into a cost-recovery agreement with the Islands Trust for all costs associated with processing the application.

NEXT STEPS

The LTC could consider passing the following resolution if they decide to proceed:

That the Saturna Island Local Trust Committee directs staff to submit an ALR exclusion application on behalf of the property owner for the subject properties located on Narvaez Bay Road with the PID numbers 004-521-889 (exclusion property) and 015-692-205 (inclusion property) and to collect the \$750 application fee from the property owner prior to submission of the application.

If the LTC decides to proceed, staff also recommend passing the following resolution requiring technical support from the applicant for completing the application process in a timely manner and with minimal effort from staff and to recover all costs associated with the application:

That the Saturna Island Local Trust Committee requires that the property owner, through its hired consultants, provide all technical support required by staff in respect of the submission of an ALR exclusion application for the subject properties located on Narvaez Bay Road with the PID numbers 004-521-889 (exclusion property) and 015-692-205 (inclusion property) and to enter into a cost recovery agreement with the Islands Trust for all costs associated with the application.

Submitted By:	Brad Smith, PAg Island Planner	May 16, 2023
Concurrence:	Robert Kojima Regional Planning Manager	May 17, 2023

Attachment 1. May 2023 Land Capability for Agriculture Assessment Report

LAND CAPABILITY FOR AGRICULTURE (LCA) ASSESSMENT

**206 Narvaez Bay Road, Saturna Island, BC
[PIDs 004-521-889 and 015-692-205]**

PREPARED FOR:

Ronald H. Hall
206 Narvaez Bay Road
Saturna Island, BC V0N 2Y0

PREPARED BY:

MADRONE ENVIRONMENTAL SERVICES LTD.

May 3, 2023

MADRONE ENVIRONMENTAL SERVICES LTD.
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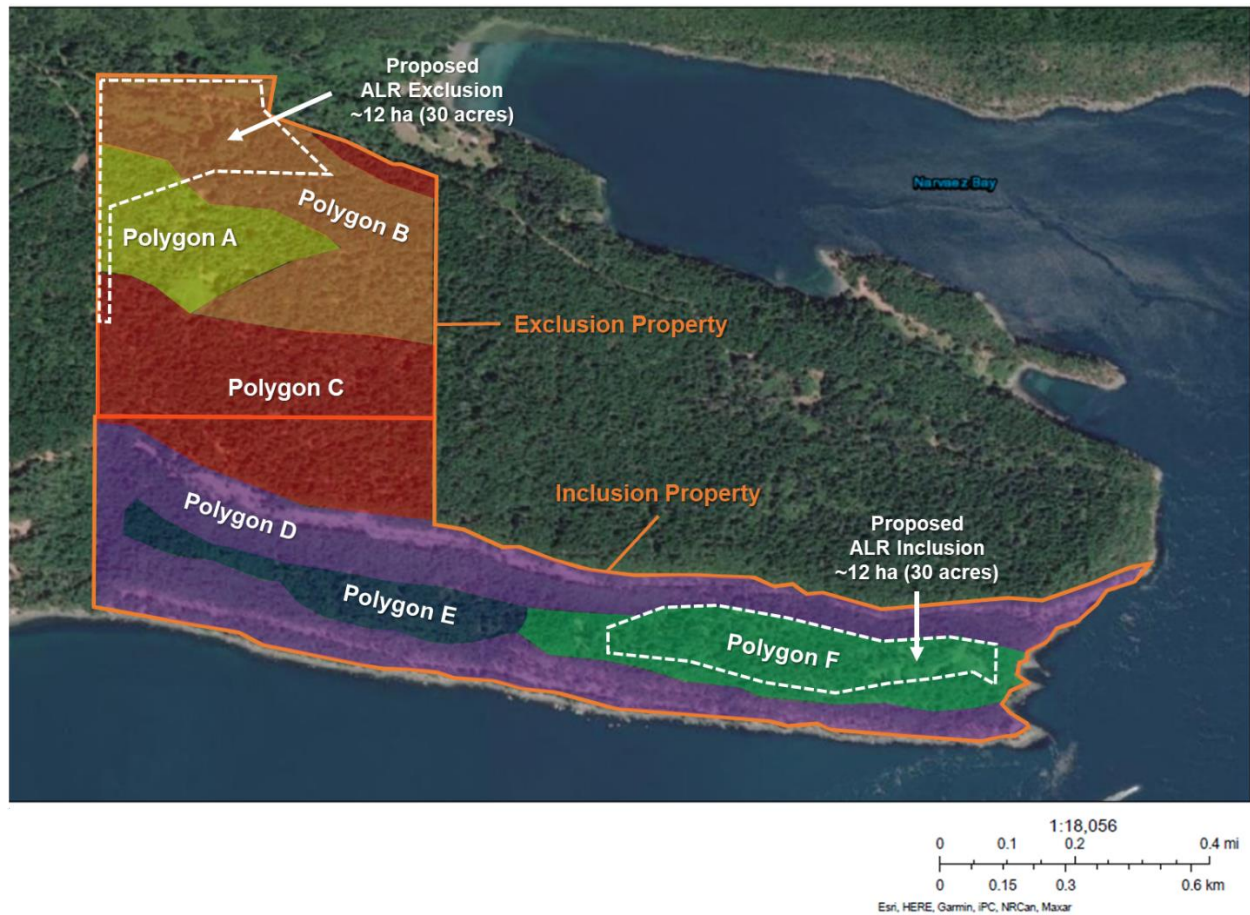
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Executive Summary

On March 22 and 23, 2023, Madrone Environmental Services Ltd ('Madrone'), conducted a Land Capability for Agriculture (LCA) assessment for two parcels located on Saturna Island, BC, owned by Ronald H. Hall ('the Client'). Madrone understands that this LCA Assessment is intended to be submitted by the Client as part of an Agricultural Land Reserve (ALR) exclusion and inclusion application for review and consideration by Islands Trust and the Agricultural Land Commission (ALC). One parcel is located at 206 Narvaez Bay Road and contains the provincial parcel identification (PID) 004-521-889 (referred to as 'the Exclusion Property' as part of this parcel is being proposed for exclusion from the ALR by the Client). The other parcel has no address but contains the PID 015-692-205 (hereafter referred to as 'the Inclusion Property' as part of this parcel is being proposed for inclusion into the ALR by the Client). No areas within the Inclusion Property are currently within the ALR.

Based on ten detailed soil pits (which meets requirements under *ALC Policy P-10* "CRITERIA FOR AGRICULTURAL CAPABILITY ASSESSMENTS) and thirteen scratch pits, assessment of local landforms, drainage, and vegetation, and interpretation of satellite imagery, contour mapping, and slope mapping derived from LIDAR imagery, Madrone has delineated and mapped six polygons on the Properties each with a different soil type and LCA rating (shown in the figure and described in the table on the next page of this *Executive Summary*).

Based on the collected information from our field assessment and background review, it is the objective, professional opinion of Madrone that the ALR exclusion and inclusion proposal by the Client (Figure 8; *Appendix A*) increases the overall capability of agriculture on Saturna Island should the proposal be accepted by Islands Trust and the ALC. The proposal, which would result in a 'no net loss' of land in the ALR, would improve ALR by at least two LCA classes (i.e., an improvement from Class 5 to 6 land in the Exclusion Property to Class 3 in the Inclusion Property) over an area of ~12.0 ha (30 acres). As such, the proposal would accommodate and encourage long-term farming by the landowner (i.e., the Client) by substantially broadening his options for agricultural activities. Moreover, the proposed ALR exclusion area will not, in Madrone's professional opinion, affect the integrity and continuity of the land base of the ALR in the Exclusion Property.



Soil polygon (~ha/% of total assessment area)	Texture and coarse fragment content* in upper 25 cm	Distinguishing characteristics	Unimproved LCA rating**	Best improved LCA rating ***
Polygon A 10.8 ha (26.7 acres); ~18.2% of the Exclusion Property	Variable; between 10 to 20% coarse gravels and cobbles	11 to 15% complex slopes; near surface bedrock (25 to 50 cm depth)	6A 5R 4T 3P	2A 5R 4T 3P
Polygon B 28.6 ha (70.7 acres); ~48.3% of the Exclusion Property	Variable; between 10 to 20% coarse gravels and cobbles	16 to 30% complex slopes; near surface bedrock (25 to 50 cm depth)	6A 5RT 3P	2A 5RT 3P
Polygon C 19.8 ha (48.9 acres); ~33.5% of the Exclusion Property ~11.8 ha (29.2 acres); 13.0% of the Inclusion Property	Between 21 to 40% coarse gravels and cobbles; colluvium	31 to 60% complex slopes; near surface bedrock (<25 cm depth)	6ART 4P	2A 6RT 4P
Polygon D 55.7 ha (137.6 acres); ~61.4% of the Inclusion Property	Between 21 to 40% coarse gravels and cobbles; colluvium	Steep bedrock cliffs	7RT 4P	7RT 4P
Polygon E 6.5 ha (16.1 acres); ~7.2% of the Inclusion Property	Variable; between 10 to 20% coarse gravels and cobbles	16 to 30% complex slopes	6A 5T 3P	2A 5T 3P
Polygon F 16.7 ha (41.3 acres); ~18.4% of the Inclusion Property	Variable; between 10 to 20% coarse gravels and cobbles	11 to 15% simple slopes; occasionally areas of poor drainage	6A 3PT 2W	3PT 2W

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LAND CAPABILITY FOR AGRICULTURE (LCA) ASSESSMENT

206 Narvaez Bay Road, Saturna Island, BC [PIDs 004-521-889 and 015-692-205]

1 Introduction

Ronald Hall ('the Client') has retained Madrone Environmental Services Ltd. ('Madrone') to conduct a Land Capability for Agriculture (LCA) Assessment for two parcels located on Saturna Island, BC. Madrone understands that this LCA Assessment is intended to be submitted by the Client as part of an Agricultural Land Reserve (ALR) exclusion and inclusion applications for review and consideration by Islands Trust and the Agricultural Land Commission (ALC).

One parcel is located at 206 Narvaez Bay Road and contains the provincial parcel identification (PID) 004-521-889 (hereafter referred to as 'the Exclusion Property' as part of this parcel is being proposed for exclusion from the ALR by the Client). The Exclusion Property is partially within the provincial (ALR), and as such, is subject to the *ALC Act* and *BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation)*, in addition to the bylaws of the Island Trust. The other parcel has no address but contains the PID 015-692-205 (hereafter referred to as 'the Inclusion Property' as part of this parcel is being proposed for inclusion into the ALR by the Client). No areas within the Inclusion Property are currently within the ALR. For the purpose of this report, the Exclusion Property and Inclusion Property are collectively referred to as 'the Properties' where appropriate. The Client owns both the Exclusion Property and the Inclusion Property, and as such, he is also referred to as 'the Landowner' in this LCA Assessment report.

This LCA Assessment report, signed and stamped by a Professional Agrologist, evaluates the agricultural suitability of the land that is proposed to be excluded and included from the ALR. Results and conclusions of this LCA Assessment have been prepared for both the Client to assist with proposal planning, and for regulatory offices who will be reviewing the Client's applications. Madrone understands that the Client

intends to submit a proposal with the aim of “no net loss” within the ALC (i.e., the area(s) the Client is proposing to exclude from the ALR will be equal to the area he is proposing to include into the ALR).

Daniel Lamhonwah, PhD, MES, P.Ag of Madrone, will act as the Qualified Professional on record for the ALR exclusion and inclusion applications the Client intends to make to Islands Trust and the ALC. Dr. Lamhonwah is the Agrology Team Lead at Madrone Environmental Services Ltd. where he has been practicing as an agrologist for 5 years following his work as a doctoral researcher at Queen’s University where he focused on climate change impacts to watershed chemistry and water availability. He is a Professional Agrologist (P.Ag) in good standing with the British Columbia Institute of Agrologists (BCIA), and has identified practices areas in arable land evaluation, conservation planning and management, soil and terrain classification, mapping and land evaluation, and irrigation planning and management. He has technical lead and project management experience in agricultural land capability assessments, farm plan development, soil surveying, water quality testing, irrigation and drainage planning, soil importation planning and monitoring, and agricultural land reclamation planning.

2 Background Information

2.1 Location and Property Overview

The Properties are situated adjacent to one another and located on the southeast side of Saturna Island, BC, by Narvaez Bay. Civic information about the Properties provided by Islands Trust¹ is presented in **Table 1**. A map showing the boundaries of the Properties and visualization of the surrounding area is presented in **Figure 1** (*Appendix A*). According to mapping provided by the ALC², a portion of the Exclusion Property is within the ALR as shown in **Figure 1** (*Appendix A*).

Based on recent satellite imagery provided by Google Earth Pro³, both parcels appear to be densely forested with no development, other than non-paved access roads observed. Some meadow areas with less dense tree cover can be seen in the central portion of the Exclusion Property and on the east side of the Inclusion Property. Exposed bedrock and cliffs are also seen particularly along the northern and southern parcel boundaries of the Inclusion Property. Main access to the Exclusion Property via Narvaez Bay Road at the northwestern edge of the parcel; this public road connected to private logging roads that

¹ Islands Trust (2021). Mapit Web Map. <http://mapit.islandstrust.bc.ca/>. Accessed April 23, 2023.

² ALR Property and Map Finder (2021). <http://governmentofbc.maps.arcgis.com/apps/webappviewer/index.html?id=87dee902dc5e443fbff8ca7b4311b407>. Accessed January 24, 2023.

³ Google (2023). Google Earth Pro. Imagery dated 7/10/2022. <https://www.google.com/earth>. Accessed April 23, 2023.

allow vehicular access to the interior of the Exclusion Property. The Inclusion Property does not appear to be accessible via any public roads and only accessible by travelling through the Exclusion Property.

TABLE 1. CIVIC INFORMATION FOR THE PROPERTIES PROVIDED BY ISLANDS TRUST

	Exclusion Property	Inclusion Property
PID	004-521-889	015-692-205
Legal Description	NORTH EAST 1/4 OF SECTION 2, SATURNA ISLAND, COWICHAN DISTRICT, EXCEPT PART IN PLAN 31309	LOT 1, SECTIONS 1 AND 2, SATURNA ISLAND, COWICHAN DISTRICT, PLAN 49833
Zoning	RG	FG
Zoning Description	Rural General	Forest General
OCP land use	Rural	Resource
Within ALR?	Yes; Partial	No
Total area	59.2 hectares (146.3 acres)	90.7 hectares (224.2 acres)

2.2 Adjacent Land Use and Zoning

Surrounding land uses are summarized in **Table 2** and were corroborated using satellite imagery and zoning maps from the Islands Trust⁴. Note that only one of the parcels (PID 000-519-618) adjacent to the Properties is within the ALR, but only partially. Current agricultural activity on this parcel (PID 000-519-618) is unknown by Madrone.

2.3 Climate

The nearest Environment Canada weather station with complete historical weather data⁵ (1981 to 2010 Climate Normals; 30-year average) and available degree days and frost free days information is Mayne Island (ID 1014931; 48°50'41.000" N, 123°19'13.000" W), located ~17 km northwest of the Properties at an elevation of 28.0 m above sea level (masl). Weather station reports for this station are summarized below in **Table 3**.

Based on the collected information in **Table 3**, the Properties have a Climate Capability Class of 1c⁶. Climatic Capability Class is a shorthand ranking of specific limitations denoted by letters and preceded

⁴ Islands Trust (2021). Mapit Web Map. <http://mapit.islandstrust.bc.ca/>. Accessed April 23, 2023.

⁵ Government of Canada (2022). Canadian Climate Normals 1981-2010 Station Data. Maye Island (ID 1014931). [Canadian Climate Normals 1981-2010 Station Data - Climate - Environment and Climate Change Canada \(weather.gc.ca\)](https://weather.gc.ca/). Accessed April 23, 2023.

⁶ BC Ministry of Environment (1981). Climate Capability Classification for Agriculture in British Columbia. https://www.alc.gov.bc.ca/assets/alc/assets/library/agricultural-capability/climatic_capability_for_agriculture_in_bc_1981.pdf. Accessed April 23, 2023.

by numbers between the ideal (ranking of 1) and untenable (ranking of 7) indicating the severity of the limitation.

- Class 1c definition: Frost free period greater than 150 days; effective growing degree days (EGDD) are greater than 825, and the growing degree days accumulated above 5°C ranges between 2060 and 2225.
- Moisture class: needs to be determined by taking soil samples and evaluating the ratio of clay, silt, and sand (soil texture).
- According to this classification, the general area can grow a wide variety of fruits, berries, grapes, vegetables, nuts, cereal grains, and forage crops.

TABLE 2. ADJACENT LAND USES AND ZONING.

Adjacent Lot PID	Adjacent Lot Civic Address	Direction from the Exclusion Property and Inclusion Property	Area	OCP Land Use	Actual Use	Zoning	ALR?
009-628-606	None	North; north	65.36 ha (161.50 acres)	National Park Reserve	Forest	NP – National Park	No
015-812-821	None	North; north	2.27 ha (5.60 acres)	National Park Reserve, Rural	Forest	NP – National Park	No
015-812-839	None	Northeast; north	5.58 ha (13.79 acres)	National Park Reserve, Rural	Forest	RG – Rural General	No
008-949-174	None	East; north	36.59 ha (90.42 acres)	National Park Reserve, Rural	Forest	NP – National Park	No
008-949-221	None	East; north	30.83 ha (76.17 acres)	National Park Reserve, Rural	Forest	NP – National Park	No
009-628-355	None	East; northeast	58.85 ha (145.42 acres)	National Park Reserve, Rural	Forest	NP – National Park	No
000-519-618	None	Southwest; west	25.52 ha (63.07 acres)	Farmland, Forest Land, National Park Reserve, Rural	Unknown	RG – Rural General	Partially
029-459-761	None	Southwest; west	15.07 ha (37.24 acres)	Forest Land, National Park Reserve, Rural	Forest	W – Watershed	No
000-519-600	202 Narvaez Bay Road	West; northwest	64.76 ha (160.03 acres)	Heritage Forest, National Park Reserve, Rural, Watershed	Forest	W – Watershed	No

TABLE 3. 1981 TO 2010 CLIMATE NORMS RECORDED AT MAYNE ISLAND (ID 1014931)

Parameter	1981 to 2010 Climate Normals
Annual precipitation (mm)	812.8
Seasonal precipitation (May to September inclusive, mm)	153.9
Frost Free Period (FFP, average days)	229
Growing Degree Days (GDD, base temperature >5 °C)	2061.8
Growing Degree Days (GDD, base temperature >10 °C)	837
Effective Growing Degree Days (EGDD, base temperature >5 °C)	1600 to 1800 ⁷
Daily yearly average temperature (°C)	10.2
Days of precipitation (days in the year with ≥5 mm rain)	53.6

2.4 Landforms and Geology

Based on contour elevation mapping (2 m interval) provided by the Islands Trust⁸, elevations on the Exclusion Property range from ~120 to 221 m above sea level (asl) and ~0 to 269 masl on the Inclusion Property. Madrone's interpretation of contour mapping and satellite imagery indicates that the Properties are characterized by highly complex topography, with slopes ranging from gentle (4 to 15°; 6 to 26% gradient) to steep (>35°; >70% gradient)⁹. There are localized areas on the eastern side of the Inclusion Property that appear to contain plains (0 to 3°; 0 to 5% gradient).

Geological bedrock mapping indicates that the Properties are situated overtop Nanaimo Group undivided sedimentary rocks which is characterized by Boulder, cobble and pebble conglomerate, coarse to fine sandstone, siltstone, shale, coal (Santonian to Maastrichtian).

2.5 Mapped Hydrology

Mapping from the Islands Trust⁸ shows a watercourse flowing from north to east on the west side of the Inclusion Property in a gullied area. No water bodies (e.g., lakes or ponds) or wetland areas are mapped by Islands Trust as being on the Properties. The direction of surface and subsurface runoff is inferred by Madrone to be unidirectional, flowing from areas of topographic high to the either Narvaez Bay to the north or Boundary Pass to the south.

⁷ General range of EGDD (baseline, 1971 to 2000) as reported by Agriculture and Agri-Food Canada (2018). Effective Growing Degree Days. https://publications.gc.ca/collections/collection_2018/aac-aafc/A59-53-2010-eng.pdf. Accessed April 23, 2023.

⁸ Islands Trust (2021). Mapit Web Map. [htSCR://mapit.islandstrust.bc.ca/](https://mapit.islandstrust.bc.ca/). Accessed April 23, 2023.

⁹ Howes and Kenk (1997). Terrain Classification System for British Columbia. Version 2. MOE Manual 10. https://www.for.gov.bc.ca/hfd/library/ffip/Howes_DE1997.pdf. Accessed April 23, 2023.

2.6 Provincial Soils Mapping

Based on provincial mapping (1:20,000 scale), there are five soil associations mapped on the Properties, with the predominant association being the Saturna soil series. The remaining four soil series on the Properties are Qualicum, Beddis, Tolmie and Bellhouse. **Figure 2** (*Appendix A*) visualizes the mapped soil associations on the Properties while **Table 4** details the physical characteristics¹⁰ of each soil association.

TABLE 4. CHARACTERISTICS OF SOIL ASSOCIATIONS PROVINCIALY MAPPED ON THE PROPERTIES.

Soil association	Classification	Defining Characteristics
Saturna	<i>Orthic Dystric Brunisol to Orthic Humo-ferric Podzol</i>	Sandy loam; well drained; 20 to 50% coarse fragment content
Qualicum	<i>Orthic Dystric Brunisol</i>	Loamy sand to sandy loam; rapidly to moderately well drained; 20 to 50% coarse fragment content
Beddis	<i>Orthic Dystric Brunisol</i>	Sandy loam; Moderately well to well drained; <20% coarse fragment content
Tolmie	<i>Orthic Humic Gleysol</i>	Loam or silty clay; poorly drained; no coarse fragment content
Bellhouse	<i>Orthic Sombric Brunisol</i>	Sandy loam; well drained; 20 to 50% coarse fragment content

2.7 Provincial Land Capability for Agriculture

The agricultural capability provincially mapped¹¹ for the Properties is summarized below in **Table 5** and visualized in **Figure 3** (*Appendix A*). The mapped agricultural capability polygons agricultural capability delineated by the province for the Properties loosely conform, in terms of boundaries and locations, to the provincially mapped soil associations (2.6 *Provincial Soils Mapping*). As mapped by the province, the Exclusion Property is characterized by an agricultural capability rating ranging from Class 4 to 6, with the dominant agricultural limitations being stoniness (P), topography (T), bedrock (R) and soil moisture (M). Similarly, as mapped by the province, the Inclusion Property is characterized by an agricultural capability rating ranging from Class 4 to 7, with the dominant agricultural limitations being topography (T), bedrock (R) and soil moisture (M).

¹⁰ Agriculture Canada (1988). Soils of the Gulf Islands of British Columbia Volume 2 Soils of North Pender, South Pender, Prevost, Mayne, Saturna, and lesser islands. Report No. 43 British Columbia Soil Survey.
https://www.env.gov.bc.ca/esd/distdata/ecosystems/Soils_Reports/bc43-2_report.pdf. Accessed April 23, 2023.

¹¹ Province of British Columbia (2023). BC Soil Information Finder Tool (BC SIFT).
<https://www2.gov.bc.ca/gov/content/environment/air-land-water/land/soil/soil-information-finder>. Accessed April 23, 2023.

TABLE 5. PROVINCIALLY MAPPED AGRICULTURAL CAPABILITY CLASSES ON THE PROPERTIES.

Geographic distribution	Mapped Surface Area	Class	Limitations
Northern 3/4 of the Exclusion Property	~49.0 ha (121.1 acres) ; 83% of the total surface area on the Exclusion Property	CC*: 5:5PT~3:4T~2:6TR IC**: 5:5PT~3:3T~2:6TR	Stoniness (P), Topography (T), Bedrock (R)
Southern 1/4 of the Exclusion Property and northern 1/4 of the Inclusion Property	~10.2 ha (25.2 acres); 17% of the total surface area on the Exclusion Property	CC*: 7:6TR~3:5MT IC**: 7:6TR~3:3T	Topography (T), Bedrock (R), Soil moisture (M)
Central area of the Inclusion Property extending from the eastern parcel boundary to nearly the western boundary	~33.5 ha (82.8 acres); 37% of the total surface area on the Inclusion Property	CC*: 5MT IC**: 4T	Topography (T), Soil moisture (M),
Areas of the Inclusion Property proximal to exposed bedrock and cliffs observed on satellite imagery	~57.2 ha (141.3 acres); 63% of the total surface area on the Inclusion Property	CC*: 8:6TR~2:7RT	Topography (T), Bedrock (R)

* Unimproved class rating

** Improved class rating

Note that the above information is from soils mapping by the provincial government completed over a large area (specifically the mapping detailed in 2.6 *Provincial Soils Mapping*) and was likely not field verified. Field investigations that involve detailed soil descriptions (such as LCAs informed by evidence gathered from a site assessment) should always be more accurate than generalized mapping products. The broad interpretation of soils and agricultural capability as recorded on the 1:20,000 maps do not take precedence over the site-specific assessment in this report.

3 Field Investigation

Alex Kramer, Articling Agrologist of Madrone, visited the Properties for the LCA assessment on March 22 and 23, 2023. Weather conditions at the time of assessment were a mix of sun and clouds with an air surface temperature of 6°C. No precipitation was recorded on Saturna Island in the 24 hours prior to Madrone's assessment. Mr. Kramer was accompanied by the Client during the duration of the assessment who assisted with his navigation on the forest roads. Accessibility for Madrone's ground assessment of the Properties was limited for areas containing steep slopes and areas that were too wet to access due to poor drainage. Where assessment of the Properties was not possible either by foot or machine due to topography or drainage limitations, available satellite imagery and a slope map derived by LiDAR imagery produced by Madrone (**Figure 4**; *Appendix A*) was used to inform understanding of site conditions.

The LCA assessment of the Properties included the detailed characterization of soils from ten soil pits (SP1 to SP 10; **Figure 5**; *Appendix A*), excavated by machine, based on accessibility. The LCA assessment, including the density and depths of soil pits, and observation of soil characteristics, meets the requirements under *ALC Policy P-10 CRITERIA FOR AGRICULTURAL CAPABILITY ASSESSMENTS*¹². Moreover, 13 scratch pits (SCR1 to SCR13 shown in **Figure 5**; *Appendix A*) were dug by shovel to a depth of 30 to 40 cm (or to bedrock) to further characterize soil properties for this LCA. The locations of the detailed soil pits and scratch pits (i.e., the sampling strategy) were chosen based on provincial soil mapping, satellite imagery, contour maps, on-site assessment of topography and surface drainage, current and planned land-use by the Client, and site accessibility.

Note that Madrone's LCA Assessment focused on the proposed inclusion and exclusion areas by the Client (**Figure 6**; *Appendix A*), however, was completed in a manner to provide Islands Trust and the ALC a sense of overall agricultural capability of the Properties for the purpose of informed decision making.

Photos taken by Madrone during the field investigation are presented in *Appendix C*.

3.1 General Site Characteristics

The current land-use and terrain on the Properties conform to the available satellite imagery and contour mapping provided by Islands Trust. The land cover is dominated by dense tree cover comprising mostly of second-growth Douglas fir and grand fir, with occasional stands of alder. Forest undergrowth included low-lying shrubs and grasses such as salal and ferns. The topography of the Properties is highly complex

¹² Agricultural Land Commission (2017). ALC Policy P-10 CRITERIA FOR AGRICULTURAL CAPABILITY ASSESSMENTS. https://www.alc.gov.bc.ca/assets/alc/assets/legislation-and-regulation/policies/alc_-_policy_p-10_-_criteria_for_agricultural_capability_assessments.pdf. Accessed April 29, 2023.

and variable, with moderately steep to steep sloped ridges observed throughout the Exclusion Property bordered by steep sloped bedrock cliffs towards the southern parcel boundary.

On the Inclusion Property, steep sloped bedrock cliffs were observed along the northern, western, and southern parcel boundaries. There are occurrences of more gently slope areas on the northwestern side of the Exclusion Property and on the eastern side of the Inclusion Property where alder meadows were observed. No flowing surface water or water bodies were observed by Madrone, however there were areas in the Inclusion Property that contained localized wetlands as determined by the identification of poorly drained, organic matter in the upper soil horizon. Madrone's field assessment confirms that there is no development on the Properties (other than unpaved forest roads) nor are there any agricultural activities currently taking place.

3.2 Climate Capability and Soil Moisture Balance

Site-specific climatic capability for agriculture was determined using field observations from two of the ten soil test pits (one in the Exclusion Property and one in the Inclusion Property) as representative of the climatic influence on soils distributed throughout the Properties (**Figure 4; Appendix A**).

Estimates for coarse fragment content and soil moisture class were used in conjunction with regional climate data to calculate the available water storage capacity (AWSC) and soil moisture deficit (SMD) values for the upper 50 cm of each of these soil profiles. The results were used to determine site-specific climatic and soil capability ratings for agriculture in the Properties which have been summarized in **Table 6**. A description of agricultural/climatic capability classifications are found in *Appendix D*.

3.3 Revised Land Capability for Agriculture

The revised LCA for the Properties was determined by information collected from all ten soil test pits and associated scratch pits (full descriptions in *Appendix B*), and the assessment of local landforms, drainage, and vegetation. Where access to the Properties was not possible for physical assessment (e.g., steep sloped cliffs, poor drainage), Madrone used satellite imagery, available contour mapping, and slope mapping derived from LIDAR imagery (**Figure 4; Appendix A**) were used to inform our professional opinion on LCA classes on the Properties.

In total, *six LCA polygons have been delineated for the Properties* (**Figure 7; Appendix A**) with each polygon being assigned an unimproved and improved LCA rating (**Table 7**). These six LCA polygons do not conform to what has been previously mapped in the area by the province, particularly in the Inclusion Property (**Figure 3; Appendix A**). Note that all polygons contain a Class 6 aridity (A) limitation which can be improved to Class 2A with proper irrigation management. In the sections below, other agricultural

limitations specific to each polygon are discussed. LCA Classes and limitations are defined in the guidance document *Land Capability Classification for Agriculture in BC*¹³.

3.3.1 Exclusion Property

The Exclusion Property contains three delineated LCA polygons based on Madrone's assessment. The smallest of these polygons, Polygon A, covers an area of ~10.8 ha (26.7 acres) which represents ~18.2% of the Exclusion Property. Polygon A is characterized by a dominant Class 5 depth to bedrock (R) limitation due to the near surface bedrock observed at 25 to 50 cm depth by Madrone. Polygon A also has a less severe Class 4 topography (T) limitation due to the 11 to 15% complex slopes, and a Class 3 stoniness (P) limitation due to the 10 to 20% coarse fragment content (coarse gravels and cobbles). None of the abovementioned limitations can be practically improved. *As such, the most improved LCA class for Polygon A is Class 5R.*

The largest polygon in the Exclusion Property is Polygon B and covers an area of ~28.6 ha (70.7 acres) which represents ~48.3% of the Exclusion Property. Polygon B is characterized by a dominant Class 5 depth to bedrock (R) limitation due to the near surface bedrock observed at 25 to 50 cm depth by Madrone and a Class 5 topography (T) limitation due to the 16 to 30% complex slopes. Polygon B has a less severe Class 3 stoniness (P) limitation due to the 10 to 20% coarse fragment content (coarse gravels and cobbles). None of the abovementioned limitations can be practically improved. *As such, the most improved LCA class for Polygon B is Class 5RT.*

The last polygon in the Exclusion Property is Polygon C and covers an area of ~19.8 ha (48.9 acres) which represents ~33.5% of the Exclusion Property. Polygon C is characterized by a dominant Class 6 depth to bedrock (R) limitation due to the near surface bedrock observed at <25 cm depth by Madrone and a Class 6 topography (T) limitation due to the 31 to 60% complex slopes. Polygon C has a less severe Class 4 stoniness (P) limitation due to the 21 to 40% coarse fragment content (coarse gravels and cobbles). None of the abovementioned limitations can be practically improved. *As such, the most improved LCA class for Polygon C is Class 6RT.*

3.3.2 Inclusion Property

Polygon C, as described above (3.3.1 Exclusion Property) is also located on the Inclusion Property and covers an area of ~11.8 ha (29.2 acres) which represents ~13.0% of the Inclusion Property. The description of Polygon C on the Inclusion Property is identical to its description in the Exclusion Property. *As such, the most improved LCA class for Polygon C is Class 6RT.*

¹³ BC Ministry of Environment and Ministry of Agriculture and Food (1983). Land Capability Classification for Agriculture in British Columbia MOE Manual 1. https://www.alc.gov.bc.ca/assets/alc/assets/about-the-alc/alr-and-maps/agricultural-land/land_capability_classification_for_agriculture_in_bc.pdf. Accessed April 29, 2023.

The largest polygon in the Inclusion Property is Polygon D and covers an area of 55.7 ha (137.6 acres) which represents ~61.4% of the Inclusion Property. Polygon D is characterized by a dominant Class 7 depth to bedrock (R) limitation and a Class 7 topography (T) limitation due to presence of steep bedrock cliffs. Polygon D has a less severe Class 4 stoniness (P) limitation due to the 21 to 40% coarse fragment content (coarse gravels and cobbles). None of the abovementioned limitations can be practically improved. *As such, the most improved LCA class for Polygon D is Class 6RT.*

The smallest polygon in the Inclusion Property is Polygon E and covers an area of ~6.5 ha (16.1 acres) which represents ~7.2% of the Inclusion Property. Polygon E is characterized by a dominant Class 5 topography (T) limitation due to the 16 to 30% complex slopes. Polygon E has a less severe Class 3 stoniness (P) limitation due to the 10 to 20% coarse fragment content (coarse gravels and cobbles). None of the abovementioned limitations can be practically improved. *As such, the most improved LCA class for Polygon E is Class 5T.*

The last polygon in the Inclusion Property is Polygon F and covers an area of ~16.7 ha (41.3 acres) which represents ~18.4% of the Inclusion Property. Polygon F is characterized by a dominant Class 3 stoniness (P) limitation due to the 10 to 20% coarse fragment content and a Class 3 topography (T) limitation due to the 11 to 15% simple slopes. Polygon F has a less severe Class 2 excess water (W) limitation due to the occurrence of excess water during the winter months that adversely affect deep-rooted crops. None of the abovementioned limitations can be practically improved. *As such, the most improved LCA class for Polygon F is Class 3PT.*

4 Discussion and Conclusions

The LCA polygons mapped by Madrone indicate that the Exclusion Property contains Class 5 and Class 6 lands with multiple, unimprovable agricultural limitations including topography (T) and depth to bedrock (R). Class 5 lands are defined¹⁴ as containing limitations that restrict the capability to producing perennial forage crops or other specially adapted crops. Class 5 lands can be cultivated, and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated field crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions. Although cultivated field crops may be grown in Class 5 lands as per description by the ALC, it is the opinion of Madrone that the establishment of contiguous fields crops on the Exclusion

¹⁴ Agricultural Land Commission (2017). Agricultural Capability Classification in BC.
https://www.alc.gov.bc.ca/assets/alc/assets/library/agricultural-capability/agriculture_capability_classification_in_bc_2013.pdf. Accessed May 1, 2023.

Property is not feasible due to the combination of the severe topography (T) and depth to bedrock (R) limitations.

Class 6 lands are defined¹⁵ as nonarable but capable of producing native and/or uncultivated perennial forage crops. Land in Class 6 provides sustained natural grazing for domestic livestock and is not arable in its present condition. Land is placed in this class because of severe climate, or the terrain is unsuitable for cultivation or use of farm machinery, or the soils do not respond to intensive improvement practices.

The majority of the Inclusion Property contains Class 7 lands which is defined as land with no capability for arable or sustained natural grazing. However, there is an ~16.7 ha (41.3 acres) area in the central to eastern portion of the Inclusion Property (delineated as Polygon F by Madrone) which contains Class 3 lands. Class 3 lands are defined as containing imitations that require moderately intensive management practices or moderately restrict the range of crops, or both. The limitations may restrict the choice of suitable crops or affect one or more of the following practices: timing and ease of tillage, planting and harvesting, and methods of soil conservation.

The relatively level topography of Polygon F (11 to 15% simple slopes) where the proposed ALR inclusion area is, contains deep-rooted Tolmie and Qualicum which would facilitate the production of beans, blueberries, cereals, cole crops, corn leaf vegetables, most forage crops, and peas with careful cultivation such as fertility management (e.g., cover cropping, fertilizers application), localized excess water management, and irrigation¹⁶. The south facing slopes on Polygon F will further facilitate a broad choice of crops due to presumed warmer and drier conditions (compared to slopes with a different aspect).

Based on the collected information from our field assessment and background review, it is the objective, professional opinion of Madrone that the ALR exclusion and inclusion proposal by the Client (**Figure 8; Appendix A**) increases the overall capability of agriculture on Saturna Island should the proposal be accepted by Islands Trust and the ALC. The proposal, which would result in a 'no net loss' of land in the ALR, would improve ALR by at least two LCA classes (i.e., an improvement from Class 5 to 6 land in the Exclusion Property to Class 3 in the Inclusion Property) over an area of ~12.0 ha (30 acres). As such, the proposal would accommodate and encourage long-term farming by the landowner (i.e., the Client) by substantially broadening his options for agricultural activities. Moreover, the proposed ALR exclusion

¹⁵ Agricultural Land Commission (2017). Agricultural Capability Classification in BC. https://www.alc.gov.bc.ca/assets/alc/assets/library/agricultural-capability/agriculture_capability_classification_in_bc_2013.pdf. Accessed May 1, 2023.

¹⁶ British Columbia Ministry of Agriculture, Fisheries and Food (n.d.). Soil Management Handbook for Vancouver Island. https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/agricultural-land-and-environment/soil-nutrients/610000-7_soil_management_handbook_for_vancouver_island_draft.pdf. Accessed May 1, 2023.

area will not, in Madrone's professional opinion, affect the integrity and continuity of the land base of the ALR in the Exclusion Property.

Please contact Madrone if there are any questions about the contents of this report.

Sincerely,

MADRONE ENVIRONMENTAL SERVICES LTD.

Assessed and prepared by:

**This is a digitally signed duplicate of the
official manually signed and sealed document*

Alex Kramer, MSc, A.Ag
Articling Agrologist

Senior reviewed by:

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official manually signed and sealed document*



Daniel Lamhonwah, PhD, MES, P.Ag
Professional Agrologist

TABLE 6. SOIL MOISTURE BALANCE AND CLIMATIC CAPABILITY RATINGS (UPPER 50 CM).

	SOIL MOISTURE BALANCE								CLIMATE CAPABILITY RATING	
SITE & SOIL HORIZON	TOTAL DEPTH	MATRIX TEXTURE	MATRIX AWSC ¹	MATRIX FRACTION ²	CF ADJUSTED AWSC ³	INTERVAL AWSC ⁴	CLIMATE MOISTURE DEFICIT ⁵	SOIL MOISTURE BALANCE ⁶	UNIMPROVED MOISTURE SUBCLASS ⁷	IMPROVED MOISTURE SUBCLASS ⁷
SP6	cm	FIELD	mm/cm	FIELD	mm/cm	mm	mm	mm		
Ah	8	Silt loam	2.1	0.95	2.00	15.96				
Bmh	22	Sandy clay loam	1.2	0.70	0.84	18.48				
Bm	21	Sandy clay loam	1.2	0.40	0.48	10.08				
						44.52	-433.00	-388.48	6A	2A
SP8										
Ah	15	Loam	1.7	1.00	1.70	25.5				
Bf	35	Sandy clay loam	1.2	0.90	1.08	37.8				
						63.30	-433.00	-369.70	6A	2A

lab/field Lab Data or Field Estimate

CF Coarse Fragments > 2.0 mm

¹ Based on MOE *Manual 1 Land Capability Classification for Agriculture in British Columbia*, Section 9.4, pp. 46² Based on Field Estimation of Coarse Frags (%) (100%-Estimated% = Amount capable of storing H₂O)³ AWSC of fraction <2.0 mm = Matrix AWSC x Matrix Fraction⁴ AWSC of horizon/interval = Depth x Adjusted AWSC⁵ Historic average soil moisture deficit (May 1 to Sept 30) for Saturna Island provided by Farm West (<https://farmwest.com/climate/calculators/evapotranspiration/>)⁶ Upper 50 cm soil texture based AWSC (Climate Moisture Balance) + (Interval AWSC) = Deficit (negative) or Surplus (positive)⁷ Based on Land Capability Classification for Agriculture, MOE Manual 1

TABLE 7. OBSERVED SOILS CHARACTERISTICS AND REVISED LCA RATINGS BASED ON FIELD AND DESKTOP ASSESSMENT.

Soil polygon (~ha/% of total assessment area)	Predominant soil association(s)	Texture and coarse fragment content* in upper 25 cm	Distinguishing characteristics	Unimproved LCA rating**	Best improved LCA rating ***
Polygon A 10.8 ha (26.7 acres); ~18.2% of the Exclusion Property	Beddis and Saturna	Variable; between 10 to 20% coarse gravels and cobbles	11 to 15% complex slopes; near surface bedrock (25 to 50 cm depth)	6A 5R 4T 3P	2A 5R 4T 3P
Polygon B 28.6 ha (70.7 acres); ~48.3% of the Exclusion Property	Beddis and Saturna	Variable; between 10 to 20% coarse gravels and cobbles	16 to 30% complex slopes; near surface bedrock (25 to 50 cm depth)	6A 5RT 3P	2A 5RT 3P
Polygon C 19.8 ha (48.9 acres); ~33.5% of the Exclusion Property ~11.8 ha (29.2 acres); 13.0% of the Inclusion Property	Saturna and Bedrock	Between 21 to 40% coarse gravels and cobbles; colluvium	31 to 60% complex slopes; near surface bedrock (<25 cm depth)	6ART 4P	2A 6RT 4P
Polygon D 55.7 ha (137.6 acres); ~61.4% of the Inclusion Property	Bedrock	Between 21 to 40% coarse gravels and cobbles; colluvium	Steep bedrock cliffs	7RT 4P	7RT 4P
Polygon E 6.5 ha (16.1 acres); ~7.2% of the Inclusion Property	Qualicum and Saturna	Variable; between 10 to 20% coarse gravels and cobbles	16 to 30% complex slopes	6A 5T 3P	2A 5T 3P
Polygon F 16.7 ha (41.3 acres); ~18.4% of the Inclusion Property	Saturna and Qualicum; localized Tolmie and hydric soils	Variable; between 10 to 20% coarse gravels and cobbles	11 to 15% simple slopes; occasionally areas of poor drainage	6A 3PT 2W	3PT 2W

* Coarse fragment content, as defined by the for the purpose of the BC Ministry of the Environment for LCA assessments, include coarse gravels, cobbles and stones

** When reporting LCA ratings, the syntax only includes the most severe limitation reported which is **bolded** in this table for the purposes of the report.

Source: https://www.alc.gov.bc.ca/assets/alc/assets/library/agricultural-capability/land_capability_classification_for_agriculture_in_bc_1983.pdf

† The improved LCA Class ratings account for improvements that do not involve the importation of fill or soil.

APPENDIX A

Maps and Figures



FIGURE 1. AERIAL VIEW OF THE EXCLUSION PROPERTY AND THE INCLUSION PROPERTY ON SATURNA ISLAND, BC. PARCEL BOUNDARIES ARE SHOWN IN ORANGE. THE LIGHT GREEN SHADED AREA IN THE EXCLUSION PROPERTY VISUALIZES THE LOCATION OF THE CURRENT AGRICULTURAL LAND RESERVE (ALR).

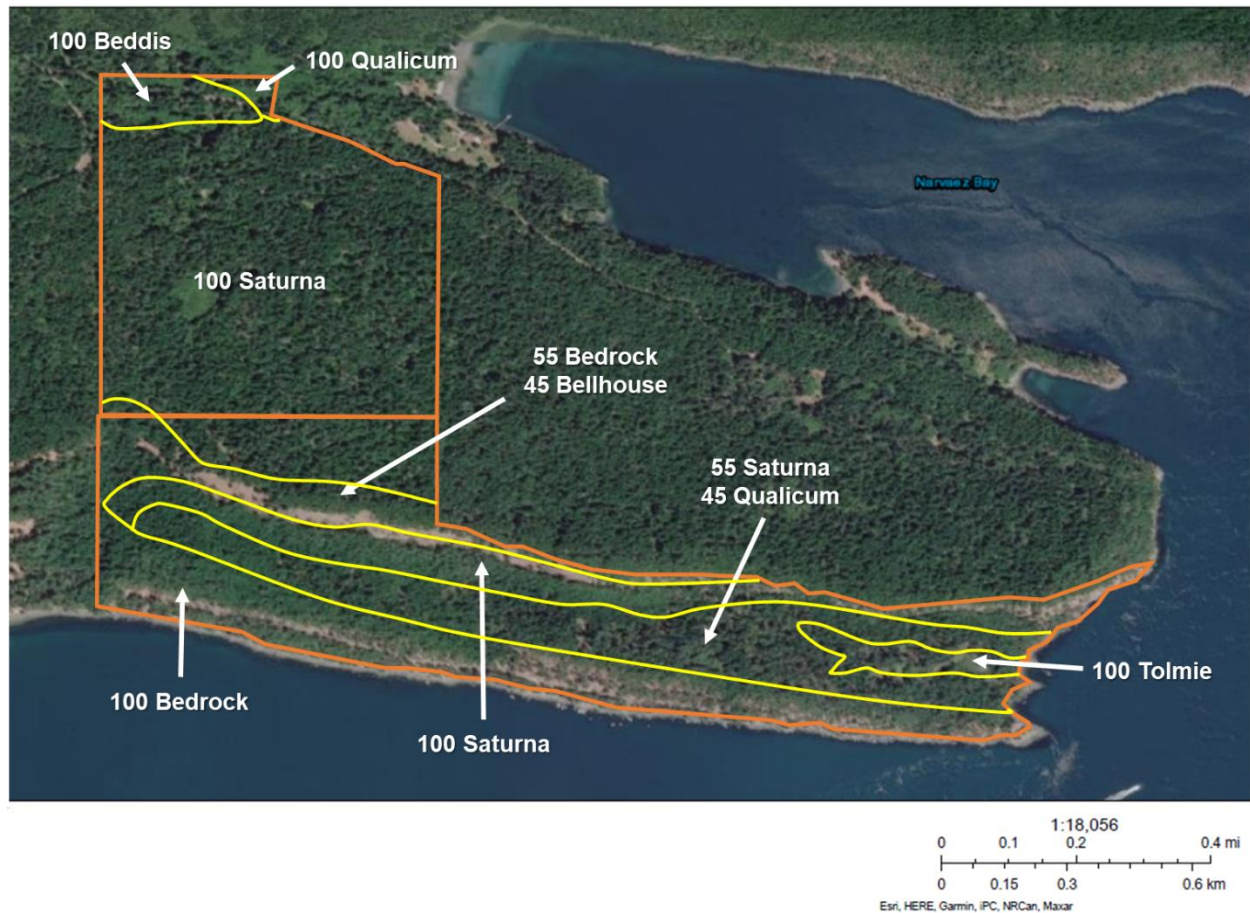


FIGURE 2. MAP SHOWING THE PROVINCIALY MAPPED SOIL POLYGONS (IN YELLOW) AVAILABLE FROM THE BRITISH COLUMBIA SOIL INFORMATION FINDER TOOL (SIFT) ONLINE APPLICATION. PARCEL BOUNDARIES OF THE EXCLUSION PROPERTY AND INCLUSION PROPERTY ARE SHOWN IN ORANGE. BASE IMAGERY PROVIDED BY ESRI AND DATED 2002.

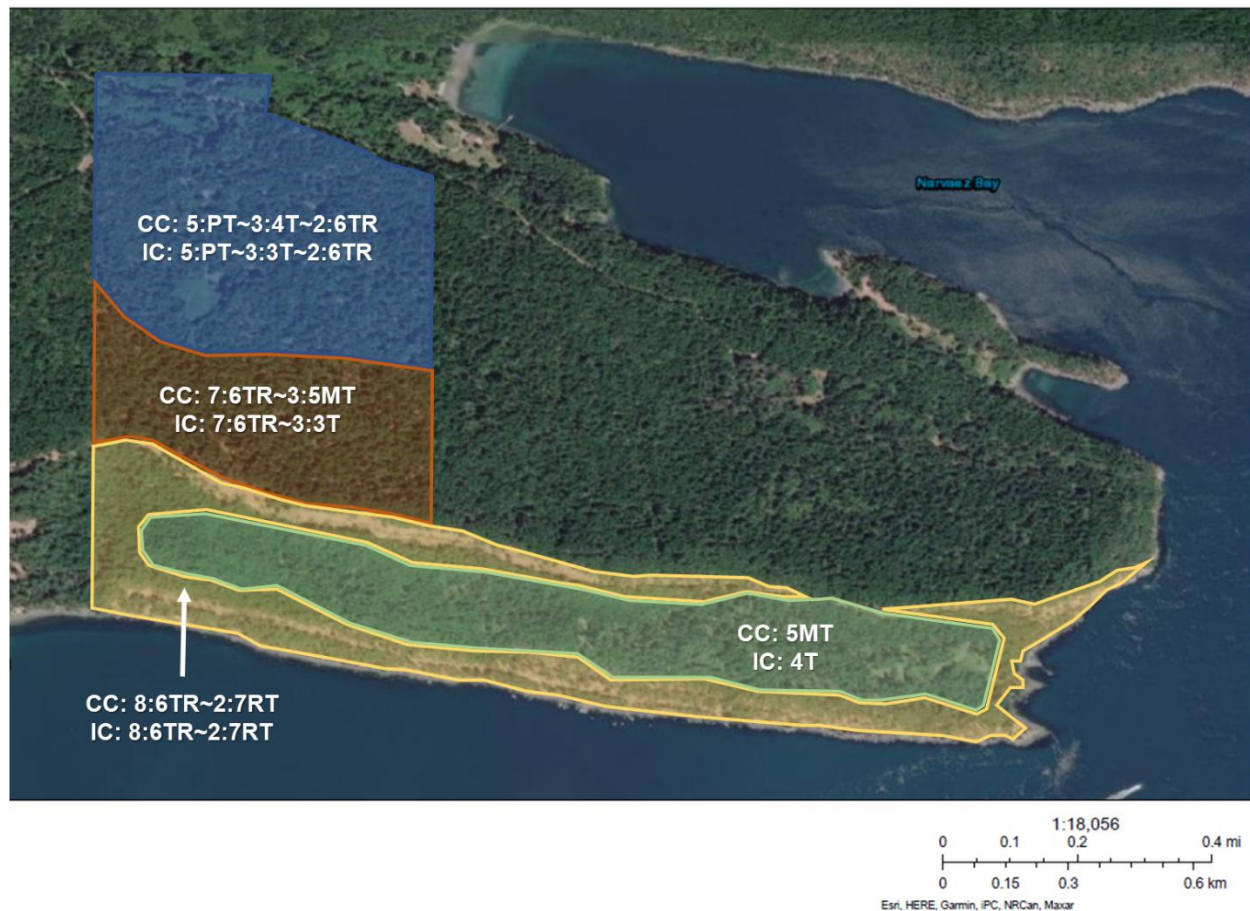


FIGURE 3. MAP SHOWING THE PROVINCIALY MAPPED LAND CAPABILITY FOR AGRICULTURE (COLOUR SHADED) AVAILABLE FROM THE BRITISH COLUMBIA SOIL INFORMATION FINDER TOOL (SIFT) ONLINE APPLICATION. PARCEL BOUNDARIES OF THE EXCLUSION PROPERTY AND INCLUSION PROPERTY ARE SHOWN IN ORANGE. BASE IMAGERY PROVIDED BY ESRI AND DATED 2002.

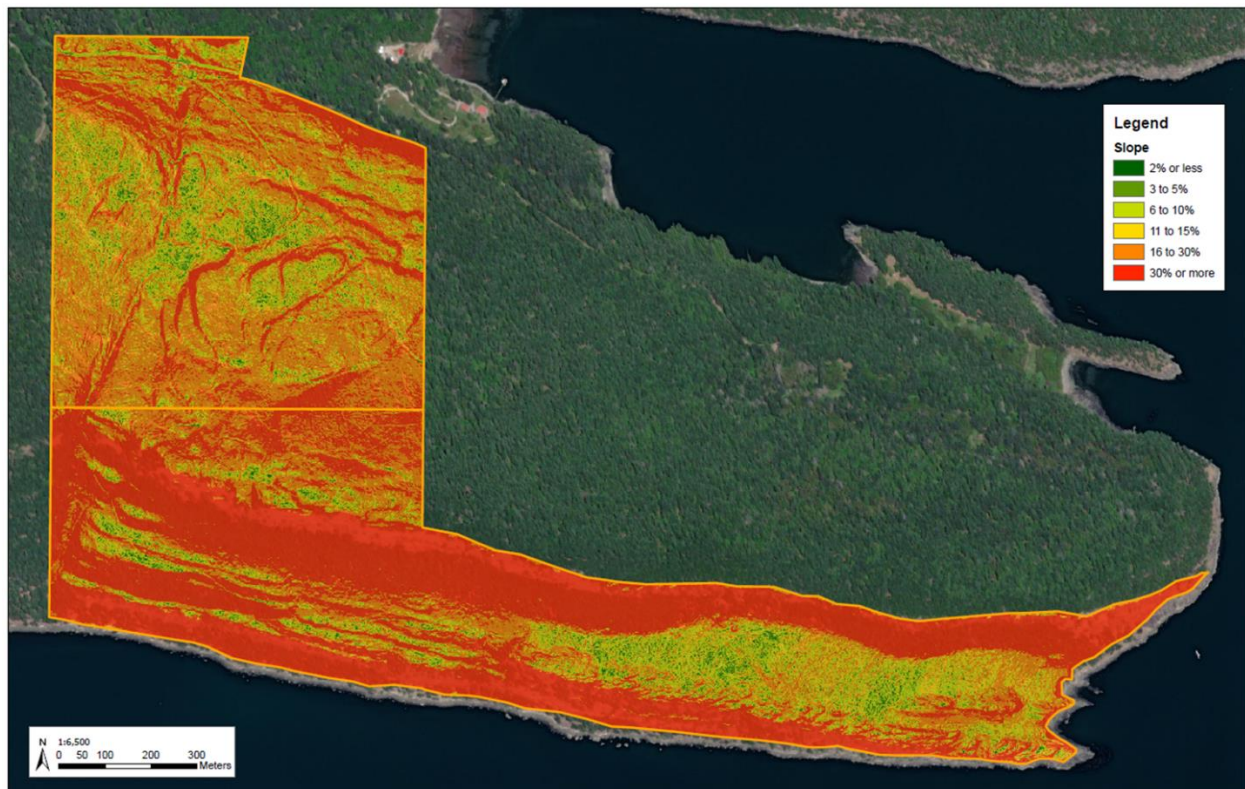


FIGURE 4. SLOPE MAP (% GRADIENT) PRODUCED BY MADRONE ENVIRONMENTAL SERVICES DERIVED FROM LIDAR IMAGERY. PARCEL BOUNDARIES OF THE EXCLUSION PROPERTY AND INCLUSION PROPERTY ARE SHOWN IN ORANGE.



FIGURE 5. MAP SHOWING THE LOCATIONS OF DETAILED SOIL PITS (DENOATED AS SP) AND SCRATCH PITS (DENOTED AS SCR) AS PART OF MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILTY FOR AGRICULTURE ASSESSMENT (MARCH 22 AND 23, 2023). PARCEL BOUNDARIES OF THE EXCLUSION PROPERTY AND INCLUSION PROPERTY ARE SHOWN IN ORANGE. BASE IMAGERY PROVIDED BY ESRI AND DATED 2002.



FIGURE 6. LOCATIONS OF THE PROPOSED AGRICULTURAL LAND RESERVE (ALR) EXCLUSION AND ALR INCLUSION AREAS (SHOWN AS DASHED LINES). THE LIGHT GREEN SHADED AREA IN THE EXCLUSION PROPERTY VISUALIZES THE LOCATION OF THE CURRENT ALR. THE LANDOWNER OF THE PROPERTIES IS PROPOSING AN EXCLUSION AND INCLUSION PLAN THAT WOULD RESULT IN 'NO NET LOSS' OF ALR LAND. A PROPOSED HOMEPLATE FOOTPRINT ON THE INCLUSION PROPERTY IS HIGHLIGHTED IN RED. BASE IMAGERY PROVIDED BY ESRI AND DATED 2002.

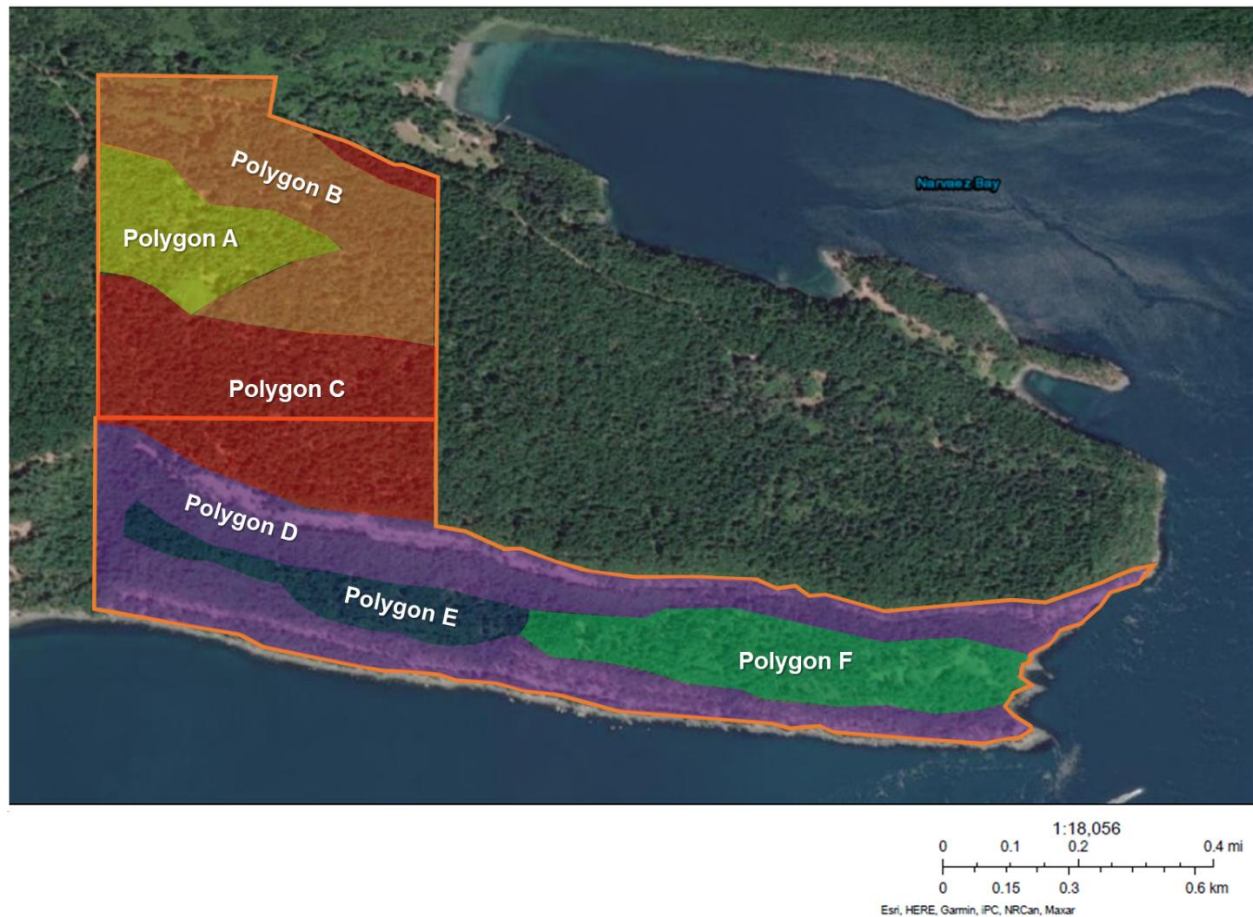


FIGURE 7. DELINEATED LAND CAPABILITY POLYGONS BASED ON SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT (MARCH 22 AND 23, 2023). PARCEL BOUNDARIES OF THE EXCLUSION PROPERTY AND INCLUSION PROPERTY ARE SHOWN IN ORANGE. BASE IMAGERY PROVIDED BY ESRI AND DATED 2002.

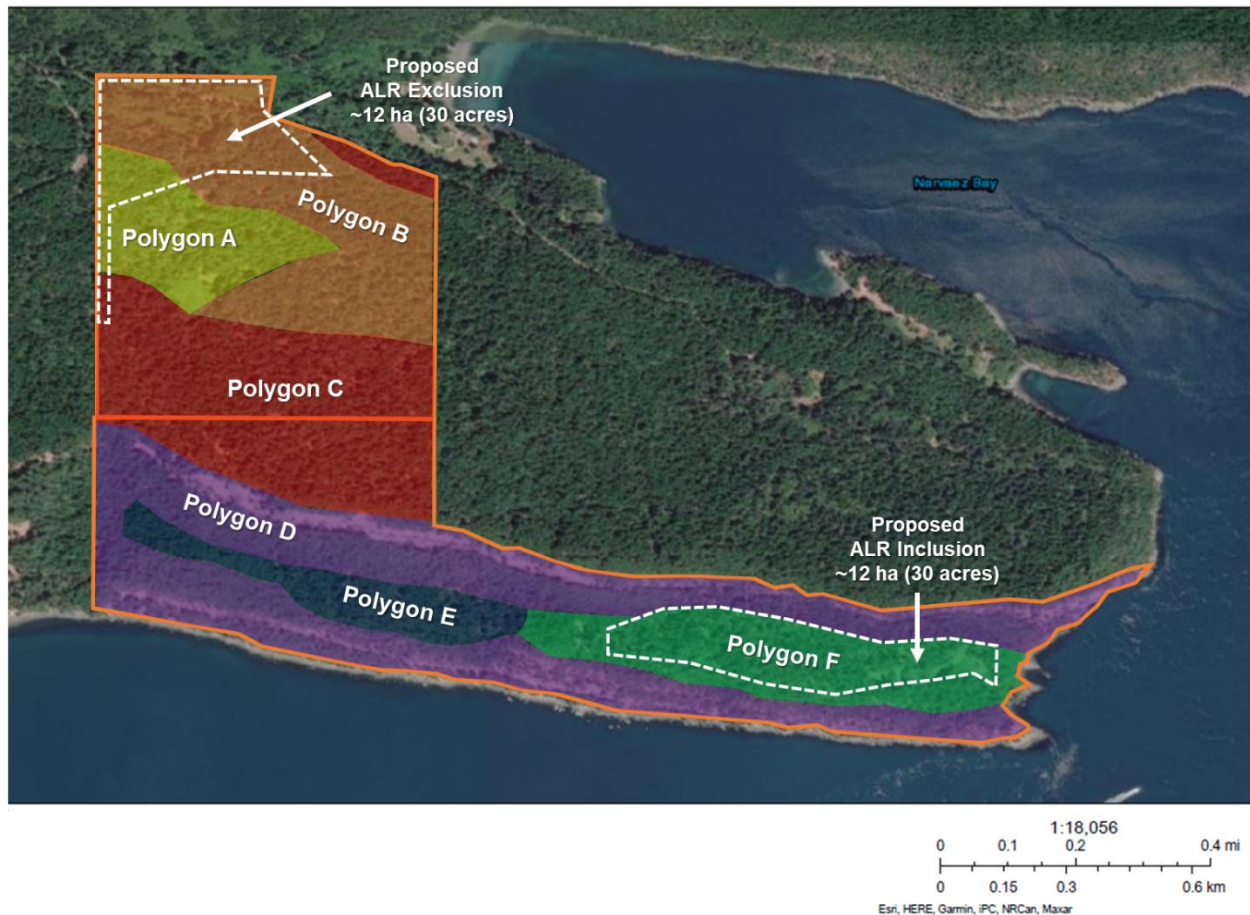


FIGURE 8. DELINEATED LAND CAPABILITY POLYGONS BASED ON SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT (MARCH 22 AND 23, 2023 WITH PROPOSED AGRICULTURAL LAND RESERVE (ALR) EXCLUSION AND ALR INCLUSION AREAS OVERLAIN. PARCEL BOUNDARIES OF THE EXCLUSION PROPERTY AND INCLUSION PROPERTY ARE SHOWN IN ORANGE. BASE IMAGERY PROVIDED BY ESRI AND DATED 2002.

APPENDIX B

Soil Profile Descriptions

Soil Pit 1 (SP1)		
Soil Association: Qualicum		
Classification: Gleyed Dystric Brunisol		
Horizon	Depth (cm)	Description
Ah	0 to 5	Silt loam texture; moderate, fine granular; friable; 5% coarse fragment content; moderately well drained; Plentiful fine to medium roots; no mottling; 7.5YR 2.5/2.
Bmh	5 to 20	Sandy clay loam texture; strong, fine subangular blocky; very friable; 20% coarse fragment content (20% fine gravel); Imperfectly drained; few fine roots; no mottles; 7.5YR 3/3.
Bmg	20 to 38	Sandy clay texture; weak, fine subangular blocky; wet: non-plastic, slightly sticky; 30% coarse fragment content (30% fine gravel); Imperfectly drained; few fine roots; few faint, diffuse mottles; 10YR 5/4.
Bg	38+	Underwater and unable to assess. Assumed Bg based on mottles in soil excavated pulled out.
Notes: Inclusion Property under short grass and moss in second growth forest. Along an underground spring/stream. Water table observed at 38 cm.		



Soil Pit 2 (SP2)		
Soil Association: Saturna		
Classification: Orthic Dystric Brunisol		
Horizon	Depth (cm)	Description
Ah	0 to 5	Loam texture; moderate, fine granular; Friable; 5% coarse fragment content; well drained; Plentiful fine to medium roots; no mottling; 7.5YR 2.5/2.
Bmh	5 to 25	Sandy clay loam texture; primary: weak, medium subangular blocky, secondary: weak fine granular; very friable; 15% coarse fragment content (10% fine gravel, 5% coarse gravel); moderately well drained; many fine roots; no mottles; 7.5YR 3/2.
Bm	25 to 60	Sandy loam texture; weak, fine blocky; friable; 60% coarse fragment content (40% coarse gravel, 20% fine gravel); well drained; many fine to medium roots; no mottles; 10YR 4/3.
BC	60 to 90	Sandy loam texture; weak, fine blocky to structureless; friable; 80% coarse fragment content (fine gravel to cobble); rapidly drained; no roots; no mottles; 2.5Y 4/3.
Notes: Inclusion Property south of SP1, on slightly higher ground under moss, grass and a second growth forest. Seepage observed at 90 cm.		



Soil Pit 3 (SP3)		
Soil Association: Saturna		
Classification: Orthic Dystric Brunisol		
Horizon	Depth (cm)	Description
Ah	0 to 5	Loam texture; moderate, fine granular; friable; 5% coarse fragment content; well drained; Plentiful fine to medium roots; no mottling; 7.5YR 2.5/2.
Bm ₁	5 to 35	Sandy loam texture; moderate, medium subangular blocky; friable; 20% coarse fragment content (15% fine gravel, 5% coarse gravel); well drained; few fine to medium roots; no mottles; 7.5YR 4/3.
Bm ₂	35 to 76	Sandy clay loam texture; weak, fine angular blocky; very friable; 50% coarse fragment content (40% coarse gravel, 20% cobble); moderately well drained; few medium roots; no mottles; 10YR 4/4.
BC	76 to 91	Sandy clay loam texture; weak, fine angular blocky; very friable; 50% coarse fragment content (40% coarse gravel, 20% cobble); moderately well drained; few medium roots; fine, weak, diffuse mottles; 10YR 4/4.
Notes: Inclusion Property south of the base of the cliff. Under grassy meadow in a second growth forest.		



Soil Pit 4 (SP4)		
Soil Association: Saturna		
Classification: Orthic Dystric Brunisol		
Horizon	Depth (cm)	Description
Ah	0 to 8	Loam texture; moderate, fine granular; Friable; 5% coarse fragment content; well drained; Plentiful fine to medium roots; no mottling; 7.5YR 2.5/2.
Bm ₁	8 to 32	Sand texture; structureless; very friable; 60% coarse fragment content (60% fine gravel); rapidly drained; abundant fine to medium roots; no mottles; 10YR 3/3.
Bm ₂	32 to 71	Sand texture; structureless; very friable; 40% coarse fragment content (30% fine gravel, 5% coarse gravel, 5% cobble); rapidly drained; few fine to medium roots; no mottles; 10YR 3/3.
BC	71 to 85	Sand texture; Structureless; very friable; 70% coarse fragment content (40% fine gravel, 20% coarse gravel, 20% cobble; 10% stone); rapidly drained; few coarse roots; no mottles; 10YR 3/3.
Notes: Inclusion Property below grass and second growth forest. Seepage observed at 75 cm.		



Soil Pit 5 (SP5)		
Soil Association: Tolmie		
Classification: Orthic Humic Gleysol		
Horizon	Depth (cm)	Description
Ah	0 to 26	Silt loam texture; moderate, fine granular; firm; 20% coarse fragment content (fine gravel to boulder); moderately well drained; abundant fine to medium roots; no mottling; 7.5YR 2.5/1.
B _{gj}	26 to 75	Sandy clay loam texture; weak, fine subangular blocky; friable; 35% coarse fragment content (20% fine gravel; 10% coarse gravel; and 5% cobbles); moderately well drained; few fine to medium roots; few weak, diffuse, small mottles; 10YR 4/3.
Notes: Inclusion Property in an alder meadow in an underground spring/creek. Seepage observed at 51 cm.		



Soil Pit 6 (SP6)		
Soil Association: Saturna		
Classification: Orthic Dystric Brunisol		
Horizon	Depth (cm)	Description
Ah	0 to 8	Silt loam texture; moderate, fine granular; Friable; 5% coarse fragment content; well drained; Plentiful fine to medium roots; no mottling; 7.5YR 2.5/2.
Bmh	8 to 30	Sandy clay loam texture; weak, medium subangular blocky; firm; 70% coarse fragment content (40% fine gravel, 30% coarse gravel); well drained; Abundant fine to medium roots; no mottles; 10YR 3/4.
Bm	30 to 52	Sandy clay loam texture; structureless; very friable; 80% coarse fragment content (40% coarse gravel, 20% fine gravel, 20% cobble); well drained; few medium roots; no mottles; 10YR 5/4.
BC	52 to 75	Clay loam texture; Structureless; very friable; 80% coarse fragment content (40% coarse gravel, 20% fine gravel, 20% cobble); well drained; no roots; no mottles; 10YR 5/4.
Notes: Inclusion Property south of low meadow on a ridge. Low grass under second growth forest. Seepage observed at 52 cm.		



Soil Pit 7 (SP7)		
Soil Association: Beddis		
Classification: Orthic Humo-Ferric Podzol		
Horizon	Depth (cm)	Description
LFH	6 to 0	Moss over humic forest floor.
Bf	0 to 34	Sandy clay loam texture; large, strong angular; firm; 10% coarse fragment content (10% coarse gravel); Moderately well drained; Abundant fine to coarse roots; no mottling; 7.5YR 4/6.
BC	34 to 56	Sandy clay loam texture; structureless; firm; 60% coarse fragment content (50% cobble [broken bedrock]; 10% coarse gravel); well drained; abundant fine to coarse roots; no mottling; 2.5Y 4/4.
R	56 to 70	Sandstone bedrock broken by excavation.
Notes: Exclusion Property along the west edge of the parcel under salal, moss and a second growth fir forest.		



Soil Pit 8 (SP8)		
Soil Association: Beddis		
Classification: Orthic Humo-Ferric Podzol		
Horizon	Depth (cm)	Description
LFH	1 to 0	Moss over humic forest floor.
Ah	0 to 15	Loam texture; fine moderate granular; firm; no coarse fragment content; well drained; few fine to medium roots; no mottling; 7.5YR 2.5/2.
Bf	15 to 57	Sandy clay loam texture; medium, weak subangular blocky; friable; 25% coarse fragment content (15% fine gravel, 10% coarse gravel); Moderately well drained; Abundant fine to coarse roots; no mottling; 7.5YR 4/6.
BC	57 to 100	Sandy clay loam texture; structureless; firm; 60% coarse fragment content (50% cobble [angular broken bedrock]; 10% coarse gravel); well drained; Abundant fine to coarse roots; no mottling; 2.5Y 4/4.
Notes: Exclusion Property along the west edge of the parcel near the road to the north under salal, moss and a second growth fir and sparse cedar forest.		



Soil Pit 9 (SP9)		
Soil Association: Beddis		
Classification: Orthic Humo-Ferric Podzol		
Horizon	Depth (cm)	Description
LFH	4 to 0	Moss and coniferous litter.
Ah	0 to 7	Loam texture; fine moderate granular; firm; no coarse fragment content; well drained; few fine to medium roots; no mottling; 7.5YR 2.5/2.
Bf	7 to 52	Silt loam texture; medium, weak subangular blocky; friable; 10% coarse fragment content (10% fine gravel); imperfectly drained; Plentiful fine to coarse roots; no mottling; 5YR 3/4.
BC	52 to 80	Sand texture; structureless; very friable; 80% coarse fragment content (70% cobble [angular broken bedrock]; 10% coarse gravel); well drained; no roots; no mottling; 10YR 4/6.
Notes: Exclusion Property on the northeastern side on the parcel under a second growth fir and sparse cedar forest, with salal and moss.		



Soil Pit 10 (SP10)		
Soil Association: Beddis		
Classification: Orthic Humo-Ferric Podzol		
Horizon	Depth (cm)	Description
LFH	10 to 0	Moss over thick forest floor of coniferous litter
Bf	0 to 19	Sandy loam texture; fine, weak angular blocky; friable; 15% coarse fragment content (10% fine and coarse gravel, 5% cobble); rapidly drained; Plentiful fine to coarse roots; no mottling; 10YR 4/4.
BC	19 to 80	Loamy sand texture; structureless; firm; 80% coarse fragment content (70% cobble [broken bedrock]; 10% gravel); rapidly drained; few medium to coarse roots; no mottling; 10YR 4/6.
Notes: Northeastern side of the Exclusion Property by Narvaez Bay Road under second growth fir and sparse cedar forest, with salal and moss.		



Scratch Pit 1 (SCR1)		
Soil Association: Saturna		
Classification: Orthic Dystric Brunisol		
Horizon	Depth (cm)	Description
Ah	0 to 3	Loam texture; moderate, fine granular; friable; 5% coarse fragment content; well drained; plentiful fine to medium roots; no mottling; 7.5YR 2.5/2.
Bm	3 to 34	Sandy loam texture; Strong, medium subangular blocky; very friable; 10% coarse fragment content (5% fine gravel, 5% coarse gravel); moderately well drained; few fine roots; no mottles; 7.5YR 3/2.
Notes: Inclusion Property in an alder meadow on the eastern side of the parcel proximal to the coast.		



Scratch Pit 2 (SCR2)		
Soil Association: Unidentified hydric soils		
Classification: Cumulic Regosol		
Horizon	Depth (cm)	Description
Om	0 to 25	Mesic organic matter; Von Post of 8; 80% coarse fragment content (colluvium angular cobble); abundant small to medium roots.
Notes: Inclusion Property on the cliff toe slope. 50% slope among large colluvium boulders under second growth fir and cedar forest.		



Scratch Pit 3 (SCR3)		
Soil Association: Unidentified hydric soils with underlying Tolmie soils		
Classification: Humic Gleysol		
Horizon	Depth (cm)	Description
Oh	0 to 19	Humic Organic Matter; Von Post of 9; 0% coarse fragment content; abundant small to medium roots.
Bg	19 to 31	Sandy clay loam texture; moderate, medium subangular blocky; wet: non-plastic, slightly sticky; 50% coarse fragment content (fine gravel to cobble); imperfectly drained; few medium distinct mottles; 10YR 5/4.
Notes: Inclusion Property in the low-lying wetland running down the middle of the parcel. Seepage observed at 5 cm.		



Scratch Pit 4 (SCR4)		
Soil Association: Unidentified hydric soils		
Classification: Humisol		
Horizon	Depth (cm)	Description
Oh	0 to 35	Humic Organic Matter; Von Post of 10; 0% coarse fragment content; abundant small to medium roots.
Notes: Inclusion Property in the low-lying wetland running down the middle of the parcel. Seepage observed at surface.		



Scratch Pit 5 (SCR5)		
Soil Association: Unidentified hydric soils with underlying Tolmie soils		
Classification: Humic Gleysol		
Horizon	Depth (cm)	Description
Oh	0 to 20	Humic organic matter; Von Post of 9; 0% coarse fragment content; abundant small to medium roots.
Bg	20 to 31	Sandy clay loam texture; moderate, medium subangular blocky; wet: non-plastic, slightly sticky; 50% coarse fragment content (fine gravel to cobble); imperfectly drained; few medium distinct mottles; 10YR 5/4.
Notes: Inclusion Property in the low-lying wetland running down the middle of the parcel. Seepage observed at 5 cm.		



Scratch Pit 6 (SCR6)		
Soil Association: Qualicum		
Classification: Gleyed Dystric Brunisol		
Horizon	Depth (cm)	Description
Ah	0 to 14	Loam texture; moderate, fine granular; Friable; 0% coarse fragment content; well drained; plentiful fine to medium roots; no mottling; 7.5YR 2.5/1.
Bm	14 to 29	Sandy loam texture; weak, medium subangular blocky; friable; 15% coarse fragment; rapidly drained; few fine to medium roots; no mottles; 7.5YR 4/3.
Notes: Exclusion Property. Soil characteristics similar to SP6.		



Scratch Pit 7 (SCR7)		
Soil Association: Beddis		
Classification: Orthic Humo-Ferric Podzol		
Horizon	Depth (cm)	Description
LFH	5 to 0	Moss (5 to 3 cm) over humic material (3 to 0 cm) forest floor.
Bf	0 to 25	Sandy clay loam texture; medium, weak subangular blocky; friable; 25% coarse fragment content (15% fine gravel, 10% coarse gravel); Moderately well drained; Abundant fine to coarse roots; no mottling; 7.5YR 4/6.
Notes: Exclusion Property. Soil characteristics similar to SP7.		



Scratch Pit 8 (SCR8)		
Soil Association: Beddis		
Classification: Orthic Humo-Ferric Podzol		
Horizon	Depth (cm)	Description
Ah	0 to 11	Loam texture; fine moderate granular; firm; 15% coarse fragment content (fine gravel and coarse gravel); well drained; few fine to medium roots; no mottling; 7.5YR 2.5/2.
Bf	11 to 30	Sandy clay loam texture; medium, weak subangular blocky; friable; 40% coarse fragment content (15% fine gravel, 15% coarse gravel, 10% cobble); Moderately well drained; Abundant fine to coarse roots; no mottling; 7.5YR 4/6.
Notes: Exclusion Property. Soil characteristics similar to SP8.		



Scratch Pit 9 (SCR9)		
Soil Association: Beddis		
Classification: Orthic Humo-Ferric Podzol		
Horizon	Depth (cm)	Description
Ah	0 to 6	Loam texture; fine moderate granular; firm; 15% coarse fragment content (fine gravel and coarse gravel); well drained; few fine to medium roots; no mottling; 7.5YR 2.5/2.
Bf	6 to 25	Sandy clay loam texture; medium, weak subangular blocky; friable; 40% coarse fragment content (15% fine gravel, 15% coarse gravel, 10% cobble); Moderately well drained; Abundant fine to coarse roots; no mottling; 7.5YR 4/6.
Notes: Exclusion Property. Soil characteristics similar to SP8.		



Scratch Pit 10 (SCR10)		
Soil Association: Saturna		
Classification: Orthic Dystric Brunisol		
Horizon	Depth (cm)	Description
LFH	3 to 0	Moss and mycelium (3 to 1 cm) over Humic material (1 to 0 cm) forest floor.
Bm	0 to 27	Sandy loam texture; weak, small subangular blocky; friable; 30% coarse fragment (fine gravel to cobble); rapidly drained; plentiful fine to medium roots; no mottles; 10YR 5/4.
R	27 - 42	Broken sandstone bedrock on roadcut
Notes: Exclusion Property. Soil characteristics similar to SP6.		



Scratch Pit 11 (SCR11)		
Soil Association: N/A		
Classification: Regosol		
Horizon	Depth (cm)	Description
Ah	0 to 15	Loam texture; moderate, fine granular; Friable; 5% coarse fragment content; well drained; abundant fine to very fine roots; no mottling; 7.5YR 2.5/1.
R	15+	Sandstone bedrock
Notes: Exclusion Property. Shallow bedrock encountered.		



Scratch Pit 12 (SCR12)		
Soil Association: Beddis		
Classification: Orthic Dystric Brunisol		
Horizon	Depth (cm)	Description
Ah	0 to 4	Loam texture; moderate, fine granular; firm; 20% coarse fragment content (fine gravel and coarse gravel); well drained; Plentiful fine to medium roots; no mottling; 7.5YR 2.5/3.
Bf	4 to 25	Sandy clay loam texture; moderate, medium subangular blocky; firm; 15% coarse fragment (fine gravel and coarse gravel); rapidly drained; few fine to medium roots; no mottles; 7.5YR 4/4.
Bm	25 to 40	Sandy loam texture; small, moderate subangular blocky; friable; 25% coarse fragment; rapidly drained; few medium roots; no mottles; 10YR 3/6.
R	40+	Sandstone bedrock
Notes: Exclusion Property. Soil characteristics similar to SP8.		



Scratch Pit 13 (SCR13)		
Soil Association: Saturna		
Classification: Orthic Dystric Brunisol		
Horizon	Depth (cm)	Description
Ah	0 to 7	Loam texture; moderate, fine granular; friable; 0% coarse fragment content; well drained; Plentiful fine to medium roots; no mottling; 7.5YR 2.5/3.
Bm	7 to 40	Sandy loam texture; weak, medium subangular blocky; friable; 5% coarse fragment; rapidly drained; few fine to medium roots; no mottles; 7.5YR 4/3.
Notes: Exclusion Property. Soil characteristics similar to SP6.		





APPENDIX C

Site Photos



PHOTO 1. VIEW OF THE MIXED FOREST AND ALDER MEADOW IN THE AREA ON THE INCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE INCLUDED INTO THE AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SOIL PIT 2 (SP2) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. PHOTO DATED MARCH 22, 2023.



PHOTO 2. VIEW OF THE MIXED FOREST AND ALDER MEADOW IN THE AREA ON THE INCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE INCLUDED INTO THE AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SOIL PIT 2 (SP2) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. PHOTO DATED MARCH 22, 2023.



PHOTO 3. VIEW OF THE MIXED FOREST AND ALDER MEADOW IN THE AREA ON THE INCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE INCLUDED INTO THE AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SOIL PIT 5 (SP5) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. PHOTO DATED MARCH 22, 2023.



PHOTO 4. VIEW OF THE MIXED FOREST AND ALDER MEADOW IN THE AREA ON THE INCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE INCLUDED INTO THE AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SCRATCH PIT 6 (SCR6) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. PHOTO DATED MARCH 22, 2023.



PHOTO 5. VIEW OF THE MIXED FOREST AND ALDER MEADOW IN THE AREA ON THE INCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE INCLUDED INTO THE AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SOIL PIT 1 (SP1) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. PHOTO DATED MARCH 22, 2023.



PHOTO 6. VIEW OF LOCALIZED MARSH AREA ON THE INCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE INCLUDED INTO THE AGRICULTURAL LAND RESERVE (ALR). SEVERAL OF THESE LOCALIZED WETLAND AREAS WERE OBSERVED DURING MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. PHOTO DATED MARCH 22, 2023.



PHOTO 7. VIEW OF COLLUVIUM AT THE BASE OF BEDROCK CLIFF ON THE INCLUSION PROPERTY. THIS AREA IS NOT WITHIN THE AREA PROPOSED BY THE LANDOWNER TO BE INCLUDED IN AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SCRATCH PIT 2 (SCR2) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. PHOTO DATED MARCH 22, 2023.



PHOTO 8. VIEW OF THE MIXED FOREST ON THE AREA OF THE EXCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE EXCLUDED FROM THE AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SCRATCH PIT 7 (SCR7) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. THIS AREA IS CHARACTERIZED BY COMPLICATED SLOPES OF 16 TO 30% GRADIENT. PHOTO DATED MARCH 23, 2023.



PHOTO 9. VIEW OF THE MIXED FOREST ON THE AREA OF THE EXCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE EXCLUDED FROM THE AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SCRATCH PIT 8 (SCR8) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. THIS AREA IS CHARACTERIZED BY COMPLICATED SLOPES OF >30% GRADIENT. PHOTO DATED MARCH 23, 2023.



PHOTO 10. VIEW OF THE MIXED FOREST ON THE AREA OF THE EXCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE EXCLUDED FROM THE AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SOIL PIT 8 (SP8) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. THIS AREA IS CHARACTERIZED BY COMPLICATED SLOPES OF >30% GRADIENT. PHOTO DATED MARCH 23, 2023.



PHOTO 11. VIEW OF THE MIXED FOREST ON THE AREA OF THE EXCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE EXCLUDED FROM THE AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SOIL PIT 9 (SP9) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. THIS AREA IS CHARACTERIZED BY COMPLICATED SLOPES OF >30% GRADIENT. PHOTO DATED MARCH 23, 2023.



PHOTO 12. VIEW OF THE MIXED FOREST ON THE AREA OF THE EXCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE EXCLUDED FROM THE AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SOIL PIT 10 (SP10) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. THIS AREA IS CHARACTERIZED BY COMPLICATED SLOPES OF >30% GRADIENT. PHOTO DATED MARCH 23, 2023.



PHOTO 13. VIEW OF THE MIXED FOREST ON THE AREA OF THE EXCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE EXCLUDED FROM THE AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SOIL PIT 10 (SP10) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. THIS AREA IS CHARACTERIZED BY COMPLICATED SLOPES OF >30% GRADIENT. PHOTO DATED MARCH 23, 2023.



PHOTO 14. VIEW OF THE MIXED FOREST ON THE AREA OF THE EXCLUSION PROPERTY PROPOSED BY THE LANDOWNER TO BE EXCLUDED FROM THE AGRICULTURAL LAND RESERVE (ALR). PHOTO LOCATION IS PROXIMAL TO SCRATCH PIT 13 (SCR13) ASSOCIATED WITH MADRONE ENVIRONMENTAL SERVICES' LAND CAPABILITY FOR AGRICULTURE ASSESSMENT. THIS AREA IS CHARACTERIZED BY COMPLICATED SLOPES OF >30% GRADIENT. PHOTO DATED MARCH 23, 2023.

APPENDIX D

Land Capability for Agriculture, Soil Associations and Soil Types

Land Capability for Agriculture Overview

The *Land Capability Classification for Agriculture in BC*¹⁷ is a classification system that groups agricultural land into classes that reflect potential and limitations to agriculture. The classes are differentiated based on soil properties and climate conditions. The system considers the range of possible crops and the type and intensity of management practices required to maintain soil resources, but it does not consider suitability of land for specific crops, crop productivity, specific management inputs or the feasibility of implementing improvements. There are two land capability hierarchies, one for mineral soils and one for organic soils. Each hierarchy groups the land into seven classes that describe the range of suited crops and required management inputs. The organic soil class definitions are equivalent in relative capabilities and limitations for agricultural use to those defined for mineral soils.

The range of suited crops decreases from Class 1 to Class 7 and/or the management inputs increase from Class 1 to Class 7. For example, Class 1 lands can support the broadest range of crops with minimal management units. Lands in Classes 1 to 4 are considered capable of sustained agricultural production of common crops. Class 5 lands are considered good for perennial forage or specially-adapted crops. Class 6 lands are good for grazing livestock and Class 7 lands are not considered capable of supporting agricultural production.

LCA Classes are subdivided into subclasses based on the degree and kind of limitation to agriculture. Subclasses indicate the type and intensity of management input required to maintain sustained agricultural production and specify the limitation. For example, lands rated Class 2W have an excess water limitation that can be improved by managing water on the site. There are fewer subclasses for organic soils than for mineral soils (see below).

Most lands are rated for unimproved and improved conditions. Unimproved ratings are calculated based on site conditions at the time of the assessments, without irrigation. Past improvements are assessed as part of the unimproved rating. Forested lands are assessed assuming they are cleared. Improved ratings are assigned assuming that existing limitations have been alleviated. Generally, improvement practices taken into account are drainage, irrigation, diking, stone removal, salinity alleviation, intensive fertilization and adding soil amendments.

¹⁷ BC Ministry of Environment and Ministry of Agriculture and Food (1983). Land Capability Classification for Agriculture in British Columbia MOE Manual 1. https://www.alc.gov.bc.ca/assets/alc/assets/about-the-alc/alr-and-maps/agricultural-land/land_capability_classification_for_agriculture_in_bc.pdf. Accessed May 2, 2023.

LCA Classes and Characteristics for Mineral and Organic Soils

Class	Description	Characteristics
1	No or very slight limitations that restrict agricultural use	• Level or nearly level • Deep soils are well to imperfectly drained and hold moisture well • Managed and cropped easily • Productive
2	Minor limitations that require ongoing management or slightly restrict the range of crops, or both	• Require minor continuous management • Have lower crop yields or support a slightly smaller range of crops that Class 1 lands • Deep soils that hold moisture well • Managed and cropped easily
3	Limitations that require moderately intensive management practices or moderately restrict the range of crops, or both	• More severe limitations than Class 2 land • Management practices more difficult to apply and maintain • Limitations may: ○ Restrict choice of suitable crops ○ Affect timing and ease of tilling, planting or harvesting ○ Affect methods of soil conservation
4	Limitations that require special management practices or severely restrict the range of crops, or both	• May be suitable for only a few crops or may have low yield or a high risk of crop failure • Soil conditions are such that special development and management conditions are required • Limitations may: ○ Affect timing and ease of tilling, planting or harvesting ○ Affect methods of soil conservation
5	Limitations that restrict capability to produce perennial forage crops or other specially adapted crops (e.g. cranberries)	• Can be cultivated, provided intensive management is employed or crop is adapted to the particular conditions of the land • Cultivated crops may be grown where adverse climate is the main limitation, crop failure can be expected under average conditions
6	Not arable, but capable of producing native and/or uncultivated perennial forage crops	• Provides sustained natural grazing for domestic livestock • Not arable in present condition • Limitations include severe climate, unsuitable terrain or poor soil • Difficult to improve, although draining, dyking and/or irrigation can remove some limitations
7	No capability for arable culture or sustained natural grazing	• All lands not in Class 1 to 6 • Includes rockland, non-soil areas, small water-bodies

LCA Subclasses

LCA Classes, except Class 1 which has no limitations, can be divided into subclasses depending upon the type and degree of limitation to agricultural use. There are twelve LCA subclasses to describe mineral soils and nine LCA subclasses to describe organic soils, as summarized below. Mineral soils contain less than 17% organic carbon; except for an organic surface layer¹⁸.

LCA Subclasses for Mineral Soils

LCA Subclass	Map Symbol	Description	Improvement
Soil moisture deficiency	A	Crops are adversely affected by drought either through insufficient precipitation or low water holding capacity of the soil.	Improvable through irrigation.
Adverse climate	C	Used on a subregional or local basis, from climate maps, to indicate thermal limitations including freezing, insufficient heat units and/or extreme winter temperatures.	N/A
Undesirable soil structure and/or low perviousness.	D	This subclass is used for soils difficult to till, requiring special management for seedbed preparation and soils with trafficability problems for common farm implements. Also included are soils which have insufficient aeration, absorb and distribute water slowly, or have the depth of rooting zone restricted by conditions other than wetness (high water table) or consolidated bedrock or permafrost.	Can be improved to varying degrees by amelioration of soil texture, deep ploughing or blading to break-up root restricting layers. Soil can also be amended with compost to improve structure.
Erosion	E	Includes soils on which past damage from erosion limits agricultural use of the land because of the loss in productivity and the difficulty in farming land with gullies.	N/A; usually a continuing limitation.
Fertility	F	Limited by lack of available nutrients, low cation exchange capacity or nutrient holding ability, high or low pH, high amount of carbonates, presence of toxic elements or high fixation of plant nutrients.	Constant and careful use of fertilizers and/or other soil amendments
Inundation	I	Includes soils where flooding damages crops or restricts agricultural use.	Diking
Salinity	N	Includes soils adversely affected by soluble salts that restrict crop growth or the range of crops.	Specific to site and soil conditions
Stoniness	P	Applies to soils with sufficient coarse fragments, 2.5 cm diameter or larger, to significantly hinder tillage, planting and/or harvesting.	Remove cobbles and stones
Depth to bedrock and rockiness	R	Used for soils in which bedrock near the surface restricts rooting depth and tillage and/or the presence of rock outcrops restricts agricultural use.	N/A
Topography	T	Applies to soils where topography limits agricultural use, by slope steepness and/or complexity.	N/A
Excess Water	W	Applies to soils for which excess free water limits agricultural use.	Ditching, tilling, draining

¹⁸ Agriculture and Agri-Food Canada (1998). Canadian System of Soil Classification.

http://sis.agr.gc.ca/cansis/publications/manuals/1998-cssc-ed3/cssc3_manual.pdf. Accessed May 2, 2023.

LCA Subclass	Map Symbol	Description	Improvement
Permafrost	Z	Applies to soils that have a cryic (permanently frozen) layer.	N/A

LCA Subclasses for Organic Soils

LCA Subclass	Map Symbol	Description	Improvement
Wood in the profile	B	Layers of wood in the form of trunks, stumps, and branches occur in many organic soils; wood located within 50 cm of the surface can interfere with cultivation; buried wood may be well-decomposed or solid and large.	The amount of wood present is variable and difficult to remove or manage. Therefore the improved rating is equivalent to the unimproved rating
Climate	C	Used on a subregional or local basis, from climate maps, to indicate thermal limitations including freezing, insufficient heat units and/or extreme winter temperatures.	N/A
Depth of organic soil over bedrock and/or rockiness	H	The presence of bedrock near the surface restricts the depth of rooting and the feasibility of subsurface drainage, and / or the presence of rock outcrops restricts agricultural use.	Improvement of limitations due to bedrock near the surface and/or rockiness is not considered practical; therefore the improved rating is equivalent to the unimproved rating
Fertility	F	Limited by lack of available nutrients, low cation exchange capacity or nutrient holding ability, high or low pH, high amount of carbonates, presence of toxic elements or high fixation of plant nutrients.	Constant and careful use of fertilizers and/or other soil amendments
Inundation	I	Includes soils where flooding damages crops or restricts agricultural use.	Diking
Degree of decomposition - permeability	L	Degree of decomposition of the rooting zone probably of less importance to the overall capability than the lower part of the soil. The degree of decomposition of lower layers is important because of its effect on drainage, permeability, capillary rise of water and rate of subsidence.	Improvement of this limitation is not considered practical; therefore the improved rating is equivalent to the unimproved rating
Salinity	N	Includes soils adversely affected by soluble salts that restrict crop growth or the range of crops.	Specific to site and soil conditions
Excess Water	W	Applies to soils for which excess free water limits agricultural use (applicable to both mineral and organic soil).	Ditching, tilling, draining
Permafrost	Z	Applies to soils that have a cryic (permanently frozen) layer.	N/A

Soil Associations

Soils in British Columbia (where soil mapping has taken place) are grouped into distinct soil associations based on typical characteristics associated with particular pedogenic (soil-forming) factors. These associations are typically spatially limited to certain areas of the province. In this report, using the collected soil data, the main soil association for the Properties have been identified from *Soils of the Gulf Islands of British Columbia - Soils of North Pender, South Pender, Prevost, Mayne, Saturna, and lesser islands. Volume 2*¹⁹, as follows:

Saturna

Saturna soils (ST)

Saturna soils are well-drained soils that have developed on shallow deposits of channery, sandy loam textured, colluvial and glacial drift materials over sandstone bedrock within 100 cm of the surface. Coarse fragment content varies between 20 and 50%. The profile description and analyses of a selected Saturna soil are given in Appendixes 1 and 2.

Soil characteristics

Characteristic	Mean	Minimum	Maximum	No. of observations
Thickness of surface layer (cm)	48	12	97	239
Depth to bedrock (cm)	50	12	97	239
Depth to restricting layer (cm)	56	12	97	239
Depth to mottles (cm)	160	160	160	258
CF content surface layer (%)	42	20	50	97
Fine gravel (channery) content surface layer (%)	17	5	30	97
Coarse gravel (channery) content surface layer (%)	18	5	45	97
Cobble content (flaggy) surface layer (%)	8	0	50	97
CF content subsurface layer (%)	52	35	70	7
Fine gravel (channery) content subsurface layer (%)	26	15	35	7
Coarse gravel (channery) content subsurface layer (%)	17	5	30	7
Cobble content (flaggy) subsurface layer (%)	9	0	30	7
Frequency of occurrence (%)				No. of observations
Texture of surface layer	SL(96), LS(3), L(1)			258
Texture of subsurface layer	SL(72), LS(14), L(14)			7
Drainage class	Well(99), moderately well(1)			258
Soil classification	O.DYB(87), O.HFP(11), E.DYB(2)			258
Type of restricting layer	Sandstone bedrock			
Perviousness	Rapid			

¹⁹ Agriculture Canada (1988). *Soils of the Gulf Islands of British Columbia - Soils of North Pender, South Pender, Prevost, Mayne, Saturna, and lesser islands. Volume 2. Report No. 43 British Columbia Soil Survey.*

https://www.env.gov.bc.ca/esd/distdata/ecosystems/Soils_Reports/bc43-2_report.pdf. Accessed May 1, 2023.

Water regime

The Saturna soils are well-drained soils. They are moist from late fall to spring but droughty during summer months. During and shortly after wet periods, water may flow laterally through the saturated subsoil on top of the sloping bedrock.

Variability

Soil phase or variant	Frequency (no.)	Frequency (%)	Description of variability
STb	4	2	Bouldery phase: >50% rock fragments >60 cm in diameter; colluvial toe-slope positions below rock ridges and escarpments; in conjunction with shallow lithic (l) and deep (d) phases
STd	19	7	Deep phase: depth to bedrock 100-160 cm; mean depth 132 cm (105-160 cm); also in conjunction with nongravelly (ng), bouldery (b), and very gravelly (vg) phases
STl	89	34	Shallow lithic phase: depth to bedrock 50-100 cm; mean depth 70 cm (50-97 cm); also in conjunction with nongravelly (ng), paralithic (pl), bouldery (b), and very gravelly (vg) phases and taxonomy change (t) variant
STng	18	7	Nongravelly phase: coarse fragment content in surface layer <20%; mean CF 8% (0-15%); in conjunction with deep (d), shallow lithic (l), and very shallow lithic (sl) phases
STpl	22	9	Paralithic phase: boundary between soil and solid bedrock consists of fractured sandstone rock; mean depth to fractured rock 45 cm (20-70 cm); mean thickness of fractured rock 46 cm (5-90 cm); in conjunction with very shallow lithic (sl) and shallow lithic (l) phases
STsl	148	57	Very shallow lithic phase: depth to bedrock 10-50 cm; mean depth 36 cm (12-50 cm); also in conjunction with nongravelly (ng), paralithic (pl), and very gravelly (vg) phases
STvg	142	55	Very gravelly phase: coarse fragment content in surface layer >50%; mean CF 59% (50-80%); in conjunction with deep (d), shallow lithic (l), and very shallow lithic (sl) phases

Note: There is also a very limited occurrence of the taxonomy change (t) variant for the Saturna soil, mainly used when a podzolic B horizon is present.

Qualicum

Qualicum soils (QU)

Qualicum soils are rapidly to moderately well-drained soils developed on deep (>150 cm) deposits of gravelly sandy loam to gravelly sand textured, glaciofluvial, fluvial, or marine deposits. Coarse fragment content throughout the profile is between 20 and 70%, but not exceeding 50% in the surface layer. The profile description and analyses of a selected Qualicum soil are given in Appendixes 1 and 2.

Soil characteristics

Characteristic	Mean	Minimum	Maximum	No. of observations
Thickness of surface layer (cm)	91	15	160	139
Depth to bedrock (cm)	160	160	160	90
Depth to restricting layer (cm)	160	160	160	90
Depth to mottles (cm)	155	100	160	128
CF content surface layer (%)	38	25	45	53
Fine gravel content surface layer (%)	19	5	40	53
Coarse gravel content surface layer (%)	13	0	20	53
Cobble content surface layer (%)	7	0	15	53
CF content subsurface layer (%)	32	5	70	33
Fine gravel content subsurface layer (%)	20	2	50	33
Coarse gravel content subsurface layer (%)	9	0	25	33
Cobble content subsurface layer (%)	4	0	40	33
	Frequency of occurrence (%)			No. of observations
Texture of surface layer	LS(47), SL(37), S(12), L(4)			139
Texture of subsurface layer	LS(46), SL(30), S(24)			46
Drainage class	Rapid(42), well(41), moderately well(11), imperfect(5), poor(1)			139
Soil classification	O.DYB(80), O.SB(13), GL.SB(5), GL.DYB(1), O.HG(1)			139
Type of restricting layer	Absent			
Perviousness	Rapid			

Water regime

Qualicum soils are rapidly to moderately well-drained soils. They are moist from late fall to spring but quickly become very droughty during summer. The water table remains well below 100 cm throughout the year.

Variability

Soil phase or variant	Frequency (no.) (%)		Description of variability
QUa	25	18	Sombric variant: Ah or Ap horizon >10 cm; also in conjunction with deep (d), imperfectly drained (id), poorly drained (pd), shallow (s), and very gravelly (vg) phases
QUd	7	5	Deep phase: less deep (100-150 cm) than specified over similar materials but with <20% coarse fragment 150 cm; mean depth 111 cm (100-125 cm); mean CF subsoil 1% (0-5%); also in conjunction with sombric (a) variant and loam (lo) and very gravelly (vg) phases
QUid	6	4	Imperfectly drained phase: moisture regime wetter than specified (Gleyed subgroups) for soil; also in conjunction with sombric (a) variant and shallow lithic (l), shallow (s), and very shallow (vs) phases
QUl	16	12	Shallow lithic phase: bedrock at 50-100 cm; mean depth 84 cm (55-100 cm); also in conjunction with imperfectly drained (id), poorly drained (pd), shallow (s), and very gravelly (vg) phases
QUs	17	12	Shallow phase: less deep (50-100 cm) than specified over similar materials but with coarse fragment content <20%; mean depth 72 cm (50-90 cm); mean total CF 9% (0-35%); mean coarse gravels and cobbles 1% (0-5%); also in conjunction with sombric (a) variant and imperfectly drained (id) and very gravelly (vg) phases
QUvg	79	57	Very gravelly phase: coarse fragment content in surface layer >50%; mean CF 59% (50-75%); also in conjunction with sombric (a) and taxonomy change (t) variants and shallow lithic (l), deep (d), shallow (s), and loam (lo) phases
QUvs	4	3	Very shallow phase: less deep (30-50 cm) than specified over similar materials but with coarse fragment content <20%; mean depth 39 cm (30-45 cm); mean CF 2% (0-10%); also in conjunction with imperfectly drained (id) phase

Note: Other phases of the Qualicum soil with very limited occurrences are: bouldery (b), loam (lo), poorly drained (pd), and silt loam (si) phases and taxonomy change (t) variant.

Beddis

Beddis soils (BD)

Beddis soils are rapidly to moderately well-drained soils that have developed on deep (>150 cm), fluvial, marine, or eolian materials of sandy loam to sand texture. Coarse fragment content is <20%. The profile description and analyses of a selected Beddis soil are given in Appendixes 1 and 2.

Soil characteristics

Characteristic	Mean	Minimum	Maximum	No. of observations
Thickness of surface layer (cm)	111	20	160	22
Depth to bedrock (cm)	160	160	160	22
Depth to restricting layer (cm)	160	160	160	22
Depth to mottles (cm)	142	90	160	22
CF content surface layer (%)	9	0	20	28
Fine gravel content surface layer (%)	7	0	15	28
Coarse gravel content surface layer (%)	3	0	10	28
Cobble content surface layer (%)	0.1	0	3	28
CF content subsurface layer (%)	2	0	25	28
Fine gravel content subsurface layer (%)	2	0	15	28
Coarse gravel content subsurface layer (%)	1	0	10	28
Cobble content subsurface layer (%)	0	0	0	28

	Frequency of occurrence (%)	No. of observations
Texture of surface layer	SL(69), LS(29), L(2)	35
Texture of subsurface layer	S(28), LS(28), SL(28), L(16)	18
Drainage class	Well(52), moderately well(31), rapid(17)	35
Soil classification	O.DYB(69), O.SB(28), O.HFP(3)	35
Type of restricting layer	Absent	
Perviousness	Rapid to moderate	

Water regime

Beddis soils are rapidly to moderately well-drained with water tables remaining below 100 cm throughout the year. The soil remains moist during the winter months, but quickly becomes droughty in dry periods during the summer. The C horizon may occasionally have a massive structure of compact sand that is more slowly permeable than the overlying materials but not enough to create perched water table conditions.

Variability

Soil phase or variant	Frequency (no.) (%)	Description of variability
BDa	9 28	Sombric variant: Ah or Ap horizon >10 cm; also in conjunction with shallow lithic (1) phase

BDg	5	14	Gravelly phase: coarse fragment content in surface layer 20-50%; mean CF 33% (25-40%); also in conjunction with very shallow lithic (sl) phase
BDl	4	11	Shallow lithic phase: depth to bedrock 50-100 cm; mean depth 86 cm (57-100 cm); also in conjunction with sombric (a) variant
BDS	4	11	Shallow phase: less deep (50-100 cm) than specified, over similar materials but with >20% coarse fragments; mean depth 56 cm (50-60 cm); mean CF in subsoil 54% (45-60%)

Note: Other phases and variants of the Beddis soil with very limited occurrence are: loam (lo) and very shallow lithic (sl) phases and taxonomy change (t) variant.

Tolmie

Tolmie soils (TL)

Tolmie soils are poorly drained soils that have developed on deep (>100 cm), loam to silty clay textured, marine deposits that are usually stone free. Sandy loam, loamy sand, and gravelly materials occur in pockets or in a thin layer or layers throughout the soil profile. The profile description and analyses of a selected Tolmie soil are given in Appendixes 1 and 2.

Soil characteristics

Characteristic	Mean	Minimum	Maximum	No. of observations
Thickness of surface layer (cm)	42	7	160	139
Depth to bedrock (cm)	160	160	160	138
Depth to restricting layer (cm)	63	7	160	138
Depth to mottles (cm)	29	5	50	139
CF content surface layer (%)	4	0	20	127
Fine gravel content surface layer (%)	2	0	15	127
Coarse gravel content surface layer (%)	2	0	15	127
Cobble content surface layer (%)	0	0	10	127
CF content subsurface layer (%)	2	0	30	139
Fine gravel content subsurface layer (%)	1	0	25	139
Coarse gravel content subsurface layer (%)	0	0	10	139
Cobble content subsurface layer (%)	0	0	5	139

	Frequency of occurrence (%)	No. of observations
Texture of surface layer	L(35), SIL(26), Peat(14), SICL(13), CL(7), SCL(2), SL(2), SIC(1)	139
Texture of 2nd layer	SICL(40), SL(19), SCL(13), CL(9), SIC(8), L(7), SIL(3), LS(1)	116
Texture of 3rd layer	SICL(43), SIC(22), SL(19), CL(7), L(5), LS(2), SCL(2)	58
Drainage class	Poor(94), very poor(6)	139
Soil classification	O.HG(89), HU.LG(7), O.G(3), R.HG(1)	139
Type of restricting layer	Fine-textured subsoil, commonly massive structured	
Perviousness	Slow	

Water regime

Tolmie soils are poorly drained soils that have distinct to prominent mottles within 50 cm of the surface. They are wet for long periods throughout the year with water tables within 30 cm of the surface from late November to early March. In spring, water tables drop quickly and remain below 50 cm from May to October. Water tables fluctuate rapidly in response to wetness and dryness. Perched water tables can occur temporarily on top of a massive-structured, fine-textured subsoil. The Tolmie soils receive runoff water from the surroundings as a result of their low landscape position.

Variability

Soil phase or variant	<u>Frequency</u> (no.) (%)		Description of variability
TLg	13	9	Gravelly phase: coarse fragment content in surface layer 20-50%; mean CF 27% (20-40%); also in conjunction with taxonomy change (t) variant
TLpt	20	14	Peaty phase: <40 cm of mesic or humic organic materials over mineral soil; mean thickness 20 cm (10-40 cm); also in conjunction with taxonomy change (t) variant
TLt	8	6	Taxonomy change variant: taxonomy differs from specified classification (Orthic Humic Gleysol); also in conjunction with gravelly (g) and peaty (pt) phases

Note: There is also a very limited occurrence of the shallow lithic (l) phase of the Tolmie soil.

Bellhouse**Bellhouse soils (BH)**

No simple Bellhouse (BH) map unit appears on the accompanying map sheets and, for this reason, there is no description of a Bellhouse map unit following the soil description.

Bellhouse soils are well-drained soils that have developed on shallow colluvial and glacial drift materials of channery, sandy loam texture over fractured or smooth, unweathered sandstone bedrock within 100 cm. Coarse fragment content varies between 20 and 50%. The soil has a dark-colored Ah horizon of at least 10 cm thick that is high in organic matter content. The profile description and analyses of a selected Bellhouse soil are given in Appendixes 1 and 2.

Soil characteristics

Characteristic	Mean	Minimum	Maximum	No. of observations
Thickness of surface layer (cm)	46	15	95	13
Depth to bedrock (cm)	49	15	95	16
Depth to restricting layer (cm)	49	15	95	15
Depth to mottles (cm)	160	160	160	18
CF content surface layer (%)	31	27	35	5
Fine gravel (channery) content surface layer (%)	18	10	25	5
Coarse gravel (channery) content surface layer (%)	11	5	20	5
Cobble (flaggy) content surface layer (%)	2	0	5	5
CF content subsurface layer (%)	30	30	30	2
Fine gravel (channery) content subsurface layer (%)	13	10	15	2
Coarse gravel (channery) content subsurface layer (%)	13	10	15	2
Cobble (flaggy) content subsurface layer (%)	5	0	10	2

	Frequency of occurrence (%)	No. of observations
Texture of surface layer	SL(83), L(17)	18
Texture of subsurface layer	SL(100)	2
Drainage class	Well(100)	18
Soil classification	O.SB(100)	18
Type of restricting layer	Sandstone bedrock	
Perviousness	Rapid to moderate	

Water regime

Bellhouse soils are well drained. They remain moist throughout the winter but are droughty from late spring to late fall. After infiltration, excess water drains freely and rapidly on top of the underlying sloping bedrock to lower areas.

Variability

Soil phase or variant	Frequency		Description of variability
	(no.)	(%)	
BHl	6	33	Shallow lithic phase: depth to bedrock 50-100 cm; mean depth 78 cm (60-95 cm); also in conjunction with loam (lo), paralithic (pl), nongravelly (ng), and very gravelly (vg) phases
BHlo	3	17	Loam phase: surface texture is loam; mean thickness 20 cm (10-40 cm); also in conjunction with nongravelly (ng), paralithic (pl), shallow lithic (l), and very shallow lithic (sl) phases
BHng	7	39	Nongravelly phase: coarse fragment content in surface layer <20%; mean CF 7% (0-15%); also in conjunction with loam (lo), paralithic (pl), shallow lithic (l), and very shallow lithic (sl) phases
BHsl	10	56	Very shallow lithic phase: depth to bedrock 10-50 cm; mean depth 32 cm (15-45 cm); also in conjunction with loam (lo), nongravelly (ng), paralithic (pl), and very gravelly (vg) phases
BHvg	6	33	Very gravelly phase: coarse fragment content in surface layer >50%; mean CF 59% (50-70%); also in conjunction with deep (d), shallow lithic (l), and very shallow lithic (sl) phases

Note: Other phases of the Bellhouse soil with limited occurrence are: deep (d) and paralithic (pl) phases.