



**GALIANO ISLAND  
LOCAL TRUST COMMITTEE  
BUSINESS MEETING AGENDA  
TO COMMENCE AT 1:00 PM, MONDAY, AUGUST 9 2010  
AT THE SOUTH COMMUNITY HALL  
141 STURDIES BAY ROAD, GALIANO ISLAND, B.C**

\*Approximate time is provided for the convenience of the public only and is subject change without notice.

	<b>Page #</b>	<b>*Approx. Time*</b>
<b>1. CALL TO ORDER</b>		1:00 pm
<b>2. APPROVAL OF AGENDA</b>		
<b>2.1 Questions on Agenda Items</b>		
<b>2.2 Town Hall Session</b>		
<b>3. COMMUNITY INFORMATION MEETING - none</b>		
<b>4. PUBLIC HEARING - none</b>		
<b>5. PREVIOUS MEETINGS</b>		
<b>5.1 Local Trust Committee Minutes for Adoption</b>		1:30 pm
5.1.1 Minutes of July 12, 2010 Local Trust Committee Business Meeting (attached)	<b>1</b>	
<b>5.2 Public Hearing Records and Community         Information Meeting Notes</b>		
<b>5.3 Section 26 Resolutions-without-meeting - none</b>		
<b>5.4 Advisory Planning Commission - none</b>		
<b>6. BUSINESS ARISING FROM THE MINUTES</b>		1:45 pm
<b>6.1 Follow-up Action Report (attached)</b>	<b>11</b>	
<b>7. DELEGATIONS - none</b>		
<b>8. CORRESPONDENCE (attached)</b>		2:00 pm
<b>8.1 Walter Forstbauer email dated July 26, 2010 re:         OCP Forestry Committee</b>	<b>13</b>	
- Staff recommend that the LTC receive the email		

<b>9.</b>	<b>APPLICATIONS, PERMITS, BYLAWS AND REFERRALS</b>	2:10 pm
9.1	GL-DVP- 2006.3 (Beauchamp) (attached)	<b>14</b>
9.2	GL-RZ-2005.2 (Romagnoli) (attached)	<b>34</b>
----- BREAK ( 15 minutes) -----		
<b>10.</b>	<b>LOCAL TRUST COMMITTEE PROJECTS</b>	3:00 pm
10.1	Official Community Plan Steering Committee Recommendations (attached)	<b>43</b>
10.2	Official Community Plan Steering Committee Review of the Groundwater Advisory Committee Report (attached)	<b>48</b>
<b>11.</b>	<b>REPORTS</b>	3:30 pm
11.1	Work Program Reports - for Information	
11.1.1	Galiano Island Local Trust Committee Work Program - Report dated July, 2010 (attached)	<b>59</b>
11.1.2	Excerpt from the 2008-2011 Trust Council Strategic Plan (attached)	<b>63</b>
11.2	Applications Report - for information	
11.2.1	Galiano Island Applications Report dated July, 2010 (attached)	<b>66</b>
11.3	Expense/Budget Reports - for information	
11.3.1	Trustee and Local Expenses (attached)	<b>71</b>
11.3.2	Adopted LTC Budget 2009/2010 (attached)	<b>72</b>
11.4	Bylaw Enforcement -none	
11.5	Policies and Standing Resolutions Report (attached) – for information	<b>73</b>
11.6	Galiano Island LTC Web Page for Review (attached) – for information	<b>75</b>
11.7	Chair’s Report	
11.8	Trustee Report	
<b>12.</b>	<b>NEW BUSINESS</b>	
12.1	Upcoming Meetings	
12.1.1	Local Trust Committee Business Meeting at 1:00 p.m. Monday, September 9, 2010 at the South Community Hall	
<b>13.</b>	<b>TOWN HALL MEETING</b>	4:00 pm

- 14. MOTION TO CLOSE MEETING** 4:30 pm  
THAT, pursuant to Section 90(1)(g) of the Community Charter, the Galiano Island Local Trust Committee resolves to close the meeting to the public to adopt July 12, 2010 In Camera Minutes and further that Planner Richardson and Minute Taker David Millership (distributed under separate cover)
- 15. RECALL TO ORDER**
- 15.1 Rise and Report from Closed Meeting
- 16. ADJOURNMENT** 5:00 pm

# DRAFT

**MINUTES OF THE GALIANO ISLAND  
LOCAL TRUST COMMITTEE MEETING  
HELD ON MONDAY, JULY 12, 2010 AT 1:00 PM  
AT THE SOUTH ISLAND COMMUNITY HALL,  
GALIANO ISLAND, B.C.**

<b><u>PRESENT:</u></b>	Gary Steeves	Chair
	Louise Decario	Local Trustee
	Sandy Pottle	Local Trustee
	Gary Richardson	Island Planner
	David Millership	Recording Secretary

There were approximately eight (8) members of the public present.

## 1. CALL TO ORDER

Chair Steeves called the meeting to order at 1:00 p.m. Introductions were made and the meeting introduced.

## 2. APPROVAL OF AGENDA

Chair Steeves asked for any additions or changes to the agenda. Additions, changes and/or notes were as follows:

- *Added to Item 6.2* – Document dated July 9, 2010 prepared by Francesca Marzari, Young Anderson Barristers and Solicitors, Islands Trust Legal counsel.
- *Added Item 8.1* – Nancy McPhee letter dated June 27, 2010 Re: Affordable Housing
- *Added to Item 9.2* – Notice GL-DVP-2010.1 Galiano Island Local Trust Committee.
- *Added to Item 9.2* – Sharon Masui letter dated July 4, 2010 Re: Barn Permit.
- *Added to Item 9.2* – Ursula Deshield letter dated July 4, 2010 Re: GL-DVP-2010.1.
- *Added to Item 10.1* – Nancy McPhee letter dated June 27, 2010 Re: Split Zones.
- *Changed Item 14 to Item 15* – Adjournment.
- *Added Item 14* – Motion to Close Meeting.

The agenda was approved as amended by consent.

### 2.1 Questions on Agenda Items

None.

## 2.2 Town Hall Session

Chair Steeves opened the meeting to the public for comments.

**Andrew Loveridge** stated support for the Islands Trust to write a letter to the Capital Regional District (CRD) supporting the environmental protection and preservation of the smaller islands within the Islands Trust area – Parker Island, Turtle Island etc.

## 3. COMMUNITY INFORMATION MEETING

None.

## 4. PUBLIC HEARING

None.

## 5. PREVIOUS MEETINGS

### 5.1 Local Trust Committee Minutes for Adoption

#### 5.1.1 Minutes of June 10, 2010 Local Trust Committee Special Meeting

Amendments:

- *Page 1 Present* – replace Planner Kojima title “Island Planner” with “Island Planner/Recording Secretary”.
- *Page 1 Members of public present* – replace “one (1)” with “two (2)”.
- *Page 1 Item 4.1 third paragraph first sentence* – replace “nineteen (14)” with “fourteen (14)”.

The Minutes of June 10, 2010 Local Trust Committee Special Meeting were approved as amended by consent.

#### 5.1.2 Minutes of the June 14, 2010 Local Trust Committee Business Meeting’

Amendments:

- *Page 7 Item 11.8 first paragraph first sentence* – replace “Trustee Decario stated that she attended an Advisory Planning Commission (APC) meeting and an Affordable Housing Advisory Group meeting and will continue to attend Steering Committee meetings and Forest Policy Advisory Group meetings.” with “Trustee Decario stated

that she attended a Trust Council local planning committee meeting in May where the seniors housing report was discussed and will continue to attend Steering Committee meetings and Forest Policy Advisory Group meetings.”.

- *Page 7 Item 11.8 second paragraph first sentence* – replace “Trustee Pottle stated that she attended an Advisory Planning Commission (APC) meeting and an Affordable Housing Advisory Group meeting and will continue to attend Steering Committee meetings and Forest Policy Advisory Group meetings.” with “Trustee Pottle stated that she will continue to attend Steering Committee meetings and Forest Policy Advisory Group meetings.”.

The Minutes of the June 14, 2010 Local Trust Committee Business Meeting were approved as amended by consent.

## **5.2 Public Hearing Records and Community Information Meeting Notes**

None.

## **5.3 Section 26 Resolutions-without-meeting**

None.

## **5.4 Advisory Planning Commission**

None.

# **6. BUSINESS ARISING FROM THE MINUTES**

## **6.1 Follow-up Action Report**

Planner Richardson provided information.

There was some discussion regarding GL-RZ-2010.1 and applicant concerns relating to density protection. Planner Richardson will report back to the Local Trust Committee (LTC) and will also provide the LTC with the proposed covenant prior to a related public hearing.

There was some discussion regarding wording surrounding zoning of common property – common property does not have a right to a dwelling. Planner Richardson will report back to the LTC.

- 6.2 Document dated July 9, 2010 prepared by Francesca Marzari, Young Anderson Barristers and Solicitors, Islands Trust Legal counsel.**

Resolution GL-LTC-067-10

It was Moved and Seconded that the Galiano Island Local Trust Committee direct staff to forward a copy of the July 9, 2010 document prepared by Francesca Marzari, Young Anderson Barristers and Solicitors, Islands Trust Legal counsel to the Chair of the Official Community Plan Review Steering Committee and the Chair(s) of each of the Official Community Plan Review Advisory Groups.

**CARRIED**

**7. DELEGATIONS**

None.

**8. CORRESPONDENCE**

Correspondence items are received by virtue of being on the agenda.

**8.1 Nancy McPhee letter dated June 27, 2010 Re: Affordable Housing**

Resolution GL-LTC-068-10

It was Moved and Seconded that the Galiano Island Local Trust Committee direct staff to forward correspondence from Nancy McPhee dated June 27, 2010 Re: Affordable Housing to the Galiano Club, Habitat Acquisition Trust and the Galiano Conservancy Association.

**CARRIED**

**9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS**

**9.1 GL-RZ-2010.1 (Kim Lenglet) – Draft Bylaw No. 208**

Planner Richardson provided information and stated that the following three (3) lots were added to the application: Lot 5 Plan VIP 36330, Lot 3 Plan VIP 35698 and Lot 7 Plan VIP 35698.

Resolution GL-LTC-069-10

It was Moved and Seconded that the Galiano Island Local Trust Committee give first reading to Draft Bylaw No. 208, a Bylaw to amend Bylaw No. 9, 1978 (Land Use Contract), cited as “Lots 1 to 5 inclusive, District Lot 29, Galiano Island, Cowichan District, Plan 30670; and Lots 6 and 9, District Lots 15 and 29, and Lots 7 and 8, District Lot 15, All of Galiano Island, Cowichan District, Plan 30670, and District Lot 15 except the easterly 350 feet thereof and except Plans 21551, 22128, 22765 and 30670, Galiano Island, Cowichan district, Land Use Contract By-law, 1978, Amendment No. 1, 2010”.

**CARRIED**

Resolution GL-LTC-070-10

It was Moved and Seconded that the Galiano Island Local Trust Committee direct staff to arrange a Public Hearing for Proposed Bylaw No. 208, a Bylaw to amend Bylaw No. 9, 1978 (Land Use Contract), cited as “Lots 1 to 5 inclusive, District Lot 29, Galiano Island, Cowichan District, Plan 30670; and Lots 6 and 9, District Lots 15 and 29, and Lots 7 and 8, District Lot 15, All of Galiano Island, Cowichan District, Plan 30670, and District Lot 15 except the easterly 350 feet thereof and except Plans 21551, 22128, 22765 and 30670, Galiano Island, Cowichan district, Land Use Contract By-law, 1978, Amendment No. 1, 2010”.

**CARRIED**

**9.2 GL-DVP-2010-.1 (Crawley)**

Planner Richardson provided information from staff report dated June 24, 2010 re: Development Variance Permit for 677 Georgeson Bay Rd.

There were two letters of support from neighbours and the applicant/owner of the land spoke on behalf of the application.

There was some discussion regarding the size of the accessory building and the fact that the applicants' land has a fairly unique zoning designation.

Resolution GL-LTC-071-10

It was Moved and Seconded that the Galiano Island Local Trust Committee approves Development Variance Permit GL-DVP-2010.1 (Crawley).

**CARRIED**

*Note: there was a break at 2:15 p.m. and the meeting reconvened at 2:35 p.m.*

**10. LOCAL TRUST COMMITTEE PROJECTS**

**10.1 GL-LUB-2010.1 (various Land Use Bylaw Amendments)**

Planner Richardson provided information from staff report dated June 29, 2010 Re: Land Use Bylaw Amendments.

Reference items one (1) through twenty-four (24) of *Table 1: Land Use Bylaw Sections for Amendment* were each discussed by the LTC in relation to agreement of staff recommendations.

- *Ref. 1. – Agreement.*
- *Ref. 2. – Agree with further discussion needed.*
- *Ref. 3. – Agreement.*
- *Ref. 4. – Agreement with Planner Richardson reporting back to the LTC. Planner Richardson commented that d) would be removed, e) would be kept and that re-numbering was important.*
- *Ref. 5. – Agreement.*
- *Ref. 6. – Planner Richardson will report back to the LTC regarding specific wording.*
- *Ref. 7. – Agreement.*
- *Ref. 8. – Agreement to defer until the Official Community Plan (OCP) Review Forest Policy Advisory Group Report is received.*
- *Ref. 9. – Agreement.*
- *Ref. 10. – Agreement.*
- *Ref. 11. – Agreement.*
- *Ref. 12. – Agreement.*
- *Ref. 13. – Agreement.*
- *Ref. 14. – Agreement.*
- *Ref. 15. – Agreement with Planner Richardson adding “not to exceed 1.5 metres in width”.*
- *Ref. 16. – Agreement.*
- *Ref. 17. – Agreement.*
- *Ref. 18. – Agreement.*
- *Ref. 19. – Agreement with adding “or professional Geohydrologist”.*
- *Ref. 20. – Agreement.*

- *Ref. 21. – Agreement.*
- *Ref. 22. – Agreement.*
- *Ref. 23. – Agreement.*
- *Ref. 24. – Agreement to defer as not yet complete.*

Chair Steeves stated that items to be discussed and accounted for at a future meeting are: map amendments, reference items six (6), eight (8), and twenty-four (24) from staff report dated June 29, 2010 Re: Land Use Bylaw Amendments, siting requirements for F3 and sign regulation wording.

Nancy McPhee letter dated June 27, 2010 Re: Split Zones was received by virtue of being on the agenda. Chair Steeves stated that a LTC decision(s) would be made at a later date with any related issues being dealt with generally rather than with individuals.

## **11. REPORTS**

### **11.1 Work Program Reports**

#### 11.1.1 Galiano Island Local Trust Committee Work Program - Report dated June 2010

Provided for information purposes only.

Planner Richardson will add an activity description to item No. 13 (Rod and Gun Club land use issues).

#### 11.1.2 Excerpt from the 2008-2011 Trust Council Strategic Plan

Provided for information purposes only.

### **11.2 Applications Report**

#### 11.2.1 Galiano Island Applications Report dated June 2010

Planner Richardson provided information and applications were discussed with regards to status and action. Planner Richardson will update the report accordingly.

### **11.3 Expense/Budget Reports**

#### 11.3.1 Trustee and Local Expenses

Provided for information purposes only.

#### 11.3.2 Adopted LTC Budget 2009/2010

Provided for information purposes only.

### **11.4 Bylaw Enforcement**

None.

### **11.5 Policies and Standing Resolutions Report**

Provided for information purposes only.

### **11.6 Galiano Island LTC Web Page for Review**

Amendments:

#### UNDER ADVISORY GROUPS

- *Add* – Groundwater Advisory Group report.

#### UNDER APPLICATIONS

- *Change Land Use Contract Amendments Application GL-RZ-2010.1 (Lenglet) bullet point number three (3) – replace “Draft” with “Proposed”.*

### **11.7 Chair’s Report**

Chair Steeves stated that there were some very interesting discussions regarding shipping at the Trust Council meeting held on June 15-17, 2010 on Saturna Island. Chair Steeves stated that the next Trust Council meeting would take place on September 14-16, 2010 on Bowen Island. Chair Steeves commented on the recent protest against the Islands Trust on Salt Spring Island and stated that Senator Larry Campbell made some unknowledgeable remarks, Larry Pierce is a de fraud lawyer and that if the Salt Spring Coffee Company wants to stay on Salt Spring Island it can, as there are approximately 99.2 acres of industrial land currently available for purchase.

## 11.8 Trustee Report

Trustee Pottle stated that she has attended and will continue to attend various meetings and that the OCP review is moving forward, starting to narrow to the big issues and will need to strike a conservation/development balance. Trustee Pottle stated that she is currently reading the Groundwater Advisory Group report.

Trustee Decario stated that she has attended and will continue to attend various meetings. Trustee Decario stated that there would be a Forest Policy Advisory Group meeting on July 24, 2010 and that proposed policies would be presented with Planner Kojima and Chair Steeves in attendance. Trustee Decario stated that the Forest Policy Advisory Group is struggling to come to agreement.

## 12. NEW BUSINESS

### 12.1 Upcoming Meetings

12.1.1 Local Trust Committee Business Meeting at 1:00 p.m. Monday, August 9, 2010 at the South Community Hall

The meeting is scheduled as stated.

There was some discussion regarding Bylaw No. 207 Public Hearing dates.

## 13. TOWN HALL MEETING

Chair Steeves opened the meeting to the public for comments.

**Ken Millard** stated support for setbacks outlined in the Land Use Bylaw (LUB) amendments. Mr. Millard stated support for document dated July 9, 2010 prepared by Francesca Marzari, Young Anderson Barristers and Solicitors, Islands Trust Legal counsel being made public. Mr. Millard asked that if the LTC is proceeding with a covenant with regards to GL-RZ-2005.2 (Romagnoli) then to please relay that to him.

**Margaret Griffiths** stated support for Groundwater Advisory Group report and somehow storing the winter rains.

## 14. MOTION TO CLOSE MEETING

Resolution GL-LTC-072-10

It was Moved and Seconded THAT, pursuant to Section 90(1)(g) of the Community Charter, the Galiano Island Local Trust Committee

resolves to close the meeting to the public for the receiving of legal opinions; and further that Planner Gary Richardson and Recording Secretary David Millership remain present.

**CARRIED**

*Note: the public was asked to adjourn at 5:00 p.m.*

See separate In Camera Meeting minutes dated July 12, 2010.

*Note: the public reconvened at 5:20 p.m.*

Resolution GL-LTC-074-10

It was Moved and Seconded that the Galiano Island Local Trust Committee opens the meeting to the Public.

**CARRIED**

## 15. ADJOURNMENT

Resolution GL-LTC-075-10

It was Moved and Seconded that the meeting be adjourned at approximately 5:25 p.m.

**CARRIED**

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**RECORDER**

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**CHAIR**



**Follow Up Action Report w/ Target Date**

**Galiano Island  
Oct-19-2009**

No.	Activity	Responsibility	Target Date	Status
1	Staff to prepare a bylaw contraventions and penalty schedule for the LUBs under the jurisdiction of the LTC to be included in the Islands Trust Council Bylaw Notice Enforcement Bylaw for consideration at the next LTC meeting.  May 11/10 Update - BEO still working with province to establish process.	Miles Drew	Oct-30-2009	On Going

**May-10-2010**

No.	Activity	Responsibility	Target Date	Status
2	Proposed Bylaw 207 (RR/FH 1%) public hearing to be scheduled.	Kathy Jones Gary Richardson		Done

**Jun-14-2010**

No.	Activity	Responsibility	Target Date	Status
3	GL-RZ-2005.2 (Victor Romagnoli) - F1 to F3  Present version of covenant to be sent to LTC for information (done June 15)  Staff report on application to be prepared for Aug. 9, 2010 LTC Meeting.	Gary Richardson		Done

**4 GL-RZ-2008.2 (Fred King) - F1 to F3**

Staff report on application to be prepared for Aug. 9, 2010 LTC Meeting.

On Going

**Jul-12-2010**

No.	Activity	Responsibility	Target Date	Status

5	Minutes of June 10, 2010 LTC Special Meeting - approved as amended.	Sharon Lloyd-deRosario	Done
6	Minutes of June 14, 2010 LTC Meeting - approved as amended.	Sharon Lloyd-deRosario	Done
7	Staff to provide LTC with draft covenant with respect to GL-RZ-2010.1 (Lenglet).	Gary Richardson	On Going
8	Staff to review common property permissions and restrictions in other Island LUBs and report back to the LTC.	Gary Richardson	Sep-09-2010 On Going
9	Staff to forward copies of the July 9, 2010 document prepared by Francesca Marzari to the chair of the OCP review steering committee and the chairs of the OCP review advisory groups.	Sharon Lloyd-deRosario	On Going
10	Staff to forward correspondence from Nancy McPhee dated June 27, 2010 regarding affordable housing to the Galiano Club, Habitat Acquisition Trust and the Galiano Conservancy Association.	Sharon Lloyd-deRosario	On Going
11	Draft Bylaw 208 to be amended to include Lot 5, Plan VIP 36330, Lot 3, Plan VIP35698 and Lot 7, Plan VIP 35698.	Gary Richardson	On Going
12	Amended Bylaw 208 to be updated to show 1st reading.	Kathy Jones	Done
13	Public Hearing to be arranged for proposed Bylaw 208.	Kathy Jones Gary Richardson	Done
14	GL-DVP-2010.1 (Crawley) to be issued.	Kathy Jones	Done
15	GL-LUB-2010.1 (LUB amendments) amend draft bylaw as per LTC direction and bring back to future LTC meeting.	Gary Richardson	On Going
16	Item to be added to project list "Rod and Gun land use issues"	Gary Richardson	Done
17	Web page to be amended (see minutes).	Kathy Jones	Done

## Kathy Jones

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**From:** sandra and walter [artsandsoul@shaw.ca]

**Sent:** July-26-10 1:55 PM

**To:** Kathy Jones

**Subject:** OCP Forestry Committee:

Walter Forstbauer  
1-448 Burrill Street, Galiano Island  
Phone 250 539  
307  
July 26, 2010

To the Local Trust Committee:

I hope you are all doing fine. I attended the Forestry Committee Advisory meeting on Saturday and have been kept informed on their deliberations by reading all of the minutes of their meetings and by having further discussions with various committee members. I have also had the opportunity to look at the various proposals and now feel there may still be a slim possibility that this devise residential forest lot issue may yet finally be resolved in an amicable manner that is beneficial to practically everyone concerned including of course the environment on which we are all dependent.

Furthermore I believe there are several non forest lot owners on the committee whom I believe are striving hard for a solution and seeking a reasonable just compromise that is science based and recognize that the environment is constantly changing. We are all an integral part of the environment and must also create some changes ( often called work) in a pragmatic manner just to insure our own survival and economic prosperity as one of many species

Sorry, but nature and the environment are all about change, movement, power struggles, regeneration and alive so it is not frozen in time like some inanimate painting hanging on the wall like one of our local artists here believes. He would have painted a very different picture of Galiano Island just a mere 18,000 years ago all covered in ice were it not for global warming.....

After further reflection I would like to once again become a member of the Forest Advisory Committee because I still believe " Hope Springs Eternal " and perhaps we can still come to some form of a reasonable consensus which will benefit nearly everyone involved. Let's move forward please with respect and consideration for each other so that we can finally all share our Island home together in dwellings built mostly of wood which are also an integral part of the forest land and not just a mere accessory that is an after thought or something else that needs to be feared, devoid of humans, clustered like a chicken coup and demonized.. Thank you

Walter

Forstbauer



# STAFF REPORT

July 28, 2010

**File No.:** GL-DVP-2006.3&GL-DP-2008.2 (x-ref GL-DP-2006.2)

**To:** Galiano Island Local Trust Committee  
David Marlor, Regional Planning Manager

**From:** Gary Richardson  
Island Planner

**Re:** **Development Variance Permit & Development Permit Application - Lot 6, District Lot 33, Plan 15378, Galiano Island, Cowichan District**

**Owner:** Dorothy Beauchamp  
**Applicant:** Same  
**Location:** Montague Harbour - 3237 Montague Road

## Final Report

### 1) THE PROPOSAL:

#### **Development Variance Permit**

This is an application to allow the following (in the order that they appear on the Permit):

1. The siting of a **deck structure** to be located as close as 2.1 metres from the natural boundary of the sea when 7.5 metres is required by bylaw;
2. The siting of a **package sewage treatment plant** to be located as close as 3.6 metres from a natural watercourse when 7.5 metres is required by bylaw;
3. The **siting of a sewer pipe** to be located as close as 0.0 metres from a natural watercourse when 7.5 metres is required by bylaw;
4. The siting of a **sewage absorption field** as close as 11.0 metres from a natural watercourse when 30 metres is required by bylaw.
5. The siting of a proposed **addition to a dwelling** to be located as close as 5.7 metres to the side interior property line when 6 metres is required by bylaw;
6. The siting of an **accessory building (shed)** to be located as close as 5.6 metres to the side interior property line when 6 metres is required by bylaw;
7. The siting of a **sewage absorption field** to be located as close as 0.0 metres to the side interior property line when 6 metres is required by bylaw;

The initial application was for variances for the sideyard setbacks for the shed and house addition. The need for the deck variance was added subsequently, as have the structures associated with the sewage treatment. All variances are retroactive as the structures have been developed.

## **Development Permit Amendment**

The subject property is located within *Development Permit Area 1 – Riparian Areas*. A Development Permit (**GL-DP- 2006.2**) was issued in 2006. That DP permitted the siting of the additions to the dwelling within the DP Area. However, the following proposed development requires a Development Permit:

1. The siting of a **package sewage treatment plant** to be located within 15 metres of the natural boundary of a stream;
2. The **siting of a sewer pipe** to be located within 15 metres of the natural boundary of a stream; and
3. The siting of a **sewage absorption field** to be located within 15 metres of the natural boundary of a stream.

As with the variances, these are amendments that will be retroactive as the structures are already developed.

## **2) CURRENT PLANNING STATUS OF SUBJECT LANDS:**

### **Islands Trust Policy Statement**

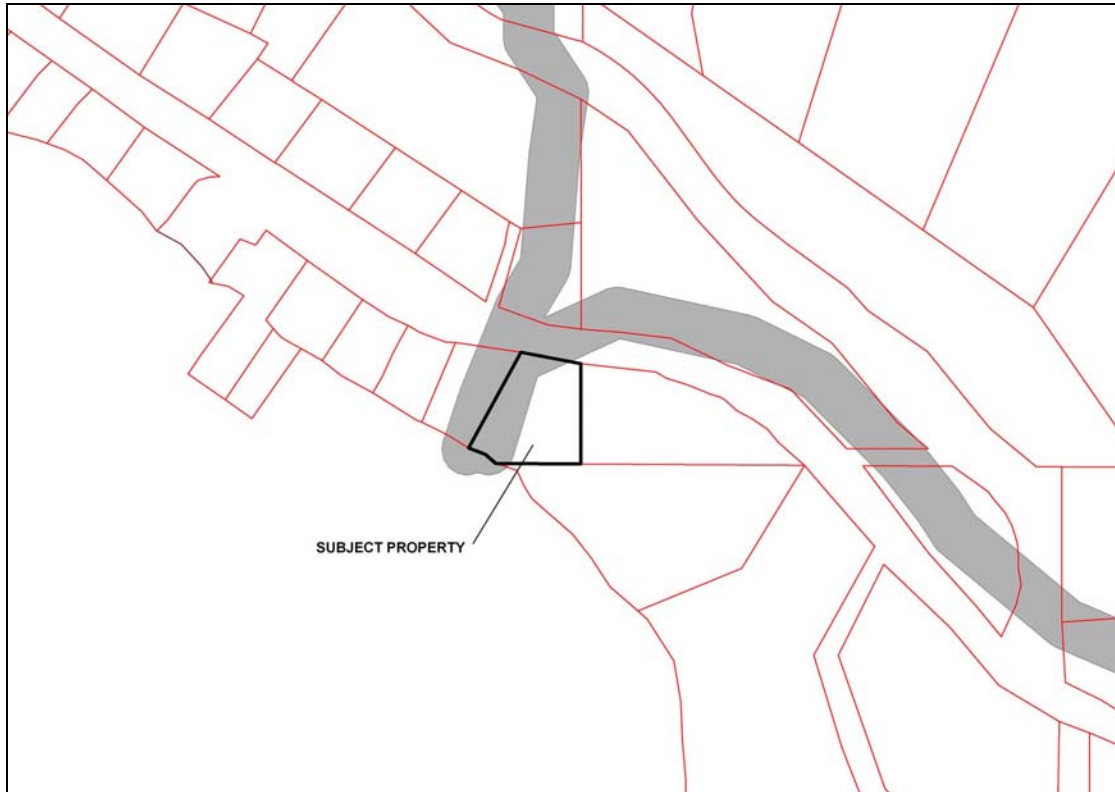
The following policies may have relevance to the consideration of this application:

- 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.
- 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.

### **Official Community Plan:**

- a. *OCP Land Use Designation*  
The property is designated as **Small Lot Residential (SLR)** on Schedule B to the *Galiano Island Official Community Plan No. 108*. Objectives and policy identify that the principal use shall be residential.
- b. *Environmental Resources*  
The Environmental Resources map (Schedule E) identifies a watercourse on the property from the requested variance and beach features fronting the property below the natural boundary.
- c. *Development Permit Area Designation*  
Schedule G of the OCP designates the above referenced watercourse as DPA -1 – Riparian Areas for the protection of the natural environment, its ecosystems and biological diversity (see map below).

## Development Permit Area One



### OCP Guidelines - Development Permit Area 1 - Riparian Areas

Lakes, streams and wetlands as well as areas within 15 metres of the natural boundary of a stream, lake or wetland must remain free of development, including buildings, structures other than fences, and pesticides, herbicides, fertilizers and other toxic materials must not be stored or applied to the land.

Trees must not be removed from areas within 15 metres of the natural boundary of a stream, lake or wetland and undergrowth must not be removed from nor the soil disturbed within areas within 3 metres of the natural boundary of a stream, lake or wetland unless development approval information provided by the permit applicant indicates that such activities can occur without impairing the stream, lake or wetland in question.

The layout of any subdivision must ensure that building sites are of sufficient area to permit the construction of any buildings and structures permitted by the Land Use Bylaw in full compliance with these guidelines.

Generally, all development must be in accordance with the Land Development Guidelines for the Protection of Aquatic Habitat (Department of Fisheries and Oceans/Ministry of Environment, 1992).

### Land Use / Zoning Bylaw:

The site is zoned **Small Lot Residential (SLR)** in the *Galiano Island Land Use Bylaw No. 127*. One dwelling is permitted on the lot, given its lot size of 0.33 hectares (0.8 acres).

### Other:

Ecosystem Mapping – mapping identifies the riparian values associated with this property.

### Archaeology

There are no archaeological sites listed on the Provincial RAAD site.

### Qualified Environmental Professional (QEP) Report

The owner's retained a Qualified Environmental Professional (QEP) in 2006 in order to assess the impacts of the house renovations/development on the creek. In his report dated May 21, 2006, Craig T. Barlow, R.Bio established that the creek was not a fish bearing stream, nor does it discharge to fishbearing waters. Therefore, the development is not subject to the Riparian Areas Regulations.

Given the foregoing, and for the purposes of the DP Amendment, it is assumed that any QEP report for the sewage treatment facilities would arrive at the same conclusions, and therefore it would be unnecessary to request such a report.

### Report from Engineer regarding the placement of the Septic System

Kelly Karr, P.Eng. of Canadian Sewage Solutions Inc. was asked to provide the justification for the siting of the sewage treatment plant, sewer pipe and sewage absorption field. Mr. Karr provided a report May 18, 2010 which has been attached for the Galiano Island Local Trust Committee's (LTC) reference.

Mr. Karr suggests that the site is a complex site and when designing the sewage system there were several constraints with respect to topography, type of soil, groundwater flow, siting of well, siting of stream, and depth of soil. It was determined that the site required a high quality reliable treatment plant. The treatment plant that was chosen requires a deep site, the bottom of the tank ends up being 9-10 feet below grade on a flat site. The creek area was the only site with soil deep enough to site the plant. If the treatment plant was to be sited in a different location on the property it is Mr. Karr's opinion that extensive blasting would be required. Mr. Karr suggests that blasting close to a creek or a well is not a good idea.

Mr. Karr also states that the sand mound that contains the dispersal system was located close to the western property line as this was the most suitable location and that the effluent at the bottom of the sand mound should flow away from the mound and not cause any negative impact on the neighbor's property.



# Site (Survey) Plan

**RICHARD J. WEY & ASSOCIATES**  
**LAND SURVEYING INC.**

www.weysurveys.com

#1-2227 James White Boulevard  
 Sidney, B.C. V8L 1Z5  
 Telephone (250) 656-5155

BC Land Surveyor's Building Location Certificate On:

Lot 6, District Lot 33, Galiano Island,  
 Cowichan District, Plan 15378.  
 (P.I.D. No. 004-253-558)

Civic Address: 3237 Montague Road

This document was prepared for mortgage and municipal purposes  
 and is for the exclusive use of our client, Richard Beauchamp.

This document shows the relative location of the surveyed structures  
 and features with respect to the boundaries of the parcel described above.  
 This document shall not be used to define property lines or property corners.

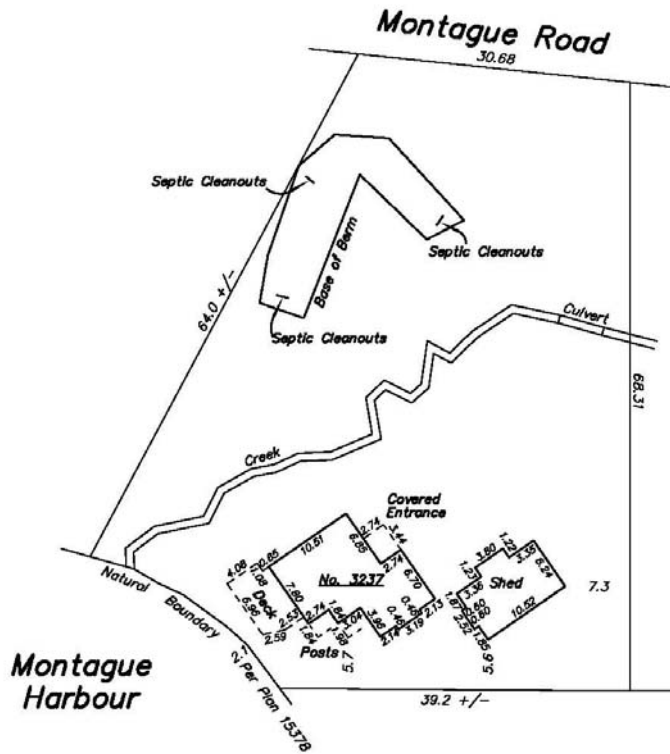


Scale = 1:500

Distances shown are in metres.

Certified Correct this 30th day of April, 2007.

B.C.L.S. (Not valid unless originally signed & sealed)



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File No.: 60277.dwg\Crt\LE

There was an older house on the property that is now being renovated and expanded. It was the subject of a previous development permit application that was granted by the LTC due to proximity to a watercourse (GL-DP-2006.2).

The deck that is within the setback from the natural boundary of the sea pre-existed these applications, but has been repaired as part of the renovation. The legal status of the deck is uncertain: If it was constructed prior to zoning, it would be lawfully, non-conforming, and a variance would not be required. If, however, it was constructed after the implementation of zoning, it would be illegal and require a variance.

The package sewage treatment plant and sewage absorption field have been constructed by Canadian Sewage Solutions Inc. (Kelly Karr, P.Eng.) The sewage plant and absorption field are within the Development Permit Area as is the sewage pipe that connects the two. The absorption field is within the interior lot line setback. The engineer has stated that the property is very challenging due to enormous groundwater flow onto the property, the seasonal creek, the well location and poor impermeable soils and that the locations of the treatment plant and absorption field are in the only feasible locations.

A site visit to the property identified that there were no buildings on the adjacent (eastern) property that were near the requested variance area. Subsequent visits by staff and the bylaw investigations officer due to complaints, established the construction of the sewage facility within the watercourse setback and the absorption field along the western boundary

### Orthophoto of Subject Property



#### 4) COMMUNITY INFORMATION MEETING(S):

None held.

#### 5) RESULTS OF CIRCULATION:

Notices were issued on July 27, 2010 and comments can be received until August 6, 2010. At the time of the preparation of this report no comments had been received from neighbours.

#### 6) ISSUES SUMMARY:

##### ***Development Variance Permit***

1. *The applicant's stated rationale for the application:* The owner advised that they discovered the siting error after a site survey was received on August 15, 2006. The sewage treatment facilities were installed by the above-noted engineer without consultation with the Islands Trust, and were brought to the Trust's attention by a complaint.
2. *The impact that granting the variance might have on adjacent and other properties:* Neighbours will have the opportunity to comment directly through the circulation of the notice. The variance proposal would allow the dwelling and shed to be sited closer to the adjacent Lot 1, Plan 42161 and Lot 1, Plan 11804. Structures on both properties seem to be sited away from the property lines.

The impact of the sewage treatment plant and piping would be negligible on Lot 5., Plan 15378 (to the west), however the mound created for the absorption field (by definition a structure) is substantial and directly on the property line.

3. *The legality of the deck structure:* With the question of the legality of the deck structure raised above, the LTC may decide to amend the DVP and omit the variance for the deck (see: 'Recommendations' – below). This would place the burden on the owner's to establish proof that the deck was constructed prior to zoning. Alternatively, if the owner's are uncertain of the age of the deck, or unsure of their ability to provide proof, the LTC should consider issuing the variance as part of this application.
4. *The overall intent of the regulation being varied:* The overall intent of side yard setbacks is to manage building massing and location in a manner consistent with other neighbouring properties. Side yard access for emergency purposes to other parts of a property is often considered another reason for such setbacks.

The setbacks for the riparian area and for the natural boundary of the sea are for environmental protection and preservation of natural scenic values along the shoreline.

5. *Any expectations that may be created in approving the variance:* Variances, by their nature, represent exceptions and therefore cannot be considered precedent setting. Regardless, the granting of a variance can potentially create an expectation in the community with regard to future applications.

### ***Development Permit***

1. *Development Permit Objectives:* The Development Permit Area has been established for the protection of the natural environment, its ecosystems and biological diversity. Although non fish-bearing, the watercourse and the riparian zone have significant natural values.
2. *Development Permit Guidelines:* The Development Permit Guidelines for DPA 1 state that the area within 15 metres of the watercourse "...must remain free of development including buildings and structures other than fences..." Furthermore, the guidelines state ..."that all development must be in accordance with the Land Development Guidelines for the Protection of Aquatic Habitat (Department of Fisheries and Oceans/Ministry of Environment, 1992)."
3. *Riparian Areas Regulations - Qualified Environmental Professional's Report:* The Report cited above established that the creek was not a fish bearing stream, nor does it discharge to fish bearing waters. Therefore, the development (in this case the sewer treatment plant, absorption field and the pipe connection between) is not subject to the Riparian Areas Regulations, nor will it be impacting fisheries values.
4. *Retroactive Application:* Although the siting issues associated with the DP issued in 2006 were deemed justifiable at the time, the installation of the sewer system by a Professional Engineer has apparently been undertaken without notice to, or consultation with, the Islands Trust staff or consideration for the Galiano Island Bylaws. Notwithstanding the foregoing, the engineer has stated that the property is very challenging due to enormous groundwater flow onto the property, the seasonal creek, the well location and poor impermeable soils. The locations of the treatment plant and absorption field are therefore constrained to the current locations.

### **7) ENFORCEMENT ISSUES:**

The Bylaw Enforcement Officer has been involved with this file since late 2006 as a result of complaints received with regard to the siting of the package sewage treatment plant, absorption field and connecting sewer pipe.

### **8) STAFF COMMENTS**

The addition to the dwelling and the siting of the shed require relatively minor variances and will have negligible impact on the neighbors.

The variance request for the deck that is sited 2.1 metres from the natural boundary of the sea is a significant variance from the required setback of 7.5 metres. As mentioned the legal status of the deck is uncertain and may be lawfully non-conforming but this has not been proven. The LTC can remove this from the variance permit prior to consideration of issuance, and place the onus on the property owner to provide proof of its pre-existing status.

The package treatment plant that is sited 3.6 metres from a natural watercourse and is also a significant variance; however the letter provided by Kelly Karr, the engineer that planned the

siting of the septic system provides justification as to the requirement of a high quality system, sited in its present location.

The pipe carrying sewer to the septic field crosses over an area where the stream is culverted and should have no impact on the stream.

The sewage absorption field is located very close to the property line; however once again information provided by Kelly Karr suggests that this was an appropriate place for the field and that it should have no effect on the surrounding property owners.

Staff is recommending that the LTC issue the Development Permit and Development Variance Permit as drafted as the report provided by Kelly Karr justifies the location of the septic system, the other variances are relatively minor with the exception of the variance for the deck and there have been no comments from the neighbors.

**9) RECOMMENDATION:**

1. That the Galiano Island Local Trust Committee issue GL-DVP-2006.3 and GL-DP-2008.2 as drafted.

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Prepared and Submitted by:

*Gary Richardson*

July 28, 2010

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Gary Richardson, Island Planner

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Date

Concurred in by:

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David Marlor, MCIP  
Regional Planning Manager

---

July 29, 2010  
Date

Attachments:

Images of Sewer Treatment Facilities  
Letter from Kelly Karr, P.Eng. , May 18, 2010  
Proposed Development Variance Permit GL-DVP-2006.3  
Proposed Development Permit GL-DP-2008.2

**Image of Package Sewer Treatment Plant**



**Image of Absorption Field (Mound)**





1039 Dunford Ave  
Victoria, BC V9B 2S4  
Langford office: 478-1158  
Fax: 250 385-1169  
Canadiansewage@shaw.ca  
GST# 869354407 RT 00 01

May 18, 2010  
File ref. # 590

Gary Richardson,  
Islands Trust  
200 1627 Fort Street  
Victoria, BC V8R 1H8

**Re: 3237 Montague Road, Galiano Island**

Legal Description: Lot A, Section 8, Plan 23245 DD-S120688, Esquimalt District

Dear Gary:

In 2008 I prepared a letter to Roy Smith to address this, but it apparently didn't get to him or the Trustees that came in shortly after. I apologize for dropping the ball on this.

This letter provides the rationale for the siting of the onsite sewage system where it is.

**Background:**

- Kelly Karr, P.Eng. of Canadian Sewage Solutions Inc. (CSSI) was asked by the Client, Dr. Rick Beauchamp and Dorothy Beauchamp to design and onsite sewage system for their proposed house on Galiano Island.
- Canadian Sewage Solutions specializes in the design of onsite sewage systems for challenging sites. Many ROWP's (example Fred Stevens on Galiano) refer jobs to us if they perceive that they will be beyond their level of expertise.
- CSSI designs and / or constructs or repairs more than 100 onsite sewage systems a year.
- When Kelly Karr first visited the site he noted that the site has considerable constraints that make this a very challenging site. Specifically fine textured soil ( low percolation soils), close proximity to a creek, less than 100 feet from a well on the property, large groundwater flow across the property, shallow depth of soil over a restrictive layer of very low permeability soil.
- Of the more than 500 sites we have assessed in the past few years, this would be in our top 5 most challenging sites (most constrained).
- Although Kelly Karr is very experienced with difficult sites, when he finds a particular challenging site, he often brings in experienced onsite sewage system designer to

contribute their thoughts in order to find the best solution possible. In this instance, Kelly retained two other very experienced professionals. Ian Ralston is an ROWP, is the head to the BC Onsite Sewage Association's Technical Review Committee and a former instructor of the planning or design courses. Michael Payne is an engineer and a hydrogeologist who is also a former instructor of the soils courses. The three of them visited the site and discussed the possibilities.

- They came up with a consensus that the most suitable option would have a process flow of:
  - Septic tank
  - Effluent filter
  - Recirculation tank
  - Time dosing to an Advanced treatment plant ( Advantex 20)
  - Pump chamber
  - Pressure distribution to a sand mound
  - A swale or curtain drain upslope of the sand mound would be necessary to direct water around the sand mound to reduce the amount of water that would pass under the sand mound.

#### **Islands Trust Issues:**

- We understand that the issue that Islands Trust is concerned about is the fact that the septic tank, treatment plant and pump chamber are in the riparian area of the small creek that flows through the property. As per Brodie Porters comments from October 16, 2006:
  - 1) The septic tank and sewage treatment plant are located approximately 12 feet from a stream.
  - 2) The pipe connecting the plant to the field runs directly through the stream.
  - 3) A lateral in the sand mound is 1.4 m from the western property line.

Canadian Sewage Solutions Inc. on behalf of the Owner's requests that Islands Trust grant a variance to allow the onsite sewage system to be installed and operated with the present setbacks despite the fact that these setbacks are less than those required for normal development permit requirements.

#### **Issue 1: septic tank and sewage treatment plant are located approximately 12 feet from a stream and are also only about 25 feet from a well.**

Given that this is a very difficult site with a number of constraints, we felt that it was necessary to have the highest quality effluent and the most reliable treatment plant available at the time. Therefore, we selected an Advantex AX20 treatment plant. The system at the Beauchamp's should easily be the best onsite sewage system on Galiano Island.

The Advantex AX20 treatment plant has a recirculation tank after the septic tank. A pump in the recirculation tank sends effluent to the AX 20 "packed bed filter" pod 72 times per day on a time dosing schedule. If there is no flow or a very low flow, the treated effluent from the pod returns to the recirculation tank. If the recirculation tank rises to a particular level, then a diverter valve opens and the treated effluent from the AX pod is directed to the final discharge pump chamber.

One huge advantage of this is that if no one is at the house, the recirculation tank continues to send effluent to the AX20 pod and treat effluent. Most treatment plants will die in a week or two from a lack of food if no one is there. Then when people return it often takes a month or so for a treatment plant to get back to meeting the expected performance standards. As a result of the recirculation process, with the AX20 the effluent gets cleaner and the plant does not die – so it is ready to perform when people arrive after not being there. Therefore, this is a big advantage for seasonal use homes.

The time dosing to the AX20 pod also provides some flow dampening. The dose from the recirculation tank to the AX pod is only 20 seconds long, every 20 minutes. Consequently, peak flows to the system are reduced. Consequently doses to the sand mound can be small and spread apart in time. This helps the performance of the sand mound and reduces the likelihood of breakout at the toe of the sand mound by reducing the peak flows that can cause breakout.

Another advantage of the AX20 system is that it is capable of remote monitoring using a system called Vericomm. The control panel is connected to a telephone line. If a control parameter (tanks levels, pump amperage) goes out of a predefined “normal” range, the system will send an email to the manufacturer and the maintenance person. Therefore, even if no one is there, the appropriate maintenance personal are notified of problems immediately so that a response can be initiated.

The one disadvantage of the Advantex treatment plant is that the bottom of the AX20 pod must be physically about 45 cm or 18” above the top of the recirculation tank to allow gravity flow to a splitter or diverter valve. Since effluent from the septic tank flows into the recirculation tank by gravity, it also must be a bit lower than the septic tank. The result is that the recirculation tank is quite deep. The bottom of the tank ends up being about 9 – 10 feet below grade on a flat site. If there is bedrock near the surface, it may require a fair amount of blasting for the tank hole. In this particular case, the house is at the lowest point and the ground slopes up toward the road and the back of the property. Consequently, the excavation would be even deeper as one moves toward the back of the property – so that the required excavation would be in the order of 12 – 13 feet. This would have required extensive blasting.

The entire lot is within 100 feet from the creek – and therefore within the creeks riparian zone. Blasting within the riparian zone is not a good idea. Extensive blasting near the well is also not a good idea as it can impact well production.

The creek bank was the only area on the site where the soil was deep enough to allow the recirculation tank to be installed without blasting.

All onsite sewage systems since 2005 have a site specific maintenance and monitoring plan. Therefore, between the remote monitoring provided by the Advantex Vericomm system and maintenance and monitoring in adherence with the site specific plan a high level of performance and problem detection is provided.

## **Issue 2: The pipe connecting the plant to the field runs directly through the stream.**

This is not the way the job was completed. The stream runs through a culvert approximately 30 feet up-gradient of the treatment plant and pump chamber. A 2” diameter Sch. 40 PVC pressure transport pipe from the pump chamber to the sand mound crosses the creek over

the culvert. The pipe that was crossing the stream was not part of the sewage system and was removed.

**Issue 3: A lateral in the sand mound is 1.4 m from the western property line.**

*The Sewerage System Standard Practice Manual* published by the Ministry of Health is the set of guiding technical standards for onsite sewage systems in BC. The Standard Practice Manual contains a table of non-critical setbacks (Table 2.7).

The distance from a "dispersal system" to a property line is considered a non-critical setback. The normal setback from property lines is 3 m or 10 feet for type 1 or 2 effluent quality. For type 3 effluent the normal setback requirement is 1.5 m or 5 feet. In this case on the opposite side of the sand mound, the ground slopes fairly steeply towards the creek that runs through the property. The direction of groundwater movement will be toward this creek. Therefore, the direction of flow under the sand mound is from the side property line toward the creek in the center of Beauchamp's property. For this reason, highly treated effluent at the bottom of the sand mound should flow away from the sand mound and not cause any negative impact on the neighbour's property.

If a site has shallow fine textured soils (as this one does) one important part of a design is to make the linear loading rate as low as possible (to reduce groundwater mounding effects). In order to do this we maximize the length of the system along a contour line. Therefore, we made the sand mound as long as possible to reduce the linear loading rate to as low as possible. We even bent the sand mound in order to maximize its length.

If you have any questions regarding this onsite sewage system please do not hesitate to contact me at ph: 250 478-1158.

Yours truly,



Kelly Karr, P.Eng.  
President,  
Canadian Sewage Solutions Inc.

Cc: Michael Payne  
R. Beauchamp

**GALIANO ISLAND LOCAL TRUST COMMITTEE**

**DEVELOPMENT VARIANCE PERMIT**

**GL-DVP-2006.3**

**PROPOSED**

To: Dorothy Beauchamp

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

Lot 6, District Lot 33, Plan 15378, Galiano Island, Cowichan District

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

**Article 5.3.8.2 is varied to allow the siting of a proposed addition to a dwelling to be located as close as 5.7 metres to the side interior property line when 6 metres is required by bylaw and to allow an accessory building (shed) to be located as close as 5.6 metres to the side interior property line when 6 metres is required by bylaw.**

All buildings and structures are to be consistent with Schedule 'A', which is attached to and forms part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Galiano Island Land Use Bylaw 127, 1999" and obtain other approvals necessary for completion of the proposed development.

**AUTHORISING RESOLUTION PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS \_\_\_ DAY OF \_\_\_\_\_, 2006.**

\_\_\_\_\_  
Deputy Secretary, Islands Trust

\_\_\_\_\_  
Date of Issuance

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE \_\_\_st DAY OF \_\_\_\_\_, 2008, THIS PERMIT AUTOMATICALLY LAPSES.**



**GALIANO ISLAND LOCAL TRUST COMMITTEE  
DEVELOPMENT PERMIT AMENDMENT DP-2008.2  
(X-Ref: GL-DVP-2006.2)**

**PROPOSED**

To: Dorothy Alice Beauchamp

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

Lot 6, District Lot 33, .Galiano Island, Cowichan District, Plan 15378

2. Development Permit No. GL-DP-2006.2 is authorized as follows:
  - a) The siting, form and dimensions of the proposed package sewage treatment plant, sewer pipe and sewage absorption field shall be in accordance with Schedule 'A', which is attached to and forms part of this permit.
3. Any further development involving the construction of buildings and structures will require a new Development Permit, or a Development Permit Amendment.
4. This Permit is an amendment to Development Permit GL-DP-2006.3
5. This Permit does not remove any obligation on the Permittee to obtain other approvals necessary for the lawful completion of the proposed development.
6. The land described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
7. This permit does not relieve the applicant from complying with the provisions of the Galiano Land Use Bylaw unless varied by this Permit.

**AUTHORIZING RESOLUTION FOR THE ISSUANCE OF THIS DEVELOPMENT PERMIT  
PASSED BY THE GALIANO ISLAND LOCAL TRUST COMMITTEE THIS 24th DAY OF  
May, 2006.**

\_\_\_\_\_  
DEPUTY SECRETARY, ISLANDS TRUST

\_\_\_\_\_  
DATE OF ISSUANCE

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE 29th DAY OF  
May, 2008, THIS PERMIT AUTOMATICALLY LAPSES.**



# STAFF REPORT

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July 29, 2010

File No.: GL-RZ-2005.2

**To:** Galiano Island Local Trust Committee  
David Marlor, RPM  
Prepared for the August 9, 2010 LTC Meeting

**From:** Gary Richardson  
Island Planner

---

**Re:** Rezoning application for Lot B, DL 88 and 89, Cowichan District, Plan 68079, Galiano Island

**Owner:** Thomas Smith / Victor Romagnoli  
**Applicant:** Same  
**Location:** North Galiano Island - Cook Road and Porlier Pass Road

## Preliminary Report

### 1) THE PROPOSAL:

This is an application to rezone the subject property from Forest 1 (F1) to Forest 3 (F3).

### 2) CURRENT PLANNING STATUS OF SUBJECT LANDS:

#### Trust Policy Statement:

The following policies may have relevance to the consideration of this application:

- 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.*
- 4.2.6 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.*
- 4.2.7 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:*
- *the retention of large land holdings and parcel sizes for sustainable forestry use, and*
  - *the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.*

- 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.*

Official Community Plan:

- a. Land Use Designation - The property is designated Forestry on Land Use Designation Map Schedule B.
- b. Water Resources -The property is within the North Trincamoli Groundwater Region and Spotlight Creek is identified on the property on Map Schedule D.
- c. Environmental Resources, Sensitive Areas and Heritage Resources - The upper elevations of the property towards Cook Road are identified as being within a Groundwater Recharge Area. Possible hazard lands are also identified.
- d. Development Permit Areas - The riparian areas of Spotlight Creek are designated as a development permit area for the protection of the natural environment, its ecosystem and biological diversity.
- e. Policy - Forest Policies provide that the principal use of forest lands shall be forestry and that all structures including dwellings must be accessory to forestry. Policy also provides that the location of residential use on forestry lots should be planned to minimize their impact and the impact of related services on the forest. (sketch showing proposed building site attached as Map 1)

Forest Policy b) provides that a dwelling is permitted on land whose owner grants to the Silva Forest Foundation and the Local Trust Committee or any other covanantee satisfactory to the LTC a covenant to manage the land in accordance with sustainable forest practices and prohibiting the subdivision of he land into lots less than 20 hectares. Policy b) also requires that the lot must comply with Land Transportation Policy o.

- f. Land Transportation Policy o) states that residential use shall not be permitted on any lot on Galiano Island unless there is public access to the lot or a statutory right of way has been granted to the LTC for road access purposes.

Land Use / Zoning Bylaw:

The property is zoned Forest 1 (F1). Uses permitted include timber production and harvesting and accessory forest uses including the sawmilling and planing of timber harvested on the same lot and the growing of seedlings in nurseries.

The applicants are requesting to rezone to Forest 3 (F3). The F3 zone allows all of the uses permitted in the F1 zone and also allows for one dwelling accessory to timber

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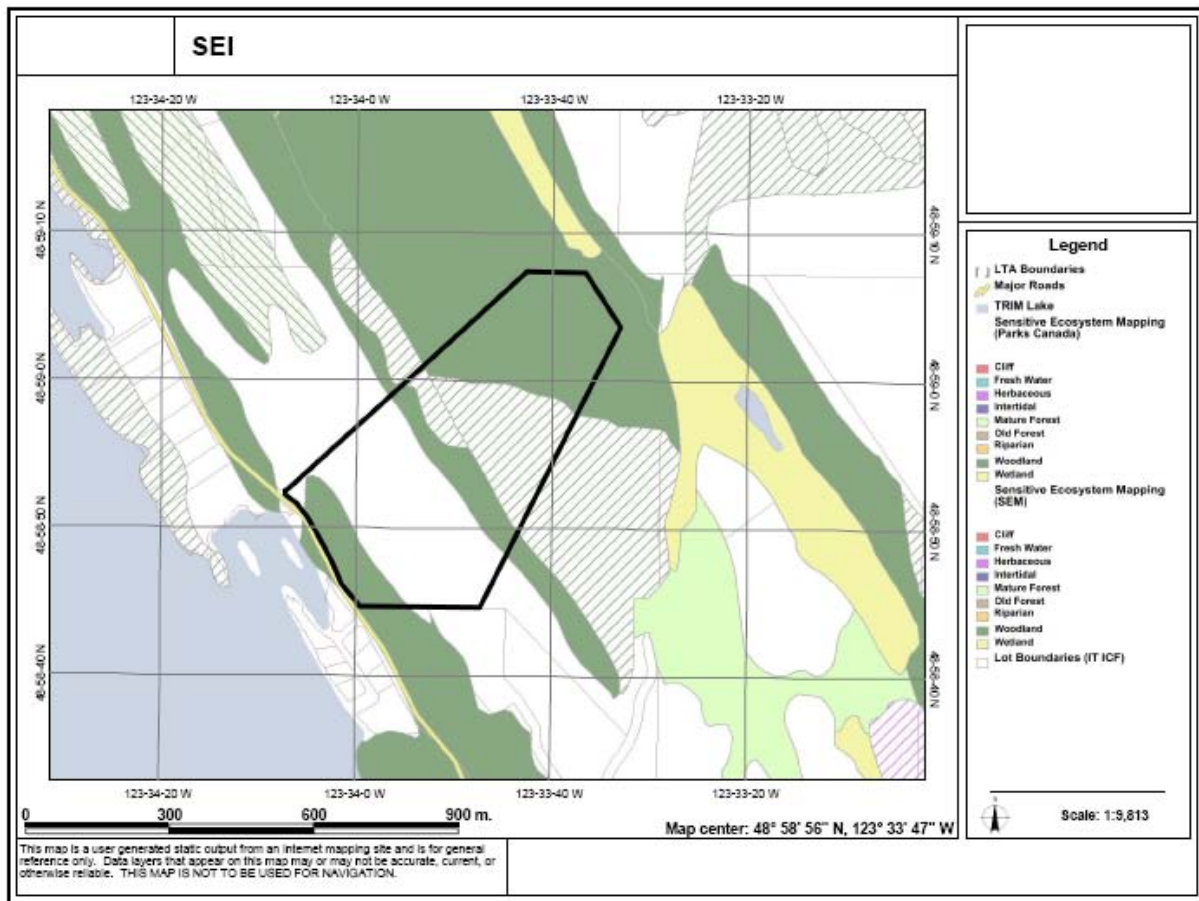
production and harvesting uses and home occupations, on lots having an area of 20 hectares and more and highway access.

### Archaeological Sites:

Based on the Provincial Remote Archaeological Data (RAAD) there are no archaeological sites on the subject lot.

### Sensitive Ecosystems

The SEI map shown below shows woodland and mixed woodland.



### Covenants

There are two covenants on the property:

1. One covenant limits development adjacent to Spotlight Creek. The applicants' building site does not conflict with this covenant requirement.
2. The other covenant requires that a professional engineer provide a report if building is to be initiated in certain defined areas on the property due to the

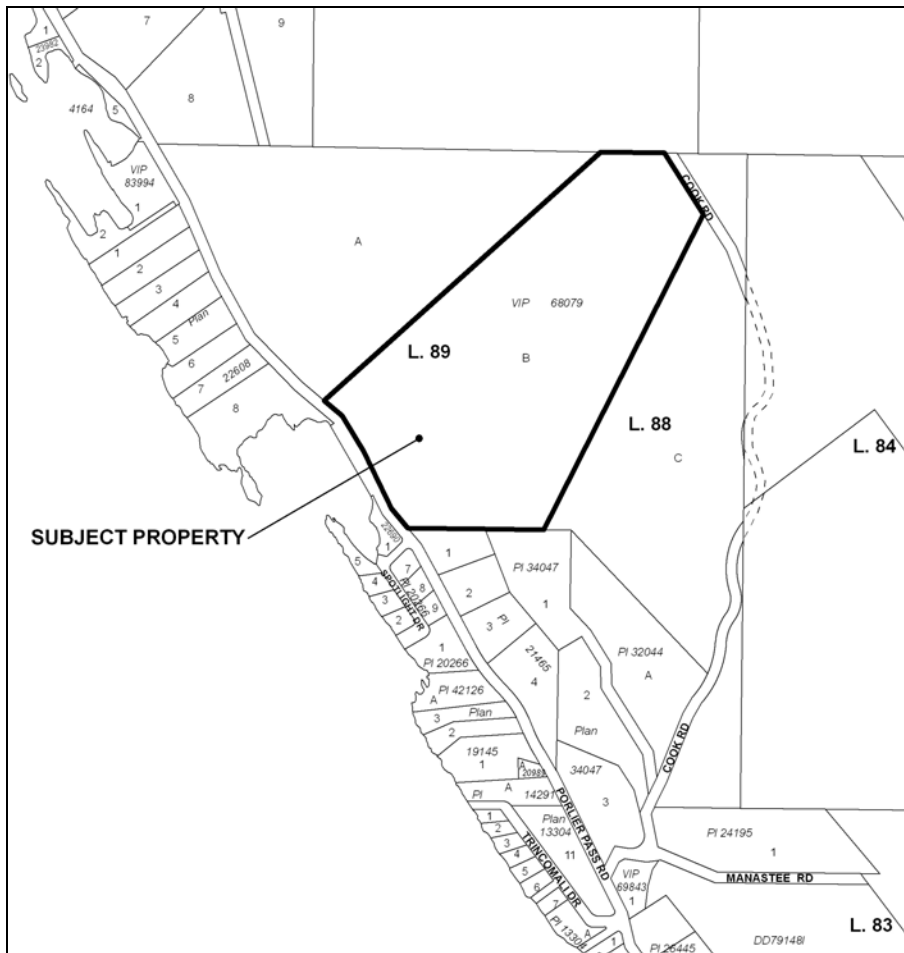
geotechnical characteristics of the property. The proposed building is not located in an area that requires such a report.

### Easements

There are several easements registered against the property as part of access agreements for other district lots. There is also an easement access for road purposes across adjacent Lot C to and through Lot B to the adjacent Lot A at the upper elevations of the property and to Lot A through Lot B from Porlier Pass Road.

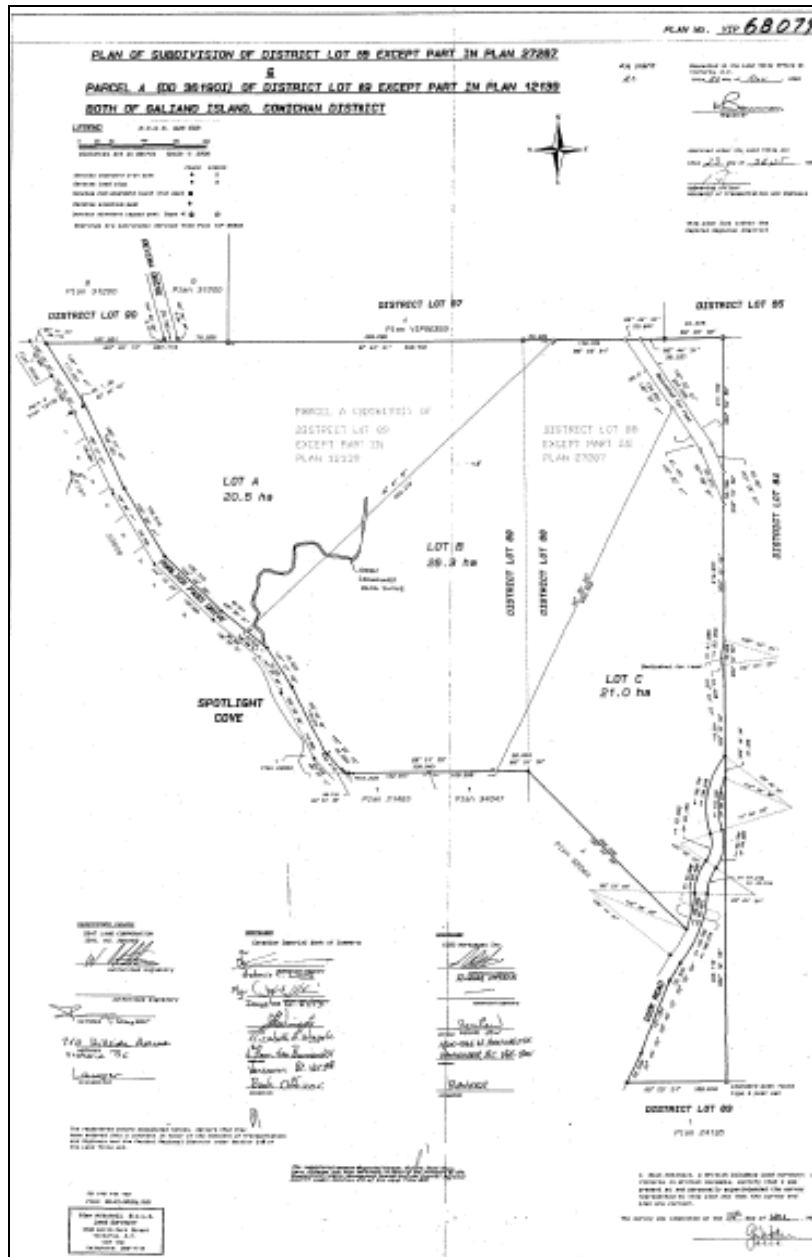
### 3) SITE CONTEXT:

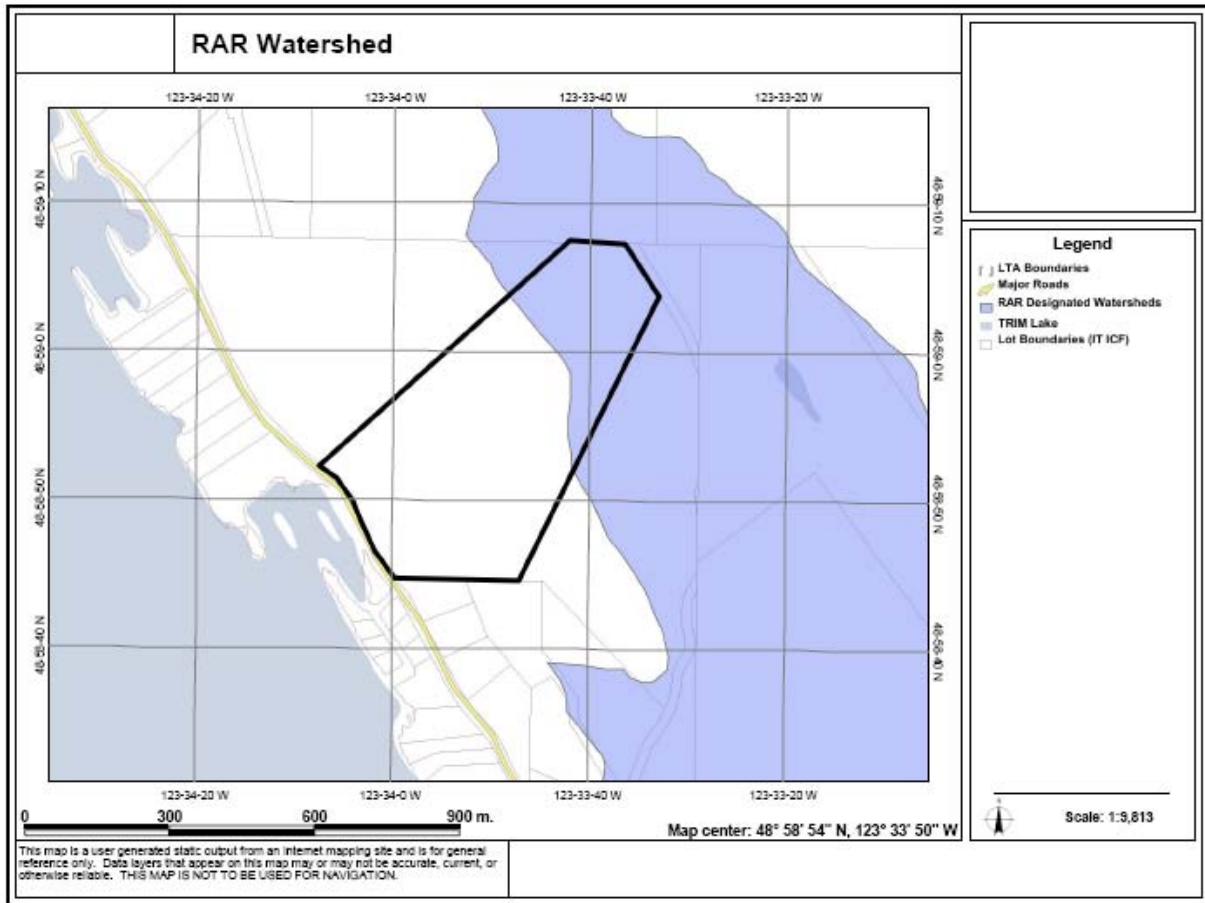
Subject Property



The property is 26.3 hectares and is vacant. Spotlight Creek flows through part of the property. The registered land survey identifies the creek as crown land that meanders between Lot B and the adjacent Lot A (see map below for stream location). A portion of the lot has been designated as a Riparian Areas Regulation watershed (see RAR Watershed map below); however the stream is not within the designated area. Topographical mapping identifies that the property rises abruptly from Porlier Pass Road and then generally levels off until about half way up the property. A steep cliff rises approximately 100 feet to approximately 340 feet in elevation at the highest point of land. At the time of preparation of this report, a site visit had not yet been undertaken.

### Stream Location





**4) COMMUNITY INFORMATION MEETING(S):**

None held to date.

**5) RESULTS OF CIRCULATION:**

No circulation to date.

**6) ISSUES SUMMARY:**

1. Compliance with OCP

The property is currently designated as Forestry and consideration of any rezoning to Forest 3 (F3) would be in compliance with OCP policy subject to the applicants granting a covenant to manage the land in accordance with sustainable forestry and to prevent subdivision into lots less than 20 hectares.

The applicants advise in their application that they are willing to grant a covenant for sustainable forestry practices. They have been provided with a copy of the sample F3 covenant together with supporting documentation. A draft covenant has been prepared by the applicant.

The OCP requires that the location of building sites be selected to minimize their impact and the impact of related services on the forest. Consistent with the requirements of the OCP the applicants have identified a building location at the upper elevations of the property near Cook Road. The site was apparently cleared by a previous owner and access is available by an existing logging road on the property. Staff will review the proposed site in more detail if this application proceeds.

The OCP requires public road access to the lot. This lot has frontage on Cook Road and Porlier Pass Road. Staff has not carried out a site review to determine if those roads can provide suitable access.

## **7) STAFF COMMENTS:**

The Local Trust Committee should consider whether they wish to advance this application for further consideration.

If the application is advanced for further consideration, the LTC should direct staff to initiate discussions with the applicants regarding the proposed forestry covenant. The applicants will have to identify who they wish to grant the covenant to, including the LTC. The applicants should then contact the proposed covenant holders to determine whether there is a willingness to be party to the covenants in principle and enter into discussions regarding the development of the documentation. The applicant will be required to cover all legal costs of developing the covenant including the cost of Islands Trust Legal review if required.

Also if the application is advanced staff will carry out a site review and provide further comments in a supplementary report regarding the proposed building site, road access and general site characteristics.

## **8) RECOMMENDATIONS:**

1. Staff recommends that the Galiano Island Local Trust Committee agree to further consideration of this application;
2. Staff recommends that the Galiano Island Local Trust Committee direct staff to contact the applicants to initiate discussions regarding the proposed covenant;
3. Staff recommends that the Galiano Island Local Trust Committee direct staff to enquire of the applicants as to who they wish to be covenantees to the covenant; and

4. Staff recommends that the Galiano Island Local Trust Committee direct staff to bring responses to the above communications back to the Local Trust Committee for confirmation as to adherence to OCP policy and to confirm acceptance of the proposed covenantees.

---

Prepared and Submitted by:

Gary Richardson  
Gary Richardson, Island Planner

July 30, 2010  
Date

Concurred in by:

David Marlor, MCIP  
Regional Planning Manager

July 30, 2010  
Date



**Kathy Jones**

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**From:** Robert Kojima  
**Sent:** July-23-10 9:34 AM  
**To:** Kathy Jones  
**Cc:** Gary Richardson  
**Subject:** FW: Steering Committee recommendations re OCP Section I

**Attachments:** OCP Section 1 (final).doc



OCP Section 1  
 (final).doc (75 ...)

Hi Kathy,

Can you add this email and the attachment to the next Galiano agenda for information under the OCP review project. Thanks.

-----Original Message-----

**From:** Michael Hoebel [mailto:mhoebel@telus.net]  
**Sent:** Thursday, July 22, 2010 9:40 PM  
**To:** Gary Steeves; Louise Decario; Sandy Pottle  
**Cc:** Robert Kojima; Gary Richardson  
**Subject:** Steering Committee recommendations re OCP Section I

Dear Trustees:

As you know, one of the terms of reference for the Galiano OCP Steering Committee is to "review and comment on the continuing relevance of the Principles of the plan". Section I - Community Objectives of Galiano's current OCP includes the Preamble (subsection 1), Background (subsection 2), and Principles (subsection 3).

Over the past several months the Steering Committee has carefully reviewed and thoroughly discussed the entirety of Section I. Our recommendations are attached in the form of proposed revised text for this section. We suggest that the current Preamble and Background sections be combined into a single subsection titled Preamble, as shown in the attached document. We note that some proposed changes to the Background section had already been approved by the LTC in response to a report from planner Robert Kojima, notably to include reference to the Object and Policy Statement of the Trust.

The major change that the Steering Committee is recommending is to the Principles subsection of the current OCP. Our intent is to provide a comprehensive set of guiding or framing principles for the OCP and to state these in a concise and clear way that can be built upon later in the OCP document. We hope the proposed Principles subsection in the attached document achieves this purpose.

In developing its recommendations regarding the Principles subsection the SC considered comments and recommendations from several of the OCP review Advisory Committees,

particularly the Ecosystem Protection Advisory Committee, regarding additional content for this subsection. In our view the additional detailed content suggested by EPAC is important and valuable, but it would be better placed later in the OCP document rather than attempting to include everything in the Principles subsection of Section I at the beginning of the OCP.

In general we suggest that as part of the introduction for each of the major land use divisions of the OCP (Residential, Agriculture, Forest, etc.) there could be a statement of principles that apply to that particular land use, along with the objectives.

Mike Hoebel  
Chair  
OCP Steering Committee

## SECTION I COMMUNITY OBJECTIVES

### 1. Preamble

The following Preamble, adopted from our first Official Community Plan (1974), speaks as eloquently today as it did more than 35 years ago:

*“The People of Galiano Island being mindful of the pressures from a growing West Coast population and a demonstrated desire of many to find relief from urban congestion and associated tension through a rural atmosphere, and being aware of the physical limitations of Galiano Island to accept uncontrolled population increase without degradation of the rural way of life and damage to the ecological systems, deem it desirable to create a Community Plan to deal with these issues.*

*The rural character of the Galiano Island Local Trust Area must be preserved. The water fronts, beaches and waters surrounding them must be preserved and kept free of pollution for the enjoyment of users and the preservation of marine life. Groundwater supplies must be protected from contamination by effluent of all types. Ground cover and trees must be preserved to the extent necessary to maintain the natural beauty of the island, the ability of the soil to retain moisture and to prevent erosion of soil and soft rocks. Particular care must be taken to preserve sufficient land and water in their natural state to enable wildlife, plant life and marine life of the island to continue to exist and flourish.*

*As the present generation inherited these islands in a relatively preserved state so this Plan attempts to perpetuate this state and preserve the unique environment for future generations.”*

Even seemingly small changes can damage or deplete resources, compromise self-sufficiency and distort long term planning. It is a tribute to the vigour, passion and foresight of our community that much of the natural character and resources of Galiano have been maintained.

All our resolve, however, might not have prevailed without the support and protection of the *Islands Trust Act* of 1974, with its Object:

*To preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of the Province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of the province.*

In renewed recognition of the importance of the Trust Area, and the increasing pressures which could destroy the social and ecological fabric of the islands, the Provincial Government strengthened the *Act* in 1990, including provision for Trust Council to adopt a Policy Statement. In response, the *Islands Trust Policy Statement* was adopted in 1994 and established a vision for the future and a general strategy for land use planning in the Trust Area. It contains commitments of Trust Council, and policies and recommendations to direct and guide Local Trust Committees. An OCP must be consistent with the *Islands Trust Policy Statement* and must contain provisions addressing *Policy Statement* directive policies.

### 2. Principles

- a. This Plan supports the Object of the Islands Trust to “preserve and protect the Trust area and its unique amenities and environment” and respects the limitations the Object presents for the type and scale of development in the Galiano Island Local Trust Area (‘Galiano’).
- b. The forested landscape is integral to Galiano’s character. Galiano is part of the vulnerable Coastal Douglas-fir biogeoclimatic zone. This is the smallest and rarest biogeoclimatic zone in British Columbia and it has the highest density of species that are of both provincial and global conservation concern of any B.C. biogeoclimatic zone.\* Ecosystems provide key services that sustain human health and wellbeing, including timber and non-timber resources, clean air and water, nutrient cycling, carbon dioxide absorption and carbon storage. Maintaining and restoring Galiano's forest ecosystem is critical for sustainable forest management.  
\* *Taking Nature’s Pulse: The Status of Biodiversity in British Columbia, 2008, Austin et. al., p. 216.*
- c. Several First Nations have made claims to land title and/or harvesting rights with respect to their traditional territories on Galiano. One First Nation has resolved its claim to harvesting rights through the federal-provincial treaty process, and other First Nations are pursuing their claims through a variety of processes. The community supports collaboration and cooperation with First Nations in planning land and resource management and protection of cultural heritage and sites.
- d. Islanders have chosen space, privacy and aesthetic qualities over urban conveniences; they want Galiano to continue to function as a resident-centred rural community. The social and economic diversity and creativity of the island community, and the important role of volunteer-based groups in community life, are fundamental to our identity.
- e. A sustainable community requires a viable local economy. This Plan recognizes the need for local economic development and viable small enterprises supporting a diversity of livelihoods. At the same time, the Plan recognizes that there are limits to economic and population growth determined by Galiano’s finite boundaries and resources.
- f. A sustainable and healthy community has a diversity of ages. Young families require employment opportunities, affordable housing, and a local school. Seniors require adequate community services to continue living on the island. Good health care facilities are essential for residents and visitors of all ages.
- g. This Plan supports Galiano achieving sustainability in agriculture and food security, protection of water resources, and improved transportation infrastructure and services.
- h. Galiano’s natural beauty and tranquility are valued by residents and visitors alike. The Island provides opportunities for renewal of body, mind, and spirit. This includes experiencing the community’s vibrant artistic and cultural life, participating in low-impact outdoor pursuits and enjoying the many trails, beaches, parks and nature preserves. Visitors and prospective residents should be provided with information about water limitations, fire hazards, and the fragility of island ecosystems. Visitor services should be appropriately scaled for a small rural community to ensure protection of the natural environment.
- i. There are often competing interests to consider in land use decisions, and trade-offs are often necessary to achieve a balance among these interests. Land use policies and regulations must be articulated clearly and administered equitably. This Plan supports using the precautionary principle in land use decisions: “When an activity raises threats of harm to human health or the environment,

precautionary measures should be taken even if some cause-and-effect relationships are not fully established scientifically.”

- j. The climate is changing. This plan supports policies to reduce greenhouse gas emissions, to work towards carbon neutrality, and to adapt to climate change.

## GALIANO OCP STEERING COMMITTEE REVIEW

of the report of the

Groundwater Advisory Committee

reporting as

Water Advisory Committee

### **Steering Committee Overview and Comments on Implications**

Not limiting itself to its title designation “Groundwater Advisory Committee”, the Committee concerned itself with all sources and uses of water.

The Committee reviewed studies and gathered information on the source of water (rainfall), its storage in aquifers, tanks and impoundments, and the demand for it from human activities. Adoption of its recommendations will have a significant impact on future development and associated use of water resources on Galiano.

Rainfall is abundant on Galiano and sustains a lush vegetation cover and groundwater recharge. Groundwater is the main storage reservoir for human use at this time.

The studies consulted in the report, while often contradictory, indicate over-use in several areas (e.g., Cain Peninsula). A precautionary approach leads to a series of recommendations to achieve a sustainable water supply, including diversification of storage (tanks, ponds...) and better control of demand through education and regulation. In summary ...

#### **Principal Recommendations Include:**

- development of a formal program of water-related data acquisition and dissemination;
- inter-agency cooperation in review of the Island’s water situation and establishment of a local board with specified authority and objective criteria on which to base decisions;
- reference to the precautionary principle in water-related decision making, especially taking care to not mine aquifers.
- strengthening of protection of groundwater, particularly in regions with existing or anticipated resource degradation, and including outright prohibition of further pumping from overdrawn aquifers;
- a requirement for rainwater collection in regions with groundwater stress;
- broad-based review of surface water impoundment as an alternative supply source;
- requirements for professional overview and depth and setback limits for new wells in some regions;
- limitation of the size of new houses and other regulation which will impact on water use.

#### **Implications and Emerging Issues.**

##### a) Interactions with recommendations of other Advisory Committees

Both the Ecosystem Protection Advisory Committee (EPAC) and the WAC. have offered recommendations aimed at protecting the natural environment. Some may be in conflict.

For example, the WAC's proposed construction of ponds or the drawing of water from existing surface reservoirs could impact local water balance, affect wetlands and be in conflict with recommendations of EPAC.

Wishes for enhanced agricultural production (Agriculture and Food Security Advisory Committee), more affordable housing (Affordable Housing Advisory Committee) and more economic activity (Community and Economic Development Advisory Committee), all imply a higher demand for water, and potentially more stress on present sources (groundwater aquifers), emphasizing the need for rain water collection and storage or impoundment.

- b) In the short term, how are groundwater resources to be managed in problem areas?

Where cottage rights exist, how will cottage development be managed to prevent excessive additional groundwater withdrawal? Options could range from individual rain water collection systems to wide-area communal water districts, with the possibility of water towers and piped distribution.

- c) Should precautionary measures be restricted to identified problem areas or gradually introduced to the whole island?
- d) The introduction of requirements for private or communal rain water collection systems will require specialized technical expertise to ensure safe water quality and mechanical reliability. The CRD and the VIHA (and possibly other agencies) most likely have or would assume regulatory jurisdiction.
- e) The interplay between supply (rain), storage (groundwater, tanks, ponds), the environment and human use stresses the interdependence between all the elements of a water system. The Trust should take a close look at policies adopted to manage water use in other communities, especially islands, where water supply and storage is an issue. The San Juan Islands, across the border, share a similar climate and geology and may offer useful examples.
- f) The Water Advisory Committee recommends a long list of studies to answer questions about groundwater resources on Galiano. The amount mentioned (\$10,000) is grossly insufficient to answer all these questions. A more specific focus might bring more useful results. Suggestions include:
- a review of more recent water studies;
  - an analysis of policy and technical options to deal with potable water supplies in problem areas, where groundwater supplies are being drawn unsustainably;
  - on the demand side, an education campaign to better inform visitors of local water supply problems.
- g) The PMFL is likely to be an obstacle to the implementation of integrated water management policies on the Island.
- h) From a longer term perspective, the traditional practices of being able to freely choose where a well will be drilled, where a pond will be dug, where a house will be built and the septic field will go (the latter is now more closely regulated) will become a thing of the past. Mature sustainable water management will come to include a variety of sources and

controls on usage; technical expertise will be required for ensuring reliability and safety; costs will rise.

### **Steering Committee Review**

#### **1. Has the Advisory committee fulfilled the requirements of its Terms of Reference?**

The Galiano Island OCP Review Terms of Reference for the Groundwater Advisory Committee include objectives to: research the topic; obtain community comment on the issue; and, to report to the LTC with recommendations, options and comment. Specifically the Committee was requested to:

consider, but not limit recommendations to the following aspects of the issue:

- a. Identify current concerns, problems with potable water
- b. Identify particular areas, locations and issues
- c. Consider concerns of water systems and individual users
- d. If the existing policies are not adequate or appropriate, can they be amended or enhanced
- e. If the existing policies can be amended or enhanced, what principles, objectives and criteria should be considered

Generally, the Water Advisory Committee (WAC) has addressed its Terms of Reference. While its report does not directly address “aspect c” relating to “concerns of water systems and individual users” the administration and review of an island-wide water survey provided opportunity for insight on this issue. The Committee took the opportunity to work beyond the specific aspects listed in its Terms of Reference and included recognition or consideration of issues such as:

- the relationship between rainfall, surface water and groundwater resources;
- impacts of present and projected groundwater uses (e.g., farming, residential, commercial) on freshwater ecosystem processes and services;
- implications of mining of groundwater, diversion of surface water, etc. on the resiliency of sensitive ecosystems in a changing climate.

The Committee offers 36 recommendations grouped into eight categories: 1) the “Best Evidence Available; 2) The Precautionary Principle; 3) Jurisdiction; 4) Alternative Sources of Water; 5) The Protection of Recharge Areas; 6) Cumulative Effects; 7) Technical Issues; and, 8) Public Information and Involvement.

#### **2. Have there been sufficient opportunities for public input to the Advisory Committee's recommendations?**

The WAC’s report notes the Committee met 30 times between July 2009 and June 2010 and indicates attendance by non Committee members (eight public, two Islands Trust staff and one Local Trustee). The WAC participated in OCP public events including Bluesky Sundae, OCPizza and Gumboot Social. The report notes summarization of “comments and recommendations made by members of the community during these meetings” in Appendix II. While the latter includes 15 (in some cases related) comments, the front page is titled “Comments on Groundwater at Gumboot Social”.

Relative to other advisory committees the WAC appears to have done less than several others in providing notice and invitation to the public for its meetings and offering minutes for public review.

### 3. What are the key issues and options that the Advisory Committee examined?

Key issues examined by the WAC include:

#### The Best Available Evidence

Section 8 of the report provides a thoughtful investigation of supply and demand with considerable focus on the groundwater (available to wells) resource. Relevant studies are reviewed and compared.

On the supply side the Committee notes:

- reasonable insight into annual precipitation;
- relevant professional estimates of precipitation's potential recharge of groundwater ranging from 0.1 to 12 percent of annual precipitation;
- estimates of Galiano's potable water aquifer varying by 50 percent;
- estimates of annually replenishable groundwater in the range of 78 to 780 million Imperial gallons;
- estimates of the storage coefficient ("essentially the yield rate for an aquifer") ranging from 0.0001 to 0.001 times the aquifer storage<sup>1</sup>

Based on the foregoing it seems fair to summarize that the Committee is uncertain as to the availability of groundwater for extraction from wells on a sustainable basis (at a macro level without consideration of local challenges relating to topography, geology and concentration of development-related demand).

Section 9 considers demand and notes professional per household estimates of 200 gallons per day in one case and 500 per day gallons in another. Local empirical evidence is also cited ranging from 30 gallons (per person based on Appendix XII) per day to average household consumption (for identified Improvement Districts) of 142 gallons in winter and 250 gallons in summer. Coupled with uncertainty over the population (particularly in the water constrained dry summer period for which estimates range from a doubling to a tripling of the base population), the Committee is uncertain of a realistic demand volume.

In consideration of Trust Policy Statement Directive 4.4.2 (cited on p. 3 of the report and requiring LTCs to ensure maintenance of water quality and supply) the Committee considers demand-storage ratios for various Galiano groundwater regions in Section 10. The ratio is indicated to reflect the estimated amount of groundwater being withdrawn relative to the estimated amount of recharge (i.e., over 100 percent would indicate unsustainable mining of the resource). Once again the range of estimates is frustrating, with two sources indicating four regions with ratios in excess of 100 percent (indeed one author offers a choice of two estimates, one being 2.5 times the other). A third source (the most recent) presents ratios under 100 percent for all regions, likely as a result of his adoption of a ten-fold higher storage coefficient (as cited in Section 8 of the WAC's report).

Having been unable to develop a firm and defensible account of groundwater supply and demand based on past studies as summarized above the WAC attempts to develop its own contemporary interpretation of the situation and analysis of the impact of currently allowable residential development potential (pp. 22-26). Firm conclusions are deemed impossible due to uncertainty

<sup>1</sup> p. 12, 13: As cited, "The storage coefficient of an aquifer represents the volume of water released from storage, per unit of aquifer storage area per unit of change in pressure head". The relevance to the discussion of "change in pressure head" is unclear.

as to the locations of 716 potential additional cottages leading to the comment *that that degree of uncertainty would fundamentally compromise any attempt at rational planning with respect to the effects of development on groundwater.* In any case, the Committee observes that *by far the greatest portion of the potential for additional houses appears in regions with the most development to date; secondly, the bulk of the potential buildout is found in areas Kohut and Johanson declared to be 'Areas of Concern' twelve years ago.*

### Other Issues

The Committee recognizes the *Island Trust Policy Statement* requirement for planning to *account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supply ....* and goes on to recognize that ultimate control in this regard is in the hands of others: e.g., the Approving Officer, the Board of Health and Medical Health Officer and the Ministry of Environment, Lands and Parks. The suggestion is made that specific criteria could be helpful in providing a standard for these agencies to use as a reference.

Mention is made of the provision under Galiano's Land Use Bylaw relating to water quantity and quality and the requirement for *written certification of an Engineer with experience in groundwater hydrology that a community water system will not adversely affect the quantity or quality of water obtainable from any existing well .....* Recognizing such a process as *something of a black box* the Committee suggests a need for transparency with a formalized approach and relevant data and assumptions spelled out in any such certification.

Water quality issues are addressed (pp. 31-34). While the subject area includes naturally occurring chemical contaminants and bacterial contamination the WAC's focus is salt water contamination. The various available sources are cited and may be seen to suggest that with time the concentration of salt water intrusion is increasing and the extent of salt water intrusion is expanding.

Consideration is given to the role of recharge areas. The Committee notes existing provision in the OCP to protect areas with elevations above the 140 metre contour, but goes on to note that this elevation may have been adopted somewhat arbitrarily on the basis that a lower contour would negatively impact the amount of land available for less restricted development. In contrast with the OCP, Kohut and Johanson are reported to have delineated the recharge area as being approximately above the 50 metre contour. Responding to this disparity the Committee states:

*The critical nature of higher-elevations as recharge areas is widely understood and agreed upon. The means of defining and identifying the limits of those areas remains to be clarified. The committee believes that the question should be referred to the author(s) of the pending water study as a priority.*

### Alternative Sources and Practices

Alternative sources and practices considered by the Committee may be summarized as follows:

- rainwater catchment: the modest encouragement of collection and use of rainwater in the *Islands Trust Policy Statement* and OCP is noted, along with a more actively positive approach in Saturna's OCP. It is noted that there appear to be no legal impediments to use of rainwater catchment for domestic purposes and both the Vancouver Island Health Authority and CRD Building Inspection will accept its use. Three appendices to the report relate to rainwater use;
- impoundment is recognized as the source of water for most Canadians and the conclusion

is drawn that Galiano *should be taking a hard look at reservoir catchment and distribution*;

- desalination is recognized as offering potential for treatment of contaminated well water as well as sea water. The Committee notes its understanding that desalination results in a significant energy demand and yields a considerable volume of byproduct brine relative to the volume of fresh water produced. An Appendix report concerning desalination in San Juan County, Wa. is cited;
- recycling of water for toilets, washing of clothes (?), and irrigation is recognized to offer potential for reducing total water consumption, and the suggestion is made that it may be time for policies to move from “encouraging and promoting” to “requiring”;
- conservation devices and practices are recognized to offer potential for reducing water demand, suggesting potential opportunity to regulate efficiency of water handling fixtures. Encouraging adoption of LEED-BC building standards may also have potential for curbing water demand.

#### Steering Committee Comment on Data Sources

The report makes extensive reference to three past Galiano studies (by Kohut and Johanson, Mordaunt and Hodge, and Harrison). The Steering Committee notes there is a large volume of recent groundwater research in Canada, some of which examines issues in the southern Gulf Islands. Much of this work is published in academic journals, some not easily accessible to the public and some may not be relevant to Galiano. Nevertheless, emerging themes in current research such as protecting freshwater ecosystems in order to assure groundwater stores, and managing demand rather than continuing to expand supply, are general principles that are applicable to Galiano. Examples of recent publications include:

- Mackie, D.C., Allen, D.M., Mustard, P.S. and Journeay, M., 2002, *Structural Controls on Groundwater Resource Distribution in the Southern Gulf Islands*;
- Cohen, Alice, 2003, *What Role for Regulation? The case of Groundwater Governance on the Gulf and San Juan Islands*;
- Nowlan, Linda, 2005, *Buried Treasure: Groundwater Permitting and Pricing in Canada. This report includes some work on the Gulf Islands*;
- Denny et.al., 2007, *DRASTIC-Fm: a modified vulnerability mapping method for structurally controlled aquifers in the southern gulf Islands, British Columbia, Canada. This work is cited often in general groundwater reports for our region*;
- Surrette, M.J., 2008, *Quantifying Heterogeneity in Variably fracture sedimentary rock using a hydrostructural domain*;
- Liggett, J. and Gilchrist, A, 2010, Geological survey of Canada Open File 6168, *Technical summary of Intrinsic Vulnerability Mapping Methods in the Regional Districts of Nanaimo and Cowichan Valley 2010, Roundtable on the Environment and the Economy, Changing Currents: Water Sustainability and the future of Canada's Natural Resource Sectors.*

#### **4. What are the Advisory committee's major recommendations regarding land use objectives and policies?**

As noted in the introduction of this review, the WAC’s recommendations are categorized under eight headings: (i) the “best available evidence”; (ii) the Precautionary Principle; (iii) jurisdiction; (iv) protection of recharge areas; (v) alternative sources of water; (vi) cumulative effects; (vii) technical issues; and, (viii) public information and involvement. A total of 36 recommendations are offered (pp. 53-65). Highlights are summarized below:

(i) **Best Available Evidence – Recommendations 1 to 8**

Recommendations are provided for terms of reference for an anticipated water study to be supported by Trust Council funding – to include: development of a strategy to define recharge areas; to develop and adopt by consensus a strategy for measurement of the state of the water resource; and, a to address a series of 21 specific technical issues.<sup>2</sup>

Also included in recommendations:

- initiation of a program of data collection to support a profile of the state of groundwater in all regions of the island;
- addition to the OCP of agreed upon *objective* criteria to govern water-related decision making;
- endorsement of Harrison’s recommendation for “integrated groundwater management” which could be assisted by establishment of a Groundwater Management Area by the Minister of Environment, Lands and Parks. A number of specific areas of concern are identified;
- to refresh an assumed past request to the Minister of Environment to designate the Local Trust Area as a Groundwater Management Area (as noted above) in which a local board would have specified authority;
- expansion of observation wells potentially including wells on private land;
- systematic recording and sharing of groundwater data and well observations.

(ii) **Precautionary Principle – Recommendations 9,10**

The WAC cites Kohut and Johanson’s 1998 proposal for adoption of the precautionary principle in the absence of comprehensive information and adopts this as a recommendation *with the proviso that a formalized procedure for the application of this principle be established, with explicit standards and benchmarks to guide legislators and administrators*. Further, the Committee endorses Kohut and Johanson’s recommendation to develop “a preliminary groundwater management plan for Galiano Island based on the ‘precautionary principle’ and linked to the Official Community Plan”.

(iii) **Jurisdiction – Recommendations 11, 12**

Recommendations relate to encouraging interagency coordination and cooperation with the LTC and avoidance of risks posed by Section 21 of the *PMFL Act*.

see also Sections 5 and 6 of this review.

(iv) **Protection of Recharge Areas – Recommendations 15 to 18**

Recommendations include:

- measures to protect recharge areas and guidelines for related land use activities;
- a minimum 50 acre lot size of a dwelling in “critical recharge areas”;
- required retention for water recharge of wild land above and around any new development involving density increase and developments *registered but not rezoned for dwellings*;

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<sup>2</sup> In the opinion of some SC members the proposed scope is well beyond reasonable expectations from a \$10,000 study budget.

- areas identified by Kohut as relying on overdrawn aquifers should be rezoned to permit no further pumping from the aquifer.

(v) Alternative Sources of Water – Recommendations 19 to 23

Recommendations include:

- prohibition of desalination of well water contaminated by seawater; and, while desalination of seawater may be permissible, specific measures should be established for brine disposal;
- existing OCP encouragement of rainwater catchment and Harrison’s recommendation of promotion of rainwater systems are acknowledged. The Committee recommends “*encouraged*” and “*promoted*” should be replaced by “*required*” for new construction in all Groundwater Regions exhibiting signs of stress.
- mandatory rainwater collection for all new construction in 6 specified regions, and strong encouragement in all other regions;
- Islands Trust should explore opportunities for assistance (tax incentives, grants) to assist with installation of rainwater systems;
- surface water impoundment should be studied for its potential as an alternative water supply including comprehensive review of both the opportunity and potential legal, physical and ecological constraints.

(vi) Cumulative Effects – Recommendations 24, 25

Recommendations include:

- requirement for well location and construction planning by qualified engineers or geoscientists in groundwater regions with recognized limitations;
- required setbacks and depth limitations for wells in proximity to tidewater.

(vii) Technical Issues – Recommendations 26 to 31

Recommendations include:

- limitation of impermeable material in construction to 10 percent site coverage;
- seeking cooperation of VIHA and other appropriate agencies to protect *groundwater from toxic and noxious leaching from gravel pits and other areas being used as illegal dumps*;
- requirement (subject to local government jurisdiction) or encouragement of use of water-saving appliances for all new construction and promotion in existing structures;
- encouragement of alternative sewage systems in “areas of concern”;
- in addition to cottage size, house size should be regulated;
- encouragement or requirement of the use of grey water for irrigation, etc.

(viii) Public Information and Involvement – Recommendations 32 to 36

Recommendations include:

- endorsement of Harrison’s recommendation to promote public awareness and education relating to groundwater through workshops, seminars and meetings;
- accessing Parks Branch statistical information including counts and projections;
- creation of a Development Permit Area governing ponds to regulate siting, construction and use and avoid development without concern for *cumulative effects or legal issues, or the siting of unsafe or environmentally intrusive ponds*;

- encouragement of standards such as LEED-BC
  - maintenance of regular public communication be maintained between the LTC, the Trust, and all other agencies with authority over water, and creation of an advisory body to monitor the process on an ongoing basis.
- 5. Are there any dissenting opinions from committee members about these major recommendations?**

The report notes or implies dissent on three matters:

- p.44, Section 11.5, Rezoning – Implications for Water: *“the majority of the members of the committee consider it important that priority be given to acquiring reliable data when considering changes to present zoning, if such changes would result in an increased demand for water.”* ..... *“The majority of members of the committee believe that the water-based implications of rezoning should be considered in detail, in combination with similar potential (but as yet unmeasured) effects from areas currently zoned to allow for residential, commercial or light industrial use”*. The implication here is that one or more members considers this less important than other members; however no details are provided.
- p. 49, Section 11.6.2, Elevated Catchment Areas and PMFL Lands: In essence five Committee members are concerned the *PMFL Act* prevents the Trust from enacting measures to protect recharge areas on PMFL lands. Should the Galiano LTC take any such action, under Section 21 the *PMFL Act* would take precedence over Development Permit Area 4 and other protective measures based on the Islands Trust Act. One committee member does not share this concern.
- p. 59, Recommendation 13: Five members of the Committee recommend *the Local Trust Committee take no action that would result in the ouster of Islands Trust jurisdiction over Forest lands*. The sixth member disagrees and is reported to believe such action could lead to resolution of forest lot and PMFL issues.
- p. 59, Recommendation 14: Five members of the Committee recommend it be brought to the attention of Ministries involved in drinking water protection that the *PMFL Act* and Regulations predominate over local government’s ability to provide protection, and that review be undertaken and relief provided to ensure community health and safety. One member does not support this recommendation.

**6. What are the Advisory Committee's major recommendations regarding advocacy policies?**

In Section 11.6.1, The General Relationship Among the Agencies, the WAC notes the considerable extent to which other agencies have ultimate authority over achievement of objectives of the OCP. The report includes an Appendix (XVI cited but included as XV) extracting relevant sections from the OCP which agencies “shall be requested” to assist in achieving such objectives.

The Committee makes the point that it assumes that *requests did go forward as expressed* but has no way of knowing the response, if any, to such requests.

The committee suggests achieving water-related goals *would likely require the establishment of*

*an inter-agency body, and that the current OCP, in fact, calls for a partnership to manage fresh water resources that would include Federal Departments of Fisheries and Oceans and of Environment and Provincial Ministries of Environment, Lands and Parks, Transportation and Highways and Forests. Until some form of inter-agency cooperation is established, the current jurisdictional maze will continue.*

WAC's Recommendation 11 (p. 59) relates to establishing a permanent program with procedures for the production and sharing of water-related information among all parties and the publication of all public information, along with mechanisms for assessing progress on requests and identification of situations in which there is failure to respond to requests.

**7. Are there any issues or topics within the Advisory Committee's area of responsibility for which the committee has made no recommendations?**

The WAC has conducted a comprehensive investigation and provided a significantly detailed report and extensive recommendations consistent with its area of responsibility.

**8. Do any of the Advisory Committee's recommendations conflict with recommendations of other Advisory Committees?**

WAC recommendations certainly place limits and constraints on recommendations of other advisory committees, particularly Affordable Housing and Agriculture and Food Security, among the ACs which have reported to date, and potentially with Forests in its recommendations that remain to be presented. On balance, there appears to be consensus among all involved in the OCP review that abuse of the groundwater resource must be prevented, and to the extent there are no available workarounds to groundwater limitations, there may be constraints in island-wide application of development-related objectives.

Examples of situations in which the requirements to protect groundwater or otherwise limit water demand could constrain achieving goals of other ACs include:

- the need to protect sensitive riparian and wetland ecosystems and prevent or control draws on groundwater may limit the objective of the Agriculture and Food Security AC to expand farming on Galiano;
- the need to limit groundwater use and protect groundwater from effluent from septic systems may be in conflict with or impose limitations on objectives of the Affordable Housing AC such as the promotion eco-villages, the creation of a mobile home park, and relaxation of cottage size limitation (coupled with potential for increased cottage utilization for permanent housing);
- water resource limitations may influence decisions relating to the Community and Economic Development AC's proposals for mid- and north-island village centres and favourable treatment of commercial rezoning applications.

**9. Is the Advisory Committee recommending significant changes to the current OCP's objectives and policies? If so, what are these changes?**

A summary of all WAC recommendations is presented in Section 4. In general terms the WAC is recommending new policy or significant change in the following:

- development of a formal program of water-related data acquisition and dissemination;
- inter-agency cooperation in review of the Island's water situation and establishment of a local board with specified authority and objective criteria on which to base decisions;

- reference to the precautionary principle in water-related decision making;
- strengthening of protection of groundwater, particularly in regions with existing or anticipated resource degradation, and including outright prohibition of further pumping from overdrawn aquifers;
- required retention for water recharge of wild land above and around any new developments involving density increase;
- a requirement for rainwater collection in regions with groundwater stress;
- broad-based review of surface water impoundment as an alternative supply source;
- requirements for professional overview and depth and setback limits for new wells in some regions;
- specific limitations or prohibitions: e.g., prohibition of desalination of seawater contaminated well water, limitation of the size of new houses and/or water-using fixtures and systems, limitation of site coverage with impermeable materials in new construction.

The Steering Committee notes that the majority of members of the WAC recommend *the Local Trust Committee take no action that would result in the ouster of Islands Trust jurisdiction over Forest lands.*



# Top Priorities

## Galiano Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	OCP Review	<p>Phase 1 - Staff review: build-out analysis, community profile, technical review, preliminary mapping, consultant work, early agency consultation - COMPLETED</p> <p>Phase 2 - Community consultation: initial meetings, issue identification, consideration of public consultation mechanisms, appointment of advisory groups, advisory group meetings and recommendations, other on-going consultation and participatory mechanisms, review of recommendations - ON-GOING</p> <p>- Phase 3 - Policy development: drafting and review of new or revised policies. Targeted LUB amendments to be considered once policy drafting complete, further community consultation - COMMENCED</p> <p>Phase 4 - Legislative phase: agency referrals, readings, public hearing, EC, Ministerial approval, final consideration and adoption.</p>	Sep-19-2008	Robert Kojima	Nov-01-2011	On Going

2	OCP/LUB Amendments Staff report to LTC identifying routine OCP/LUB amendments. Review OCP/LUB Definitions	May-10-2009	Gary Richardson	Aug-30-2010	On Going
3	Proposed Bylaws 158 and 159 (Road Network Plan)	May-10-2010			On Going



# Projects

## Galiano Island

No.	Description	Activity	Received/Initiated	Status
1	Docks and Seawalls	Review existing policies and regulations Could be undertaken as part of the OCP Review	Dec-15-2008	On Going
2	Water Policy	Review water policy Review potable water requirements Boundary adjustment water requirements Examine availability of Natural Resources Canada assistance Work could be undertaken as part of the OCP Review	Feb-16-2005	On Going
3	Land Use Bylaw Definitions	Definitions need to be reviewed for: - Sustainable Forest Principles - Dwellings (reference issues of internal access, breezeways, etc) - Floor Areas, especially in relation to unenclosed buildings - Grade level, setbacks of unenclosed buildings, height, accessory buildings, watercourses, museums Could be undertaken as part of the OCP Review	Dec-15-2008	On Going
4	Zoning Amendments	Review of AG and R3 zones: permitted uses and accessory building allowances; Review all zones to allow accessory buildings for farm type uses Retreats - policy review Conservation lands Remove Silv Forest Foundation as a potential	Dec-15-2008	On Going

covenant holder on forest lands  
 Review the F3 option  
 Work could be undertaken as part of the OCP Review

5	Development Permit Areas	Review for functionality (include examination of commercial DP for Sturdies Bay) Could be undertaken as part of the OCP Review	Dec-15-2008	On Going
6	Setbacks and Lot Coverage	Review setbacks for C1 and AG zones Review lot coverage restrictions generally Review setbacks for septic systems Could be undertaken as part of the OCP Review	Dec-15-2008	On Going
7	Telecommunication Towers	Prepare guidelines and review/amend when appropriate.	Dec-15-2008	On Going
8	Soil Removal and Deposit Bylaw	Develop a soil removal and deposit bylaw	Dec-15-2008	On Going
9	Review Request From Bernard Mignault contained in letter of Dec 24/08.		Feb-09-2009	On Going
10	Strata Lots and Building Stratats	Review policies and regulations and ensure common properties are appropriately zoned Examine building strata in regard to all properties	Dec-15-2008	On Going
11	Temporary Use Permits for Sawmills	Establish policy and regulations Could be undertaken as part of the OCP Review	Dec-15-2008	On Going
12	Short-term Vacation Rentals	Review and develop policy and regulations Could be undertaken as part of the OCP Review	Dec-15-2008	On Going
13	Rod and Gun Club land use issues		May-11-2009	On Going
14	Parking	Review policy and regulations Could be undertaken as part of the OCP Review	Dec-15-2008	On Going

# Excerpt from the Islands Trust 2008-2011 Strategic Plan

This excerpt contains only those strategic plan items specific to local trust committees.

## Goal 1: Ecosystem Preservation and Protection...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate changes since last TC meeting</i>
To identify and protect riparian areas	Implement Riparian Area Regulations throughout the Trust Area	Develop bylaws re RAR requirements, subject to RAR mapping completion	LTCs/BIM*	Funding in place (09/10 budget)	By whether all islands are RAR compliant	Two islands are RAR compliant
To improve the identification and protection of biodiversity, environmentally sensitive areas and significant natural sites, features and landforms	Protect sensitive and significant land through land use planning decisions	<b>2008-2011 term</b> Optimize opportunities to protect land	LTCs/BIM*	No new funding required	By the hectares of land that have been protected	TBD
To reduce greenhouse gas emissions	Amend OCPs to include emission reduction targets, policies and actions (TPAs) Foster energy-efficient communities through land use planning decisions	<b>Jan to May 2010</b> Establish targets, policies, and actions in OCPs by legislated deadline (May 31/09)	LTCs/BIM*	Funding in place (09/10 budget) Additional funding may be available through application	By whether all OCPs have been amended to include GHG emission reduction targets, policies and actions by May 31/10	Policies and action included in two OCPs (SSI, DE)
		<b>FY 2010/11</b> Consider the inclusion of the information provided by the LPC into appropriate bylaws and processes	LTCs/BIM*	Subject to funding (10/11 budget)	By whether GHG emission reduction is achieved in LTC land use decisions	TBD

11.1.2

\* Depends upon decisions of the Bowen Island Municipal Council  
 \*\* Depends upon decisions of the Trust Fund Board

## Goal 2: Stewardship of Island Resources...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS
To increase the sustainability and quality of freshwater resources	Include new policies and regulations as OCPs and LUBs are amended	<b>FY 2009/10</b> OCP/LUB reviews underway on selected islands  <b>FY 2010/11 &amp; 2011/12</b> OCP/LUB reviews underway on selected islands	LTCs  LTCs	Funding in place (09/10 budget)  Subject to funding (10/11 budget)	By the number of LTCs/IM with new policies and regulations for protection of freshwater resources	Reviews beginning in 09/10  Reviews planned to begin in 10/11
To advance the stewardship of coastal areas and marine shore lands	Develop and implement new land use planning tools for shoreline and marine protection	<b>FY 2009/10</b> Thetis Island LTC – consider the use of integrated shoreline & watershed protection into OCP review process	LTC	Funding in place (09/10 budget)	By whether OCP has been amended to include new forms of protection	OCP review underway

## Goal 3: Sustain Island Character and Healthy Communities...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS
To support socio-economic diversity of island communities	Support/restore socio-economic diversity through land use planning strategies about affordable/accessibile/appropriate housing  Support local food security	<b>FY 2010/11</b> Consider implementing land use planning decisions to advance affordable housing  Support completion of a second area farm plan (Denman)	LTCs  LTC	Subject to funding (10/11 budget)  No new funding required	By the number of LTCs have implemented land use planning decisions regarding affordable housing.  By whether a second area farm plan is complete	Not started  Started
To minimize the impact of climate change	Integrate climate change adaptation into land use	<b>FY 2012/2013</b> Continue implementation of adaptation planning framework	LTCs/BIM*	Subject to funding	TBD	Not started

\* Depends upon decisions of the Bowen Island Municipal Council

\*\* Depends upon decisions of the Trust Fund Board

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS
upon islands and communities	planning and regulatory decisions					
To cultivate community engagement and participation in land use planning	Develop new tools and strategies to encourage community engagement in land use planning processes	<b>FY 2010/2011</b> Consider new tools and strategies to encourage community engagement in land use planning processes	LTCs	TBD	TBD	Not started

## Goal 4: Organizational Effectiveness...

OBJECTIVE	STRATEGIES	ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?*	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS
To provide services on an increasingly effective basis	Develop cost effective bylaw enforcement tools Develop model LTC meeting procedure bylaw regarding bylaw electronic meetings	<b>FY 2009/10 &amp; 2010/2011</b> Consider bylaw amendments to allow Bylaw Dispute Adjudication System <b>FY 2009/2010</b> LTCs to consider adoption	LTCs  LTCs	No new funding required  No new funding required	By the number of islands where a Bylaw Dispute Adjudication System is in place  By the number of LTCs that have adopted amendments	Initial discussions started  Not started

### Abbreviations:

ADMIN – Administrative Services  
 BIM – Bowen Island Municipality  
 DEM – Digital Ecosystem Mapping  
 EC – Executive Committee  
 FN – First Nations  
 FY – Fiscal Year  
 GHG – Green House Gases  
 IM – Island Municipality  
 IT – Islands Trust  
 LPC – Local Planning Committee  
 LPS – Local Planning Services

LTA – Local Trust Area  
 LTC – Local Trust Committee  
 LUB – Land Use Bylaw  
 MCRD – Ministry of Community & Rural Development  
 MGMT – Management Team  
 NA – Not Applicable  
 NAPTEP – Natural Area Protection Tax Exemption Program  
 OCP – Official Community Plan  
 PMFL – Private Managed Forest Land  
 RAR – Riparian Area Regulations  
 RCP – Regional Conservation Plan  
 RD – Regional District

RFD – Request for Decision document  
 RM – Records Management  
 SEM – Sensitive Ecosystem Mapping  
 SSI – Salt Spring Island  
 TAS – Trust Area Services  
 TBD – To Be Determined  
 TC – Trust Council  
 TFB – Trust Fund Board  
 TPA – Targets, Policies and Actions (re GHG emission reduction)  
 TPC – Trust Programs Committee  
 UBC – University of British Columbia  
 UBCM – Union of BC Municipalities

For more information, contact

**Sheila Malcolmson**, Chair,

**Linda Adams**, Chief Administrative Officer, Visit our website at

Islands Trust Council upon decisions of the Bowen Island Municipal Council

email: [simpson@islandstrust.bc.ca](mailto:simpson@islandstrust.bc.ca) or the Telephone: [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

telephone: 250.247.8078

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[www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)



# Applications w/ Status - Galiano Island Status: Open

## Applications

### Development Permit

File Number	Applicant Name	Date Received	Purpose
GL-DP-2008.2	Richard & Dorothy Beauchamp	Apr-23-2008	DP Area 1 - Riparian Areas. Sewage disposal works located within DP Area 1 in close proximity to a stream. X-reference GL-DVP-2006.3 and GL-DP-2006.2

**Planner:** Gary Richardson

### Planning Status

**Status Date:** Jul-27-2010

Staff report and draft permit on Aug 9, 2010 LTC agenda for consideration.

**Status Date:** Jun-29-2010

Staff to have report prepared for August 9, 2010 LTC Mtg.

**Status Date:** Jun-04-2010

Report from engineer received. Staff to review the report and bring application to July 12 LTC meeting.

### Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GL-DVP-2006.3	Dorothy Beauchamp	Sep-05-2006	Variances required to allow for the siting of: deck, sewage treatment plant, sewer pipe, sewage absorption field, addition to a dwelling and accessory building.

**Planner:** Gary Richardson

### Planning Status

**Status Date:** Jul-27-2010

Staff report and draft permit on Aug 9, 2010 LTC agenda for consideration

**Status Date:** Jun-29-2010

Staff report and draft permit to be prepared for Aug 9 LTC meeting.

**Status Date:** Jun-04-2010

Engineer report received, staff to review report. DVP application to be on July 12 LTC agenda.

### **Rezoning**

<b>File Number</b>	<b>Applicant Name</b>	<b>Date Received</b>	<b>Purpose</b>
GL-RZ-2004.6	Crystal Mountain Society	Jun-14-2004	To amend OCP and LUB to allow for a Retreat Centre and Forest Retreat. Lot 4, Plan VIP68079, DL 88/89. x-reference draft bylaws 187 (OCP) and 188 (LUB).

**Planner:** Gary Richardson

### **Planning Status**

**Status Date:** Sep-11-2009

Applicant advised staff that they want file to remain open.

**Status Date:** Jun-24-2009

Letter written to applicant to determine if they want file to remain open.

**Status Date:** Jan-26-2009

Staff to contact applicants and determine if they want to proceed with application.

<b>File Number</b>	<b>Applicant Name</b>	<b>Date Received</b>	<b>Purpose</b>
GL-RZ-2005.2	Victor Romagnoli	Mar-21-2005	To rezone from F1 to F3 to permit for one residence and related buildings. Lot B, Plan VIP 68079, DL 88/89.

**Planner:** Gary Richardson

### **Planning Status**

**Status Date:** Jul-27-2010

Staff report on August 9, 2010 LTC agenda.

**Status Date:** Aug-13-2009

Aug 13, 2009 email from Alastair Smith advising that they want to keep file open.

**Status Date:** Jun-24-2009

Letter written to applicant to determine if they want file to remain open.

<b>File Number</b>	<b>Applicant Name</b>	<b>Date Received</b>	<b>Purpose</b>
GL-RZ-2005.3	Landplan Group Inc	May-12-2005	To amend the LUB from F1 to RR & FH. DL 72 and Lot 15, DL 71 and 77, Plan VIP61007. X-reference GL-SUB-2007.1 FH proposed to form Part of Bogega Ridge Provincial Park

**Planner:** Gary Richardson

### **Planning Status**

**Status Date:** Dec-04-2009

Staff to provide applicant with options as bylaw 203 removed RR/FH policy from OCP

**Status Date:** Sep-11-2009

Staff is reviewing covenant.

**Status Date:** Jul-31-2009

Staff is has now received confirmation from agencies listed below.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2006.3	Gundy MacNab Planner: Gary Richardson	Oct-16-2006	rezone from F1 to RRFH - DL 50

### **Planning Status**

**Status Date:** Aug-03-2010

Sent letter to applicant advising that RR/FH option no longer in the OCP and advised of options.

**Status Date:** Jul-31-2009

Letter received May 7, 2009 advising that the applicant wants the file to remain open until statement of claim dated April 20, 2009 is dealt with.

**Status Date:** Jul-31-2009

Letter received May 7, 2009 advising that the applicant wants the file to remain open until statement of claim dated April 20, 2009 is delt with.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2008.2	Fred King Planner: Gary Richardson	Feb-22-2008	To amend the zoning from F1 to F3 for the property known as DISTRICT LOT 17, GALIANO ISLAND, COWICHAN DISTRICT, EXCEPT PART IN PLAN 22128

### **Planning Status**

**Status Date:** Jul-27-2010

Applicant advised that he wants to hold application until draft OCP is prepared, and that Jim Truit is to be included.

**Status Date:** Jul-14-2010

Sent letter to determine if applicant wants to proceed with application and which properties the applicant wants included.

**Status Date:** Apr-22-2008

Applicant requested that application be placed on hold as applicant wishes to assess other options.

File Number	Applicant Name	Date Received	Purpose
GL-RZ-2010.1	Kim Linglet	Jan-04-2010	Various (19) properties involved: this one is to amend Land Use Contract G70321 - guest cottage size from 500 sq. f.t to 650 sq. ft.

**Planner:** Gary Richardson

**Planning Status**

**Status Date:** Jul-27-2010

Public Hearing scheduled for sept 9, 2010

**Status Date:** Jun-04-2010

Bylaw on June 14 LTC agenda for consideration of 1st reading.

**Status Date:** Apr-30-2010

Community information meeting to be held May 10, 2010

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**Subdivision**

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2002.1	FORSTBAUER,WALTER		To create 3 parcels for residential use. DL 44. X-reference GL-RZ-01-2001

**Planner:** Gary Richardson

**Planning Status**

**Status Date:** Jun-04-2010

Memo prepared by staff on the June 14 LTC agenda outlining cronology of cov. issue.

**Status Date:** Dec-04-2009

Applicant waiting for outcome of forest issues before providing covenant.

**Status Date:** Jun-24-2009

Staff to contact applicant to determine status of covenant.

---

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2007.1	LPG Landplan Group Inc	Feb-12-2007	Creating 6 new lots. DL 72 and Lot 15, DL 71 and 77, Plan VIP61007. X-reference GL-RZ-2005.3

**Planner:** Gary Richardson

**Planning Status**

**Status Date:** Jan-26-2009

Application dependant on rezoning to RR/FH.

**Status Date:** Jan-03-2008

Applicant advises MoT and Islands Trust that they wish to continue with the application.

**Status Date:** Dec-21-2007

Sent MoT comments advising that application does not comply with rezoning but rezoning application in process.

---

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2008.2	William Alexander & Lennis Shirley Campbell c/o Planner: Gary Richardson	May-15-2008	Subdivision to create 14 new lots. DL 57 x-Reference GL-RZ-2008.3 (Proposed bylaws 201 OCP and 202 IUB)

**Planning Status**

**Status Date:** Dec-04-2009

**Status Date:** Oct-29-2009

PLA issued October 2009.

**Status Date:** Jun-24-2009

Letter sent to MoT to advise that bylaws 201 and 202 have been adopted.

File Number	Applicant Name	Date Received	Purpose
GL-SUB-2010.1	Land Survey Inc. Planner: Gary Richardson	Jun-03-2010	ELLIS RD To create 2 lots

**Planning Status**

**Status Date:** Jun-21-2010

Sent letter of acknowledgment of receipt of fees and completed application form. Copied to trustees and forwarded file to Planner.

**Status Date:** Jun-03-2010

Sent letter requesting fees and completion of application form to applicant. Waiting for response

**Kathy Jones**

**From:** Nancy Roggers  
**Sent:** July-27-10 12:02 PM  
**To:** David Marlor; Gary Richardson; Kathy Jones; Sharon Lloyd-deRosario  
**Cc:** Craig Elder  
**Subject:** Galiano expense report - July/10  
**Attachments:** galiano ltc expense.pdf; galiano ocp expense.pdf

		<b>Budget</b>	<b>Spent</b>	<b>Balance</b>
<b>Invoices posted to July 26, 2010</b>				
625 Galiano	65000 Trustee Expense	1,000.00		1,000.00
625 Galiano	65200 LTC Meetings	6,500.00	1,086.83	5,413.17
	65210 APC Meetings			-
	65220 Communications		236.80	(236.80)
	65230 Special Projects		100.00	(100.00)
	65240 Miscellaneous			-
	<b>TOTAL LTC Local Expense</b>	<b>6,500.00</b>	<b>1,423.63</b>	<b>5,076.37</b>
625 Galiano	72300 OCP/LUB Expense	19,000.00	4,127.08	14,872.92

Thanks!

Nancy Roggers  
 Finance Officer

Islands Trust  
 #200 1627 Fort Street  
 Victoria, B.C. V8R 1H8  
 Phone: (250) 405-5154  
 Fax: (250) 405-5155  
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Preserving *island* communities, culture and environment

Please consider the environment before printing this email.

**ADOPTED**

Galiano Island Local Trust Committee  
Expense Budget

2009-2010

\$6500

	G/L Code	Budget
LTC Meeting Expenses	65200	3 900
APC Meeting Expenses	65210	650
Communications	65220	650
Special Projects	65230	1 000
Miscellaneous	65240	300
<b>Total</b>		<b>6 500</b>

## Galiano Island Local Trust Committee

### POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 18, 2004	GL-LTC-118-04	Road Network Plan	It was Moved and Seconded that the issue of access, including the proposals provided in the Road Network Plan, be applied to any existing and future rezoning applications brought before the LTC.
2.	June 14, 2004	GL-LTC-130-04	Forest 1 and Forest 3 lots	<p>It was Moved and Seconded that staff be directed to draft a proposal to the Islands Trust Executive Committee requesting approval of a special Galiano Island Local Trust Committee initiative to accept, at reduced fee levels and for a limited time, applications to rezone eligible Forest 1 lots to Forest 3.</p> <p>In support of this request we offer that applications received under this initiative be batched in groups of two or more, each under a single bylaw. This approach, administered efficiently, will take less time to process and therefore cost less than if done singly, while still ensuring community input through full public process.</p> <p>The groupings we anticipate should be for properties of like nature and general location, though not necessarily contiguous.</p>
3.	July 21, 2004	GL-LTC-137-04	F1 Zone	It was Moved and Seconded that Galiano LTC consider option 1, Cost Recovery Model, of the July 7, 2004, staff report Re: Batching/Initiating Offer, as an operating policy for the charging of fees as part of any rezoning application and in particular with reference to applications for rezoning of F1- zoned properties.

No	Meeting Date	Resolution No.	Issue	Policy
4.	February 16, 2005	n/a	F3 Covenant	Galiano LTC will hold be a covenant holder to all covenants granted as part of the F3 rezoning process  The model F3 covenant will be referred to all prospective covenant holders for comment on the document and to seek confirmation that they are willing to be a covenant holder jointly with the local trust committee.
5.	June 29, 2005	n/a	Subdivision Applications	Staff are requested to prepare a report that provides wording for standing resolution to refer subdivision applications to the Galiano Fire Department and the Parks and Recreation Commission.
6.	Sept. 26, 2008	GL-RWM-12-08	RZ applications	<b>THAT</b> Galiano Island Local Trust Committee instructs staff to advise potential applicants that, upon receipt of a zoning amendment application, the Local Trust Committee will consider placing the application in abeyance until the completion of a review of the Official Community Plan policies, if in the opinion of the Local Trust Committee, the application may affect or be affected by the review, and that Staff be instructed to post notice to the public on the Islands Trust internet website to this effect.
7.	May 11, 2009	GL-LTC-85-09	Parks Commission Referral	<b>THAT</b> the Galiano Island Local Trust Committee direct Staff to send rezoning applications to the Galiano Island Parks and Recreation Commission for referral.

K:\LTC\Galiano\Standing Resolutions\Policies and standing resolutions.doc



# Islands Trust

Preserving **island** communities, culture and environment.

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## Galiano Island Local Trust Committee

### Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the Galiano Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

- No items at this time

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### Population:

Approximately 1,258

### Size:

5,810 hectares (14,356 acres)

### Location:

26 kilometres north-east of the Swartz Bay ferry terminal located on Vancouver Island.

[Land Use Planning](#)

[Related Planning Services](#)

[Related Resources](#)

[Trust Area Mapping](#)

[Related Links](#)

## Galiano Island Local Trust Committee Projects

### General

- no items at this time

### Climate Change Action

- [Staff Report - October 2009](#)
- [Community Engagement Tools](#)
- [Climate Wise Islands](#)
- [Staff Report - January 29, 2010](#) | [Proposed Bylaw No. 206](#)

### Ecosystem Mapping

- [Draft Galiano Island Local Trust Area ecosystem maps and feedback form](#)

## Official Community Plan Review

### Drafts

- [Draft 1: April 9, 2010](#)

### OCP Committee Meetings

- [Calendar of Advisory Group Meetings](#)

### Advisory Groups

- Transportation: [Terms of Reference](#) | Final Report: [Part 1](#) and [Part 2](#)
- Affordable Housing: [Terms of Reference](#) | [Final Report](#)
- Agriculture and Food Security: [Terms of Reference](#) | [Final Report](#)
- Community and Economic Development: [Terms of Reference](#) | [Final Report](#)
- Groundwater: [Terms of Reference](#) | [Final Report](#)
- Steering Committee: [Terms of Reference](#)
- Forest Policy: [Terms of Reference](#)
- Ecosystem Protection: [Terms of Reference](#) | [Final Report](#)

### Other OCP Review Documents

- [Staff Report - April 9, 2009](#)
- [Staff Report - May 19, 2009](#)
- [Staff Report - December 14, 2009](#)
- [Subdivision Potential Map](#) | [Note](#)
- [Community Profile](#)
- [Staff Report \(Short Term Vacation Rentals\) - January 27, 2010](#)
- [Staff Report - March 5, 2010](#)
- [Staff Report - March 31, 2010](#)
- [Staff Report - April 14, 2010 re: Affordable/Community Housing Advisory Group Recommendations](#)

## Committee Links

- [Committee Home](#)
- [Trustee Membership](#)
- [Contact Trustees](#)
- [Contact Planning Staff](#)
- [Planning Bylaws](#)
- [Administrative Bylaws](#)
- [Meetings Schedule](#)
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- [Resolutions-Without-Meeting](#)
- [Associated Islands](#)
- [Land Use Application Forms](#)

- [Staff Report - April 27, 2010 re: Agriculture and Food Security Advisory Group Recommendations](#)
- [Approved Project Schedule and Deliverables - May 2010](#)
- [Staff Report - May 13, 2010 re: Transportation Advisory Group Recommendations](#)
- [Staff Report - May 13, 2010 re: Community Economic Development Advisory Group Recommendations](#)
- [Staff Report - May 26, 2010 re: Ecosystem Protection Advisory Group Recommendations](#)
- [Staff Report - June 4, 2010 re: Transportation Adviosry Group Recommendations Part 2](#)

### **Land Use Bylaw Review**

- [Staff Report- April 26, 2010](#)

### **Applications**

#### **Land Use Contract Amendment Application GL-RZ-2010.1 (Lenglet)**

- [Staff Report dated March 1, 2010](#)
- [Staff Report dated March 31, 2010](#)
- [Proposed Bylaw No. 208](#)

#### **Official Community Plan Amendment GL-OCP-2010.1 (LTC Initiated) re: RR/FH One Percent Issue**

- [Staff Report dated February 27, 2010](#)
- [Staff Report dated March 31, 2010](#)
- [Proposed Bylaw No. 207](#)

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